AN ANALYTICAL STUDY *OF HADITH REPORTS* OF SAHIH BUKHARI AND MUDAWWANAH OF IMAM MALIK ON SALAT

BY

MUHAMMAD AMINU SIDDIQUE

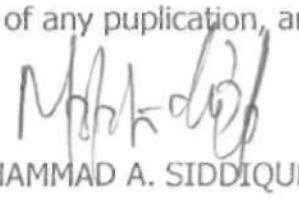
A THESIS SUBMITTED IN PARTIAL FULFULMENT OF THE REQUIMENTS FOR THE AWARD OF MASTER OF EDUCATION DIGREE IN ISLAMIC STUDIES, FACULTY OF EDUCATION, AHMADU BELLO UNIVERSITY ZARIA.

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DECLARATION

I declare that this Thesis is the result of my own investigation and that due references are made where necessary to the work of other reseachers.

I further declare that it has not been accepted in substance for any degree nor part of any puplication, and its not currently in candidature for any degree.



MUHAMMAD A. SIDDIQUE

DECEMBER 2001/RAMADAN 1422

CERTIFICATION

The undersigned cerfisfy that they have read and recommended the Faculty Board for accepting this thesis titled AN ANALYTICAL STUDY OF HADITH REPORTS OF SAHIH BUKHARI AND MUDAWWANAH OF IMAM MALIK ON SALAT by Muhammad Aminu siddique, meets the regulations governing the award of the degree of Master of Education in Islamic Studies of Ahmadu Bello University, Zaria and is approved for its contribution to knowledge and literary presentation.

DR.A.A LADAN 15-1-02

First Supervisor Date

DR. M.M. TUKUR 18/9/2002

Second Supervisor Date

DR. M. BIN-YUNUSA 17/1/2002

Head, Department of Education Date

PROF. S.A. OJO 12/03/03

Dean, Post-Graduate School Date

DEDICATION

This piece of work is most humbly and respectfully dedicated to Imam Malik and Imam al-Bukhari who struggled and dedicated their lives to Islam.

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In the name of Allah, the Beneficent, the most Merciful.

All praises belong to Allah (SWT) the sustainer of the World for His sufficient and excellent guidance and protection up to this level, never could we have found guidance had it not been for the guidance of Allah. May He continue to guide us throughout our lives and the hereafter, Amen. May His Peace and Blessing be upon His Prophet and servant Muhammad (SAW) his family, companions and the entire Muslim Ummah.

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I ask with all humility and respect, that this work be taken in good faith, of course whatever short comings found in this study is my sole responsibility and I seek Allah's forgiveness for this.

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ABSTRACT

This research work sought to analyse the Hadith Reports of SAHIH BUKHARI and MUDAWWANAH of IMAM MALIK on SALAT.

Salat constitutes one of the important pillars of Islam, apart from shahadataini iff (faith), both Imams Bukhari and Malik have devoted a chapter each in their works of Hadith and Figh (jurisprudence).

Imam al-Bukhari who is a great Muhaddith, compilled his most famous work - Jami as-sahih, on Traditions of the Prophet (SAW), he provided in his sahih headings which covered the whole range of ficjh (Islamic law), the work is divided into 3450 chapters, apart from the repitition of some of the ahadith, the distinct ahadith are 2762.

Similarly Imam Malik is a jurist and a Muhaddith, who spent most of his life in Madinah; his famous works include Kitab al-Muwatta (The Book of the Levelled path).

The research work is based on al-Bukhari which is a Hadith and Mudawwanah; which is a Figh base with support of Hadith to bring out the issues of sala't as contained in these Books.

In conducting this research, the data were obtained from sahih al-Bukhari vol. 1 and Fatwa of al-Imam Malik in al-Mudawwanah vol. 1 on issues related to salatul Maktubah (the obligatory prayers) in these two books, the Hadith Reports were compared and analysed with the aid of the various jurists and Muhaddith view points on these issues.

Hadith Reports from al-Bukhari vol. 1 and Fatwa of Imam Malik in ah Mudawwanah were selected on these various siffat of as-salat: Takbiratul Ihram, to what level should one raise hands in Takbir, forgetting Takbiratul Ihram, what to say after Takbir, facing qibla, position of fatiha in Salat, saying Ameen loudly, Basmala, recitation of Surah, to place the right hand on the left in prayer, Ruku'u and Sujud, spreading fingers on knees in ruku'u, prostrating on cloth, mats and Saiiada, times of the prayer, following the Imam strickly, Imam leading prayer sitting, making signal and clapping and saying Subhanallah, Hadith reports selected were analysed based on the research questions.

The findings of the research showed that there is no significant difference between Hadith reports on matters of Salat in al-Bukhari and that of aJ: Mudawwanah, the minor differences that exist arise as a result of differences in understanding but not on the basic principles of as-salat.

The research also revealed that figh is the vehicle and means of understanding of the Qur'an and the Sunnah of the Prophet (SAW), which provides a complimentry role in the understanding of Islam, as against the view of some scholars who advocate for strict adherance to Qur'an and Sunnah only discarding Fiqh.

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DEFINITION OF TERMS AND ABREVIATIONS:

A.H	-	After the Hijreh (migration) of the Prophet Muhammad (SAW) from Makka to Madina in 622C.E. The Muslim calendar is from this event
C. E	-	Christian era
FATWA	-	The responses on questions on religious matters.
IMAM	-	The person who leads others in Salát (Prayer) or Muslim Leader.
JANABA	-	A state of major impurity which require pure water for ritual bathing
NAFILAH	-	An optional practice of worship in contrast to obligatory
n.d	-	No date of publication is stated in the material used
QIBLA	-	The direction in which Muslims turn their faces during Salát (Prayer, that direction is towards Ka'aba.
R.Q	-	Research Question
SALĀT al-Istisqa'	-	Prayer for rain
SALÁT al-Hajah	-	Prayer for fulfilment of needs from Allah (SWT).
SALÁT al-Tahajjud	-	After – midnight prayer, which is supererogatory
SALÁT al-Witr	-	The odd number, it is the one-rak'at prayer which is performed after the night prayer and preceeded by the Shaf prayer.
SALÁT al-Janazah	-	Prayer for funeral
SALÁT al-Jumu'a	-	Friday prayer
SALÁT al-Safar	-	Prayers during journey for rak'at prayers reduced to two rak'at
SALÁT al-Kusuf	-	Sun eclipse prayer
S. A. W.	-	Peace be upon him
SUJUD SAHWI	-	Forgetfulness prostration

S. W. T.	-	Most High
TALBIYA	-	Saying "labaikalla- human labbaik" (1 respond to your calls oh! Allah/answer your calls) while in the state of Hajj or Umrah.

Table of transliteration

sliteration	Arabic Name	Standin g Alone	Transliteration	Arabic Name	Standing Alone
ṭ	Ṭāʾ	ط	a	alif	ا
ẓ	Ẓāʾ	ظ	b	bāʾ	ب
ع	ʿayn	ع	t	Tāʾ	ت
gh	ghayn	غ	th	thāʾ	ث
f	fāʾ	ف	j	Jim	ج
q	qāf	ق	ḥ	Hāʾ	ح
k	kāf	ك	kh	Khāʾ	خ
l	lām	ل	d	Dāl	د
m	mīm	م	dh	Dhāl	ذ
n	nūn	ن	r	Rā	ر
h	ha	هـ	z	Zāy	ز
t	ta	ة	s	Sin	س
w	wāw	و	sh	Shin	ش
ʾ	hamza	ء	s	Sād	ص
y	yāʾ	ي	d	dād	ض

1.0 BACKGROUND TO THE STUDY:

In the name of Allah, the Merciful, the Compassionate. All praises are due to Allah, the Lord of the Worlds. Peace and blessings be upon the Prophet Muhammad and Messenger of Allah and also upon his family, companions and those who followed guidance up to the Day of judgement.

The topic for this research is an analysis of the Hadith Reports of al-Bukhari and the teachings of al-Mudawwanah in matters of Salát. Al-Mudawwanah is an earlier collection and synthesis of legal views with teachings of Hadith, compilled by Ibn Qasim, the student of Imam Malik bn Anas and Sahnun much earlier than al-Bukhari. al-Mudawwanah, therefore was presented by Ibn Qasim as the legal views of Imam Malik on matters of Salát.

The significance of Salát in Islam can not be over-emphasised. Allah (SWT) says thus:

Recite what is sent of
The Book by Inspiration
To thee, and establish
Regular prayer: for prayer
Restains from shameful and

Unjust deeds; and remembrance
Of Allah is the greatest thing
In life without doubt. And Allah

Knows the (Deeds) That ye do.
('ANKABUT: 45)
Set up regular prayers for such prayers are
Enjoined on believers at stated times
(NISA' A: 103)

Abdullah Ibn Umar reported that he heard the Prophet (SAW) saying "Islam is based on five pillars: The acknowledgement that there is no God but Allah and Muhammad is the Messenger of Allah, and the performance of prayer, the giving of alms, the performance of pilgrimage and the fasting of the month of Ramadan". (Al-Bukhari and Muslim).

Prayer in Islam is the corner-stone and a pillar of the religion. It is the key and the path to paradise, it is also the peak of all actions of devotions. Among the five pillars of Islam prayer undoubtedly occupies the most prominent position in the Holy Qur'an and the Hadith of the Prophet (SAW) after Iman (faith).

The performance of five daily prayers in the prescribed format is mandatory. It is the most direct of communications with the Creator, requiring neither a priest nor an intermediary. After believing in Allah, prayer is the method of which Muslims try to nourish their personal relationship with Allah.

Salāt (prayer) helps to attain spiritual response, calm and strength. This is why the Prophet (SAW) whenever disturbed by any problem immediately referred to prayer. It also brings success, prosperity and happiness. The Holy Qur'an says:

"Believers must (eventually) be prosperous who are humble in their prayers (Mu-minun: 1-2)

Prayer is the best means of over-coming difficulties and alleviation of sorrows. It provides spiritual energy, and psychological insight as well as satisfaction among others. Allah (SWT) has stipulated it as one of the main characteristics of all devoted Muslims, owing to its great importance in Islam, its prescription took place in Heaven. It was instituted on Muslims one year before the Hijra of the Prophet (SAW) from Makka to Madinah.

Owing to the importance of Salāt Imam Al-Ahdari (n.d) explained that a person under no circumstance should ever ignore Salat deliberately. Who is not able to pray standing can pray sitting, if he is not able, he can pray lying down, if he is not able, he can move his head, if he is not able, he can move his eyes.

1.1 CONCEPT OF SALÁT:

Salāt is the usual name in Arabic for the ritual prayer of devine service, this term is used in the Qur'an and Hadith of the Prophet (SAW), as well as among all

Muslims in every part of the world. The translation of "prayer" according to Arabic/English Dictionary without further definition is not accurate. The Arabic word du'a 'supplication' in Islamic context corresponds to the concept of prayer in English.

Some of the lexicographers are of the opinion that the word al-Salat means to pray, supplicate, to make petition or to perform the devinely appointed act. This meaning is clear in one of the famous traditions of the Holy Prophet (SAW) which states "who ever is invited to a banquet, or a marriage feast, let him comply or if not let him pray for the inviter" (Muslim). It also means to give blessings as it is found in the Holy Qur'an "Verily Allah and His Angels send blessing on the Apostle". (AHZAB: 56)

Salāt in the technical sense according to Al-Razi (1981) is a singular noun and its plural is salawat, an act applicable at a certain place; that particular mode of prayer which is enjoined upon the Muslims as a foremost religious duty; and Anis Munstasir, al-Suwahhi and Ahmad (1982) defined salāt as specific act of worship performed at stated times "For such prayers are enjoined on believers at stated times" (NISA 'A: 103).

In Islam prayer is the soul of the religion, where there is no prayer, there can be no purification of the soul, it is with prayer that man has the consciousness of

Allah and selfless love for humanity and inner sense of pity. Salāt is therefore, the first, the highest and the most solemn, phenomenon and manifestation of Imaṁ (Faith).

The way in which prayer is offered and the words which are recited in it explains the true nature of Islam, of which it is the symbol of humble reverence before the majesty of the glorious Lord.

Salāt are of various kinds, the five obligatory daily prayers, Friday prayers, Funeral prayer, Id prayer; every Muslim who has attained his maturity and is in his senses is bound to observe the five daily prayers (Salāt -al-maktubah). According to Shari'ah any one who deliberately omitted the ṣalāt because he does not recognise it as legal duty is to be regarded as an apostate; which makes him liable to death penalty.

The word ṣalāt occurs with various combinations, used to express different periods, and also special occasion of the prayer; besides the five daily salawat, there are some that are not compulsory which are performed occasionally. In Fiqh, they are divided into three categories: Sunnah; Mustahab and Tatawu'u. some of these ṣalawāt includes; ṣalāt al-Istisqa, ṣalāt al-Hajah, ṣalāt al-Tahajjud, ṣalát al-Witr, ṣalāt al-Janazah, ṣalāt al-jumu'a, ṣalāt al-khauf, ṣalāt al-safar, ṣalāt al-kusuf and ṣalāt al-Istikhara.

The dress to be worn by the individual should fulfil the legal –covering of the al-'awra (private parts). As for the men, the body must be covered from umbilicord to the knees, while for the women the whole body except the face and the hands should be covered.

