

The Ruling of Delivering the Khutbah of Jumu'ah in a Language Besides Arabic

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Question

In many regions of America, the Khuṭbah before Jumu‘ah is delivered in English. The ‘Ulamā’ of Deoband generally do not regard the Khuṭbah of Jumu‘ah as being valid in any language besides Arabic. However, here (in America), many Arab personalities have given Fatwā of permissibility. When a discussion is had with them, at times it is said on their behalf: “Even if delivering the Khuṭbah of Jumu‘ah in a language besides Arabic is not allowed in the Ḥanafī Madhhab, it is allowed in some of the other Madhhabs.” Hence, the first question to yourself is: “Does any of the four Imāms advocate the view that it is permissible to deliver the Khuṭbah in a local language, apart from Arabic?”

The second question is: There are some regions in America where there are no Masjids in which the Khuṭbah is delivered in Arabic. Hence, one is left with no choice but to pray Jumu‘ah in such a Masjid where the Khuṭbah is delivered in English. The question is: “Is it permissible or not to pray Jumu‘ah in such a Masjid? And will the Jumu‘ah be valid after an English Khuṭbah?”

The question arises because (some of) our seniors who have written monographs or Fatwās on this matter have said that just as Imām Abū Ḥanīfah [Allāh have mercy on him] retracted from (the view of) the permissibility of Qirā‘ah (reciting the Qur‘ān in Ṣalāh) in non-Arabic, he likewise retracted from (the view of) the permissibility of non-Arabic Khuṭbahs. (See: *Imdād al-Aḥkām*, 1:712; *Jawāhir al-Fiqh*, 1:352, *Aḥsan al-Fatāwā*, 4:162-3)

It is inferred from this that according to the final view of Imām Abū Ḥanīfah [Allāh have mercy on him] which is in agreement with the majority, a Ṣalāh with non-Arabic Qirā‘ah is not valid. So, in the same way, by delivering the Khuṭbah in non-Arabic, will the Khuṭbah too not be valid? And since the Khuṭbah is not valid, the Jumu‘ah Ṣalāh would also not be valid given that Jumu‘ah is not valid without a Khuṭbah.

We request a thorough analysis of these questions.

Answer:

All praise belongs to Allāh and He suffices. Peace be upon His chosen slaves.

It is incorrect to say that apart from the Ḥanafīs, the other Imāms opine that it is permissible to deliver the Khuṭbah in a language besides Arabic. In fact, the reality is that the Madhhabs of the other Imāms apart from Imām Abū Ḥanīfah [Allāh have mercy on him] are more restrictive in this matter.

As far as the Mālikīs, Shāfi'īs and Ḥanbalīs are concerned, they all agree that apart from Arabic, the Khuṭbah of Jumu'ah is not allowed in any other language, and if the Khuṭbah is delivered in another language despite being able to deliver it in Arabic, neither the Khuṭbah nor the Jumu'ah Ṣalāh will be valid.

In fact, the Mālikīs hold that if there is no one in the congregation able to deliver an Arabic Khuṭbah, the obligation of Jumu'ah falls away and they will have to pray Ṣalāh instead. However, there is scope according to the Shāfi'īs and Ḥanbalīs. If there is no one in the congregation able to deliver an Arabic Khuṭbah nor enough time for someone to learn an Arabic Khuṭbah, a Khuṭbah in another language in this situation is permissible and valid according to them, and the Jumu'ah Ṣalāh following it will be valid.

The following citations from the books of these Madhhabs are sufficient to establish this.

The Mālikī Madhhab

‘Allāmah al-Dasūqī [Allāh have mercy on him] writes:

(قوله: وكونها عربية) أي ولو كان الجماعة عجمًا لا يعرفون العربية، فلو كان ليس فيهم من يحسن الإتيان بالخطبة عربية لم يلزمهم جمعة (حاشية الدسوقي على الشرح الكبير، ج ١ ص ٣٧٨)

“It is also a condition for the Khuṭbah to be in Arabic, even if the congregation are non-Arabs who do not know Arabic. Thus, if there is no one amongst them who is able to deliver a Khuṭbah in Arabic, Jumu‘ah is not necessary for them.”

‘Allāmah ‘Illaysh writes:

ويخطبتين قبل الصلاة... وكونهما عربيتين، والجهر بهما، ولو كان الجماعة عجمًا لا يعرفون اللغة العربية أو صمًا، فإن لم يوجد فيهم من يحسنهما عربيتين فلا تجب الجمعة عليهم، ولو كانوا كلهم بكما فلا تجب عليهم الجمعة، فالقدرة على الخطبتين من شروط وجوب الجمعة (شرح منح الجليل على مختصر العلامة خليل، ج ١٠ ص ٢٦٠)

“Two Khūtbahs before Jumu‘ah Ṣalāh are also a condition for its validity...as well as both being in Arabic and being delivered aloud, even if the congregation are non-Arabs or deaf. Thus if there is no one amongst them able to deliver the two Khuṭbahs in Arabic, Jumu‘ah is not obligatory on them. If all of them are mute, then too Jumu‘ah is not obligatory on them. Thus, being able to deliver two Khuṭbahs is from amongst the preconditions of Jumu‘ah being obligatory.”

These details are generally found in all Mālikī books. See: *Jawāhir al-Iklīl li ‘l-Ḥaṭṭāb*, 1:95; *al-Kharshī ‘alā Mukhtaṣar Khalīl*, 2:28; *Sharḥ al-Zurqānī ‘alā Mukhtaṣar Khalīl*, 2:56, *al-Fawākih al-Dawānī ‘alā Risālat Ibn Abī Zayd al-Qayrawānī*, 1:267.

It is inferred from all these citations that according to the Mālikīs, it is necessary for the Khuṭbah to be in Arabic in all conditions, even to the point that if it is not possible to deliver in Arabic, even then it is not allowed to deliver the Khuṭbah in another language, but rather Ṣalāh will be offered instead of Jumu‘ah.

The Shāfi‘ī Madhhab

‘Allāmah al-Ramlī al-Shāfi‘ī [Allāh have mercy on him] writes:

(ويشترط كونها) أي الخطبة (عربية) لاتباع السلف والخلف، ولأنها ذكر مفروض فاشترط فيه ذلك كتكبيرة الإحرام
(نهایة المحتاج إلى شرح المنهاج، ج ٢ ص ٣٠٤)

“It is also a condition for the Khuṭbah to be in Arabic in imitation of the Salaf and Khalaf, and also because it is an obligatory *dhikr*, hence this is a precondition in it just as it is for the Takbīrat al-Iḥrām.”

‘Allāmah Sharawānī [Allāh have mercy on him] writes:

(ويشترط كونها) أي الأركان دون ما عداها (عربية) للإتباع، نعم، إن لم يكن فيهم من يحسنها ولم يمكن تعلمها قبل
ضيق الوقت، خطب منهم واحد بلسانهم، وإن أمكن تعلمها وجب على كل منهم، فإن مضت مدة إمكان تعلم
واحد منهم ولم يعتلموا عصوا كلهم ولا جمعة لهم بل يصلون الظهر (حواشي الشرواني على تحفة المحتاج بشرح
المنهاج، ج ٢ ص ٤٥)

“It is a condition for the main elements of the Khuṭbah, to the exclusion of other parts, to be in Arabic, in imitation (of the predecessors). Yes, if no one in the congregation is able to do so and it is not possible to learn it before the time (for Jumu‘ah Ṣalāh) becomes restricted, one of them may deliver the Khuṭbah in their language. If it is possible to learn, it is obligatory on all of them. If the time in which it is possible for one of them to learn passes and none of them has learned it, they will all be sinful, and will not have the option to pray Jumu‘ah, but will pray Ṣuḥr (instead).”

These details are also found in other books of the Shāfi‘īs. See: *Zād al-Muḥtāj bi Sharḥ al-Minhāj*, 1:327; *I‘ānat al-Ṭālibīn ‘alā Ḥall Alfāz Fath al-Mu‘īn*, 2:67-8; *al-Ghāyat al-Quṣwā fī Dirāyat al-Fatwā*, 1:340.

