

On Raising the Hands in Prayer #3

The Evidences for Not Raising the Hands

- His saying, “and it is the saying of Sufyan and the saying of the people of Kufah”

It is the opinion of Abu Hanifah. The Hanafiyyah say, “verily it [the hadith of ibn ‘Umar] is abrogated by the hadith of ibn Mas‘ud and al-Bara’a” and we have come to know that they are weak and cannot be used to establish a proof.

i) They also seek evidence with the narration of ‘Umar (RA) reported by at-Tahawi^[1] and Abu Bakr ibn Abi Shaybah from al-Aswad who said, “I saw ‘Umar bin al-Khattab raise his hands in the first takbir then he did not repeat that.”

I say: this [narration] with this wording is not preserved [i.e. authentic]. Ibn Hajr said in ad-Dirayah, “al-Bayhaqi said, quoting from al-Hakim, ‘it is reported by al-Hasan bin ‘Ayyash; from ‘Abdu-l-Malik bin Abjar; from az-Zubair bin Adi with the wording, “he used to raise his hands with the first takbir and then he did not repeat that.” Ath-Thawri reports it from az-Zubair bin ‘Adi with the wording, “he used to raise his hands with the takbir” without [the addition] “then he did not repeat that”. Ath-Thawri reports this and it is preserved.’ ”

Furthermore this narration also contradicts the narration of Tawus from ibn ‘Umar “that ‘Umar used to raise his hands going into ruku‘ and when rising from it.”

Az-Zayla’i said in Nasb ar-Rayah, “al-Hakim objects to this hadith as being shadh (irregular), and therefore proof cannot be established using it and that it cannot be used to oppose the authentic narration from Tawus bin Kaysan; from ibn ‘Umar; that ‘Umar used to raise his hands at ruku‘ and when rising from it.”

Al-Hafidh said in ad-Dirayah, “it is contradicted by the narration of Tawus; from ibn ‘Umar that he used to raise his hands at the takbir and when rising from [ruku‘]”

I say: and for the narration of Tawus is a da‘if support. Az-Zayla’i said in Nasb ar-Rayah, “al-Bayhaqi narrates from Rishdin bin Sa‘d; from Muhammad bin Sahn; from Sa‘id bin al-Musayyab who said, ‘I saw ‘Umar bin al-Khattab raising his hands to the level of his shoulders when he started prayer and when he made ruku‘ and when he raised his head from it.’ ”

Addendum: an-Nimawi thinks that the addition of his saying, “that ‘Umar” after his saying “from ibn ‘Umar” in Nasb ar-Rayah is negligence [on the part of az-Zayla’i] and is not correct. He said, “what is correct is this: from Tawus bin Kaysan from ibn ‘Umar ‘who used to raise his hands’ [i.e. with the words “that ‘Umar” omitted]. Al-Hafidh said in ad-Dirayah, which is a summary of Nasb ar-Rayah, ‘and it is contradicted by the narration of Tawus from ibn ‘Umar that he used to raise his hands at the takbir in ruku‘ and rising from it.’ Ibn al-Hummam said in Fat`hu-l-Qadir, ‘al-Hakim contradicted it with the narration of Tawus bin Kaysan; from ibn ‘Umar (RA) that he used to raise his hands etc.’. Therefore it is established with these sayings that al-Hakim objects to it due to the narration of ibn ‘Umar not ‘Umar bin al-Khattab.”

I say: the claim of negligence over the additional saying, “that ‘Umar” is completely rejected. How could it be so when al-Hakim ruled that the narration of ‘Umar via the route of al-Aswad who said, ‘I saw ‘Umar bin al-Khattab raise his hands at the first takbir then he did not repeat that to be shadh due to the report of Tawus from ibn ‘Umar that ‘Umar (RA) used to raise his hands at ruku‘ and when rising from it. This constitutes clear evidence that the saying in the narration of Tawus, “that ‘Umar” is authentically established for the narration is not given the ruling of shadh by the use of a narration concerning another companion. As for the saying of al-Hafidh [ibn Hajr] in ad-Dirayah, “it contradicts the narration of Tawus; from ibn ‘Umar that he used to raise his hands etc.” then al-Hafidh omitted the words, “that ‘Umar” as a summary. The personal pronoun in “he used to” refers back to ‘Umar and likewise ibn al-Hummam does this in Fat`hu-l-Qadir. The like of this omission is well known, when summarising and depending upon a previous narration.

ii) They also seek evidence with the narration of ‘Ali (RA) related by at-Tahawi and ibn Abi Shaybah and al-Bayhaqi from ‘Asim bin Kulayb; from his father that ‘Ali “used to raise his hands at the first takbir of prayer and then he did not raise them again.”