Salát can be performed anywhere provided the place is pure but not necessarily only in the Mosque. The Prophet (SAW) said, "He is granted the privilege that for him the earth is Masjid" (Bukhari), so also tombs are exempted, and care must be taken that the worshipper is expected to face Qibla.

It is reported in one of the Traditions of the Prophet (SAW), that Angel Jibril (A.S) came down five times in a day and performed the salat in the presence of the Prophet (SAW) and the Prophet (SAW) on each occasion imitated the Angel, (Bukhari and Muslim), this is to indicate to the Prophet (SAW) and his followers the time for each, salat and its time limit. Salāt starts with an intention of the Salāt to be performed and Takbiratul-Ihram and concluded with Taslim

1.2 BIOGRAPHY OF IMAM BUKHARI

The full name of Imam Bukhari is ABU'ABDALLAH MUHAMMAD Bin Ismail bin Ibrahim bn Al-Mughira bn Bardizbah al-Dju' –fi Al-Bukhari born 13th Shawwal, 194 AH/21st JULY 810 CE in Bukhara in the teritory of Khu-rasan, West Turkistan

in Central Asia, a grandson of persian–named Bardisbath. He died 30th Ramadan 256 AH/August 31st, 870 CE, he was buried in Khartanak, near Samarkand in

exile, as a result of logical dispute with the rulers at that time, he is one of the greatest Muslim scholars of Hadith. Majority of the Muslim scholars have acknowledged that Imam Bukhari's work is one of the most authentic works in Hadith literature.

His father died when he was still a young child, his mother brought him up. He began to learn the Traditions of the Prophet (SAW) by heart at an early age of ten and seems to have been a very precaucious student, for he was able to have corrected his teachers at an early age. He had a remarkable memory, and his companions were said to have collected some of the traditions they had written down from what Imam al-Bukhari memorised by heart; and in his sixteenth year made the pilgrimage to Makka accompanied by his mother and elder brother, where he began his search and recording of the Prophetic traditions. It seemed Imam Bukhari loved Makka and its learned religious scholars, he remained in Makka after bidding farewell to his mother and brother. He spent two years in Makka and went to Madina he stayed in Hidjaz for six years attending lectures and later left for Basra, Kufa and Baghdad. He was said to have travelled widely in search of Traditions from –Khurasan to Egypt and was to have heard Traditions from over one thousand shuyukh (learned men of repute).

He met many scholars including Imam Ahmad bin Hanbal. He spent sixteen years to compile his Sahih work on Traditions recording only trust worthy Traditions. His mastery of the subject is attested by the Chronicles, who reported

that, in order to try him, the traditionists of Baghdad offered him a series of Traditions in which the texts had been dislocated from the Isnad (chain of transmission), and that he always detected the faults. His most famous work is the Jami as-Sahih which took him 16 years to compile.

After his return to Bukhara he began to differentiate the enormous materials

brought together in the various travels he had undergone. It is said that he selected his Traditions from a mass of 600,000 and he has memorised 200,000 Traditions of which some are unreliable. He was born at a time when Traditions were being forged either to please the rulers or with the intention to corrupt the religion of Islam.

It was a great task for him to differentiate the forged Hadith from the authentic, thus he laboured hard to bring out the most authentic Traditions from those he collected and also memorised he compiled only what was absolutely Sahih (sound) for inclusion in his Sahih. In his selection of Hadith, he has shown great

care to obtain the most authentic traditions, yet he does not hesitate to explain the materials by brief notes quite distinct from the text.

Imam al-Bukhari adopted as the frame work of his book headings which covered the whole range of Figh (Islamic law). His work is divided into 3450 chapters. The tradition embodied in the Tarjama numbered about 9082, but apart from the repetition of some of the Hadith the distinct Hadith numbers 2762. He also

added fairly copious notes to the headings of his chapters.

al-Bukhari's righteousness as a compiler is illustrated by his reported statement that he had never committed any Tradition to writing in his collection except after performing ablution and offering two raka'ats of prayer, supplicating and to sought the aid of his Lord. This type of compilation involves much repetitions as one Tradition is sometimes quoted to prove several points of law; each chapter heading is followed by some discussions or comments by al-Bukhari himself.

As a preliminary to his Sahih al-Bukhari, he wrote al-Tarikh al-kabir ("The large History") which contained critical biographies of the authorities who formed the

living chain of transmissions of tradition back to the Prophet (SAW). There have been many commentaries on the whole or part of the sahih; notable among which are those of al-Ayani, Ibn Hajar al-Askalani also Kastakkan. Although al-

subki include al-Bukhari among the sahfi'I Fugaha, this is not accurate, for he does not hold consistently the doctrine of any particular school.

In his life time al-Bukhari was recognised as an outstanding Traditionist, noted for his minute knowledge of detail and his ability in detecting defects in Traditions. Many scholars tried to find fault in the great remarkable – collection of Sahih al-Bukhari but without success, it is for this reason most scholars gave high regard to his collection. May Allah (SWT) have mercy on his soul. Amin.

1.3 BIOGRAPHY OF IMAM MALIK:

His full name is Abu'Amir bn Umar bn Al-Harith bn Ghaiman bn Habthil bn Umar bn Al-Harith; who was also well known as Dhil-Subh. It was Amir who accepted Islam first in the family; Imam Malik is nick named (Kuniyyah) Abu Abdullah. Imam Malik was born in 93AH in Madina. He belonged to a royal Arab family of Humair from Yeman which had settled in Madina after the advent of Islam.

Malik bn Anas spent most of his life in the city of Madina where he started his education, his family were well known scholars and teachers in Islamic learning. His grand father was a famous scholar of Hadith and is considered to be one of the authentic narrator of ahadith in his life time. He learnt ahadith from his

uncle Abu Suhail Nafi who was a recognised scholar of Hadith who is also a teacher of Imam Zuhri.

Other scholars that Malik studied under them include; the celebrated Rabia bn Faruq (d. 132) from whom he learned Fiqh, especially the ra'y (opinion) of people of Madina, he is called Babiat al-Ra'y. In the field of Qur'anic studies, Imam Malik learnt how to read and recite the Qur'an according to the established principles of Tajwid from the very famous scholar Abu-Nadim Nafi bn Abdal-Rahman (d. 169 AH), who is well know in this field throughout the Muslim world, he also learnt Traditions from the famous Traditionists Nafi (d. 117AH).

Others include such famous scholars of Islam like Ja'afar al-siddiq, Muhammad bn Yahya al-Ansari, Abu-Hazim Salman bn Dinar, Yahya bn Sa'id and Abu-Zubair, it is said that he learned from many scholars of Islam. He received his earliest impression of Islam from Sahl Ibn Sa'id. He enjoyed the advantage of a personal interaction with Imam Abu-Hanifah, although differing from him on many important questions regarding authenticity of Hadith.

He became a great Muhaddith and jurist, he scrutinized all kinds of narrations and compiled about a thousand ahadith after careful consideration in his famous Muwatta and his legal theories and its classification is based on the Hadith and Sunnah of the Prophet (SAW) and attracted considerable number of students. He was considered to be the most learned man of his time.

Among his principal pupils are Yahya al-Masmudi (d. 234 AH) it is through his narrations that al-Muwatta became well known in the Maghrib, Ibn Wahb Abu Muhammad 'Abdullah bin Salman al-Fahri Al-Misri (d. 199 AH). Abi Abdullah 'Abdal-Rahman bn al-Qasim bn khalid al-Thauri (d. 195 AH), was another illustrious pupil of Imam Malik and also the author of al-Mudawwanah. Sa'I bin kathir bin Afrir bn Muslim al-Ansari (d. 226 AH) Yahya bin Bikir al-Masri (d.231 AH). These great scholars are among pupils of Imam Malik, who learnt the most authentic copies of al- Muwatta from Imam Malik.

Among those who benefited from the study circle of Imam Malik include the 'Abbasid Caliphs like Abu Ja'afar Mansur, Mahdi, Haruna al-Rashid and his children Amin and Ma'mun al-Rashid and learned Jurists like Abu Hanifah and Imam Shafi'i. He rised to a point of eminence in Madina, Malik as a jurist fearlessly gave his Fatwah (juristic decisions) even if the ruling Caliphs disliked it.

The greatest contribution of Imam Malik was the codification of Madina Fiqh, he was known chiefly for his composition of the Kitab al-Muwatta (the Book of leveled path), he was very careful in selecting ahadith while compiling his famous work al-Muwatta, in his work he attempted to survey and systematize Islamic law according to the consensus prevailing in Madina to provide principles for the resolution of disputed points. He gave precedence to the Madinan

practice and Traditions over the more general prevailing Traditions in the cases in which there was no clearer guide. His main contribution was however, systematization rather than personal interpretation.

Imam Malik died on the 11th of Rabi'ul-Awwal 179/795) at the age of 86 after a brief illness, in the city of Madina and was buried in the famous grave yard of Madina Janat-al-Baqi.

1.3.1 BIOGRAPHY OF IBN QASIM

Abu Abd' Allah Abd-Al-Rahman bn al-Qasim al-Thasiri, was the Imam Malik's most prominent pupil. He studied under Imam Malik for twenty years. And after Malik's death he was regarded as the greatest Maliki scholar. He died in Cairo in 191/806.

al-Mudawwanah, is usually ascribed to Ibn al-Qasim, it was originally put together by Asad bn Al-Fusat and consists of the answers of Ibn al-Qasim to Asad's questions on the Madhhab of Malik.

Sahnun Abu Sa'id al-Tanukhi (d. 240/854) the Qadi of Qairawan compiled al-Mudawwanah, when he went to see Ibn al-Qasim in 188/804, the latter gave him many of such answers and after his death Sahnun arranged the whole work, hence this could be described as an account of the legal views of Malik Ibn Anas

in Sahnun's recording. The work was printed in twenty volumes at Cairo in 1323/1905. Various Malik scholars have written commentaries on the **MUDAWWANAH.**

1.3.2 CONCEPT OF HADITH

The word Hadith means literally, a communication or narration/narrative in general whether religious or profane. Then it has particular meaning of record of actions or sayings of the Prophet (SAW) and his companions. In the latter sense the whole body of the sacred Tradition of the Prophet (SAW) is called "The Hadith" and its science "Ilm-al-Hadith". It is considered a virtue to follow the "Sunnah" by every believer and how to take the conduct of the Prophet (SAW) and his companions as a model for himself in all the affairs of life.

At first the Sahabah (companions of the Prophet (SAW) who believed in the Prophet (SAW), were the best authority for a knowledge of the Sunnah of the Prophet (SAW), they had themselves listened to the Prophet (SAW) and witnessed his actions with their own eyes. Later the Muslims had to be contented with the communications of the Tabi'un (followers) of the Sahabah, with the accounts of the Tabi'u al-Tabi'un (followers of the followers), every perfect

Hadith, therefore, consists of two parts, the first part contains the names of the persons who have handed on the substance of the Tradition to one another. This part is called the Isnad (the chains of transmissions), this is for the trust-worthiness of the statement. The second part is the Matn (content), the real-substances of the report.

A Tradition can only be considered credible when Isnad offers an unbroken series of reliable authorities. The critical investigation of the Isnad has caused the scholars to make thorough researches into their reliability; they endeavoured not only to ascertain the names and circumstances of the (Rijal) authorities in order to investigate when and where they lived and which of them had been personally acquainted with the other, but also test their reliability, truthfulness and accuracy in transmitting the texts, to make certain which of them were reliable.

1.3.3 CONCEPT OF FIQH:

The term Figh, literally means or connotes understanding without any restriction in some way as some one tries to discern the objectives of speaker from his speech. In this respect, Allah the most High says: ".....But what hath come to those people that they fail to understand a simple fact," (NISA' I: 58) Figh is the

name given to jurisprudence in Islam. It covers all aspects of the Muslim life. It is the Islamic legal machinery for interpretation of the affairs of Muslims.

Technically, Fiqh refers to all religious laws brought by the Shariah. Sharaffudin (1969), and Zaydan (1982) observed that the Qur'an has also used the term Fiqh in relation to understanding the Islamic laws in general. The most High said "Nor should the believers all go forth together; if a contingent from every expedition remain behind, they could devote themselves to studies in the religious and admonish the people when they return to them that thus they (may learn to guard themselves against evil) TAUBA: 122). Khudir (1967) observed that with the compilation of several on the principles of jurisprudence, the jurists eventually evolved the well-known Fiqh terminologies.

The Fugaha (jurists) classified the commandments of the law given by Allah, generally into the following Fard or wājib, Harām, Mustahab, Mandūb, Makrūh and Mubāh, Fard or Wājib, and Harām, refer to acts in which the Mukallaf (an adult) is strongly required to perform or not to perform certain acts and refusal

to comply attracts appropriate penalty, while compliance to it brings reward. Mandub or Mustahab and Makruh, on the other hand, refers to acts in which a person is recommended to do or not to do certain things and compliance to it brought reward, while non-compliance attracted no penalty; and Mubah dealt

with acts which the law was indifferent, where the performance or non-performance of a thing was the same in the sense that it attracted neither reward nor punishment. Other terminologies that are usually added to the above as al-shart (condition) are sahih (sound) and batil (avoid).

The usage of the term Fiqh later on was restricted to the understanding of the laws relating to 'Ibadat and Mu'amalat (practical matters) only to the exclusion of any other thing.

Sharif al-Jarjani, the author of Ta'rifat defined Fiqh as the knowledge of Islamic laws dealing with practical matters from their detailed evidences which in other words is the knowledge derived through subjective opinion of an Ijtihad (independent decision in legal questions).