The Ḥanbalī Madhhab

‘Allāmah Buhūtī [Allāh have mercy on him] writes:

(ولا يصح الخطبة بغير العربية مع القدرة) عليها بالعربية، (كقراءة)، فإنها لا تجزي بغير العربية، وتقدم، (وتصح) الخطبة بغير العربية (مع العجز) عنها بالعربية، لأن المقصود بها الوعظ والتذكير وحمد الله والصلاة على رسوله صلى الله عليه وسلم، بخلاف لفظ القرآن فإنه دليل النبوة وعلامة الرسالة ولا يحصل بالعجمية، (غير القراءة) فلا تجزي بغير العربية لما تقدم (فإن عجز عنها) أي عن القراءة (وجب بدلها ذكر) قياسا على الصلاة (كشف القناع عن متن الإقناع، ج ٢ ص ٣٦-٣٧)

“Despite being able to deliver the Khuṭbah in Arabic, to do so in another language is not valid, just as the Qirā’ah (recitation) in Ṣalāh is not valid in non-Arabic. However, if not able to deliver it in Arabic, a non-Arabic Khuṭbah is valid, because its aim is admonishing and reminding, praising Allāh and sending blessing on His Messenger (Allāh bless him and grant him peace). This is different to the words of the Qur’ān given it is a proof of prophethood and a sign of messengership which will not be achieved in non-Arabic. Hence, Qirā’ah is not valid in non-Arabic. If one is not able to recite in Arabic, he will have to recite *dhikr* instead.”

A similar explanation of this issue is found in ‘Allāmah ibn Muflīḥ’s *Kitāb al-Furū’*, 2:113-4.

It is inferred from these citations that according to the Madhhabs of the three Imāms to deliver a Khuṭbah in another language despite being able to deliver it in Arabic is not only impermissible but invalid, and the Jumu‘ah offered after it is invalid. However, the Shāfi‘īs and Ḥanbalīs say that if no one within the congregation is able to deliver a Khuṭbah in Arabic, and there is also no time to learn it, then a Khuṭbah delivered in some other language will fulfil the condition of Jumu‘ah, and offering Jumu‘ah after it will be permissible. This is also the view of Imām Abū Yūsuf and Imām Muḥammad, details of which will come later inshāAllāh.

Analysis of the Madhhab of Imām Abū Ḥanīfah

As far as Imām Abū Ḥanīfah [Allāh have mercy on him] is concerned, some elaboration is required to understand his stance. It is generally believed that just as Imām Abū Ḥanīfah [Allāh have mercy on him] considers it valid to recite the Qur’ān in non-Arabic at the start of Ṣalāh, he likewise considers it valid to recite the Khuṭbah of Jumu’ah in non-Arabic; and later, just as he retracted (the view of) the permissibility of reciting the Qur’ān in Farsi, he likewise retracted (the view of) reciting the Khuṭbah in non-Arabic. However, the reality is that there are two separate issues here, in which Imām Abū Ḥanīfah’s [Allāh have mercy on him] stance differs.

One issue is: Is reciting the Noble Qur’ān in non-Arabic within Ṣalāh valid or not? In this matter, Imām Ṣāhib’s initial view was that if someone despite being able to recite in Arabic does so in another language, it is reprehensible to do so, but the obligatory Ṣalāh will be discharged. Imām Abū Yūsuf, Imām Muḥammad and the majority of the Fuqahā’ say that the Ṣalāh in this situation will not even be done. Later on, Imām Abū Ḥanīfah [Allāh have mercy on him] withdrew to the view of Ṣāhibayn and the majority of Fuqahā. Now, his view is: if despite being able to recite Qur’ān in Arabic, one recites in another language, the Ṣalāh itself will not be done. Effectively, there now no longer remains any difference between him and Ṣāhibayn and the majority of Fuqahā in this matter, and there is now agreement that Qirā’ah in Ṣalāh can be done only in Arabic, and Qirā’ah in any other language will render the Ṣalāh invalid.

The second issue is: Can other *adhkār* apart from the Qirā’ah of Ṣalāh, like the Takbīr al-Taḥrīmah (the opening Takbīr), or the Tasbīḥs of Rukū’ and Sajdah, the Tashahhud, the Khuṭbah of Jumu’ah, be done in a language besides Arabic or not? In this matter too, there was disagreement between Imām Abū Ḥanīfah and Ṣāhibayn [Allāh have mercy on them]. Ṣāhibayn’s view was that for as long as someone is able to read in Arabic, it is a condition for all these *adhkār* to be in Arabic. Hence, if someone, while being able to read in Arabic, recites these *adhkār* in any other language, they will not be valid. Imām Abū Ḥanīfah’s [Allāh have mercy on him] view is that despite being able to

read Arabic, if these *adhkār* are read in any other language, although reprehensible, the *adhkār* will nonetheless be valid.

Some individuals assume based on an inference, for example, from the plain meaning of a passage of ‘Allāmah ‘Aynī [Allāh have mercy on him] that Imām Abū Ḥanīfah [Allāh have mercy on him] withdrew in this second issue also to the view of Ṣāhibayn. ‘Allāmah ‘Aynī wrote:

وأما الشروع بالفارسية أو القراءة بما فهو جائز عند أبي حنيفة رحمه الله مطلقا، وقالوا: لا يجوز إلا عبد العجز، وبه قالت الثلاثة وعليه الفتوى وصح رجوع أبي حنيفة إلى قولهما (شرح العيني على الكنز، ج ١ ص ٣٢)

“As far as commencing Ṣalāh in Farsi or Qirā’ah in Farsi are concerned, it is valid according to Imām Abū Ḥanīfah [Allāh have mercy on him] unconditionally, while Ṣāhibayn say that apart from the situation of inability, it is not valid. This is also the view of the three Imāms. Fatwā is given on this. It is authentic that Imām Abū Ḥanīfah [Allāh have mercy on him] withdrew to the view of Ṣāhibayn.”

In this passage, ‘Allāmah ‘Aynī [Allāh have mercy on him] after having mentioned both issues: namely, reciting the Takbīr al-Taḥrīmah in Farsi, and reciting the Qur’ān in Farsi, he said that Imām Ṣāhib retracted to the view of Ṣāhibayn, the apparent meaning of which is that he retracted in both issues. That which is found in *Imdād al-Aḥkām*, *Jawāhir al-Fiqh* and *Aḥsan al-Fatāwā* in regards to the Khuṭbah of Jumu‘ah, namely that Imām Abū Ḥanīfah [Allāh have mercy on him] withdrew to the view of Ṣāhibayn, is likely based on this statement of ‘Allāmah ‘Aynī.

However, the reality is that, from the outset, this passage of ‘Allāmah ‘Aynī does not explicitly carry this meaning. Rather, there is scope in it for the meaning that the retraction relates only to the issue of Qirā’ah. Assuming his intent is that Imām Ṣāhib retracted from his earlier stance in both issues, then this will be an oversight of ‘Allāmah ‘Aynī. The reality is that Imām Abū Ḥanīfah withdrew only in the first issue, namely reciting Qur’ān in Farsi, to the view of Ṣāhibayn, but regarding the second issue, namely reading the Takbīr al-Taḥrīmah or other *adhkār* (of Ṣalāh) in non-Arabic or delivering the Khuṭbah of Jumu‘ah in non-Arabic, he did not retract. Rather, some ‘Ulamā’ have claimed Ṣāhibayn retracted to the view of Imām Ṣāhib in this matter!

