## Can Witr Or Any Other Wajib Salah Be Offered At Fajr Time?

## **Darulifta Ahlesunnat**

(Dawateislami)

## Question

What do the scholars of Islam say regarding the following matter: other than the sunnahs of fajr, no other nafl can be offered during fajr time, but can witr or any other wājib salah be offered during that time?

It is not permissible to offer any nafl at fajr time, other than the sunnahs of fajr. As for a wājib act, if it falls under the ruling of nafl then it will not be permitted to perform it then also. That which falls under the ruling of *farḍ* can be offered. Wājib actions are of two types: *Wājib li ʿaynihī*: That which has become wājib due to Allah declaring it so; it does not include the involvement of a person. Witr salah, funeral salah, and the prostrations of Quranic recitation are all examples of this type of wājib, which fall under the ruling of farḍ and can be offered at the time of fajr.

Wājib li ghayrihī: That which is not wājib in and of itself, but which a person has made wājib upon himself. This includes vows, the nafl salah relating to tawāf and the making up of nafl salah which a person invalidated. These are fall in the ruling of nafl, and, just like other nafl Salahs, it will be impermissible to offer them at fajr time.

In Şahīh al-Bukhārī:

The Messenger of Allah صَلَّى اللهُ عَلَيْهِ وَ اللهِ وَسَلَّم forbade (the offering of nafl) salah after true dawn until sunrise, and after 'aṣr until sunset." أ

In Ḥāshiyah al-Ṭaḥṭāwī:²

In al-Durr al-Mukhtār:

Beneath this, it is mentioned in *Radd al-Muḥtār*:<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> Ṣahīh al-Bukhārī, vol. 1, p. 82, Published in Karachi

² Ḥāshiyah Ṭaḥṭāwī, p. 188, Published in Beirut

<sup>&</sup>lt;sup>3</sup> Al-Durr al-Mukhtār wa Radd al-Muḥtār, vol. 2, p. 44, published in Peshawar

﴿وكل ماكانواجباً﴾اى: ماكانملحقاًبالنفل،بانثبتوجوبهبعارضبعدماكاننفلاً---مثلاًالمنذوريتوقفعلىالنذروركعتاالطوافعلىالطوافوسجدتاالسهو علىتركالواجبالذىهومنجهته

The legal reasoning (*'illah*) behind not offering *wājib li ghayrihī* during this time has been mentioned as follows in *Tabyīn al-Ḥaqā 'iq:*<sup>4</sup>

كل ماكان واجباً لغيرة -- ملحق بالنفل حتى لا يصليها في هذين الوقتين، لان وجوبها بسب من جهة فلا يخرج من ان يكون نفلاً في حتى الوقت

Allamah Shāmī رَحْبَةُ اللّٰهِ عَلَيْه explains the prostration of recital as being wājib li ʿaynihī in the following words:5

وانكان بفعله، لكنه ليس اصله نفلاً، لان التنفل بالسجدة غيرمشروع، فكانت واجبة بايجاب الله تعالى لا بالتزام العبد

وَاللَّهُ أَعْلَمُ عَزَّوجَلَّ وَرَسُولُه أَعْلَم صَلَّى اللهُ تَعَالَى عَلَيْهِ وَالِهِ وَسَلَّم

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<sup>&</sup>lt;sup>4</sup> Tabyīn al-Ḥaqāiq, vol. 1, p. 87, Published in Multan

<sup>&</sup>lt;sup>5</sup> Al-Durr al-Mukhtār wa Radd al-Muḥtār, vol. 2, p. 44, Published in Peshawar