Later on the meaning of Fiqh technically changed according to Zaydan (1982) and Mahmassani (1961), to the science of the derived legal rules as required from their particular sources, this clearly shows that Fiqh deals with laws relating to pratical nature only, it deals with rituals and transactions; Fiqh is a branch among the branches of shariah and as such the scope of the latter is much wider than the former. The scope of fiqh is, therefore composed of two major elements that is 'Ibadat and Mu'amalat according to the Sunni scholars.

1.3.4 CONCEPT OF SHARI'AH

Shari'ah, literally means a path, the clear path to be followed. Allah (SWT) says; (Then We put thee on the (right) way of religion so follow thou that way) (Jathia: 18), He also says: (to each among you have prescribed a law and an open way) (Ma'ida: 48).

Shari'ah is the guidline (for dos and don'ts) designed or revealed by Allah (SWT), the Creator, to man, in order to give man a peaceful, just and dignified experience in his entire life. It covers every aspect of man's life to give him the said peaceful experience.

The word Shari'ah, is used to connote what Allah has legislated as explained by the Prohet (SAW). The laws have been called the Shari'ah for their resemblance, to a watering place; this is because shari'ah in essence is to nourish the soul and a means of forgiveness to the human beings, in the same manner is the watering place is to the human beings, animals and other living creatures.

The shari'ah comprises of all the various laws stipulated by Allah (SWT) for His servants as contained in the Holy Qur'an and Sunnah of the Prophet (SAW) which made up of his action, speech and silent approvals.

The shari'ah came to the Prophet (SAW) through Divine revelations or inspiration

and he was charged with the responsibility of explaining it to the people. He conveyed the massage of the Qur'an to the Muslim Ummah and explained its content to them as well. Shari'ah is activities of man. According to Taftazani as in Khudir (1967), the Revelation to Prophet (SAW) is the Shariah per excellence.

Figh (along with its auxiliary science), is the science of the Shariah and can sometimes be used as synonymous with it, and the usul al-Figh are also called the usul al-shar-i. Shariah is the basis for the judgement of activities as good or bad, which accordingly can only come from Allah (SWT). The knowledge of the Shariah is essentially acquired either through Naq'liyyah (transmitters) or Aqaliyyah human intellect.

Naq'liyyah refers to the knowledge transmitted to mankind from the law given by Allah (SWT) through His Messengers and Prophets, while Aqaliyyah refers to the knowledge obtained through the use of human intellect or reasoning.

Qadri: (1981) stated that Islam is a complete code of life. The life of a Muslim consists of no dichotomy in what he has to do in secular transactions, in all relations of human endeavour, there is a complete direction contained in the institution which a Muslim has to follow: and this is Shariah. Shariah is complete guidance that emanates from the Creator Allah (SWT), covering all aspects of

human life. Allah the Most High says: ----"Nothing have We ommitted from the Book for your guidance" (AN 'AM: 38).

The scope of the Shariah, therefore covers a complete code of faith and practices, it consists of aqa'id (the belief) and a'mal action. These are actions by the heart and other organs of the body, as opined by Ibn Khaldun (1958).

1.4 STATEMENT OF THE PROBLEM

Undoubtedly Salāt (prayer) is an important pillar in the religion of Islam. It is Allah (SWT) who has prescribed it upon Muslims, the duty of performing five daily prayers was enjoined from the seven Heavens during the Prophets' Mi'raj. Hence Allah (SWT) says "guard strictly your prayer especially the middle prayer, and stand before Allah all devotions" (BAQARA: 238).

The Prophet (SAW) said: "The first thing that a servant will be called to account for on the day of judgement will be Salāt. If it is good, his deeds, will have been good, if it is bad his deeds will have been bad". (Muslim) salāt being an in important pillar in Islam needs to be thoroughly understood by Muslims, this will enhance their performance of the salāt and the applications of issues involved in the conduct of the salāt.

Our contemporary period is witnessing growing number of young scholars who are opportuned to have studied some Hadith collections. Thus instead of improving the level of understanding of the Shari'ah it sparkled controversy, on whether the Islamic law should be the content of the Hadith, reports alone in support of Qur'an, or the views of the jurists like Abu-Hanifah, Malik and others. The Islamic law is a significant interpretation of the Qur'an and Sunnah of the Prophet (SAW).

It is very much observed in our Muslim communities today a growing opinion of divergent views that we should stick only to the Qur'an and Sunnah of the Prophet (SAW), discarding all the Mashabs and the earlier jurists' views relating to Islam, thus creating serious problems among the Muslim Ummah since these Mashabs and the jurists views are well established among our Muslim Ummah and are the basis and sources of understanding the Qur'an and the Hadith; and this is the root of Islam.

To do away with the earlier writings of these great scholars like Ahdari, Ishmawi, Risala and many others which are used by our Muslim Ummah in teaching and learning of Islam will create more disharmony among the Muslims since these books were in use for many years.

Fiqh, is the understanding of the two major Islamic sources; i.e. the Qur,an and the Sunnah of the Prophet (SAW) nothing is said to be Islam only the understanding of the two major primary sources of Islam. Fiqh started from the time of the Prophet (SAW) when revelation comes to him he then explain to his companions and each comes up with various understanding ie the issue of Bani Qur'rayza in connection to salāt, the companions understood it in two ways; it is reported that Angel Jibriln came to the Prophet (SWT) and asked, "O Apostle of

Allah, have you put aside your arms?" when the Apostle replied that he had, Jibril (AS) said, "But the angels have not put away their arms". "Allah commands you to march on Bani Qurayza, I am also to go there to flutter them". There upon the prophet got an announcement made that every one who listened and follwed him ought to perform the 'asr prayer at Bani Qurayza.

One group prayed when it was time for 'asr prayer saying that the Prophet (SAW) did not mean that they should delay their prayer when it was time to pray 'asr but another group said no, that Prophet (SAW) meant they should not pray until they reach Bani Qurayza. This is what the Prophet (SAW) said in the "Nassi" but the understanding of the companions differed, this is the source of Fiqh.

The Prophet (SAW) said to Abdullah Ibn Abbas, may Allah makes him understand religion and makes him understand Tafsir of the Qur'an, also the Prophet (SAW)

has been reported saying "who so ever Allah intends to favour, makes him to understand the religion.

It is clearly seen that various understanding has started from the Prophet's time, by the time, the Prophet made such explanation for those who were close to him they had various understanding on that explanation of the Prophet, their understanding became more explained on the explanation of the Prophet and this is how all these Mashabs started, each understanding the Qur'an and the Hadith in their best way, this is very clearly demonstrated in their various

understanding of the injuction on ablution in the Quran (Maida: 7) Allah (SWT) stated that: "O ye who believe: when ye prepare for prayer, wash your faces, and your hands (And arms) to the elbows; rub your heads, (with water----------".

These great jurists, each interpreted the verse in different was, i.e. the "bi" in the Arabic phrase of rubbing of the head; in his opinion Abu Hanifah – interpreted the "bi" to mean, rubbing one-quarter of the head, while Malik (RA), is of the opinion of rubbing the whole fore-head and shafi'I says, only part of the fore-head, while Ahmad bn Hambal is of the opinion that the rubbing should be the whole head.

We clearly see that these Mazhabs and the earlier Islamic scholars are only providing more explanations on the teaching of the Prophet (SAW), we know the Qur'an – the primary source of Islamic teachings, in it, contain what Allah (SWT) wants to be done for Him, and what should not be done, all are stated in the Qur'an but most of these injunctions only came in head-lines, and after that Allah (SWT) sent detailed explanation to the Prophet (SAW) of what it meant with these injunctions.

It is here observed that the Muslim Ummah today is faced with the problem of some of its modern scholars in accepting the complementary role Fiqh served in understanding Islam apart from Qur'an and Hadith, these scholars felt discontented with Fiqh and advocated strict adherence to Qur'an and Sunnah only and to disregard fiqh.

To this end, this research seeks to address itself to the following research questions to provide a clear understanding of the statement of problem.

1. Are there any significant differences between Hadith reports on Takbiratul Ihram in al-Bukhari and al-Mudawwanah?

2. Are there any significant differences between Hadith reports on Recitation in al-Bukhari and al-Mudawwanah?

3. Are there any significant differences between Hadith reports on Ruku'u in al-Bukhari and al-Mudawwanah?

4. Are there any significant differences between Hadith reports on Sujud in al-Bukhari and al-Mudawwanah?

5. Are there any significant differences between Hadith reports on Julus in al-Bukhari and al-Mudawwannah?

6. Are there any significant differences between Hadith reports on Tashahhud in al-Bukhari and al-Mudawwannah?

7. Are there any significant differences between Hadith reports on Taslim in al-Bukhari and al-Mudawwannah?

1.5 OBJECTIVE OF THE STUDY:

The research is designed to achieve the following objectives. Readers of the research should be able to:-

1. Identify the matters of Salat as reflected and reported by Bukhari and Fatwa of Imam Malik as contained in sahih al-Bukhari and al-Mudawwanah.

2. Comprehend and explain legal issues related to salāt for better application by the Muslim Ummah.

3. To analyse the major reports on salāt in Bukhari and that of Fatwa of Imam Malik in al-Mudawwanah.

4. Analyses in this study focus on the reports of Bukhari and Malik on Salāt as discussed in this research for which it will enhance understanding on how to apply these matters of salāt in their daily prayers.

5. Understand the true nature of as-salāt and its various mode of performing it through this analysis based on the Hadith reports in Bukhari and al-Mudawwanah.

1.6 SIGNIFICANCE OF THE STUDY:

Quite a number of studies have been undertaken on the area of salāt but indeed none have been written on the comparative analysis of the Hadith reports on salāt in Bukhari and Fatwa of Malik in al-Mudawwanah, this study will be a useful reference to the Muslims in the area of salāt. It will also stimulate them for further studies as it is a pioneer study.

A study of this nature is significant for it brings light on matters of salāt and what they stand for as contained in these two works of a Muslim jurist and a Muhaddith as this will enhance their knowledge of Islam.

The analysis in this study focused on the reports of the two great scholars of Islam Imams Bukhari and Malik on salāt as contained in their sahih and al-Mudawwanah respectively, thus the study is significantly important in its potentials to contribute to the field of Islamic knowledge especially on the matters of Salāt which will enable the Muslim Ummah understand better how to apply these matters of Salāt in their daily salāt.

1.7 THE SCOPE AND LIMITATIONS OF THE STUDY:

The work would be restricted to sahih al-Bukhari and al-Mudawwanah and specially this study is centred on the Hadith reports on matters of salāt in these two Books. It focuses on the matters of Salāt and makes an analytical study of Hadith reports and what other jurists have said on such matters of salāt.

In clear terms, the scope of this research is restricted on matters directly on the

salāt al-Muktubah. It is not possible for the researcher to discuss and reflect in this study all matters of salāt, this is due to its numerous matters – relating to salāt, this made it impossible to discuss all issues on salāt.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

INTRODUCTION.

2.0 This chapter is concerned chiefly with review of the literature relevant to the study.

Shuaibu (1989) quoting Ary et-al (1979) emphasised that the study of relevant literature places a researcher in a better and firm position to interpret the significance of his own result.

While Akiezuilo (1993) states literature review as "Summary of the writtings of recognized authorities and of previous research findings relating to the research problem one intends to investigate" A lot has been said both in the Holy Qur'an and the Hadith of the Prophet (SAW) on the matters of Salāt in view of this the researcher reviewed some of the related literature from different scholars on the matters of Salat in Islam. This review intends to look on the following aspect of Salāt:

- Definition of salāt
- Compulsory aspects of Salat
- Siffat of salāt
- Position of Fatiha in salat

- Sleeping off behind an Imam in salát
- Clapping and saying Subhanallah
- Laughing and sleeping in salát
- Killing flee and louse in salát

2.1 DEFINITION AND SIFFAT OF SALÁT

Dardir (n.d) in his definition of al-awra said that, al-awra is taken from the word al-awru, it is al-Qubh'u i.e dislikeness because it is dislikeness when it exposed itself; on this matter Muhyiddin said the issue of closing the awra is for its own dignity and its own respect and not because of its own midness or humiliation.

In his statement Dardir (n.d) explained that if a grown–up person is not able to cover his awra completely but only half of it because of necessity his salát is accepted.

Elaborating on the position of Fatiha and when it should be recited Nafrawi (n.d) stated in his "Fawakihul al-Dawani that Fatiha should be recited immediately after Takbiratul Ihram, without separation with Tasbih or any form of it because this is undesirable, its undesirability is karaha (abhorred) if it is in the salat of Magrib, Isha, Jummu'at or Subhi it should be recited loudly to the hearing of the person near you.

Al-Nafrawi still states that one should not open his recitation of Fatiha with Bismillah or the Surah that follows the Fatiha in salat al-Maktubat; (Obligatory prayer) he emphasised that it should not be recited in silence or aloud; this is because to Imam Ahmad and Abu-Hanifa Basmallah is not an ayat in Fatiha and is not part of any surah. The prohibition was based on Karaha (dislikeness) and

this is popular view in their mazhab, but according to Ibn Nafi it is compulsory just like in the Mazhab of shafi'i. However in the Mazhab of Imam Malik it is lawful and also Izzimalik has similar view and to Ibn Muslima it is Nadab (desirable).