The outcome is that if *Takbīr al-Taḥrīmah* is read in another language, or *Tashahhud* is read in another language, or the *Khuṭbah* of *Jumu‘ah* is delivered in another language, according to *Imām Abū Ḥanīfah*, it is, even now, considered valid. Most other *Fuqahā’*, apart from ‘*Allāmah ‘Aynī*, have stated this explicitly, and have refuted ‘*Allāmah ‘Aynī*. ‘*Allāmah ‘Alā’ al-Dīn al-Ḥaṣkafī* wrote in *al-Durr al-Mukhtār*:

وجعل العيني الشروع كالقراءة لا سلف له فيه ولا سند له يقويه، بل جعله في التاترخانية كالتلبية يجوز اتفاقاً،
فظاهره كالمتمن رجوعهما إليه، لا هو إليهما، فاحفظه، فقد اشتبه على كثير من القاصرين حتى الشرنبلالي في كل
كتبه، فتنبه. (الدر المختار، ج ٣٥٧-٣٥٨، ج ١ ٤٨٤-٤٨٥، طبع ايچ ايم سعيد كراچي)

“*Al-‘Aynī’s* treating commencing (the *Ṣalāh*) like *Qirā’ah* – he has no precedent in this nor any basis strengthening it. In fact, in *al-Tātarkhāniyyah*, *Takbīr al-Taḥrīmah* was treated like *Talbiyah*, which is allowed in another language by agreement (of *Imām Abū Ḥanīfah* and *Ṣāhibayn*). Thus, the apparent meaning of this, just like the text of *Tanwīr al-Abṣār*, is that *Ṣāhibayn* withdrew to *Imām Abū Ḥanīfah’s* view not that he withdrew to theirs. Keep this in mind because it has befuddled many who fell short, even *al-Shurunbulālī* in all his books – so pay attention!”

‘*Allāmah Shāmī* [*Allāh* have mercy on him] commented on this:

(قوله: لا سلف له فيه) أي: لم يقل به أحد قبله، وإنما المنقول أنه رجع إلى قولهما في اشتراط القراءة بالعربية إلا عند العجز، وأما مسألة الشروع فالمذكور في عامة الكتب حكاية الخلاف فيها بلا ذكر رجوع أصلاً، وعبارة المتن كالكنز وغيره كالصريحة في ذلك، حيث اعتبر العجز فيه أي في القراءة فقط، (قوله: ولا سند له يقويه) أي: ليس له دليل يقوي مدعاه، لأن الإمام رجع إلى قولهما في اشتراط القراءة بالعربية، لأن المأمور به قراءة القرآن، وهو اسم للمنزل باللفظ العربي المنظوم بهذا النظم الخاص المكتوب في المصاحف المنقول إلينا نقلاً متواتراً، والأعجمي إنما يسمى قرآناً مجازاً، ولذا يصح نفي اسم القرآن عنه، فلقوة دليل قولهما رجع إليه، أما الشروع بالفارسية فالدليل فيه للإمام أقوى، وهو كون المطلوب في الشروع: الذكر والتعظيم، وذلك حاصل بأي لفظ كان وأي لسان كان، نعم لفظ الله أكبر واجب للمواظبة عليه لا فرض (الدر المختار، ج ١ ص ٣٥٧-٣٥٨)

“The statement (of *al-Durr al-Mukhtār*): ‘(*Al-‘Aynī*) has no precedent in this’ means no one before him said this. What is reported is only that *Imām Abū Ḥanīfah* retracted to the view of *Ṣāhibayn* on it being a condition for the *Qirā’ah* to be in Arabic except when unable. As for

the issue of commencing (the Ṣalāh), what is mentioned in the vast majority of books is a transmission of disagreement without any mention of retraction at all. The text of *Tanwīr al-Abṣār* like *Kanz al-Daqā'iq* is almost explicit in this, whereby inability has only been considered for Qirā'ah.

“The statement (of *al-Durr al-Mukhtār*): ‘(Al-‘Aynī) has no support strengthening it’ means he has no evidence strengthening his claim. This is because Imām Abū Ḥanīfah withdrew to the view of Ṣāhibayn on it being a condition for the Qirā'ah to be in Arabic because what is commanded is the recitation of Qur'ān. ‘Qur'ān’ is a term used for what was revealed in the Arabic text, arranged in this specific sequence, written in the Muṣḥafs, passed down to us with mass-transmission. A non-Arabic rendition is only called ‘Qur'ān’ metaphorically. Hence, it is valid to negate the term ‘Qur'ān’ from it. Hence, based on the strength of the view of Ṣāhibayn, he withdrew to it.

“As for commencing (Ṣalāh) in Farsi, the evidence on it is stronger in favour of Imām Abū Ḥanīfah. The evidence is that what is required in terms of commencement is *dhikr* and glorification, which is achievable with any expression and in any language. Yes, the expression, ‘Allāhu akbar’, is wājib based on the continued practice of it (by the Prophet ﷺ and the Salaf), not farḍ.”

‘Allāmah Shāmī [Allāh have mercy on him] wrote almost the same thing, in detail, in the marginalia to *al-Baḥr al-Rā'iq*. (*Minḥat al-Khāliq 'ala 'l-Baḥr al-Rā'iq*, 1:307)

In his commentary on *Mullā Miskīn*, ‘Allāmah Abu ‘l-Su‘ūd al-Ḥanafī [Allāh have mercy on him] also considered it sound that in regards to the commencement of Ṣalāh and other *adhkār*, Imām Abū Ḥanīfah [Allāh have mercy on him] did not retract to the view of Ṣāhibayn, rather it is Imām Abū Ḥanīfah’s view that is authoritative in this matter. Thus, he said:

وقول العيني: الفتوى على قول الصاحبين أنه لا يصح الشروع بالفارسية إذا كان يحسن العربية، فيه نظر، بل المعتمد فيه قول الإمام أن الشروع كمنظأره مما اتفقوا عليه، ولهذا نقل في الدر عن التاتارخانية أن الشروع بالفارسية كالتلبية يجوز اتفاقا (فتح المعين على شرح الكنز لملا مسكين، ج ١ ص ١٨٢)

“There is reservation over al-‘Aynī’s statement that Fatwā is on the view of Ṣāhibayn that commencing (Ṣalāh) is not valid in Farsi when able to read Arabic. In fact, the authoritative position on this is the view of Imām Abū Ḥanīfah, namely that commencing (Ṣalāh), like its equivalent issues, is from those things that they agree upon. Hence, in *al-Durr*, it is quoted from *al-Tātārkhāniyyah* that commencing (Ṣalāh) in Farsi is like Talbiyah: it is valid by agreement.”

Further, Mawlānā ‘Abd al-Ḥayy al-Laknawī [Allāh have mercy on him] writes:

وذكر العيني في شرح الكنز ثم الطرابلسي ثم الشرنبلالي رجوعه في مسألة التكبير أيضا إلى قولهما، وهو خلاف ما عليه عامة الكتب من بقاء الخلاف في مسألة التكبير والتلبية والتسمية وغيرها، وهذا المبحث طويل الذيل، كم زلت فيه الأقدام وتحيرت فيه الأفهام (السعاية، ج ٢ ص ١٥٤-١٥٥)

“Al-‘Aynī in *Sharḥ al-Kanz*, then al-Ṭarāblusī, then al-Shurunbulālī, said that he withdrew in the matter of Takbīr also to the view of Ṣāhibayn, which is opposed to the vast majority of the books, namely the disagreement remaining in the issues of Takbīr, Talbiyah, Tasmiyah etc. This investigation has a lengthy follow-up (discussion). Many a foot has slipped on this and many a mind has been perplexed about it.”

Ḥaḍrat Mawlānā ‘Abd al-Ḥayy Ṣāhib al-Laknawī [Allāh have mercy on him] wrote a separate monograph on this topic, in which he wrote the evidences of Imām Abū Ḥanīfah [Allāh have mercy on him] in detail. The monograph’s title is: *Ākām al-Nafā’is fī Adā’ al-Adhkār bi Lisān al-Fāris*. He writes in this monograph:

والحق أنه لم يرو رجوعه في مسألة الشروع بل هي على الخلاف، فإن أجلة الفقهاء منهم صاحب الهداية وشراحها العيني والسغناقي والبابري والحبوي وغيرهم وصاحب الجمع وشراحه وصاحب البنزاية والمحيط والذخيرة وغيرهم، ذكروا رجوعه في مسألة القراءة فقط، واكتفوا في مسألة الشروع بحكاية الخلاف (آكام النفائس، ص ٧٣، مطبوعة في مجموعة الرسائل الخمس، مطبع يوسف، ١٣٣٧ هجري)

“The truth is that it has not been reported (authentically) that he retracted on the topic of commencing (Ṣalāh in non-Arabic). Rather, this remains having the same disagreement. The prominent Fuqahā’, amongst them: the author of *al-Hidāyah* and its commentators, al-‘Aynī, al-Sighnāqī, al-Bābirtī, al-Maḥbūbī and others, and the author of *al-Majma’* and its commentators, and the author of *al-Bazzāziyyah*, *al-Muḥīt*, *al-Dhakhīrah* and others – all mentioned his retraction on the topic of Qirā’ah only, and on the issue of commencing (Ṣalāh in non-Arabic), they sufficed with mentioning the disagreement.”