Az-Zayla’i said, “it is a sahih narration” and al-‘Aini said in ‘Umdatul-Qari, “the sanad is sahih, meeting the conditions of Muslim.”

I say: this narration from ‘Ali is not sahih, even if az-Zayla’i said “it is sahih” and al-‘Aini said, “it is sahih, meeting the conditions of Muslim”. Imam Bukhari said in Juz’ Raf’i-l-Yadayn, “ ‘Abdur Rahman bin Mahdi said, ‘I mentioned the hadith of an-Nahshili; from Asim bin Kulayb to ath-Thawri and he rejected it’ ”

I say: Al-‘Asim bin Kulayb is alone in reporting this narration. Adh-Dhahabi said in al-Mizan, “he was from the servants and Awliya, but he was a Murji’, Yahya

bin Ma'in and others declared him trustworthy. Ibn al-Madini said, 'he is not relied upon in what he is alone in reporting' ”

If we were to accept that this narration is authentic, then it does not constitute evidence to support abrogation [of raising hands at ruku'] as at-Tahawi and others think. The author of at-Ta'liq al-Mumjad (i.e. al-Luknawi) from the Hanafi scholars said, "at-Tahawi mentioned after this narration from 'Ali: ' 'Ali did not see the Prophet (SAW) raise his hands and then leave acting on it except that its abrogation was established with him.'^[2] This claim is problematic, for it is possible that the leaving of 'Ali, and likewise ibn Mas'ud and other Companions, if it is established from them, is because they did not see this action to be a stressed Sunnah, necessitating acting by it. Indeed it is not safe to abrogate an established command of the Prophet (SAW) purely based on good opinion of a Companion when the possibility of reconciling the action of the Messenger (SAW) with the action of the Companion exists."

iii) They also seek evidence with the narration of ibn 'Umar, related by at-Tahawi and Abu Bakr ibn Abi Shaybah and al-Bayhaqi in al-Ma'rifah from Mujahid who said, "I prayed behind ibn 'Umar and he did not use to raise his hands except at the first takbir of the salah"

I say: the hadith of ibn 'Umar is weak from a number of perspectives,

Firstly: in its sanad is Abu Bakr bin 'Ayyash and he got confused in his memorisation at the end of his life.

Secondly: that it is shadh for Mujahid contradicts all of the companions of ibn 'Umar and they are trustworthy Hadith Masters.

Thirdly: the Imam of this matter, Yahya bin Ma'in said, "the hadith of Abu Bakr; from Husayn [i.e. this one] is a vain fancy of his having no basis."

Imam Bukhari said in Juz' Raf'i-l-Yadayn, "it is reported from Abu Bakr bin 'Ayyash; from Husayn; from Mujahid that he did not see ibn 'Umar raise his hands except at the first takbir. It is reported from the People of Knowledge that this is not preserved from ibn 'Umar except as negligence. Do you not see that ibn 'Umar used to throw pebbles at the one who did not raise his hands [at ruku'] in prayer?^[3] So how could ibn 'Umar leave something that he commanded others to do and he saw the Prophet (SAW) doing? Imam Bukhari said, Yahya bin Ma'in said, 'the hadith of Abu Bakr; from Husayn is a vain fancy of his having no basis'."