Nafrawi continued to express that the most popular reason is the tradition reported by Abdullah bin Magfal and Amal which stated Maziri used to recite Basmala-Sirran (silently) and he spoke on this matter by saying that Mazhah of Malik in perfect totality accepts that prayer is correct with Basmala, and in the Mazhab of shafi'I by the statement of one of them that prayer is void by omitting the Basmallah and what is generally agreed; upon is better than that disagreed, Qarafi, Ibn Rushd, al-Gazali and Ibn Jama'a mentioned that with humbleness that it is better to leave disagreement in respect of reciting Basmallah in salat.

Nafrawi (n.d) in his Book al-Fawaki states that the position of dislikeness of reciting Basmallah in salátul Fard it is recited on the basis that it is Fardun but without being wájib, but if you bring it on the basis of immitation or with the intention of avoiding of hilafa (disagreement) there is no karaha, (abhorrence) however it is wájib if you imitate those saying it is wajib that salat would not be complete without Basmala, similarly the rest of the prayers which are not fard.

Nafrawi (n.d) states that the position of Fatiha in salát is that it is compulsory for every praying Muslim both the Imam and the follower to recite while in prayer, Khalid (n.d) according to Nafrawi (n.d) in al-Fawaki said that al-Fatiha should be recited with the movement of the tongue by both the Imam and the followers. It

is compulsory to learn how to recite it, but if he can not read then he mummer. Nafrawi (n.d) stated in commentary of al-Fawakihul Dawani that Ruku'u composed of three things; Takbir with combining the takbir with ruku'at and the ruku'u it self. He said the takbir is sunnah the combining of the takbir with ruku'at is Mustahab, while the ruku'u is compulsory.

Al-Akhdari (n.d: 37) said in his Book al-Akhadri "whoever points in prayer with his hand or with his head there is no harm" and points out that in the case of al-Fatiha that who ever repeats the recitation of al-fatiha forgetfully he should prostrate after salam but he however stated that "whoever laughs in his prayer such a prayer is void, whether it is forgetfully or intentionally, but there is no harm to smile" and he also points that "who blows while in prayer unknowingly he should prostrate after salam but if it is intentionally the prayer is void.

Al-Akhdari (pp. 40) further stated on some issues relating to salát that: whoever turns while in prayer unknowingly there is no harm, however if it is intentionally it is disliked; and if he turns away completely from the Qibla he annulls the

prayer, and that whoever prayed in cloth of gold, silver, stolen cloth is a sinner but his prayer is valid, and whoever dozes while in prayer there is no sujud for him, however if he dozes heavily he repeats the ablution and the prayer.
He further stated that to clap in order to draw attentiont is disliked but his prayer is still valid, and whoever is called while praying and said to the caller "subhannallah" it is disliked but the prayer is valid, whoever reminds another

person who is not his Imam while in prayer, the prayer is void, and whoever prevented some one passing in his front while praying, he prostrated on one side of his forehead or prostrating on layers of his turban there is no harm in his prayer.

He also mentioned that whoever kills a snake or scorpion in prayer there is no harm if only the act is not too long but if he turns away from the Qibla he terminates the prayer: and whoever forget ruku'u in prayer and he goes to Sujud, he should rise up, it is preferable to repeat part of what he recites and go to Ruku'u again, and if he forgets sujud and arises up, he should go back again for the Sujud.

Defining what is salāt Dardir (n.d/231) in a Book called Hashiyatul Dasuki, states that "salat consist of words and deeds: all its words are not compulsory except three: Takbiratul Ihram, al-Fatiha and assalamualaikum, while all deeds in salat are compulsory except three: raising of hands during Takbiratul Ihram, sitting for

tashahhud and turning right side for taslim; "while in the statement of Dasuki (n.d/231) commenting in his Book Hashiyatul Dasuki, "that salat is a wholesome formation consisting of fard (compulsory aspects of prayer) and other aspects".

Explaining conditions and Faraid of salat, Dardir (n.d./200/231) explained faraidu salat as formations of pillars and its parts; from it are fifteen", and he gives conditions of salat and divides it into three: condition of wujub, Sihhah and combination of the two. Shurud wujub are two: albulugu (maturity) and

adabullkrahi (lack of compulsory of the prayer) but for the condition of sihhah are five: free from major and minor impurities, facing Qibla, covering private parts, and Islam.

Elaborating on the importance and position of reciting Fatiha al-Nafrawi (n.d/176-177) said that reciting Fatiha is compulsory on every praying person and on both Imam and one who prays alone", and he added that "it should be recited with the tongue and lips, and the Imam and the individuals, it is compulsory to learn how to read it if possible, however if he can't he move his lips.

Khalid (n.d/47) in his Book Jawahiril Iklil said, "Ruku'u means bowing from standing and that it should be accompanied with the takbir at the sometime while going for the ruku'u.

Ashmawi (n.d/16-17) stated that "salat has conditions of wujub and conditions of sihhat of (authenticity), the conditions for its wujub are five: al-Islam, maturity, sanity, entry time of the salat, the reaching of a call to Islam: but the conditions for its sihhah are six: free from major and minor impurities, facing the Qibla, covering nudity, leaving talking and leaving much work". Ashmawi (n.d/32) also stated that "prayer is nullified with laughing intentionally or unintentionally".

Describing the siffat of salat Al-Dardir (n.d/203) puts it as follows:
The intention in (entry) starting nothing will be sufficient to it except saying,

Allahuakbar; and to raise his hands to the shoulders or below the shoulder, recitation of al-fatiha and a chapter of the Qur'an, he then says Allahu-Akbar when going to ruku'u, when in ruku'u hold your hands firm to your knees and straighten your back and armpits, no du'a in ruku'u. He then raises his head saying samiallahu Liman Hamida, Rabbana walakalhamd, he stands/raises up and while standing, and he goes to sujud going with takbir, making sure his nose and forehead touches the ground and hands straightened on the ground facing Qibla: the hands should be at the same position with the ears. The hands should not be tightened to the body, the legs should be put to the earth, the toes to face Qibla; you can make du'a or tasbih, in the sujud, the least time in the sujud is the moment that takes you to be calm while in sujud, then you raise yourself with takbir, while you are seated, sit on the left leg and point

the right leg to the earth, and you place your hands on the thighs. You go back to sujud, performing it the same way as before, you then rise up for the second raka'at, sit down for tashahhud, after tashhud you pronounce taslim to your right once, this is how an Imam does and a man who is alone; but the followers say once to the right and return to the Imam and to the left if any. In tashahhud he folds his right fingers, with his pointing finger to the Qibla, and put his eyes to the fingers, and put in his mind Allah is one or one moving finger as lashing shaitan.

The following ahadith were reported Imam al-Muslim in his sahih vol. 1 Bab as-Salat.

Salim narrated it on the authority of his father who reported: I saw the messenger of Allah (SAW) raising his hands opposite the shoulders at the time of beginning the prayer and before bowing down and after coming back to erect position after bowing, but he did not raise them between two prostrations.

Ibn Umar reported that when the Messenger of Allah (SAW) stood up for prayers, he raised his hands opposite the shoulders and then recited takbir (Allahu-Akbar), and when he was about to bow he again did like it, but he did not do it at the time of raising his head from prostration.

The reciting of al-Fatiha in every raka'at in the prayer is obligatory:

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Abu Huraira reported: The Apostle of Allah (SAW) said: if any one observes Prayer in which he does not recite Ummul-Qur'an, it is deficient (he said this three times as not complete). It was said to Abu Huraira: At times we are behind the Imam. He said recite it inwardly, for he had heard the Messenger of Allah (SAW) declared that Allah the Exalted had said: I have divided the prayer into two halves between Me and My servant.

Abu Huraira reported: The Messenger of Allah (SAW) said: he who prays but did not recite the opening chapter of the al-Kitab, his prayer is incomplete. He repeated it thrice.

On the argument of those who say that the Prophet (SAW) did not recite Bismillah loudly; Anas reported: I observed prayer along with the messenger of

Allah (SAW) and with Abu Bakar, Umar and Uthman (RA) but I never heard any of them reciting Bismillah-ir-Rah-manir-Rahim loudly. Abda reported: Umar b. al-khattab used to recite loudly these words: 'Subhanak Allahumma wa bi ham dika wa tabarakasmuka wa ta'la jadduka wa lailah ghairuka (Glory to thee, O Allah, and unto you are praise, and Blessed is Thy Name, and Exalted is thy Majesty, and there is no other object of worship beside thee). Qatada informed in writing that Anas B. Malik had narrated to him: I observed prayer behind the Apostle of Allah (SAW) and Abu Bakar and 'Umar and Uthman. They started

(Loud recitation) with: Al-hamdulillahi Rabb al-'Alamin (All praises are due to Allah, the Lord of the worlds) and did not recite Bismillah-ir-Rahmin (loudly) at the beginning of the recitation or at the end of it.

The placing of the right hand over the left hand after the takbir in prayer, below and above the navel and then placing them opposite the shoulders in prostration.

Wa'iib Hujr reported: He saw the Apostle of Allah (SAW) raising his hands at the time of beginning the prayer and reciting takbir, and according to Hamman (the narrator), the hands were lifted opposite to ears. He (the Holy Prophet (SAW) then wrapped his hands in his cloth and placed his right hand over his left hand. And when he was about to bow down, he brought out his hands from the cloth, and he lifted them, and then recited takbir and bowed down, and when (he came back to the erect position) he recited, Allah listened to him who praised

Him". And when prostrated, he prostrated between the two palms.

The Tashahhud in prayer-Tawus narrated it on the authority of Ibn Abbas that he Said: The Messenger of Allah (SAW) used to teach us tashahhud as he would teach us a sura of the Qur'an. Abdullah (B.Mas'ud) said: while observing prayer behind the Messenger of Allah (SAW) we used to recite; peace be upon Allah,

peace be upon so and so. One day the Messenger of Allah (SAW) said to us: Verily Allah is Himself peace. When any one of you sits during prayer he should say: All services rendered by words, acts of worship, and all good things are due to Allah. Peace be upon you, O Prophet, and Allah's Mercy and blessings. Peace be upon us and upon Allah's upright servants, for when he says this it reaches every upright servant in the heaven and earth (and say further): I testify that Muhammad is His Messenger and Servant. Then he may choose any supplication which pleases him and offer it.

Blessings on the Prophet (SAW) after Tashahhud: Ibn Abi Laila reported: Ka'b 'Ujra met me and said: should I not offer you a present (and added): The Messenger of Allah (SAW) came to us and he said: We have learnt how to invoke peace upon you: (kindly tell us) how we should bless you. He (the Holy Prophet) said: say: O Allah: bless Muhammad and his family as thou didst bless the family of Ibrahim. Verily thou art praise worthy and Glorious, O' Allah".

Abu Hamaid as-sa'idi reported: They (the companions of the Holy Prophet) said:

Apostle of Allah, how should we bless you? He (the Prophet) observed: say: "O Allah bless Muhammad, his wives, and his offspring as thou did grant favours to the family of Ibrahim; Thou art praise worthy and Glorious". Abu Huraira Reported: The Messenger of Allah (SAW) said: He who blesses me once,

Allah would bless him ten times.

Abu Huraira reported: The Messenger of Allah (SAW) said: When the Imam says: "Allah listens to him who praises Him", you should say: "Allah, our Lord, for Thee is the praises", for if what any one says synchronises with what the Angels say, his past sins will be forgiven.

CHAPTER THREE

3.0 RESEARCH METHODOLOGY

3.1 INTRODUCTION:

The purpose of this chapter is to describe in detail the research method adopted, and the techniques for data collection. The research being analitical, it intends to critically examine and analyse the Hadith Reports in both al-Bukhari and Fatwa of Malik in al-Mudawwanah on matters of salāt so as to arrive at certain legal decisions on Hadith Reports on the matters of salāt. This is to give interpretation of the precepts of the shari'ah out of which the researcher selects certain religious duties which are basically regarded as Wajib (obligatory), Haram (prohibited) or Ja'z (permissible). The method adopted in this study is CONTENT ANALYSIS.

In this section the research design and the instructmentation are discussed.

3.2 RESEARCH DESIGN:

A research design is usually a planned structure and strategy of investigation, which guides the collection, and analysis of data in any research; the plan is an overall scheme or programme of the research.

This study is based on content analysis, "Content Analysis" is the study of the

meaning and significance of documents and records. It is concerned with themes and contents.

The topic of this research is an analitical study of Hadith reports of Sahih al-Bukhari and al-Mudawwanah of Imam Malik on salat falls within the area of Fiqh and Usul al-fiqh (jurisprudence) which seek to interpret the precepts of the legal decisions on them. The researcher combined the precepts of the Qur'an and the sunnah of the Prophet (SAW) as understood by the Sahabah as the basis for his legal decision; and also the researcher has resorted to the principles of Ijma (consensus) of opinion of the Muslim jurists; Kalam-al-mashhur (popular opinion of the jurists), Qiyas (analogical decisions) and Darurah (nesessity) Rukhasah (concession) or Maslaha (public opinion) in making his decisions on these issues on matters of salat selected in his population.

The researcher applies the under listed procedure in taking his legal decisions, as stated by Tukur (1999):-

a. Studying the Al-mas'ala (the problem issue of case);

b. Understanding the sigha (nature of the case);

c. Identification of the illah or Manat al-Hukum (effective cause);

d. Understanding the relevant text and its Munasabah relationship) with case

e. Consultation of the Nusus (Qur'an and Sunnah)

f. Search for the collective legal decisions of the Sahabah (Ijma);

g. Resorting to limited Qiyas (analogical deduction)

h. Searching for Kalam al-Mash-hur (popular opinion) among the legal view expressed by the salah (early Muslim scholars).