‘Allāmah Laknawī [Allāh have mercy on him] also said in several places that the statement of ‘Allāmah ‘Aynī himself is not explicit that Imām Ṣāḥib withdrew to the view of Ṣāḥibayn in both issues. Rather, it has the scope to mean that the retraction relates only to Qirā’ah. Hence, it is not correct to say with definitiveness that he erred in narrating a retraction in both issues.

Furthermore, he supported the statement of Ibn ‘Ābidīn [Allāh have mercy on him] that the claim of some, based on a passage of *Tātārkhāniyyah*, that Ṣāḥibayn retracted to the view of Imām Ṣāḥib in the issue of Takbīr al-Taḥrīmah and other *adhkār*, is also incorrect, because the Takbīr that in *Tātārkhāniyyah* was considered by agreement to be valid to say in Farsi is not the Takbīr al-Taḥrīmah but the Takbīr of slaughtering. Thus, the reality is that the disagreement of Imām Abū Ḥanīfah [Allāh have mercy on him] and Ṣāḥibayn over Takbīr al-Taḥrīmah and the other *adhkār* of Ṣalāh and the Khuṭbah remains. Neither did Imām Abū Ḥanīfah [Allāh have mercy on him] retract to the view of Ṣāḥibayn nor did Ṣāḥibayn retract to the view of Imām Ṣāḥib. (See: *Ākām al-Nafā’is*, p73-4)

It is evident from these citations from ‘Allāmah ‘Alā’ al-Ḥaṣkafī, ‘Allāmah Ibn ‘Ābidīn al-Shāmī, ‘Allāmah Abu ‘l-Su’ūd and Ḥaḍrat Mawlānā ‘Abd al-Ḥayy al-Laknawī [Allāh have mercy on them] that Imām Abū Ḥanīfah [Allāh have mercy on him] retracted to the view of Ṣāḥibayn only in the issue of Qirā’ah. He did not retract on the issue of Takbīr al-Taḥrīmah and other *adhkār*. Hence, it is written in the reliable primers of the Ḥanafīs, like *Kanz al-Daqā’iq*, *Tanwīr al-Abṣār*

etc. about the issue of Takbīr al-Taḥrīmah, that it is valid in non-Arabic.

The passage from *Kanz al-Daqā'iq* is:

ولو شرع بالتسييح أو بالتهليل أو بالفارسية صح كما لو قرأ بها عاجزا (البحر الرائق شرح كنز الدقائق، ج ١ ص ٣٠٧)

“If he commences (Ṣalāh) with Tasbīḥ or Tahlīl or in Farsi, it is valid, just as if he were to recite in Farsi when unable (to read Arabic).”

The passage of *Wiqāyah* is:

فإن أبدل التكبير بالله أجل وأعظم والرحمن أكبر أو لا إله إلا الله أو بالفارسية أو قرأ بها بعدر أو ذبح وسمى بها جاز (الوقاية، ج ١ ص ١٦٥)

“If he replaces Takbīr with ‘Allāhu ajall’ or ‘a‘ẓam’ or ‘al-Raḥmān akbar’ or ‘lā ilāha illAllāh’ or in Farsi or recites in Farsi for a valid reason or carries out animal-slaughter and recites the Tasmiyah in Farsi, it is valid.”

The passage of *Tanwīr al-Abṣār* is:

وصح شروعه بتسييح وتهلليل كما صح لو شرع بغير عربية أو آمن أو لبي أو سلم أو سمي عند ذبح أو قرأ بها عاجزا (تنوير الأبصار، ج ١ ص ١٥٨)

“Commencing Ṣalāh is valid with Tasbīḥ and Tahlīl, just as it is valid if one commences in non-Arabic, or accepts īmān or recites Talbiyah or expresses salām or recites the Tasmiyah upon animal-slaughter or recites in non-Arabic when unable (to read Arabic).”

The view of Ṣāhibayn has been chosen in all three of these texts in the topic of Qirā'ah: Qirā'ah in Farsi is only valid when unable (to read Arabic). However, in the issue of Takbīr al-Taḥrīmah and other issues, according to the view of Imām Abū Ḥanīfah [Allāh have mercy on him] a general rule of it being valid has been mentioned. There is no mention of Imām Abū Ḥanīfah [Allāh have mercy on him] retracting.

Furthermore, ‘Allāmah Fakhr al-Dīn al-Zaylā'ī [Allāh have mercy on him] also did not mention that Imām Abū Ḥanīfah [Allāh have mercy

on him] retracted on the issue of Takbīr al-Taḥrīmah, whereas he did report the retraction on the issue of Qirā'ah. (*Tabyīn al-Ḥaqqā'iq*, 1:110)

This definitely supports the analysis of 'Allāmah Ibn 'Ābidīn and others. It becomes clear that Imām Ṣāḥib's retraction is confirmed only in the issue of Qirā'ah. In the matter of Takbīr al-Taḥrīmah and other *adhkār*, he did not retract from his view. Rather his Madhhab remains, even now, that they are valid in non-Arabic.

Secondly, it is also clear that the Khuṭbah of Jumu'ah does not fall under the rule of Qirā'ah of Ṣalāh according to Imām Abū Ḥanīfah [Allāh have mercy on him]. Rather, it falls under the rule of Takbīr al-Taḥrīmah and other *adhkār* (of Ṣalāh). Thus, the noble Fuqahā' mentioned the Khuṭbah alongside these *adhkār*. For example, 'Allāmah Ibn Nujaym [Allāh have mercy on him] said after describing the issue of Takbīr al-Taḥrīmah etc.:

وعلى هذا الخلاف الخطبة والقنوت والتشهد (البحر الرائق، ج ١ ص ٣٠٧)

“Khuṭbah, Qunūt and Tashahhud share the same disagreement.”

Furthermore, 'Allāmah 'Alā' al-Dīn al-Ḥaṣkafī [Allāh have mercy on him] wrote after mentioning the issue of Takbīr al-Taḥrīmah:

وعلى هذا الخلاف الخطبة وجميع أذكار الصلاة (الدر المختار، ج ١ ص ١٥٧)

“The Khuṭbah and all the *adhkār* of Ṣalāh share the same disagreement.”

Furthermore, 'Allāmah al-Zayla'ī [Allāh have mercy on him] wrote after mentioning the issue of Takbīr al-Taḥrīmah:

وعلى هذا الخلاف الخطبة والقنوت والتشهد (تبيين الحقائق للزيلعي شرح الكنز، ج ١ ص ١١٠)

“The Khuṭbah, Qunūt and Tashahhud share the same disagreement.”

Furthermore, in *al-Fatāwā al-Tātārkhāniyyah*, after mentioning the retraction of Imām Abū Ḥanīfah [Allāh have mercy on him] on the issue of Qirā'ah, he determined that it is sound. (*al-Fatāwā al-Tātārkhāniyyah*, 1:457) However, he wrote regarding the Khuṭbah:

ولو خطب بالفارسية جاز عند أبي حنيفة رحمه الله على كل حال (الفتاوى التاتارخانية، كتاب الصلاة، شرائط الجمعة، ج ٢ ص ٦٠)

“If he delivers the Khuṭbah in Farsi, it is valid according to Abū Ḥanīfah in all conditions.”