Imam al-Bayhaqi said in al-Ma‘rifah, “this hadith of Abu Bakr bin ‘Ayyash was related to us from Abu ‘Abdullah al-Hafidh, (and he mentioned it with his sanad. Then he narrated) from Bukhari that he said, ‘Abu Bakr bin ‘Ayyash got confused at the end of his life.’ The narration is related from Rabi‘, al-Layth, Tawus, Salim, Abu Zubair, Muharib bin Dithar, and others saying, “we saw ibn ‘Umar raise his hands when he made takbir and when he raised [his head from ruku‘].” It is reported from Abu Bakr; from Husayn; from Ibrahim; from ibn Mas‘ud of old as a mursal mawquf narration, “that ibn Mas‘ud used to raise his hands when he started prayer, and then he did not raise them afterwards.” This is what is preserved from Abu Bakr bin ‘Ayyash, and the first is a grave error due to it contradicting the trustworthy narrations from ibn ‘Umar. Al-Hakim said, ‘Abu Bakr bin ‘Ayyash used to be from the fixed memorisers, then he got confused when his memory failed him and he related that which others contradicted him in.’ So how is the claim of abrogating the hadith of ibn ‘Umar possible with the likes of this da‘if hadith, or how is it possible that we say that ‘he left raising of the hands at ruku‘ one time to show its permissibility as he was not of the opinion that it was obligatory, for his acting upon it is evidence that it is Sunnah, and his leaving it is evidence that it is not obligatory?’ ”[End, as is found in Nasb ar-Rayah]

Al-Hafidh ibn Hajr said in Fat`hu-l-Bari, “as for the Hanafiyyah then they rely upon the narration of Mujahid that he prayed behind ibn ‘Umar and he did not see him [raise his hands before and after ruku‘]. And [the scholars of hadith] replied by defaming its isnad, for its narrator is Abu Bakr bin ‘Ayyash and his memorisation went bad at the end of his life. Even if it is authentic than the action [of raising] is established from Salim, Nafi‘ and others and the larger number take precedence over the one, especially when their [narration] is affirmatory and his negatory. Furthermore reconciliation is possible: that ibn ‘Umar did not consider it obligatory so he did it sometimes and left it at other times”^[4]

Al-Fadil al-Luknawi^[5] said in his ta‘liq upon al-Muwatta of Muhammad,^[6] “it is well known in the books of Usul of our companions (i.e. Hanafis), ‘that Mujahid said, “I accompanied ibn ‘Umar for ten years and I did not see him raise his hands except once.” ’ They said, ‘and ibn ‘Umar reports the raising of hands [at ruku‘] from the Messenger (SAW) and he himself left it. When a Companion narrates a hadith then leaves acting upon what he narrated which is clear in meaning and it is not possible to explain his leaving of it, then you leave depending upon what is narrated.’ At-Tahawi reports from the hadith of Abu Bakr bin ‘Ayyash; from Husayn from Mujahid that he said, “I prayed behind ibn ‘Umar and he did not use to raise his hands except at the first takbir of prayer.” Then he said, ‘so this was ibn ‘Umar who saw the Prophet (SAW) raise his hands, then he left that same raising after the Prophet (SAW) and he did not do that except that abrogation was established with him.’^[7] At this juncture there arise some points of discussion:

First: asking for the isnad of what they quote from Mujahid that he accompanied ibn ‘Umar for ten years and did not see him raise his hands except at the first takbir.

Second: its contradicting the narration of Tawus and other trustworthy narrators that they saw ibn ‘Umar raise his hands (at ruku‘).

Third: That in the route of at-Tahawi is Abu Bakr bin ‘Ayyash and he has been criticised, therefore his narration is not comparable to the narrations of other trustworthy narrators. Al-Bayhaqi said in Kitabu-l-Ma‘rifah after reporting the hadith of Mujahid via the route of ibn ‘Ayyash, ‘Bukhari said, “Abu Bakr bin ‘Ayyash got confused at the end of his life... ” [mentioning what we narrated earlier. Then Luknawi said] and if you take the argument in Sharh Ma‘ani al-Athar [of at-Tahawi], ‘that it is possible that ibn ‘Umar did what Tawus saw before the proof was established of abrogation, then when the proof of abrogation was established he left it and did what Mujahid mentioned.’^[8] I say [in reply]: evidence [of abrogation] cannot be established upon this for it is possible to contradict the sayers and say, ‘it is possible that ibn ‘Umar used to do what Mujahid saw before the evidence was established about the necessity of raising the hands. Then when the necessity was established with him he raised [them as narrated by Tawus].’ On top of this taking the opinion of abrogation is taking something without evidence, so do not pay attention.

So if a person were to say, ‘the evidence [for abrogation] is the narrator contradicts what he narrates’, we would say, ‘this does not necessitate abrogation as has been discussed.’