3.3 POPULATION

This refers to the entire subject involved in a particular study; these could take different forms. It could be either human beings, materials or objects, ideas as the case may be. In every research there ought to be population which could be either large or small; it is therefore, left to the researcher to either study the whole population or sample the population.

The population in this research includes all the books and materials written on Salat by scholars, to get and make use of all the books and materials written on salat is very wide; therefore, the researcher decides to use sample in order to get useful and relevant data on the topic.

3.4 THE SAMPLE AND SAMPLING TECHNIQUE.

Since it is almost impossible in a research to deal with the whole population, because it is usually very large portion of the population are selected and studied, such selected portion is called a sample. Researchers are able to generalise their findings based on what is obtained from the sample.

The researcher uses the stratified random sampling technique, this is to ensure that only books and materials that are related to salat are selected. This is a method that allows every member in the population an equal opportunity of being selected. The methods requires that the exact size of the population be known, the required sample size is then selected.

3.5 METHODS OF DATA COLLECTION

The source of data collection in Usul-ul-Figh, i.e. sources of jurisprudence in Islamic research is generally obtained from the primary and secondary sources. In this research the primary source is Hadith reports in al-Bukhari and fatwa of Malik in al-Mudawwanah. And the secondary sources include the (legal decisions) of the prominent Muslim jurists as contained in their various works or those of their disciples on matters of salat.

1. The researcher studies the Hadith Reports of Imam al-Bukhari on matters of salat as contained in vol.1 of sahih al-Bukhari.

2. The researcher brings out major highlights on the reports of al-Bukhari as they relate to salát.

3. The researcher studied the Fatwa of Imam Malik on matters of salát as contained in al-Mudawwanah vol.1.

4. The researcher brings out the major highlights on the Fatwa of Malik in matters of salát as contained in al-Mudawwanah.

5. Further, the researcher, analyses jurists' opinion on matters of salat as contained in the books of Fiqh.

The collection of data in this study is therefore, based on the Hadith Reports in Bukhari Vol.1 and al-Mudawwanah Vol. 1. The data is obtained from al-Mudawwanah and reports of Bukhari in his sahih on matters of salat, the general views of scholars related to the subject; out of which the basic points of comparison were identified and analysed.

3.6 METHODS OF DATA ANALYSIS AND INTERPRETATION.

Analysis of data is the discussions of the data with a view of coming out with a finding and or a recommendation. It is also the instruments that determined the acceptance or other wise of the Research Questions and the hypotheses.

The researcher analysis the Hadith Reports selected from al-Bukhari and the Fatwa of Malik in al-Mudawwanah. This is done with a view to comparing their similarities and or differences at the end of each analysis the researcher presents his views as understood based on the analysis of the two Books and the opinion of the jurists.

4.0 DATA ANALYSIS AND INTERPRETATION

4.1 The researcher in this chapter analysed, interpreted and discused the findings in the research, i.e. the Hadith Reports collected on matters of Salát from Sahih Bukhari and al-Mudawwanatul –Kubrah as reported by these two great scholars of Islam, Imams Bukhari and Malik based on the research questions stated. The analysis in this chapter is seen as a process of interpretation of the collected data using the methods outlined in chapter three.

4.2 ANALYSIS OF HADITH REPORTS.

4.2.1 TESTING RESEARCH QUESTIONS

R.Q "Are there any significant differences between Hadith Reports on Takbiratul Ihram in al-Bukhari and that of al-Mudawwanah ?"

i. SAYING OF TAKBIRATUL IHRAM

Bukhari:- The necessity of saying the Takhbiratul ihram at the commencement of the Prayer

Narrated Anas bin Malik (R.A):- Allah's Apostle (SAW) fell from a horse and got injured so he led the prayer sitting and we also prayed sitting. When he completed the prayer he said, "The Imam is to be followed; if he says Takhbir then say Takbir, bow if he bows; raise your heads when he raises his head, when he says, 'Samiallahulimanhada say 'Rabbana wa laka-l-hamd' and prostrate when he prostrates.

MUDAWWANAH:- Sahnun reported that: Malik said, the sacredness of salat (prayer) starts firstly with Takbir (Takbiratul Ihram) and then ends with Taslim. Malik said it is not enough for the prayer except with the saying "Allahu Akbar" and it is not sufficient in the prayer except by saying "assalamu alaikum in terminating the salat.

ii. TO WHAT LEVEL SHOULD ONE RAISE HANDS ?

(BUKHARI)

In the presence of his companions Abu Humaid said: "The Prophet (SAW) raised his hands up to his shoulders.

iii. FORGETTING TAKBIR WITH THE IMAM UNTIL HE FINISHED THE PRAYER:

(MUDAWWANAH)

Sahnun reported that Imam Malik said, if a man entered a prayer with an Imam and he forgets the Takbiratul Ihram and he continues praying with the Imam and could not remember to make the intention for the opening Takbir until when the Imam terminates his prayer completely, then he should repeat the prayer completely. However if he is alone he should cut the prayer but if he could not remember until after praying one or two raka'ats he should also stop/cut off the prayer and start the prayer again. Sahnun related that Malik said if an Imam forgets Takbir of opening and goes for Takbir of bowing; and they followed him in the prayer until they could finish, the Imam will repeat the prayer including his followers.

Sahnun said to Ibn Qasim, if a Imam forgots opening Takbir and goes for Takbir of ruku'u can he make the intention for the opening Takbir? Ibn Qasim reported that it is not sufficient for him, he should repeat his prayer with those behind him, this is based on the statement of Malik, "That were he alone it could not be enough for him, the same rule applied to him as Imam it will not be sufficient, he should repeat the prayer with those behind him".

iv. **WHAT TO SAY AFTER THE TAKBIR**

BUKHARI

Narrated Anas bin Malik (R.A): The Prophet (SAW), Abubakar and Umar (R.A) used to start the prayer with "Al-Hamdu lil-lahi Rabbil-'ala-min". All praises are

for Allah the Lord of the Worlds".

MUDAWWANAH:

Ibn Wahab related from Sufyan bn Abinata from Ayyub from Qatadah bn Qa'amata and from Anas bn Malik; "that the Prophet (SAW), Abubakar, Umar and Usman (R.A) used to start their prayers straight with reading of Suratul Fatiha: and Malik said whoever is behind an Imam or alone or the Imam himself can not start his prayer with the du'alul iftihtah (opening prayer).

JURIST VIEW POINTS:-

i. Both Imams Bukhari and Malik agreed that any prayer will not be valid without al-takbiratul 'Ihram; because the Prophet (SAW) has mentioned it among the obligatory steps of prayer which is supported by the famous Hadith called Hadithul-Musi'I, reported by Bukhari in his Sahih, if Hadithul-Musi'I, is followed

critically, you will find that the Hadith, mentioned the necessary parts of salat, which the salat will not be valid/accepted without it.

From this statement of Malik (RA) according to Sahnun it is understood that Takbiratul Ihram is one of the obligatory steps of salat which salat will not be valid without it, This is why he said at all it has not been said before the completion of the ruku'u that raka'at is null and void.

ii. The second statement also gives more emphasis on the importance of

Takbiratul Ihram, if a person forget to perform its from the beginning of the prayer up to the end of his prayer, the prayer is nulifiedand he is to state it from the beginning again but if he is following an Imam he shuold taminate it.

The third Hadith also gave more emphasis on the fact that the Takbiratul Ihram is necessary in one's prayer that is why if the Imam forgets it throughout his prayer he should repeat the prayer together with his followers whether they forgot it or not.

iii. There is difference of opinion amongst the jurists on the issues of whether the utterance of of Takbiratul Ihram and raising the hands should be done simultaneously or the hands should be raised before pronouncing the

takbiratul ihram. According to the traditionists and most of the scholars, it is preferable to raise the hands and utter the takbir simultaneously. Al-sha-fi'I and Malik also hold the same view but according to Abu Hanifah the hands should be raised first, then the takbir should be uttered.

Imam Bukhari (RA) has reported in his collection of two different ahadith, showing clearly to what level the Prophet (SAW) used to raise his hands in Takbir, one of them is that he raises his hands up to the shoulders, while the other says he raise the two hands up to the ears, from these two different Hadith the researcher understands that the Prophet (SAW) has no particular type among the two that he always practised but he did any of them from time to time, that is why the Sahaba reported what they have seen. What is important is that the hands are to be raised up during the Takbir.

According to Imam Abu Hanifah, raising of hands is essential only at the time of beginning of prayer, and it is needless at the subsequent stages. He based his view on the traditions narrated by Abdullah bn Mas'ud and Bari bn Azib, the basic fact is that both practices are correct and have been narrated to us by authentic traditions.

The point of rising the hands opposite the shoulder is also disputed among the scholars. According to al-Shafi'i and majority of scholars, the hands should be

raised opposite the shoulders. This equally applies to man and woman, but according to Abu Hanifah, man should raise the hands opposite the ears, and woman opposite the shoulders.

Raising of hand is a matter of great significance and importantce in prayer. Opinions differ that at what stage in prayer is it essential? There is consensus (IJMA) of opinion among the jurists that it is essential at the time of beginning of prayer along with the recitation of the takbiratul ihram. It is in the subsequent stages of prayer, i.e. at the time of bowing and prostration, that there is a difference of opinion with regard to the raising of hands. Imam Shafi'i and Imam Ahmad consider this act to be desirable while bowing, coming back to the standing position of prostrating. They based their assertion on the Hadith narrated by Abdullah bn Umar, Wa'il b. Hujr, Abu Humaid as-Sa'idi (may Allah be pleased with them).

iv. From this two texts we can see clearly how Bukhari and Malik came together with the view that "Basmala' or du'aul iftitah is not inclusive in any raka'at of salat, though Imam Bukhari (RA) in many ahadith reported that the Prophet (SAW) used to recite 'Bismillahi' but silently, because Abu-Huraira asked him what are the saying after takbir in a salat, he said, "he used to recite, du'aul Istifatah, Istiaza and Basmala. There is also a hadith from Bukhari saying that no Prayerwill be accepted without reciting

Suratul al-Fatiha and that there are some scholars who confirmed that Basmala is among the verses of Suratul al-Fatiha.

In their versions of this tradition Ibn Hibban, al-Shafii'I and other scholars of tradition have clearly mentioned the word (obligatory prayer), this shows that the Prophet (SAW) recited all these supplications in the obligatory prayer.

A number of traditionists state that 'Umar used to recite this supplication on the beginning of prayer (loudly) so that people might learnt it, Abubakar also used to recite it in prayer. Uthman and Ibn Mas'ud also recited it. The practice of the companions shows that it is better to recite this supplication in the beginning of prayer, and this also shows that the Prophet (SAW) might have recited it in prayer.

There are some traditions which shows that the Prophet (SAW) and the three Caliphs recited the tasmiyah quietly. There is a difference of opinion amongst scholars on the point that tasmiya should be recited loudly. According to Abu

Hanifah, Ahmed and Ishaq, it should be recited quietly, but according to al-Shafi'i, it should be recited loudly. This is because to those who maintained that tasmiyah should be recited loudly take it as part of the Surah, it is noted clear that the Prophet (SAW) recited it sometimes loudly and at times quietly.

From the above analysis it could be deduced that:

There is no significant difference between Hadith reports on Takbiratul Ihram in al-Bukhari and al-Mudawwanah, on the necessity to utter Takbiratul Ihram in any ṣalā́t, and that no ṣalā́t, would be valid without it. This shows that the position of Takbiratul Ihram in ṣalā́t is wā́jib (necessary).

On the point of what level to raise during Takbir, it can also be deduced that there is no significant difference, because it shows that the Praphet (SAW) has no fixed type of either raising the hands to the shoulders or to the ears, it shows that one has the choice to raise to whateve level and his prayer is valid and accepted.

It can also be deduced that Takbiratul Ihram and Niyya (intention) is wā́jib (necessary) in performing any salat and it is only said with the appropriate phrase i.e "Allahu Akbar" (Allah is great) and it is necessary to raise the hands up when offering the Takbir with the intention.

On Basmala and du'aul iftitah, it can be deduced that there is also no significant difference between Malik and Bukhari and that the recitation of Basmala and du'a aul iftitah are not inclusive in the major acts of Ṣalā́t, but it can be recited

in silence; and that it is wájib (necessary) to those who hold the view that Basmala is a verse in Suratul Fatiha, to recite it along with Fatiha in order to make the salát valid and complete.

RECITATION

R.Q2 "Are there any significant difference between Hadith Reports on Recitations in al-Bukhari and that of al-Mudawwanah?"

i. **THE POSITION OF FATIHA IN SALÁT**

BUKHARI:

Recitation of the Qur'an (Surat-Al-Fatiha) is compulsory for the Imam and the followers, at home and on Journey, in all the prayers whether the recitation is done silently or aloud. Narrated 'Ubada bin As-Samit (RA): Allah's Apostle (SAW) said, "Whoever does not recite Al-Fatiha in his prayer his prayer is invalid".

MUDAWWANAH: Ibn Wahab reported from Yunus Ibn Yaziz from Ibn Shuhab who said that he was informed by Mahmud Ibn Rabia from Ubatati Ibn Assamit who said the Prophet (SAW), said that there is no prayer for one who did not recite Fatiha.