He also said after reporting the disagreement between Imām Abū Ḥanīfah [Allāh have mercy on him] and Ṣāhibayn on Takbīr al-Taḥrīmah:

والتشهد والخطبة على هذا الإختلاف (الفتاوى التاتارخانية، ج ١ ص ٤٤٠)

“The Tashahhud and Khuṭbah fall under the same disagreement.”

Ḥaḍrat Mawlānā ‘Abd al-Ḥayy al-Laknawī [Allāh have mercy on him] wrote:

وفي الهداية وجامع المضمرة والمجتبى وغيرها أن الخطبة على الإختلاف، يعني أنه يجوز عند أبي حنيفة بغير العربية للقادر والعاجز كليهما وعندهما لأحدهما (آكام النفائس، ص ٩١)

“According to *al-Hidāyah*, *Jāmi’ al-Muḍmarāt*, *al-Mujtabā* and other (texts), the Khuṭbah shares the same disagreement. That is, it is valid according to Abū Ḥanīfah in non-Arabic for both the one able and unable (to read Arabic), and according to Ṣāhibayn, only for the one unable.”

From this entire discussion, it has become evident that even now it is Imām Abū Ḥanīfah’s [Allāh have mercy on him] Madhhab regarding the Khuṭbah of Jumu‘ah that it is valid in non-Arabic, and Imām Ṣāhib did not retract from it. The analytical scholars of the Ḥanafīs gave Fatwā on this.

[The Validity of a Khuṭbah in Another Language Does not Negate its Reprehensibility]

However, it is necessary to keep in mind here that the intent behind the Khuṭbah of Jumu‘ah being valid according to Imām Abū Ḥanīfah [Allāh have mercy on him] in non-Arabic is that the obligation of Jumu‘ah is discharged. From this perspective the Khuṭbah is taken into consideration in the Sharī‘ah such that the condition for the validity of Jumu‘ah is fulfilled and the Jumu‘ah Ṣalāh offered thereafter is valid.

However, its intent is not that it is permissible to deliver the Khuṭbah of Jumu‘ah in non-Arabic according to Imām Abū Ḥanīfah [Allāh have mercy on him]. In fact, the reality is that the *adhkār* of Ṣalāh and its related activities, about which Imām Abū Ḥanīfah [Allāh have mercy on him] said that they are valid in non-Arabic, it is explicitly mentioned that to recite them in non-Arabic is Makrūh Taḥrīmī – i.e. impermissible. Hence, wherever these *adhkār* have been described as being valid in non-Arabic according to Imām Ṣāhib, in those same places there is explicit mention of it being Makrūh Taḥrīmī.

For example, in *al-Durr al-Mukhtār* we find:

وصح شروعه مع كراهة التحريم بتسييح وتلليل.. كما صح لو شرع بغير عربية (الدر المختار، ج ١ ص ٣٥٦ -
(٣٥٧)

“Commencing (Ṣalāh) with Tasbīḥ and Tahlīl is valid, with Karāhah Taḥrīmīyyah, just as it is valid if commencing in non-Arabic.”

‘Allāmah Ibn Nujaym wrote:

فعلى هذا ما ذكره في التحفة والذخيرة والنهائية من أن الأصح أنه يكره الإفتتاح بغير الله أكبر عند أبي حنيفة فالمراد كراهية التحريم... فعلى هذا يضعف ما صححه السرخسي من أن الأصح لا يكره (البحر الرائق، ج ١ ص ٣٠٦)

“Based on this, what is mentioned in *al-Tuḥfah*, *al-Dhakhīrah* and *al-Nihāyah* that the more correct stance is that it is reprehensible to commence with something besides ‘Allāhu akbar’, what is meant is Karāhah Taḥrīmīyyah...Hence, what ‘Allāmah al-Sarakhsī said that the more correct stance is that it is not reprehensible is weak.”

In *al-Fatāwā al-Tātārkhāniyyah*, we find:

ولو كبر بالفارسية بأن قال: خدا بزرگ است... جاز عند أبي حنيفة سواء كان يحسن العربية أو لا يحسن العربية إلا أنه إذا كان يحسن العربية لا بد من الكراهة (الفتاوى التاتارخانية، ج ١ ص ٤٤٠)

“If one does Takbīr in Farsi by saying: ‘Khudā buzurg ast’...it is valid according to Abū Ḥanīfah, whether he is able to read Arabic or not, but when able to read Arabic, there is definitely reprehensibility.”

It is also clear from this that the citation given earlier from *al-Fatāwā al-Tātārkhāniyyah* regarding the Khuṭbah of Jumu‘ah in non-Arabic being “valid”, what is meant is that it is valid with reprehensibility. It does not mean it is permissible to do such a thing.

Ḥaḍrat Mawlānā ‘Abd al-Ḥayy al-Laknawī [Allāh have mercy on him] said:

والظاهر أن الصحة في هذه المسائل عند أبي حنيفة لا تنتفي الكراهة، وقد صرحوا به في مسألة التكبير (السعاية، ج ٢ ص ١٥٥)

“It is clear that being valid in these issues according to Abū Ḥanīfah does not negate reprehensibility. They have stated this explicitly in the matter of Takbīr al-Taḥrīmah.”

When “Makrūh” is mentioned unconditionally, Makrūh Taḥrīmī is meant. Hence, the intent of Imām Abū Ḥanīfah [Allāh have mercy on him] is that to read these *adhkār* in non-Arabic is Makrūh Taḥrīmī, i.e. impermissible. However, if someone perpetrating this impermissible action renders these *adhkār* in non-Arabic, they will be taken into consideration in the Sharī‘ah in the sense that if that *dhikr* is obligatory, the obligation will be discharged. However, since the expression ‘Allāhu akbar’ is Wājib, it will entail omission of a Wājib, because of which the Ṣalāh will have to be repeated.¹

¹ This will be the case if we consider the Takbīr al-Taḥrīmah to be a Rukn (integral component) of the Ṣalāh – i.e. a part of the Ṣalāh itself. However, if we consider the Takbīr al-Taḥrīmah to be a Sharṭ (prerequisite) of the Ṣalāh, then if rendered in non-Arabic or using a *dhikr* apart from ‘Allāhu akbar’, although sinful, it would not entail any omission of a Wājib act *within* the Ṣalāh itself. Hence, it would not be required to repeat the Ṣalāh. Both positions exist: of it being a Rukn and Sharṭ. The more authoritative position is that it is a Sharṭ. There is a report (*Nawāzil*, p226) from a student of Imām Abū Ḥanīfah, showing Imām Abū Ḥanīfah would not in this case consider it necessary to repeat the Ṣalāh. (Translator)

If the *dhikr* is Wājib, like Tashahhud or Qunūt, by rendering them in non-Arabic, the Wājib will be discharged, although the sin of omitting an established practice (Sunnah) will arise.

Hence, the stance of Imām Abū Ḥanīfah [Allāh have mercy on him] regarding the Khuṭbah of Jumu‘ah is also that delivering the Khuṭbah in non-Arabic is Makrūh Taḥrīmī, which is sinful. Hence, people must be prevented from doing this. However, if someone perpetrated this Makrūh Taḥrīmī action, despite the Karāhah, the condition for the validity of Jumu‘ah will be fulfilled, and the Jumu‘ah offered after it will be valid.

