

### Performing the Jumu'ah salaah when the Sun is at its Zenith

Q: Salaah-274: My son has written to me from his Madrassah where is studying Mazaahire Haqq. He says that while it is forbidden to perform salaah in the afternoon just before the sun crosses the zenith, this is allowed on the day of Jumu'ah. He quotes this from a narration of Imaam Shaafi'ee RAH. quoted in Mazaahire Haqq. Therefore, according to the Shaafi'ee Madh'hab, it is permissible to perform Nafl salaah when the sun is at its zenith on the day of Jumu'ah. While Imaam Abu Haneefah RAH. states that performing salaah at this time is Makrooh during any day, a book named Durrul Mukhtar states that it is permissible on the day of Jumu'ah. This is in fact the opinion of his student Hadhrat Imaam Abu Yusuf RAH. Hadhrat Jaabir RADI. has also narrated a similar report and it is said that the Fatwa is given according to this. One need therefore not watch out for the time of Zawaal when performing Salaatut Tasbeeh on Fridays, because salaah can be performed at this time as well. He says that this is the Fatwa of the Hanafis.

What do you have to say about this? What am I to do?

Answer: It is forbidden and Makrooh Tahreemi to perform salaah when the Sun is at its zenith. Hadhrat Uqba bin Aamir RAH. reports that Rasulullaah SAW. forbade salaah during three times of the day and also forbade burying the dead during these times. The times are when the sun is rising until it is high, when the sun is at its zenith until it crosses over and when it starts to set until it has disappeared. This Hadith is general and does to exclude Fridays.

The narration that does exclude Fridays is one narrated by Hadhrat Abu Hurayrah RADI. stating that although Rasulullaah SAW. forbade performing salaah when the sun is at its zenith until it crosses over, he exempted the day of Jumu'ah. This narration cannot contradict the first narration because its chain of narrators is weak. In fact, even if it was not weak, it will not be given preference over the former Hadith because the rules governing the principles of Ahadeeth state that a narration forbidding something is given preference over one that does not. Even Mazaahire Haqq (Vol.1 Pg. 342) states that according to the Hanafi school of jurisprudence, the abomination of performing salaah at midday applies to all times and to all places. This is unlike the opinion of Imaam Shaafi'ee RAH. and other Ulema who state that it is permissible to perform salaah at midday on Fridays and in Makkah. It goes on to state that a Hadith forbidding something is given preference over one that permits the same thing. Further on (Vol.1 Pg.346), it states that according to Imaam Abu Haneefah RAH. performing salaah at midday is not allowed because the Hadith prohibiting it is more authentic while the Hadith that Imaam Shaafi'ee RAH. and Imaam Abu Yusuf RAH. recite to support their opinion is weak and cannot contest the former. Here again, he reiterates that a Hadith forbidding something is given preference over one that permits the same thing.

In the light of the above, it is wrong to say that one need not watch out for the time of Zawaal when performing Salaatut Tasbeeh on Fridays, because salaah can be performed at this time as well according to the Fatwa of the Hanafis. References from books like Rasaa'ilul Arkaan, Hidaayah, Badaai'us Sanaa'i, Shaami and Mazaahire Haqq all make it clear that it is forbidden

to perform salaah at midday (when the sun is at its zenith). This is established from authentic Ahadeeth and is the most precautionary stance. This practice must be adopted because the utmost precaution is needed when it concerns an important act of Ibaadah such as salaah. Shaami (Vol.2 Pg.106) states, "It is Waajib (compulsory) to adopt the opinion that holds the most precaution when Ibaadah is concern ed." And Allaah knows best what is most correct.

Fatawa Rahimiyyah vol.2