Ibn Wahab reported from Malik from Al-Alai from Abdulrahman who heard the Prophet (SAW) saying who ever performed prayer and did not recite Fatiha in it, it is abortive: it is abortive: It is abortive: It is not complete.

Malik Ibn Anas reported from Abi Na'ium Wahab Ibn Kaisan that he heard Jabir Ibn Abdullah saying that whoeever prayed a raka'at and did not recite Fatiha in it, the prayer is not complete, only if he is behind an Imam.

Wakiu reported from Al-Aamajh from Khaishanati who said he was informed by a person who heard from Umar Ibn Khattab saying that prayer is not valid if Fatiha is not recited and something with it.

Waki'I reported from Ibn Aun who said he heard Ibrahim saying that were he to pray behind an Imam and it became clear to him that he did not recite anything (Fatiha) I will repeat my prayer.

THE IMAM SAYING AMEN LOUDLY

BUKHARI: Ata said: "Amen" is an invocation. Ibn Az-Zubair and the persons behind him said "Amen" loudly till the mosque echoed. Abu Huraira used to say to the Imam "Do not say "Amen" before me i.e before I join the row for the prayer". Nafi said, Umar never missed "Amen" and urged the people to say it. I

heard something good about it from him.

Abu Huraira (RA) narrated, the Prophet (SAW) said, "Say "Amen" When the Imam says it and if the "Amen" of anyone of you coincides with that of the angels then all his past sins will be forgiven.

The superiority of saying "Amen":- Abu Huraira (RA) narrated Allah's Apostle (SAW) said: "If anyone of you says: "Amen" and the angels in heaven say: "Amen" and the former coincides with the latter, all his past sins will be forgiven".

MUDAWWANAH:- Malik said if an Imam completes recitation of Suratul-Fatiha, he should not say "Amen" but his followers should say it, and when the Imam says "Sami-Allau Liman Hamidah", he should not say "Rabbana Walakalhamd", however his followers should say it.

Sahnun said if a man performed his prayers alone then he should say

"Sami-Allahu Liman Hamidah". And after that say, "Rabbana Walakalhamd", similarly, if he recites Suratul-Fatiha alone and said "waladdalin", then he should say "Amen".

Malik said the followers of an Imam in a prayer should conceal saying "Amen", the Imam can not say "Amen", There is no harm for a man if he is alone to say "Amen".

iii. SUPERIORITY OF PRAYING FACING THE QIBLA AND ON THOSE WHO PRAYED WITHOUT FACING QIBLA.

BUKHARI:- Superiority of praying facing Qibla with toes towards it as well:- Abu Hamid said that referring to what the Prophet (SAW) used to do. Narrated Anas bin Malik (RA): Allah's Apostle (SAW) said, "whoever prays like us and faces our Qibla and eats our slaughtered animals is a Muslim and is under Allah's and His Apostle's protection. So do not betray Allah by betraying those who are in His protection".

During the prayer one should face the Qibla where ever one may be. Narrated Abu Huraira (RA): The Prophet (SAW) said: "Face the Qibla and say "Allahu Akbar". Narrated Bara bin Azib (RA) Allah's Apostle (SAW) prayed facing Baitul-Maqdis for sixteen or seventeen months but he loved to face the Ka'aba (at Makka) so Allah (SWT) revealed: "Verily, We have seen the turning of your face to the heaven" (Q2:142) . so that the Prophet (SAW) face the ka'aba and the fools amongst the people namely "the Jews" said, "what has forced them from their Qibla (Baitul Maqdis) which they formerly observed:" (Allah revealed): Say "to Allah belongs the East and the west. He guides whom he will to a straight

path". (Q2: 142). A man prayed with the Prophet (SAW) facing the ka'aba and went out. He saw some of the Ansar praying the Asr, praying with their faces towards Baitul Muqadis, he said, "I bear witness that I prayed with Allah's Apostle (SAW) facing the Ka'abah. So all the people turned their faces towards the ka;abah

Narrated Jabir (RA): Allah's Apostle (SAW) used to pray (optional, non obligatory prayer) while riding on his mount (Rahila) wherever it turned, and whenever he wanted to pray the compulsory prayer he dismounted and prayed facing the Qibil

Narrated ' Abbullah bin Umar (RA) while the people were offering the Fajr prayer at Quba (near Madina), someone came to them and said, "it has been revealed to Allah's Apostle (SAW) to night, and he has been ordered to pray facing the Ka'aba", so turn your faces to the Ka'aba. These people were facing Sha'm (Jerusalam) so they turned their faces towards Ka'aba (At Makka).

MUDAWWANAH: Majishuni reported that Malik mentioned of a person who prayed without facing Qibla, unknowingly, then later discovered. Malik said he should repeat the prayer from the beginning.

Majishuni reported that Malik said on a person who turned away from Qibla or west and prayed thinking that it was the Qibla then he discovered that it was not

the Qibla, Malik said he should stop the prayer and then restart the prayer again; however if he finished the prayer then he –discovered, if there is time, he should repeat the prayer; if the time of the prayer has elapsed then there is no repeating of the prayer.

Majishuni reported that Malik said if a person were to pray. Then turned off from the Qibla, and discovered that, therefore terminating the prayer, Malik said he should face the Qibla and continue with his prayer.

iv. **BASMALA:** (Mudawwanah):- Sahnun reported that Malik said one should not recite "Bismillahi Rahman....." in a compulsory prayer either in silent or open, this is a Sunnah, he said this is how I found the people of Madinah practicing.

Malik continued to say on the idea of saying "Bismillahi Rahmani Rahim". In obligatory prayer, he said, "The issue is leaving "Bismillahi....." only in compulsory prayer; he said that one can not recite it either silently or loudly, be he an Imam or a follower; while in the case of a Nafila, he has the option of reciting it or leaving it, it is left open to him. One is also not permitted to make Ta'widh, auzubillah in a compulsory prayer but he is free to say it in a Tarawih prayer only if he so wishes. One is also free to recite "Auzubillah" in recitation

which is not in prayer, if he so wishes.

v. **RECITATION OF SURAH (MUDAWWANAH)**

Sahnun reported that Malik commented on one who omitted recitation of a Surah in one of the first two raka'ats unintentionally, instead he recited Fatiha only, then he is to make Sujud Sahwi; Malik continued to say that however if he recited forgetfully there is no Sujud of Sahwi.

vi. **TO PLACE THE RIGHT HAND ON THE LEFT WHILE PRAYING: (BUKHARI)**:

Narrated Sahl bn Sa'd (RA): The people were ordered to place the right hand on the left hand in the prayer Abu Hazim said, "I know that the order was from the Prophet (SAW).

vii. **MAKING SIGNAL IN PRAYER AND CLAPPING SAYING SUBHANALLAH IN A PRAYER: (MUDAWWANAH)**

Majishuni asked "Did Malik dislike signalling in prayers to a person to solve his

needs? Sahnun replied I did not know if Malik hates it and did not see any harm,

if it is right, and surely Malik did not see any harm for a man to reply to a person with a signal.

Majishuni reported that Malik commented on a person who was praying Compulsory or Nafila prayers and a sallam was made to him he should reply him signalling with hand or his head.

Majishuni said "In your opinion if someone sneezes and another person blesses him while he is in prayer, can he reply with signal? Sahnun replied he can not reply to him.

Ibn Qasim reported that Malik discourages women clapping or beating their body

in prayer. He said there is a hadith on clapping but came showing its discouragement. Malik said whoever something afflicts him in his prayer he should glorify his Lord.

JURIST VIEW POINTS

i. Both Malik and Bukhari: are of the same view that the recitation of the Qur'an (Suratul Fatiha) is wajib (obligatory) in which if one misses it in his prayer, the prayer should be repeated. This and similar other traditions indicated that the recitation of Surah al-Fatiha in every raka'at of prayer is wajib (necessary). The recitation of this surah in the prayer has been specified and no other surah can be substituted.

The recitation of surah al-fatiha during the prayer when offered alone is wajib (necessary) according to all jurists. The question of its recitation during the congregational prayer behind the Imam by the worshippers is disputed, according to Abu Hanifah, Ahmad, Malik, al-Zuhri, Sufyan, al-Thawri, Ibn 'Uyainah and Ishaq b. Rahwaih, it is not necessary to recite surah al-fatiha behind Imam by the persons led by him in the congregational prayer. According to al-Shafi'I and the traditionists it is necessary to recite the Fatiha behind the Imam. There is also a difference of opinion on its recitation during the prayers in which the Qur'an is recited quietly; Abu Hanifa, Malik, Ahmad, al-Awza'I Laith b. Sa'd, Ibn al-Mubarak Ishaq b. Rahwaih and al-Shafi'I, maintained that it is not Necessary to recite the Fatiha behind the Imam in the prayers in which the Qur'an is recited loudly, but during the prayers in which the Qur'an is recited quietly, the worshippers should recite the Fatiha behind the Imam according to

al-Shafi'I, the traditinists and the early Hanafi Jurists.

One can easily find in these arguments from the Qur'an and the Sunah, that their differences is only a difference of interpretation and understanding. All the opinions are valid since their base is one and the same. The researcher believed that, the view of Imam Malik and Imam Ahmad b. Hanbal seems to be most

valid, for the jahri (loud recitation) prayers are concerned, the Mugtadi; should only listen to the recitation of the Imam, and in sirri (quiet recitation) prayers, the Mugtadi should recite surat al-fatiha inwardly. The verse:" So, when the Qur'an is recited listen to it and be silent that you may receive mercy" (Al-Araf: 204) lends support to this view. This verse gives a clear indication that it relates to loud recitation of the Qur'an for one can listen to it only when it is read loudly, during the compulsory congregation prayers when Imam is leading the prayer and also when he is delivering the Friday khutbah.

ii. Thus one should silently listen to the recitation of Surat al-Fatiha and some other portion of the Qur'an in Jahri prayers, and in Sirri prayers, one should recite al-fatiha to oneself.

On this issue the two scholars have different views; Malik (RA) says the Imam should not say "Amen" after the Fatiha, while Imam Bukhari (RA) reported that

the Prophet (SAW) said, if the Imam says, "Amen" after saying "Waladdalin" Imam.

Bukhari goes on to say that the "Amen" should be said after the saying of the Imam because it is after the "Amen" of the Imam the angels say their "Amen" and he reported, the Hadith, saying that whosoever says his "Amen" comes at the same time with the "Amen" of the angels, Allah (SWT) forgives his sins. On the other part they all came in agreement on the saying "Rabbana Walakal Hamd" On this opinion of Bukhari saying of "Amen" should be said loudly, he says the Companions use to say "Amen" loudly and the mosque echoed on it.

The reciting of "Amen" at the end of Suratul-Fatiha is known as Ta'min it means

'O Allah grant our prayer, this is a very humble appeal before the Lord for

granting our prayers. The concluding ayat of suratul-al-fatiha (Show us the straight way, the way of those on whom thou hast bestowed Thy Grace, those whose (portion) is not wrath, and who go not astry), this is a supplication before the Lord for leading us to the path of righteousness, at the end of the supplication we have been commended to make a humble appeal to our master to grant it out of His Grace and Mercy, and not a matter of right. The most simple and straight forward explanation is that the coinciding of one's "Amen" with that of the angels implies that it should be uttered along with the Imam.

The utterance of "Amen" by both Imam and followers at the end of surat –al-fatiha is essential and there is no difference of opinion. On this issues, the difference, however is on the point whether it should be uttered in a loud voice or in a subdued tone, as for the sirri prayers are concerned, there is unanimity of opinions amongst the jurists, that it should be uttered inwardly. According to Shafi'ites, Hanbalites and ahl-al-Hadith, "Amen" should be uttered loudly in Jahri prayers both by Imam and his followers. Imam Malik is of the opinion that in such prayers the Imam should utter it in a subdued tone, whereas the followers should recite it loudly. The Hanfites and some other jurists of Kufah deem it preferable to utter "Amen" in a subdued tone both in sirri and jahri prayers.

The fact is that both the modes of uttering of "Amen" are correct since the Holy Prophet uttered "Amen" both loudly and in subdued tone at different occassions.

iii. This is when we are sure of the Qibla, but if you are in doubt or we don't know the actual direction of the Qibla we make Ijtihad (mental exercise) and perform the prayer but if at all we realised other wise in our prayer we should start fresh according to Malik, while in Bukhari it is reported we should continue with our prayer, we should just turn to the right direction in same prayer that we have started without starting it from the beginning.

iv. it is also clearly stated from the two scholars that facing the Qibla is compulsory in obligatory prayers.

On the issue of Basmala the two scholars have different views, as for Malik he said 'Basmala' should not be recited or considered in the compulsory prayer because it was the practice of the people of Madina. He backs his views with the actions of the people of Madina saying that they are the children of the sahabah, so what they do was the same as their fathers who were the companions of the Prophet (SAW), while Bukhari reported the Prophet (SAW), Abubakar and Umar (RA) they all used to recite Fatiha after the Takbiratul Ihram without hearing them saying anything but he said that, that does not mean that they don't recite the Basmala' but they recite it silently, this is because Abu Huraira asked the Prophet (SAW) saying oh! The Apostle of Allah what about your silence before you recite Suratul-Fatiha? The Prophet (SAW) replied "du' a-ul-Iftitah" which Bukhari said he used to recite together with Basmala.