Thus, Ḥaḍrat Mawlānā ‘Abd al-Ḥayy al-Laknawī [Allāh have mercy on him] wrote:

وقد سئلت مرة بعد مرة عن هذه المسألة فأجبت بأنه يجوز عنده مطلقا، لكنه لا يخلو عن الكراهة، فعارضني بعض الأعرزة بأن الخطبة إنما هي لإفهام الحاضرين وتعليم السامعين، وهو مفقود في العربية في الديار العجمية بالنسبة إلى أكثر الحاضرين، فينبغي أن يجوز مطلقا من غير كراهة، فقلت: الكراهة إنما هي لمخالفة السنة، لأن النبي صلى الله عليه وسلم وأصحابه قد خطبوا دائما بالعربية... وبالجملة فالإحتياج إلى غير العربية لتفهم أصحاب العجمية كان موجودا في القرون الثلاثة، فلم يرو ذلك من أحد في تلك الأزمنة وهذا أدل دليل على الكراهة... وهو لا يخلو إما أن يكون لعدم الحاجة إليه أو لوجود مانع يمنع منه أو لعدم التنبه له أو للتكاسل عنه أو لكراهته وعدم مشروعيته، والأولان منتفیان لأننا قد ذكرنا أن الحاجة في تلك الأزمنة أيضا إليه كانت موجودة... ولم يكن مانع يمنع عنه بالكلية لأنهم كانوا مقتدرين على الألسنة العجمية، وكذا الثالث والرابع أيضا مفقودان، لأنه بعيد في الأمور الشرعية من النبي صلى الله عليه وسلم وأصحابه ومن تبعهم، بل مثله لا يظن به لعلماء الشريعة، فكيف بهم؟! وإذا انتفت الوجوه الخمسة، تعينت الكراهة... فإن قلت: فما معنى قولهم: يجوز كذا وكذا، قلت: نفس الجواز أمر آخر، والجواز بلا كراهة أمر آخر، وأحدهما لا يستلزم ثانيهما... وتحقيقه أن في الخطبة جهتين: الأولى كونها شرطا لصلاة الجمعة، والثانية كونها في نفسها عبادة، ولكل منهما وصف على حدة، فمعنى قولهم: يجوز الخطبة بالفارسية، أنها تكفي لتأدية الشرط لصلاة الجمعة، وهو لا يستلزم أن يخلو من البدعية والكراهة من حيث الجهة الثانية (آكام النفائس ص ٩١، ٩٤)

“I have been asked again and again about this issue. I answered that it is valid according to Imām Abū Ḥanīfah unconditionally but not devoid of reprehensibility. Some friends countered that the Khuṭbah is for making those present understand and for teaching the listeners,

which is missing in Arabic within non-Arab lands in respect to most attendees so it should be valid unconditionally without any reprehensibility. I said: The reprehensibility is based on opposition to the established practice (Sunnah) because the Prophet (Allāh bless him and grant him peace) and his companions would always deliver the Khuṭbah in Arabic...

“In short, the need for non-Arabic (Khuṭbahs) to make the non-Arabs understand was in existence in the early three generations, but this has not been reported from anyone from those times. This is the clearest proof of it being reprehensible...

“(Not delivering the Khuṭbah in non-Arabic in those times) can only be for one of the following reasons. Either it was because there was no need for it, or an obstacle prevented it, or it did not come to mind, or there was laziness about it or it is reprehensible and unlawful. The first two are negated because we have mentioned that there was a need for it in that time also...and there was no obstacle preventing it completely because they were capable of speaking in non-Arabic languages. The third and fourth are also negated because it is far-removed in matters of Sharī‘ah from the Prophet (Allāh bless him and grant him peace) and his companions and those who followed them. In fact, such a thing will not be imagined for the scholars of Sharī‘ah, so what of them?! Since these five causes are negated, reprehensibility (as the reason) becomes specified....

“If you say: ‘What is the meaning of their statement: Such-and-such a thing is valid?’ I say: The validity itself is one thing and validity with reprehensibility another thing altogether. One does not entail the other...

“The proper analysis of this is that there are two aspects to a Khuṭbah: the first is it being a precondition for Jumu‘ah Ṣalāh, and the second is it being a ritual in itself. Each has its own quality. The meaning of the statement: ‘Khuṭbah is valid in Farsi’, means that it suffices for fulfilling the condition for the validity of Jumu‘ah Ṣalāh. It does not entail being devoid of innovation and reprehensibility in terms of the second aspect.”

From this passage of Ḥaḍrat Mawlānā ‘Abd al-Ḥayy al-Laknawī [Allāh have mercy on him] all dimensions of the topic come to full light.² It becomes clear from this that the non-Arabic Khuṭbah that Imām Abū Ḥanīfah considered valid, the intent is only that the condition of Jumu‘ah Ṣalāh will be fulfilled. Its intent is not that to do this or make it a common practice is permissible.

² Another issue that ‘Allāmah Laknawī addresses in his monograph is rendering the Khuṭbah partially in Arabic and partially in another language. He writes: “Likewise reciting part of the Khuṭbah in Arabic and part in Farsi is not devoid of reprehensibility based on the above considerations.” (*Majmū‘ah Rasā’il al-Laknawī*, 4:340) That is, considering that the Khuṭbah is in itself a ritual (with the restrictions that a ritual comes with), and the established and continued practice has been to deliver it in Arabic, to introduce a foreign language, even for a part of the Khuṭbah, is also an innovation and impermissible.

Summary

The summary of this entire study is:

1. According to Imām Mālik [Allāh have mercy on him], a non-Arabic Khuṭbah is not valid in any condition, and offering Jumu‘ah after such a Khuṭbah is also not valid. In fact, either the Khuṭbah must be redone in Arabic and Jumu‘ah prayed again, or if no one is able to do this, Ṣuhr will be prayed.

2. According to Imām al-Shāfi‘ī, Imām Aḥmad ibn Ḥanbal, Imām Abū Yūsuf and Imām Muḥammad [Allāh have mercy on them], for as long as there is one individual present within the congregation who can deliver the Khuṭbah in Arabic, it is not valid to deliver the Khuṭbah in non-Arabic, and the Khuṭbah will not be valid in Sharī‘ah. Thus Jumu‘ah after such a Khuṭbah will not be valid.

3. According to Imām Abū Ḥanīfah, a non-Arabic Khuṭbah is not permissible, rather is Makrūh Taḥrīmī. However, if someone perpetrates this Makrūh Taḥrīmī act, and delivers the Khuṭbah in non-Arabic, the condition of Jumu‘ah Ṣalāh will be fulfilled, and offering Jumu‘ah Ṣalāh thereafter will be valid. In this matter, Imām Abū Ḥanīfah [Allāh have mercy on him] did not withdraw to the view of Ṣāhibayn and the majority of Fuqahā’. Rather, this view of his remains till now, and the Ḥanafī Fuqahā’ have determined this to be the Muftā Bihī (authoritative position).

Thus, those who habitually deliver Khuṭbah in English, this action of theirs is not permissible according to any of the four Imāms. The view of the other Imāms entails that the Jumu‘ah offered after it is not valid. However, there is scope in the view of Imām Abū Ḥanīfah [Allāh have mercy on him] for the Khuṭbah to be valid with reprehensibility and the Jumu‘ah Ṣalāh offered after it being valid.

This reprehensibility is for those who are imāms in a Masjid and have the choice to deliver a Khuṭbah in Arabic, or can pray the congregational Ṣalāh where an Arabic Khuṭbah was delivered, and despite this, they deliver a non-Arabic Khuṭbah or participate in such a congregation.

However, in places where listeners have no choice and the imām's desire to deliver a Khuṭbah in Arabic is not accepted and there is no (local) place where one can offer Jumu'ah with an Arabic Khuṭbah, it is hoped inshāAllāh for them that there will be no reprehensibility.

Jumu'ah in all cases will be valid. There is no need to repeat it nor any need to offer Ṣuḥr Ṣalāh after it.

Allāh [glorified and exalted is He] knows best.

The lowliest, Muḥammad Taqī 'Uthmānī [may he be pardoned]
Dār al-Iftā' Dār al-'Ulūm Karāchī, No. 14
16 Rabī' al-Awwal, 1418 H (July, 1997)

“The answer is correct.”

Subḥān Maḥmūd
Dār al-Iftā' Dār al-'Ulūm Karāchī

“The answer is correct.”

The slave 'Abd al-Ra'ūf Sakharvī,
Dār al-Iftā' Dār al-'Ulūm Karāchī, No. 14
21/4/1418

“The answer is correct.”

