

Making up for Witr (odd prayer) and nullifying it

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

Question: It is established that the Prophet (*May the peace and blessings of Allaah be upon him*) ordered to make up for Witr for whom he missed it. It is also established that when he misses his Wird (a part of the Qur'aan that one recites during night) he makes up for it by accomplishing it with an even number. How can we reconcile then between these two hadeeths? If he makes for the Witr –by performing it with one Rak`a- and makes for his Wird with an even number, he will not perform then his Wird with two Rak`as, since he adds the Rak`a of Witr? Or the matter is other than that? And what about the validity of annulling the Witr?

Shaykh Aboo `Abd-al-Mu`iz `Alee Farkous al-Qoobee (*May Allaah preserve him*): All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers till the Day of Resurrection.

The asked question concerns the excused person, whereas the person without excuse has no Witr to perform, in accordance with the Prophet's (*May the peace and blessings of Allaah be upon him*) saying:

“Whoever reaches dawn (Sobh) without performing Witr, has no Witr”¹

And his saying (*May the peace and blessings of Allaah be upon him*):

“Certainly, the Witr is performed during night”².

These hadeeths are applied to the one who has no excuse, as the texts which are reported about the validity of making up for Witr prayer and others concern the one who misses the prayer and who has an excuse, and this in order to reconciling between the texts and the proofs, among them, the Prophet's (*May the peace and blessings of Allaah be upon him*) saying,

¹ Reported by Ibn Hibbaan in *As-Saheeh* (hadeeth 2408), by Ibn Khuzaimah (hadeeth 1092), by Al-Haakim (hadeeth 1159), by `Abd Ar-Razzaaq in *Al-Musannaf* (hadeeth 4591) and by At-Tayyalisee in *Al-Musnad* (hadeeth 2192) on the authority of Aboo Sa`eed Al-Khudree (*May Allaah be pleased with him*). This hadeeth is judged authentic by Al-Haakim in *Al-Mustadrak*, Adh-Dhahabee agrees with him as regards this judgment (1/441). Al-Albaanee judged it also authentic in *Irwaa' al-Ghaleel* (2/154).

² Reported by At-Tabaraanee in *Al-Mu`jam al-Kabeer* (hadeeth 891), by `Abd Ar-Razzaaq in *Al-Musannaf* (hadeeth 4607), on the authority of Mu'aawiyah Ibn Qurra (*May Allaah be pleased with him*). This hadeeth is judged Hassan (good) by Al-Albaanee in *As-Silsilah as-Saheehah* (hadeeth 1712).

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“If anyone oversleeps and misses the Witr, or forgets it, he should pray when he remembers”³

And the generality expressed in the Prophet’s (*May the peace and blessings of Allaah be upon him*) saying,

“Whoever oversleeps or misses a prayer, he should perform it when he remembers”⁴

and `Aa’ishah’s (*May Allaah be pleased with her*) saying, “When the Prophet (*May the peace and blessings of Allaah be upon him*) misses the Witr, he performs it after the sunrise”⁵. Moreover, Ibn Mas’ood (*May Allaah be pleased with him*) reported that “The Prophet (*May the peace and blessings of Allaah be upon him*) overslept till the sunrise, then he performed prayer”⁶. These texts indicate the permissibility to postpone the Witr when having an excuse, as they indicate apparently, but the manner of making up for Witr during the day is different from that of night, that is to say, we accomplish it with an even number, not with an odd number, in accordance with the hadeeth of `Aa’ishah (*May Allaah be pleased with her*) who said, “If the Prophet (*May the peace and blessings of Allaah be upon him*) missed Witr at night because he was sick or sleeping, he would pray twelve Rak`as during the day”⁷. Hereupon, he who has a habit of praying Witr with one Rak`a, will make up for it with two Rak`as, and who has the habit of praying three, will make up for it by four, he who has the habit of praying five will make for it by six and so on, because the Prophet (*May the peace and blessings of Allaah be upon him*) used to pray eleven Rak`as during night, and twelve during the day.

As for the Wird, it means the Wird of the Qur’aan which is the Hizb (the half of a chapter of the Qur’aan), as it is established on the authority of `Umar Ibn Al-Khattaab (*May Allaah be pleased with them both*), who said, “The Prophet (*May the peace and blessings of Allaah be upon him*) said,

³ Reported by Aboo Daawood, chapter of “The chapters concerning the Witr” (hadeeth 1431), by At-Tirmidhee, chapter of “Witr” (hadeeth 465), by Ibn Maajah, chapter of “Performing the prayer and the Sunnah in it” (hadeeth 1188), by Ad-Daraqutnee (hadeeth 1656) and by Al-Baihaqee (hadeeth 4711), on the authority of Aboo Sa`eed Al-Khudree (*May Allaah be pleased with him*). This hadeeth is judged authentic by Al-Albaanee in *Irwa’ al-Ghaleel* (2/189).