There are divergence opinion as to whether the expression 'Bismillahi...." Is part of al-Fatiha or not, the traditionists and the majority of the scholars-maintained that this is a part of al-fatiha and this is also a verse like other verses. Malik and a group of scholars held that this is an independent verse and not a part of al-fatiha.

v. The recitation of a surah or some verses from the Qur'an in addition to surah al-Fatiha is commendable according to the majority of scholars, but Abu Hanifah maintained that it is necessary to recite both al-fatiha and some other surah or verses from the Qur'an. Prayer is not valid if one gives up either of them, but it should be noted that the Fatiha and the surah should be recited in the first two raka'ats of the prayers, in the last one or two raka'ats of the prescribed or obligatory prayer; one may recite the Fatiha but not the surah.

v. On placing of hands, there is no difference of opinion amongst the jurists that is in the Sunnah of the Prophet (SAW) to place the right hand on the left hand. There is no tradition which contradicts it has been reported from the Prophet (SAW). Malik was also reported to have held two different opinion, according to one view, the hands should be placed below the chest and according to the second view, he held that one should leave the hands in their natural position without folding them.

The question of folding hands in prayer below the navel is disputed amongst the jurists. According to Abu Hanifah, Sufyan al-Thawri, Ishaq b. Rahwain, Abu Ishaq –al-Marwazi, the hands should be folded below the navel. According to al-shafi'i, the hands should be placed below the chest. Nawawi says that this is the view of

the majority of the jurists. However Ahmad b. Hanbal does not give preference to any of these two views.

vii. If anything happens during prayers, say, a man calls one who is praying, or the person praying behind the Imam wants to inform him something, or desires to correct him in all such cases men should say "Glory be to Allah" and women should clap hands by striking the outer part of the left hand with the inner part of the right hand. They should not utter any word like men. But it should be noted that women should not clap hands in ordinary sense as one does in applauses. If they do so, the prayers will become void. The Prophet (SAW) did not ask men who clapped during prayer to repeat their prayer (Abu Huraira) and it is a Sunnah for men to glorify Allah if something happens during prayer and to their glorification by men to inform the Imam does not nullify prayer; and one can make signals if necessary.

These traditions indicate that talking during prayer is forbidden. If the Imam commits a mistake, the people behind should not speak; if the person who instructs him is a man, he should glorify Allah. In case a woman instructs him, she should clap hands. Thus are the views held by the majority of scholars.

Al-Awza'I held that talking during prayers is permissible if it is done in the interest of the prayers. If a man talks or speaks during prayer in advertently, his

prayer will not vitiate according to majority of scholars. Abu Hanifa maintains that if one talks during prayer, intentionally his prayer will become void.

It is prohibited to respond to the one who sneezes during prayers by saying "Praise be to Allah", the response is "May Allah have mercy on you"
The response by another person to the sneezing during prayer is considered equivalent to talking which breaks prayer. According to al-Shafi'I, if one sneezes during prayers, one should praise Allah quietly.

Based on the analysis of Hadith reports from Bukhari and al-Mudawwanah, it could be deduced that:

The recitation of al-Fatiha in all rak'at of ṣalát is wájib (obligatory) and that it can not be substituted with surah; it can also be deduced that according to Malik that it is not neccessary to recite Fatiha when the Imam recite it loudly, but to recite it when the recitation is done quietly.

On saying "Amen" there is no difference between Bukhari and Malik, the difference is in saying it loudly or in a subdued tone. It can be stated that all the modes are valid since the Prophet (SAW) has uttered these modes.

That it is wājib (necessary) to face the Qibla while in prayers throughout, that the recitation of Surah or some verses of the Qur'an is sunnah (recommended). That the placing of right hand on the left hand is a sunnah (recommended) and optional either to place it or leave the hands in their natural form with out folding them.

That talking during prayers is forbidden, it is permissible only if it is done in the interest of the prayers.

R.Q[3] "Are there any significant differences between Hadith Reports on Ruku'u in al-Bukhari and that of al-Mudawwanah?"

BUKHARI: To keep the back flat in bowing:- In the presence of his companions, Abu Hamid, said, "The Prophet (SAW) bowed and kept his back straight. And what is said regarding the limit of the completion of bowing and keeping the back straight and the calmness with which it is performed. Narrated al-Bari (RA) the bowing, the prostrations and the standing after the bowing of the Prophet (SAW) but not Qiyam (standing in the prayer) and Julus (sitting in the prayer) used to be approximately equal (in duration).

MUDAWWANAH: Sahnun reported that Malik said with regard to bowing that if possible his hands should be on his knees, however, if it is not, he should say

"Tashib" it will be sufficient for him; Malik has not given a particular length of time for the Tasbih.

Sahnun reported that Malik commented on ruku'u its extend is for him to be able to place his hands on his knees while in ruku'u and this is the complete form of Ruku'u.

TO SPREAD FINGERS ON KNEES IN RUKU'U:

Sahnon asked Ibn Qasim did Malik direct a man to spread his fingers on his knees while in ruku'u and bring them together while in sujud? Ibn Qasim said I have not seen him making a restriction of such kind, I heard him when he was asked about it, he hates making such conditions in that matter, infact he viewed it as an innovation. Malik said he should prostrate as people do and make sujud as people do.

JUSRIST VIEW POINTS.

Both Imam Bukhari and Malik agreed on the necessity of ruku'u in a prayer (salat-maktuba), his hands should be on his knees and keep his back straight for a while, the two scholars have not given a definate lenghth of time to be taken in ruku'u but it should give him time to be calm while in ruku'u.

Also the two scholars have different views on the issue of spreading the fingers on the knees while in ruku'u and constructing them together in sujud, while Imam Sahnun said that he has not heard Imam Malik (RA) as having done it; and moreover he even hates making it as condition in one's prayer but a Muslim should bow and prostrate as the Muslims do.

The tradition reported by Imam Bukhari shows that the Prophet (SAW) would observe bowing, prostrations, straight, standing after bowing, prostration, standing after bowing and sitting between the prostrations for long duration, his prayer would be brief and perfect and he does not hasten the observance of bowing and prostration.

The observance of moderation in all the acts of the prayer is wajib (Obligatory according to all jurists. If one observes bowing and prostration hurriedly, one's prayer will not be valid. One should not offer prayer hurriedly, all the acts such as standing, bowing, standing after bowing, prostration and sitting between the prostrations should be performed moderately.

From the above analysis it could be deduced that; there is no significant difference on the Hadith Reports on Ruku'u in al-Bukhari and that of al-Mudawwanah; and that Ruku'u is wājib (necessary), and that it should be

complete bowing, and that the limit of which is the ability to place the hands on the knees which will enable his back to be straight while in bowing.

R.Q[4]. "Are there any significant differences between Hadith Reports on sujud in al-Bukhari and that of al-Mudawwanah?"

BUKHARI: If one does not prostrate properly:- Narrated Huzaifa that he saw a person bowing and prostrating imperfectly when he finished his prayer Huzaifa told him that he had not prayed. The sub-narrator added, "I think that Huzaifa also said: were you to die you would die on a tradition other than of Muhammad (SAW).

During the prostration one should keep one's arms away from one's sides and the abdomen should be kept away from the thighs. Narrated Abdullah bn Malik ibn Bukhari (RA). Whenever the Prophet (SAW) used to offer prayers he used to keep arms away (from the body) so that the whiteness of his armpits was visible. One should keep the toes in the direction of the Qibla. Abu Hamid As-said narrated this from the Prophet (SAW). To prostrate on seven bones. Narrated Ibn Abbas (RA): The Prophet (SAW) was ordered (by Allah) to prostrate on seven parts and not to tuick up the clothes or hair (while praying). These parts are: the fore heads, both hands, both knees, and (toes of) both feet.

To prostrate on the nose. Narrated Ibn Abbas (RA): The Prophet (SAW) said: "I have been ordered to prostrate on seven bones, i.e on the fore head along with the tip of nose, both hands, both knees, and the toes of both feet and not to gather the clothes or the hair.

Prostrating on cloth, mats, Sajjada, and cloth that contain inpurity for scorching heat:

Al-Hassan said; people used to prostrate on their turbans and head-covers with their hand in their sleeves (because of scorching heat). Narrated Anas bn Malik (RA): We used to pray with the Prophet (SAW) and some of us used to place the ends of their clothes at the place of prostration because of scorching heat.

MUDAWWANAH: Sahnun reported that Malik commented on sujud, its extend is for him to be able to place his forehead on the ground while on the sujud; that is the completeness of sujud. Sahnun reported that Malik said that prostration should be on both nose and forehead.

Sahnun said to Ibn Qasim "can you stand for him if he prostrates on the nose without any part of the forehead touching the ground?" He replied by saying "I can not stand for him in this matter". Sahnun said, suppose he did it, in your opinion can he repeat the prayer? Ibn Qasim said "Yes if there is still time."

Sahnun said Malik reported that "I see that a man should not put his palms on a place where he puts his forehead". He said that if it is hot or cold there is no harm for him to spread a cloth and prostrate on it and then put his palms on it.

Ibn Qasim said that Malik said, that "information has reached me that Umar Ibn Khattab and Abdullah Ibn Umar both of them are doing the same thing".
Sahnun said that Malik commented on one who prostrated on the roll of his turban, he said the more favourable to me is to remove it from the part of his forehead until the other part touches the ground; Sahnun said to him "supposing he prostrated on the roll of the turban?" Malik said; "there is no compensation of the salat."

JURIST VIEW POINTS

The two scholars are of the same views that, the nose and the forehead should be included in the prostration, and that neither the forehead alone nor the nose alone and both of them quoted relevant Hadith to that effect.

On prostrating on cloth for scorching of heat or cold, Imam Bukhari (RA) and Malik (RA) are of same views, and this in supported of report that Umar Ibn Khattab and Abdullah Ibn Umar both did it, but Malik (RA) on his part disliked it but has no objection to who does it. It is essential to prostrate with the forehead without placing anything, because the Prophet (SAW) said: "he was ordered (by

Allah) to prostrate on seven parts", these parts are: the forehead, both hands, both knees, and (toes) of both feet; all those traditions indicate that it is not necessary to pray on bare ground, one can say prayer on a carpet, mat or a tanned skin.

Based on the above analysis it can be deduced that: There is no significant difference between Hadith Reports on Sujud in al-Bukhari and that of al-Mudawwanah; that all sujud (prostrations) are wājib (essential) in prayer and that salāt will not be valid and complete without it. That its limit is the ability to firmly place the forehead on the ground.

That seven parts are involved a prostration and that these parts are essential in a prostration to be valid and complete, these are, the forehead, both hands, both knees and toes of both feet.

R.Q[5]. "Are there any significant differences between Hadith Reports on Julus in al-Bukhari and that of al-Mudawwanah?"

TO SIT FOR A WHILE BETWEEN THE TWO JULUS (PROSTRATIONS).

al-Bukhari al-Bara (R.A) narrated: The time taken by the Prophet (SAW) in prostrations, bowing, and the sitting interval between the two prostrations were nearly equal.

Thabit narrated: Anas (RA) said: "I will leave no stone unturned in making you offer the prayer as I have seen the Prophet (SAW) making us offer it" Anas used to do a thing which I have not seen you doing. He used to stand after the bowing for such a long time that one would think that he had forgotten *(prostrations) and he used to sit in between* the prostrations *so long that one* would think that he had forgotten the second prostration.

AL-MUDAWWANAH: Sahnun said: Malik said; the two sittings between the two sujud *(prostrations) is like the sittings in* Tashahhud, *he pushed his left foot* forward and the other foot dropped up and sat over the buttocks, Malik said, when rising from the two sittings of the first rak'at, he should not go back and sit but just rise up for the second rak'at; he said the sujud, Julus and Tashahhud of the women is like that of the men.

JURIST VIEW POINTS

The Tradition narrated by Abu Hamid clearly indicates that it is commendable (sunnah) to sit on the feet in the first sitting, and to sit on the hips in the second

or last sitting during a prayer for reciting Tashahhud, this is the opinion of al-shafi'i. The scholars differ on the point whether sitting on hips is better or sitting on feet. According to Malik and group of scholars, sitting on hips is better in both the sittings; while Abu Hanifah, maintain that sitting on the feet is better in both sittings, and according to al-Shafi'i and group of scholars, one should sit on one's feet in the first sitting and on one's hips in the last sitting.

Based on the above analysis it can be deduced that there is no significant difference between Hadith reports on Julus in al-Bukhari and that of al-Mudawwanah, that they have all accepted Julus as wājib (necessary) in prayer, that it is wājib (essential) to keep the two prostrations of each rak'at separate. That the julus (sittings) between the two Sujud (prostration) of the women is the same with that of the men. That the sitting on the feet or hips is a matter of difference in understanding and preference but each is valid.

A.Q6 "Are there any significant differences between Hadith Report on Tashahhud in al-Bukhari and that of al-Mudawwanah?"

THE PROPHET'S TRADITION (SUNNA) FOR THE SITTING IN THE TASHAHHUD IN THE PRAYER:

BUKHARI: "Abdullah b. Mas'ud said: When we prayed and sat up during prayer along with the Apostle (SAW), we said; "peace be to so and so". The Apostle of Allah (SAW), said: Do not say "peace be to Allah". For Allah Himself is peace. When one of you sits (during the prayer), he should say: The adorations of the tongue are due to Allah and acts of worship and all good things. Peace be upon you, O Prophet, and Allah's mercy and His blessings, peace be upon us and upon Allah's upright servants. When we say that, it reaches every upright servant in heaven and earth or between heaven and earth. I testify that Muhammad is His servant and Apostle, then he may choose any supplication which pleases him and offer it.