The lowliest Maḥmūd Ashraf [may Allāh pardon him]
2/4/1418

[*Fiqhī Maqālāt*, 3:105-132]

Addendum: On Imām Abū Ḥanīfah’s Earlier View on it Being Valid to Recite the Qur’ān in a Language Besides Arabic

Imām Abū Ḥanīfah’s earlier view (that reciting the Qur’ān in Ṣalāh in non-Arabic is sufficient for the Qirā’ah of Ṣalāh) has been a source of much confusion and debate, in particular regarding the nature of the Qur’ān and whether the “meaning” (i.e. translation) of the Qur’ān can be isolated from the text of the Qur’ān and still remain “Qur’ān”.

The correct understanding is that even according to his earlier view, Imām Abū Ḥanīfah held to the same theology as found in his *al-Fiqh al-Akbar*:

القرآن كلام الله تعالى في المصاحف مكتوب وفي القلوب محفوظ وعلى الألسن مقروء وعلى النبي صلى الله عليه وسلم منزل
(منح الروض الأزهر، دار البشائر الإسلامية، ص ٩١-٢)

“The Qur’ān is Allāh’s speech [exalted is He], written in the Muṣḥafs and memorised in the hearts and recited on the tongues and revealed to the Prophet (Allāh bless him and grant him peace).” (*al-Fiqh al-Akbar*)

What is found and read in the Muṣḥafs is of course the Arabic text (with its meaning). Hence, the meaning isolated from the text would violate this definition of “Qur’ān”, and thus cannot be regarded as Qur’ān.

One of the early authoritative imāms from Imām Abū Ḥanīfah’s school, Fakhr al-Islām al-Bazdawī (400 – 482 H), makes the following clear observation in his famous text on Uṣūl al-Fiqh:

أما الكتاب: فالقرآن المنزل على رسوله الله صلى الله عليه وسلم، المكتوب في المصاحف، المنقول عن النبي عليه الصلاة والسلام نقلا متواترا بلا شبهة، وهو النظم والمعنى جميعا في قول عامة العلماء، وهو الصحيح من قول أبي حنيفة رضي الله عنه عندنا، إلا أنه لم يجعل النظم ركنا لازما في حق جواز الصلاة خاصة، على ما يعرف في موضعه. وجعل المعنى ركنا لازما، والنظم ركنا يحتمل السقوط رخصة، بمنزلة التصديق في الإيمان: أنه ركن أصلي، والإقرار ركن زائد يحتمل السقوط في حالة الإكراه، على ما يعرف في موضعه. (أصول البزدوي، دار البشائر الإسلامية، ص ٩٥)

“As for the ‘Book’, it is the Qur’ān sent down on His Messenger (Allāh bless him and grant him peace), written in the Muṣḥafs, transmitted from the Prophet (upon him blessing and peace) with mass-transmission in (a manner that leaves) no doubt. **It is both the text and meaning according to the bulk of the ‘Ulamā’. This is what is correct from the (earlier) view of Abū Ḥanīfah [Allāh be pleased with him] according to us.**

However, (in his earlier view), he did not consider the text as an integral component that is necessary in respect to the validity of Ṣalāh specifically.

“He treated the meaning as a necessary component, and the text as an integral component that has scope of being omitted, by way of a dispensation, just like Taṣdīq (believing in the heart) for Īmān: it is a primary component, while Iqrār (acknowledging with the tongue) is an additional integral component that has scope for being omitted in the state of coercion.”³

This makes it very clear that even when he held his earlier stance, Imām Abū Ḥanīfah regarded the Qur’ān as constituting, by its nature, both the Arabic text and the meaning. Without the Arabic text, it is not Qur’ān. However, he believed that a dispensation was given for the person offering Ṣalāh which meant that if he omitted the text, and maintained the meaning, the recitation will still be considered a valid recitation. This is based on the “ease” the Qur’ān offers in recitation: “Recite whatever is easy from the Qur’ān” (73:20).

This raises an obvious question or problem: The translation is not Qur’ān, so how can it be valid to recite just the meaning (i.e. translation), when it is the Qur’ān one has to recite in Ṣalāh?

‘Alā’ al-Dīn al-Bukhārī (d. 730 H) offers two solutions to this question:

1. One, that the meaning alone could be said to “legally” substitute the text and meaning with respect to Ṣalāh, while in reality it is of course only the meaning and not the text.

2. A second solution is that it is not necessary, according to Imām Abū Ḥanīfah, to read the Qur’ān per se in Ṣalāh, but its meaning alone will suffice (as a dispensation). (*al-Taḥqīq fī Uṣūl al-Fiqh*, 1:53)

The latter explanation is what we infer from Imām al-Bazdawī’s statement cited earlier. It is also what we infer from the following statement of al-Ṣadr al-Shahīd (483 – 536 H) in his *Sharḥ al-Jāmi al-Ṣaghīr*:

لهما أنه أمر بالنظم والمعنى ولم يوجد، ولأبي حنيفة رحمه الله: بلى، لكن النظم غير لازم في حق جواز الصلاة والمعنى لازم،
وذكر أبو بكر الرازي أنه رجع إلى قولهما في القراءة وعليه الإعتماد

³ That is, Īmān has two integral parts: Taṣdīq (belief in the heart) and Iqrār (acknowledgement with the tongue). Both are essential for Īmān. However, Iqrār in some specific contexts can be omitted while maintaining Īmān – like in the case when someone is coerced to verbally renounce his belief. In the same way, the Qur’ān consists of both text and meaning, but in the specific context of Ṣalāh, Imām Abū Ḥanīfah (in his earlier view) held that the text is an integral component that can be omitted while maintaining the validity of the recitation of Ṣalāh.

“Şāhibayn argue that (the Muşallī) has been ordered to (observe) the text and meaning which is not found (when reciting in non-Arabic). Abū Ḥanīfah responds: Indeed, but the text is not necessary in respect to the validity of Şalāh, while the meaning is necessary. Abū Bakr al-Rāzī (al-Jaṣṣāṣ) mentioned that he retracted to the view of Şāhibayn on Qirā’ah – and this is what is relied upon.” (*Sharḥ al-Jāmi al-Şaghīr*, MS)

It is important to keep in mind that Imām Abū Ḥanīfah’s earlier view was that if someone read the translation of the Qur’ān in Şalāh, this would be sufficient to fulfil the condition of “reciting”. This does not mean he regarded it to be permissible to do this. In fact, he considered it to be Makrūh Taḥrīmī and sinful.

Imām al-Sarakhsī writes:

إذا قرأ في صلاته بالفارسية جاز عند أبي حنيفة رحمه الله ويكره، وعندهما لا يجوز إلخ (المبسوط، ج ١ ص ٣٧)

“When one recites in Şalāh in Farsi, it is valid according to Abu Hanifah but Makrūh [Taḥrīmī]. According to Şāhibayn, it is not valid...” (*al-Mabsūt*, 1:37)

The same is found in *al-Muḥīṭ al-Burhānī* (2:50-1).

Hence, in some ways, the question was effectively a hypothetical one. (*Mas’alah Tarjamat al-Qur’ān*, p.80) It was not an encouragement or endorsement to read a translation in Şalāh; but a hypothetical question about the situation that someone *did* read a translation, what then would be the status of the Şalāh?

Still, there is definitely a tension between Imām Abū Ḥanīfah’s earlier juristic view (that reading a translation is sufficient for the validity of the recitation in Şalāh) and his established theological view (that the Qur’ān constitutes both text and meaning). The tension was highlighted earlier: This recitation is not Qur’ān even according to him, while the person praying is ordered to recite Qur’ān. The tension was resolved in the manner explained earlier from ‘Alā’ al-Dīn al-Bukhārī, but these explanations have evident weakness. Hence, it is established that Imām Abū Ḥanīfah took back his earlier position, making the issue one of absolute consensus.