⁴ Reported by Al-Bukhaaree, chapter of “Prayer times” (hadeeth 597), by Muslim, chapter of “Mosques” (hadeeth 1600), by Aboo Daawood, chapter of “Prayer” (hadeeth 442), by An-Nassae, chapter of “Times” (hadeeth 613), by At-Tirmidhee, chapter of “Times” (hadeeth 178) and by Ibn Maajah, chapter of “Prayer” (hadeeth 696), on the authority of Anas (*May Allaah be pleased with him*).

⁵ Reported by Ahmed (hadeeth 25527), by `Abd Ar-Razzaaq in Al-Musannaf (hadeeth 4603), by Al-Baihaqee (hadeeth 4620), on the authority of `Aa’ishah (*May Allaah be pleased with her*). This hadeeth is judged Hassan (good) by Al-Haythamee in *Majma` Az-Zawaa'id* (2/511). It is judged authentic by Al-Albaanee in *Irwa’ al-Ghaleel* (2/155).

⁶ Reported by An-Nassae, chapter of “Times” (hadeeth 612), by Al-Baihaqee (hadeeth 4637) and by Al-Bazaar in Al-Musnad (hadeeth 2030), on the authority of Ibn Mas’ood (*May Allaah be pleased with him*). This hadeeth is judged authentic by Al-Albaanee in *Irwa’ al-Ghaleel* (2/156).

⁷ Reported by Aboo Daawood, chapter of “Prayer” (hadeeth 1342), by At-Tirmidhee, chapter of “The chapters concerning prayer” (hadeeth 445), by Ibn Hibbaan (hadeeth 2619) and by Ahmad (hadeeth 24384), on the authority of `Aa’ishah (*May Allaah be pleased with her*). This hadeeth is judged authentic by Al-Albaanee in *Saheeh Sunan Abee Daawood* (hadeeth 1342) and in *Saheeh at-Tirmidhee* (hadeeth 445).

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“Whoever misses reading his Hizb or a part of it at night and reads it from when the sun has passed the meridian until the Dhuhr prayer has not missed it, or it is as if he has caught it.”⁸

It is also said that the Hizb means what one has the habit to recite during night prayer.

If we understand it so, there will be no problem to end one’s prayer by an odd number of Rak`as.

However, if he misses the Witr because of sleep, oblivion or illness, then he should make up for it during the day by performing it with an even number of Rak`as (Shaf') as previously mentioned.

As for the question known by “Nullifying the Witr” which consists in adding to it another Rak`a and then perform an odd prayer after having performed a prayer with even number of Rak`as (Shaf’), this opinion is in fact weak for two reasons:

First: because supererogatory prayer with one Rak`a is not known in the Sharee’ah.

Second: the Witr does not become supererogatory by making it Shaf’, because whoever performs Witr during night has indeed accomplished his Witr, and if he gets up from his sleep and performs another Rak`a , then it will be independent from the first and will not become the same prayer, as there is between them, sleep, ritual impurity, ablution and speech. He will then, in such a case, perform two Witr, and if he adds the last Witr, he will perform it three times, and this goes against the Prophet’s (*May the peace and blessings of Allaah be upon him*) saying,

“There should not be two Witr in one night.”⁹

On the one hand, it contradicts the Prophet’s (*May the peace and blessings of Allaah be upon him*) saying,

“Make the last of your prayer at night Witr”.

The contradiction consists in performing Witr in many positions of the night prayer.

⁸ Reported by Muslim, chapter of “Travellers’ prayer” (hadeeth 1779), by Aboo Daawood, chapter of “Prayer”, concerning the chapters of night prayer (hadeeth 1313), by At-Tirmidhee, chapter of “Prayer” (hadeeth 518), by An-Nassae, chapter of “Night prayer and supererogatory prayer during the day” (hadeeth 1790), by Ibn Maajah, chapter of “Prayer” (hadeeth 1343), by Ad-Darimi, (hadeeth 1529) and by Al-Baihaqee (hadeeth 4737), on the authority `Umar Ibn Al-Khattaab (*May Allaah be pleased with them both*).

