

# Ruling On Rising After The Final Sitting And Performing The Salam In The Standing Position

Darulifta Ahlesunnat

(Dawateislami)

## Question

1. What do the scholars of Islam say regarding the following matter: If a worshipper rose up forgetfully after the final sitting of salah (qa'dah akhīrah), and upon remembering, he performed the salam in a standing position; will his salah be complete or must he perform a prostration of forgetfulness (sajdah sahw)? If a prostration of forgetfulness is incumbent upon him and he does not perform it, will the repetition of this salah become necessary for him?

2. Bahār-i-Sharī'at mentions, "If he performs salam in the standing position, the salah will still be valid, yet he would have left a sunnah."

From this, it seems salah will be correct without a prostration of forgetfulness, as it is not necessary when leaving a sunnah. And likewise, repetition of the salah would not be necessary.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الْجَوَابُ بِعَوْنِ الْمَلِكِ الْوَهَّابِ اللَّهُمَّ هِدَايَةَ الْحَقِّ وَالصَّوَابِ

If a person forgetfully stands after the final sitting of the salah, and upon remembering, performs the concluding salam in a standing position, his *farḍ* will be performed. Yet, repetition of the prayer will be *wājib*. The detail concerning this issue is, after standing up forgetfully following the final sitting, if the Salah performer has not performed the prostration of this additional unit, it is *wājib* upon him to return (to the seated position and without repeating *tashahhud*), perform a prostration of forgetfulness and conclude with salam.

If the Salah performer does not return and performs salam in a standing position, it will be necessary for him to repeat the salah for omitting the prostration of forgetfulness. The reason a prostration of forgetfulness is necessary here, is due to 'the delaying of a *wājib* from its place'. It is necessary to perform salam after reciting *tashahhud*, *ṣalāt* upon the Prophet and a *du'ā ma'thūrah* (any *du'ā* in Quran or hadith), without any interval foreign to the salah.

Standing up after the *du'ā* is an interval foreign to the salah, so if one stands due to forgetfulness, this makes the prostration of forgetfulness necessary (*Wājib*). If this prostration is not done, the salah is *wājib* to repeat.

Performing salam seated is a sunnah, so performing it in the standing position is the leaving of a sunnah alongside the abandoning of a *wājib*.

It is mentioned in Ghunyat al-Mutamallī:<sup>1</sup>

<sup>1</sup> Ghunyat al-Mutamallī, p. 463, published in Quetta

﴿وان تعد في آخر﴾ الركعة ﴿الرابعة﴾ ثم قام ﴿قبل ان يسلم يعود ايضا ما لم يسجد ويسلم ليخرج عن الفرض بالسلام لانه واجب ولا يسلم قائماً لانه غير مشروع في الصلوة المطلقة وامكنه الاقامة على وجهه بالعود الى القعدة ويسجد للسهول لانه اخر واجبا وهو السلام بسبب فعل زائد لم يلتحق بالصلوة، بخلاف ما لو اطال الدعاء بعد التشهد لانه يلتحق بها فلا يعد تاخيرا

Returning is wājib and performing salam standing is Makruh (disliked). Imam Ṭaḥṭāwī says:<sup>2</sup>

ان التسليم في حالة القيام غير مشروع وامكنه اقامته على وجهه بالعود وما دون الركعة محل الفرض ثم اذا اعاد لا يعيد التشهد بحر واستفيد من التعليل ان العود واجب فسلامه قائماً مكروهاً

Delaying the salam necessitates a prostration of forgetfulness. It is written in Khizānat al-Muftiyīn:<sup>3</sup>

اذا سهى عن الاذكار لا يجب كما اذا سهى عن التعوذ والثناء وتكبيرات الركوع والسجود وتسبيحاتها الا في خمس مواضع: تكبيرات الاعياد والقنوت والتشهد والقراءة وتاخير السلام

Performing salam after the du'ā ma'thūrah without any interval foreign to the prayer is wājib, but this wājib has been left here due to standing up. Ṭawālī' al-Anwār says:<sup>4</sup>

﴿يتاخير السلام﴾ الذي هو واجب عن محله وكان ذلك عقيب فراغه من التشهد والصلوة والادعية فحيث تخلل القيام

Consequently, just standing up forgetfully after the final sitting makes the prostration of forgetfulness necessary. It is written in Munyah al-Muṣallī:<sup>5</sup>