Fourth: and this is better, that we accept that the leaving of [raising hands at ruku‘] is established from ibn ‘Umar, but it is possible that his leaving be to explain its permissibility or due to the absence of his seeing the raising of hands as being a necessary Sunnah. This then, does not belittle the establishment of raising hands from him and from the Messenger of Allah (SAW).

Fifthly: that the leaving of a narrator of what he narrates according to the Hanafiyyah is to be left as proof when that which contradicts it is certain as is clear from their books. This is not the case here due to the possibility that the raising [of hands] which is established from the Messenger (SAW), was enacted by ibn ‘Umar with resolve and he left it sometimes to show its permission. So his leaving it is not his contradicting what he narrates in a certain way.”

iv) Addendum: and the author of al-‘Urf ash-Shadhi said, “and for us is what at-Tahawi narrates with a strong sanad from ibn Abi Ziyad; from Ahmad bin Yunus;

from Abu Bakr bin ‘Ayyash who said, ‘I have not seen a single Legal Jurist raise his hands except at the first takbir.’ ”

I say: perhaps this saying of Abu Bakr bins ‘Ayyash was said after his memorisation going bad and his confusion. And how could it not be so when the writer of al-‘Urf ash-Shadhi acknowledged that the raising of hands is established as a mutawatir action that is not possible to reject. Imam Muhammad bin Nasr said, “the scholars of the lands have agreed to the legislation of this except the people of Kufah” as you have come to know.

v) And [the above mentioned author] said, “for us is another hadith from ibn ‘Umar that ‘he (SAW) did not raise his hands except one time,’ as in Khilafiyat of al-Bayhaqi, and az-Zayla’i quoted it in his takhrij and al-Hakim said, ‘it is fabricated and I have not come across the beginning of its isnad.’... And maybe its isnad is strong.”

I say: this hadith of ibn ‘Umar is invalid and fabricated. Az-Zayla’i said in Nasb ar-Rayah after quoting this hadith from Khilafiyat of al-Bayhaqi, “al-Bayhaqi said, ‘al-Hakim said, “this hadith is invalid and fabricated. It is not permissible to mention it except by way of censure.” ’ ”

Al-Hafidh said in ad-Dirayah, “al-Bayhaqi also narrates the likes of it via the route of az-Zuhri; from Salim; from his father and it is quoted from al-Hakim that it is fabricated and it is as he said.”

So may Allah, the Glorious and Exalted, guide those blind followers who leave the authentic, agreed upon, hadith of ibn ‘Umar and stick to this hadith which al-Hakim ruled to be fabricated. Especially this blind follower, who without investigating the beginning of the isnad of this hadith, and with his knowledge that al-Hakim ruled it to be fabricated, hopes that its isnad is strong and sticks to it.

vi) [The author] said, “we have another hadith, which is mursal from ‘Abbad bin ‘Abdullah bin Zubair, and ‘Abbad is a tabi’i, he said, ‘the Prophet (SAW) did not raise his hands except in the first takbir.’

Al-Hafidh came across its isnad in ad-Dirayah and he said, ‘so look into its isnad.’ And verily I looked into the isnad and it became clear that their occurs negligence from the author of Nasb ar-Rayah, for he wrote ‘Muhammad bin Yahya and he is not well-known.’ The truth is that he is Muhammad bin Abu Yahya and he is trustworthy so the sanad ends up as being sahih.”

I say: al-Hafidh did not say in ad-Dirayah:“so look into its isnad”, rather he said, “and this is mursal and also its isnad contains someone who should be investigated.”

Therefore al-Hafidh criticised this hadith from two perspectives: Firstly, that it is mursal and the mursal hadith according to the strongest opinion is not a proof. Secondly, that its isnad contains one who should be investigated. So every one who claims this isnad to be authentic then it is upon him that he establishes the condition of every man in its sanad to be trustworthy, acceptable to be relied upon, and that it is linked.