⁹ Reported by Aboo Daawood, chapter of “Prayer” (hadeeth 1438), by At-Tirmidhee, chapter of “Witr” (hadeeth 470), by An-Nasaa’ee, chapter of “Night prayer and supererogatory prayer during the day” (hadeeth 1679), by Ahmad (hadeeth 16733) and by Al-Baihaqee (hadeeth 5039), on the authority of Talq Ibn `Alee (*May Allaah be pleased with him*). This hadeeth is judged authentic by Al-Albaanee in Saheeh al-Jaami` (hadeeth 7567).

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As for what has been reported about Ibn `Umar¹⁰ and `Alee Ibn Abee Taalib¹¹ (*May Allaah be pleased with them*) that it is allowed to nullify the Witr by adding one Rak`a to it, these two traditions are in fact contradicted by the Marfoo`¹² hadeeth reported on the authority of Ibn `Umar (*May Allaah be pleased with them*) and which is agreed upon [by Al-Bukhaaree and Muslim],

“Make the last of your prayer at night Witr”¹³.

Moreover, what we report is what matters not what we see.

In sum, both Shaf` and Witr are restricted to the religious meaning, so if we take into consideration this meaning, the Witr should not be turned into Shaf`, because Shaf` is supererogatory whereas Witr is a confirmed or obligatory Sunnah with a divergence as regards this.

If the preponderance of nullifying the Witr is established, the majority of scholars consider permissible to pray after the Witr without repeating it. It is reported that this is the opinion of Aboo Bakr, Sa`ad, `Ammar, Ibn `Abbaas and `Aa`ishah¹⁴ (*May Allaah be pleased with them*). The evidence concerning this, is the hadeeth reported on the authority of `Aa`ishah (*May Allaah be pleased with her*) who said, “The Prophet (*May the peace and blessings of Allaah be upon him*) used to say the Tasleem (final salutation in order to end the prayer) that we could hear, then he would pray two Rak`as in a sitting position”¹⁵. And the hadeeth reported on the authority of Umm Salamah (*May Allaah be pleased with her*) that “The Prophet (*May the peace and blessings of Allaah be upon him*) used to perform two Rak`as after the Witr in a sitting position”¹⁶. We have also previously mentioned the hadeeth, **“There should not be two Witr in one night.”** Which indicates that it is forbidden to repeat the Witr.

¹⁰ Reported by Al-Bukhaaree, chapter of “Witr” (hadeeth 998), by Muslim, chapter of “Travellers’ prayer” (hadeeth 1755), by Aboo Daawood, chapter of “Witr” (hadeeth 1438), by Ahmad (hadeeth 4813) and by Al-Baihaqee (hadeeth 5023), on the authority of `Abdullaah Ibn `Umar (*May Allaah be pleased with them both*).

¹¹ Reported by Ahmad (hadeeth 6155), judged authentic by Ahmad Shaakir in his recension of Musnad Ahmad (9/39) and judged Hassan (good) by Al-Albaanee in Irwaa’ al-Ghaleel (2/194).

¹² A Marfoo` hadeeth: is a hadeeth which is attributed directly to the Prophet (*May the peace and blessings of Allaah be upon him*).

¹³ Reported by `Abd Ar-Razzaaq in Al-Mussannaf (hadeeth 6484) and judged authentic by Zakariyya Ibn Ghulaam Qaadir al-Pakistani in Maa Saha Min Aathaar As-Sahaabah Fil Fiqh (1/395).

¹⁴ See these traditions and their chains of narration in Maa Saha Min Aathaar As-Sahaabah Fil Fiqh by Zakariyya Ibn Ghulaam Qaadir al-Pakistani (1/394-398).

¹⁵ Reported by Muslim, chapter of “Travellers’ prayer” (hadeeth 1739), by Aboo Daawood, chapter of “Prayer” (hadeeth 1343), by An-Nasaa`ee, chapter of “Oblivion” (hadeeth 1315), by Ibn Maajah, chapter of “Performing prayer” (hadeeth 1191), by Ibn Khuzaimah (hadeeth 1078), by Ahmad (hadeeth 23876) and by Al-Baihaqee (hadeeth 4852), on the authority of `Aa`ishah (*May Allaah be pleased with her*).

¹⁶ Reported by At-Tirmidhee, chapters of “Witr” (hadeeth 471), by Ibn Maajah, chapter of “Performing prayer” (hadeeth 1195), by Ahmad (hadeeth 26013). This hadeeth is judged authentic by Al-Albaanee in Mishkaat al-Massaabeeh (hadeeth 1284).

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The perfect knowledge belongs to Allaah (*Mighty and Majestic is He*). Our last prayer is all praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon our Prophet, his Family, his Companions and Brothers till the Day of Resurrection.

Algiers, Dhu Al-Qa`da 17th, 1427H.

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