ولو قام الى الخامسة ساهياً يجب بسجود القيام ﴿ملتقطاً﴾

If this prostration of forgetfulness is left after it has become necessary, the salah must be repeated. Durr al-Mukhtār says:<sup>6</sup>

تعاد وجوباً في العبد والسهوان لم يسجد

Performance of the salam in a standing position is also the leaving of a sunnah. In Imdād al-Fattāḥ:<sup>7</sup>

﴿ان تعد الاخير ثم قام عاد وسلم﴾ - لو سلم قائماً لم تفسد صلاته وان كان تاركاً للسنة، لان السنة التسليم جالساً

2. There is no conflict between the ruling in this fatwa and what is stated in Bahār-i-Sharī'at. This is because in the latter, the ruling of performing the prostration of forgetfulness is also cited alongside the statement of it being the abandoning of a sunnah. To understand this further, first take note of the complete legal case mentioned in Bahār-i-Sharī'at:

If one has performed the final sitting to the length of tashahhud and stands up, he should return, perform a prostration of forgetfulness and conclude with salam, as long as he has not performed the prostration of this (extra) unit. If he performs salam in the standing position, the salah will still be valid, but he will have left a sunnah.

<sup>2</sup> Hāshiyat al- Ṭaḥṭāwī alā Al-Durr al-Mukhtār, vol. 1, p. 314, published in Quetta

<sup>3</sup> Khizānat al-Muftiyīn, p. 58

<sup>4</sup> Ṭawālī' al-Anwār, vol. 2, part 2, p. 378

<sup>5</sup> Munyah al-Muṣallī, p. 165, published in Multan

<sup>6</sup> Al-Durr al-Mukhtār ma'a Radd al-Muhtār, vol. 2, p. 181, published in Peshawar

<sup>7</sup> Imdād al-Fattāḥ, p. 519, published in Quetta

In the first part of this legal case, the ruling of the prostration of forgetfulness is clearly explained. The words, “If he performs salam in a standing position, the salah will still be valid”, means the farḍ will be performed, but this does not negate the salah being deficient (thus necessitating prostration of forgetfulness and repetition).

The words, “he will have left a sunnah”, further highlight an action which opposes the sunnah. Additionally, the source of this legal ruling is Durr al-Mukhtār and Radd al-Muhtār, and the deficiency in the salah despite the farḍ being performed, has been clearly mentioned therein.

In Durr al-Mukhtār:

﴿وان قعد في الرابعة ثم قام عادوسلم﴾ ولو سلم قائماً صح، ثم الاصح ان القوم ينتظرونه، فان عاد تبعوا ﴿وان سجد للخامسة سلموا﴾ لانه تم فرضه، اذ لم يبق

عليه الا السلام

Below this, Allamah Ibn ‘Ābidīn Shāmī رَحْمَةُ اللهِ عَلَيْهِ said:<sup>8</sup>

﴿قوله اذ لم يبق عليه الا السلام﴾ اشار به الى ان معنى تمام فرضه عدم فسادة والا فصلاته ناقصة

### Removal of a confusion

If it were to be accepted that performing salam whilst standing is merely in opposition to the sunnah and does not necessitate a prostration of forgetfulness and repetition of the prayer, this would necessitate conflict within the legal case in Bahār-e-Sharī‘at. This is because in the very beginning of this legal case, the ruling of returning, performing a prostration of forgetfulness and concluding with salam has been explained.

If performing the salam standing was only in opposition to the sunnah, then why is a prostration of forgetfulness wājib upon performing this salam seated? The omission of a sunnah does not make a prostration of forgetfulness necessary. The reality is, performing the salam standing is not only in opposition to the sunnah, it is also the abandoning of a wājib. This leaves no conflict within the legal case.

وَاللّٰهُ اَعْلَمُ عَزَّوَجَلَّ وَرَسُوْلُهُ اَعْلَمُ صَلَّى اللهُ تَعَالَى عَلَيْهِ وَاٰلِهِ وَسَلَّمَ

**Answered By:** Mufti Muhammad Qasim Attari

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## Dar-ul-Ifta Ahlesunnat (Dawat-e-Islami)

www.daruliftaahlesunnat.net

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DaruliftaAhlesunnat

Dar-ul-ifta AhleSunnat

feedback@daruliftaahlesunnat.net

<sup>8</sup> Radd al-Muhtār ma'a al-Durr al-Mukhtār , vol. 2, p. 667, published in Peshawar