And as for the claim of negligence on the part of the author, [az-Zayla’i] over Muhammad Abu Yahya, and after accepting the correctness of the criticism, then this does not necessitate the authenticity of the sanad of the hadith for in it is one whose state is not known in the books of Rijal (biographies of narrators).

vii) They seek evidence also from the hadith of Jabir bin Samurah who said, “I went out with the Messenger of Allah (SAW) and he said, ‘what is the matter that I see you raise/move your hands as if they were the tails of headstrong horses. Be calm in your prayer.’ ” (Muslim)

The answer is that there is no evidence in it for forbidding raising of the hands at specific places in the prayer and at specific times, and that is at the ruku‘ and rising from it. This is because it is a summary of a long hadith. To clarify, Muslim also narrates from Jabir bin Samurah who said, “when we said prayer with the Messenger of Allah (SAW) we said the taslim and gestured with our hands on both sides. Upon this the Messenger (SAW) said, ‘why do I see you moving your hands as if they were tails of headstrong horses. It is enough for you that one should place ones hand on ones thigh and then pronounce taslim to the brother on ones right and left’ ”, and in a narration, “when one of you says the taslim then he should only turn his face towards his companion and not gesture with his hands.”

Ibn Hibban said, “mentioning the [full] narration is necessary to explain the previously mentioned summarised narration because the people were commanded with tranquillity in prayer at the point of indicating at the taslim, not the raising which is established at ruku‘.”Then he narrates the like of what Muslim narrates.

Al-Bukhari said, “the one who depends upon the hadith of Jabir bin Samurah for forbidding the raising of hands at ruku‘, then there is not for him a portion of knowledge, for this is well-known, having no difference of opinion over it that it was in the state of tashahhud.” [As quoted in at-Talkhis]^[9]

Az-Zayla'i said in Nasb ar-Rayah, after mentioning the hadith of Jabir bin Samurah summarised, "and Imam Bukhari objects [to this claim] in his book which he wrote about raising of hands, 'as for the depending of some people who have no knowledge of the hadith of Tamim bin Turfah; from Jabir bin Samurah [and he mentioned the summarised hadith, then the full version].... and if it were as they believe, then the raising of hands in the 'Eid prayer would also be forbidden, because the hadith does not specify one raising from another, but it is general.' "

Az-Zayla'i then said, "and [it is possible] for the one to say: 'that the ahadith do not explain one another, as there occurs in the wording of one hadith, "be calm in prayer", and the one who raises his hands at taslim, it is not said to him, 'be calm IN prayer', but it is said to the one who raises his hands during the prayer such as in the state of ruku' and sujud. This is what is obvious, and the narrator relates the first hadith at one time as he bears witness to, and narrates the second hadith at another time as he bears witness to. And there is no far-fetchedness in that."

I say: az-Zayla'i does not reply to the saying of al-Bukhari, "if it were as they believe, then the raising of hands in the takbirs of 'Eid would also be forbidden", so the reply he gives to this is the reply we give to raising of hands before and after ruku'.

As for his saying, "the one who raises his hands at taslim is not said to him, 'be calm in prayer' "then this is rejected, rather the one who raises his hands before completing and turning away from the prayer is in the prayer. Even if it is at the time of the first or second taslim it is said to him, "be calm in prayer."Do you not see that 'Abdullah bin Zubair saw a man raising his hands to make supplication before he left the prayer, so when he completed the prayer he said, "the Messenger of Allah (SAW) did not raise his hands until he had completed his prayer" related by at-Tabarani and its narrators are trustworthy. So think on this.

[END OF COMMENTARY]

Footnotes

1 At-Tahawi, Sharh Ma'ani al-athar [15/50].

2 At-Tahawi, Sharh Ma'ani al-athar [15/34].

3 Referring to the narration, "that when ibn 'Umar saw a man not raising his hands when he went into ruku' and when he rose from it, he threw pebbles at him." [no.14 of Juz' Raf'i-l-Yadayn].

4 Fat`h [2/280].

5 He is Abu al-Hasanat Abdu-l-Hayy al-Luknawi, a scholar of hadith from the Hanafi madh`hab. He was born in the year 1264H and died in the year 1304H.

6 He is the Imam, the Mujtahid, the Hafidh, Muhammad bin al-Hasan ash-Shaybani born in the year 132H and died in the year 189H. He was one of the premier students of Imam Abu Hanifah.

7 At-Tahawi, Sharh Ma'ani al-athar [15/50].

8 Refer to, at-Tahawi, Sharh Ma'ani al-athar [15/50].

9 Talkhi al-Habir [1/400].