‘Alā’ al-Dīn al-Bukhārī (d. 730 H) wrote in his commentary on *Muntakhab al-Husāmī*:

وقد صح رجوع أبي حنيفة رحمه الله إلى قول العامة، رواه نوح بن أبي مريم، ذكره فخر الإسلام رحمه الله في شرح كتاب الصلاة، وهو اختيار القاضي الإمام أبي زيد، وعامة المحققين، وعليه الفتوى. (التحقيق شرح المنتخب، ص ٥٥-٥٧)

“It is authentic that Abū Ḥanīfah [Allāh have mercy on him] withdrew to the view of the majority. Nuḥ ibn Abī Maryam narrated it as stated by Fakhr al-Islām (al-Bazdawī) [Allāh have mercy on him] in *Sharḥ Kitāb al-Ṣalāh*.⁴ It is the preferred view of Qāḍī Imām Abū Zayd (al-Dabūsī), and the general body of the analytical scholars, and Fatwā is given on this.”

He wrote the same in his commentary on *Uṣūl al-Bazdawī (Kashf al-Asrār, 1:42)*. Hence, Nuḥ ibn Abī Maryam (d. 173 H), a direct companion of Imām Abū Ḥanīfah, reported his retraction. Abū Bakr al-Rāzī al-Jaṣṣāṣ (305 – 370 H), one of the most authoritative scholars of the Ḥanafī school from Iraq (& the grand-teacher of Imām al-Qudūrī), also reported the same, as found in *Sharḥ al-Jāmi‘ al-Ṣaghīr* of al-Ṣadr al-Shahīd (cited earlier). The same is also mentioned in *Sharḥ al-Jāmi‘ al-Ṣaghīr* of QāḍīKhān (*Sharḥ al-Jāmi‘ al-Ṣaghīr, 1:203*). Hence, the author of *al-Nahr al-Fā’iq* writes:

شرطه دلالة على أنها مع القدرة لا تجوز وهو الذي رجع إليه الإمام كما رواه نوح بن أبي مریم والرازي (النهر الفائق، ج ١ ص ٢٠٦)

“Putting a condition of inability shows that when able to (recite in Arabic) it is not valid. **This is what Imām Abū Ḥanīfah withdrew to as Nūḥ ibn Abī Maryam and Abū Bakr al-Rāzī narrated.**”

Shaykh al-Islām Khāharzādah in his *Mabsūṭ* and Shams al-A’immah al-Sarakhsī in his *Sharḥ al-Jāmi‘ al-Ṣaghīr* also mentioned that Imām Abū Ḥanīfah retracted to the view of Ṣāḥibayn. (*al-Muḥīṭ al-Burhānī, 2:51*)

Hence, after mentioning the retraction, al-Ṣadr al-Shahīd and QāḍīKhān comment: “Reliance is on this.” The author of *al-Hidāyah* also says the same:

ويروى رجوعه في أصل المسألة إلي قولهما وعليه الإعتماد (الهداية، دار السراج، ج ١ ص ٤٤٥)

“It is reported he withdrew to the view of Ṣāḥibayn on the original issue, **and reliance is on this.**”

Al-‘Aynī explains the statement, “reliance is on this”, as follows:

أي على القول بالرجوع بالاعتماد، ولتنزيله منزلة الإجماع، فإن القرآن اسم للنظم والمعنى جميعا بالإجماع (البنية، ج ٢ ص ٢٠٦)

⁴ *Sharḥ Kitāb al-Ṣalāh* refers to Bazdawī’s commentary on the section of Ṣalāh from Imām Muḥammad’s *Mabsūṭ*.

“Meaning, there is reliance on the report of retraction. (This is also) because it brings (Imām Abū Ḥanīfah’s view) into the realm of consensus, given the Qur’ān is a term for both text and meaning by consensus.”

Sa’d al-Dīn al-Taftāzānī (722 – 792 H) wrote:

ولكن الأصح أنه رجع إلى قولهما على ما رواه نوح بن أبي مریم عنه، قال فخر الإسلام: لأن ما قاله يخالف كتاب الله تعالى ظاهراً حيث وصف المنزل بالعربي، وقال صدر الإسلام أبو اليسر: هذه مسألة مشككة إذ لا يتضح لأحد ما قاله أبو حنيفة رحمه الله تعالى، وقد صنف الكرخي فيها تصنيفاً طويلاً ولم يأت بدليل شاف (التلويح شرح التوضيح، ج ١ ص ٥٤)

“The most correct stance is that Imām Abū Ḥanīfah withdrew to the view of Ṣāhibayn, based on what Nūḥ ibn Abī Maryam reported from him. Fakhr al-Islām (al-Bazdawī) said: ‘Because what he said apparently opposes the Book of Allāh [exalted is He] since it describes what has been revealed as being ‘Arabic.’’ Ṣadr al-Islām Abu ‘l-Yusr said: ‘This is a difficult issue given (the basis of) what Abū Ḥanīfah [Allāh have mercy on him] said is not clear to anyone. Al-Karkhī wrote a lengthy book on this, but did not produce any satisfactory evidence.’”

Note: Al-Kāsānī in his *Badā’i’ al-Ṣanā’i’* (1:527-532) offers a problematic explanation of Imām Abū Ḥanīfah’s earlier view which is at odds with what has been explained above. Shaykh Muṣṭafā Ṣabrī⁵, in his *Mas’alah Tarjamat al-Qur’ān* (pp.83 – 115), thus offers a detailed critique of Kāsānī’s explanation.

Shaykh Muṣṭafā Ṣabrī summarises Imām Abū Ḥanīfah’s position as follows:

“It is clear from these citations:

“A) That in his earlier view, Imām Abū Ḥanīfah relied on the ‘ease’ mentioned in the verse commanding Qira’āh in Ṣalāh. As far as all other rules are concerned, the Arabic text is a necessary component for the Qur’ān just like the meaning.

“B) That the meaning isolated from its text is not Qur’ān according to him also. This is even according to the view of the later scholars who said it is obligatory to do Sajdah al-Tilāwah by reciting (a verse of Sajdah) in Farsi and the prohibition of touching a Muṣḥaf written in Farsi translation

⁵ The last *Shaykh al-Islām* of the Ottoman Empire and a scholar of great repute.

(without wuḍū') and (the prohibition of) reciting it for the one that is impure – out of precaution.⁶

“However, the truth is that the ease in reciting Qur'ān is not so loose that what is not Qur'ān may be recited even according to Imām Abū Ḥanīfah. The verse itself⁷ commands reciting the 'Qur'ān', and Farsi is not Qur'ān. Hence, a person in the state of major impurity (*junub*) and a menstruating woman may recite it according to him, based on the derivation of his earlier followers. The later followers forbade it out of precaution, while still recognising it is as not being Qur'ān.

“Whatever is not considered Qur'ān external (to Ṣalāh) cannot be considered Qur'ān inside Ṣalāh. That which is easy (to recite) must be Qur'ān based on the command of the verse. The ease in reciting Qur'ān does not include reciting what is not Qur'ān. I know of no reason to permit altering the Qur'ān that was sent down for Ṣalāh, which is the only place where reciting Qur'ān is obligatory.

“Hence, Imām Abū Ḥanīfah withdrew his earlier stance, according to the most correct report. Ibn al-Malak said in *Sharḥ al-Manār*: ‘He retracted from this view, as Nūḥ ibn Abī Maryam narrated, because it entails one of two things: either negating the definition of Qur'ān because Farsi is not written in the Muṣḥafs⁸, or the permissibility of Ṣalāh without Qur'ān.’”
(*Mas'alah Tarjamat al-Qur'ān*, Dār al-Lubāb, p. 117-8)

See also: *I'lā' al-Sunan*, 4:154-7; *al-Nafḥat al-Qudsiyyah*, al-Shurunbulālī; *Mas'alah Tarjamat al-Qur'ān*, Muṣṭafā Ṣabrī; *Ākām al-Nafā'is*, al-Laknawī

⁶ The late scholars in reference only mentioned this rule as a precaution: in case the translation carries the effect of the original Qur'ān. It is not that they believed that the translation on its own amounts to “Qur'ān”.

⁷ That is, the verse: “Recite whatever is easy from the Qur'ān”.

⁸ That is, even though part of the definition of “Qur'ān” is “what is written in the Muṣḥafs”, as stated by Imām Abū Ḥanīfah himself.