JURIST VIEW POINTS

Tashahhud, means to recite supplication beginning with the words: At-Tashiyyat Lillah—at the end of two or four rak'ats in sitting position during a prayer.

The Tashahrhud has been Narrated from the Prophet (SAW) by ibn Mash'ud Ibn 'Abbas and Umar in different versions, among those version is the one narrated by Ibn Mas'ud which has been considered to be more sound and authentic this is the opinion of majority of scholars, companions and by Abu Hanifah while Ahmad Ibn Hambal, shafi'i follow the version of Ibn Abbas and Malik prefer version of Umar Ibn Khattab.

There are different traditions of the Prophet (SAW) which indicate various positions of placing hand on the right thigh while reciting tashah-hud in sitting condition:

1. To form a ring with the thump and the middle finger.
2. A tradition narrated by Muslim says that the Prophet (SAW) placed his right hand on his right knee and put the thumb below the index (fore) finger.
3. A tradition reported also by Muslim says that he folded all his fingers and pointed with his fore finger.
4. And the tradition indicates that he folded all his forefingers by placing his thumb on his middle finger and caught hold of his left knees with left hand.
5. Another tradition says that he placed his right hand on his right thigh and pointed with his forefinger without making a ring or folding the finger.

Al-Shafi'i is of the opinion that one should point with the forefinger when one recited the word " I testify that there is no God but Allah", especially at the moment of offering the words "but Allah". The pointing with finger refers to the Unity of Allah. According to Abu Hanifa, it should not be moved while pointing with it; and according to Malik and of majority of

the scholars it would be moved while pointing; and one should look at the finger at the moment of pointing and should not look at the heaven as some people do.

Based on the analysis above, it can be deduced:that there is no significant difference between Malik and al-Bukhari, on tashahhud in matters of Salát though he did not comment on it in his Mudawwanah but impliedly mentioned it when commenting on Julus (sitting).

It can also be deduced that:the sitting at the end of the prayer as long as it takes to give the taslim is Wájib (neccesary) and that the recitation of the tashahhud both in the first julus (sitting) and the second in a three or four rak'at is a Sunnah(recommended) and also the sitting for its recitation is a sunnah but sitting for the moment of uttering the taslim is wajib(neccesary).

R.Q[7] "Are there any significant difference between Hadith Reports on Taslim in al-Bukhari and that of al-Mudawwanah?".

BUKHARI: Abdullah (bn. Mas'ud) said: The Prophet (SAW) used to give the Taslim (Salutation) to his left and right sides until the whiteness of His cheek was seen, (saying) "Peace be Upon you and Mercy of Allah" twice.

Ali reported the Apostle of Allah (SAW) as saying: The key of prayer is

purification,Takbir (saying "Allah is Most Great" makes (all acts which break prayer) unlawful and Taslim (Uttering the salutation) and makes (all such acts) lawful.

MUDAWWANAH: sahnun reported that. Malik said the sacredness of Salat (Prayer) starts firstly with Takbir and then ends with taslim. Malik said it is not enough for the prayer except with the saying "Allahu akbar" and is not sufficient in the prayer except by saying "assalamu alaikum" interminating the salat.

JURIST VIEW POINT

Takbir, saying Allah-o-akbar "Allah is most great" Marks the beginning of prayer and Taslim (uttering the salutation) mark the end of it. al-khattab said : this tradition indicates that Taslim is an essential part of prayer like Takbir. The prayer is finished with the utterance of the Taslim (salutation) and not defilement before it.

According to Abu Hanifah, the people on both the right and left sides of the imam should have the intention of responding to the Taslim (salutation) of the Imam. In the opinion of Malik one should repeat the same words of Taslim (Salutation) uttered by the Imam, as such, the followers behind the Imam should give three taslim (salutation) namely one taslim facing the Qiblah by which he

ends the prayer, the second to the direction of Imam and the third for the one praying by his right side.

From the above analysis it could be deduced that there is no significant difference between Hadith report on Taslim in al-Bukhari and that of Al-Muda wanah.

That taslim is wajib (obligatory) in prayer. That salat is ended with it and is ended with uttering these word "As-salamu-alaikum" and that it can not be substituded with any phrase, and that it must be uttered sitting.

4.3 FINDINGS AND CONCLUSION

The research findings reveal that: the critical analysis of Hadith reports in al-Bukhari and al-Mudawwanah: that there is no significant difference between Hadith report in Al-Bukhari and al-Mudawwanh in takbiratul_Ihram that it is essential in all categories of prayers, all the two scholars have a common view on that.

The raising of hands during takbir to the level of the ear or to the shoulders, that the worshipers have choice to what level it can be raised, Basmala, _du-a-ul

iftiha, is also optional to recite but to those who assert that Basmala is an ayat in al-Fatiha, they must recite Basmala in their recitation of al-Fatiha,
That the recitation of Al-Fatiha in all rak'ats of the salat is Wajib (neccessary) and it can not besubstituted with a surah, it may not be recited when the Imam is reciting it loudly, only in the case when it is done quietly.

There is no difference between Malik and Bukhari,in saying "ameen", they differ in saying it loudly or quietly, one is free to say it loudly or in subdue tone. It is also wajib to face Qibla while in prayer throughout and the recitation of surah or some verses from the Qur'an is sunnah (recommended)

To place the right hand on the left is optional (recommended) either to place it or leave the hand in their nature without folding them and talking during prayers is forbidden.

The study also revealed that ruku'u and sujud are wājib (obligatory) and that they must be done properly not in a hurried manner giving them their due right and duration required in carrying each, otherwise the prayer will be invalid. Similarly there should be a julus (sitting) between the two sujud in a rak'at: it is wājid (obligatory) in a prayer, and the sitting at the end of the prayer as long as it is takes to give the taslim is wājib (obligatory) the recitation of tashahhud and

the blessings to the Prophet (SAW) is a sunnah (recommended) in a prayer but the julus, the final sitting is wajib (obligatory) and the saying of taslim i.e. saying "as-salamu alaikum" to terminate the prayer is wajib (obligatory) and no other phrase can be substituted for it.

Based on the analysis and findings of the Hadith, it can be concluded that as-salát has to be carried out as demonstrated by the Prophet (SAW) who taught the sahaba, how best to perform the prayer. The Prophet (SAW) acted differently at different occasions, all these acts are valid, the Prophet (SAW) did so that the devotional life of the Muslims may not become absolutely rigid. This is to indicate a spirit of flexibility and tolerance for minor issues among the Muslim ummah

It can be also concluded that; if a Muslim immediately hears or sees someone saying or acting he should not instantly condemn him. This is because he/she may not know on what basis his action or saying is until when one clarifies on the matter.

In Islam before one talks on any issue it is important that one should have concrete facts or supporters bases to support or condemn.

It is also concluded that; Sahih Bukhari and Fatwa of Malik in al-Mudawwanah is complimentary to the Qur'an in the sense that they interpret in details many injunctions in the Qur'an in matter of salat.

CHAPTER FIVE

5.0 SUMMARY AND RECOMMENDATIONS

5.1 INTRODUCTION

This study was conducted to analyse the Hadith Reports of Sahih Bukhari and Fatwa of Imam Malik in Al-Mudawwanah on matters of Salāt as contain in these two works represent the work of a Muhaddith and a jurist respectively.

Sequel to the findings of this study, therefore, this chapter, is to present summary of the study, Recommendations and Limitations of the study based on the findings.

This chapter attempts to give a brief summary of the whole work, summerised the purpose and findings of the problem raised in chapter one under the statement of problem, which prompted the researcher to embark on the study, these problems were directly or indirectly answered in Chapetr Two and Four respectively, it has also given some recommendations based on the findings of the study. The recommendations made is hoped to be useful to the entire Muslim Ummah, especially Scholars, students and researchers.

5.2 Chapter I discusessed the focus of the research which is analysis of the Hadith Reports in al-Bukhari with Fatwa of Imam Malik in al-Mudawwanah on matters of Salat and to bring out their similarities or differences on these Reports and state their positions in Salat.

Al-Mudawwanah, is an earlier collection and synthesis of legal views with teachings of Hadith which was compiled by Ibn Qasim much earlier than al-Buhari.

Al-Mudawwanah therefore was presented by Ibn Qasim as the legal views of Imam Malik,while sahih Bukhari: was compiled by Imam Bukhari.

The research outlined the significance of Salat in Islam both Qur'an and Sunnah of the Prophet (SAW) emphasised its observance regulated and at its stipulated time. Salat (Prayer) is the corner stone of Islam, a key to the Paradise, a peak of all action of devotion; it occupies the most prominent position after Imam (Faith), Salat in Islam is wajib (obligatory)

The statement of the problem was outlined, as observing in our contempory period that there witnessing a growing number of young scholars who are opportuned to have studied some Hadith collections, thus instead of improving the level of their understanding of the Sheriah it only sparked controversy, on

whether the Islamic law should be the content of Hadith report alone in support of the Qur'an or the views of the jurists like Abu-Hanifa, Malik and others, this divergent view is therefore creating a serious problem among the Muslim ummah, which this study addressed itself.

The research was designed to achieve certain objectives, which include: identified the matters of salat as reflected and reported by Bukhari and Fatwa of Malik as contained in Salih Bukhari and that of Al-Mudawwanah, explained legal issues related to salat for better application by the Muslim ummah.

A number of studies have been undertaken on the area of Salāt but none has been written on the analysis of the Hadith reports on the matters of salāt in Bukhari and that of Al-Mudawwanah. This study will be a useful reference to the Muslims in the area of Salāt, it will also stimulate them for further studies as it is a pioneer study and the study is significantly important in its potentials to contribute to the field of Islamic knowledge, especially on this matters of as-salāt

The scope of the study would be restricted to sahih al-Bukhari and Al-Mudawwanah, and specifically it will be centred on the Hadith report on matters of salāt in these two Books. It focuses only on the matter of salāt and makes an analytical studying Hadith reports and what other jurist have said on such matters of salāt.

The scope of the research, therefore is restricted to matters of ṣalā̀t al-maktubah only; the researcher restricted himself to ṣalā̀t al-maktubah, this is due to its numerous matters relating to ṣalā̀t which made it impossible to discus all issues on ṣalā̀t and the various forms of ṣalawā̀t

In chapter II, the researcher reviewed literature related to the study, the researcher pointed out that alot has been said both in the Qur'an and the Hadith of the prophet (SAW) on the matters of ṣalā̀t.

In chapter III, the researcher discribed in details the research methods adopted and the techniques for data collection. The research being an analytical study, it critically examined and analysed the Hadith reports in Bukhari and that of Al-Mudawwanah on matters of ṣalā̀t.

The research adopted CONTENT ANALYSIS; the research was concerned with themes and contents. Were the reseacher studied the meanings and significance of the Hadith reports selected.

The population in this research include all books and materials written on ṣalā̀t by scholars, because of the numerous matterials on ṣalā̀t the researcher decide to use sample in order to get useful and relevant data on the topic. The

researcher used the Stratified Random Sampling Techniques, this is to ensure that only the matterials that are related to salat are selected.

The researcher collected his data from hadith reports in Bukhari vol 1 and the legal decisions of the prominent Muslim jurists as contained in their various works or their disciples on matters of salat. the basic point of study were identified and analysed.

The researcher analysed the Hadith reports selected from al-Bukhari and the Fatwa of Malik in Al-Mudawwanah, their similarities and diffrences. The researcher at the end of each analysis presented his views as deduced from the analysis of the two books and the opinion of the jurists.

In chapter IV. The Hadith report selected from al-Bukhari and Fatwa of Malik in Al-Mudawwanah were analysed and interpreted, this is done with a view to comparing their similarities and diffrences; pointing out the legal views on these matters of salat as contained in each of these Hadith.

Based on the various Hadith report analysed and the jurist view points, the researcher deduced that; takbiratul Ihram is wajib (obligatory) in all salat. This includes the recitation of al-fatiha, Ruku'u, sujud, julus, taslim and sitting while

uttering the taslim while other issues like recitation of Surah tashahhud are Sunnah (recommanded) acts in salat among others.

5.3 Based on this study conducted on al-Bukhri and Al-Mudawwanah, on salât the following recommandations are made;

To achieve adequate knowledge of salat especially salatul maktubah. The researcher recommends that investigations on other related matters of salât should be conducted on Hadith and fiqh and similar works of other scholars for better understanding of their religion and salât in particular.

In order to change the attitude of the anti Taqlid (immitation) group. Modern Muslim writers should endeavour to write Fiqh Books by relating them closely to Qur'an and Hadith.

The performance of salât as well as the grade of performance affects all other deeds of a Muslims life,for this extra caution should be taken in carriying out this devotion, this is because one receives his reword according to the perfection of the prayers; the more perfect one offers the prayer, the more rewards one gets.

REFERENCES

Akhdari; Abdurahman (n.d); Muktasar Al-Akhdari, Al-Tawfik printers Jedda.

Ali, M.M. (1986); The Religion of Islam. Tag company, Turkuman Gate, Delhi pp. 355 – 455.

Azhari, S.A. Al-Abi (n.d) Jawahirol-al Iklil. Vol. 1; Darol Fikri, Beirut, Lebanon.

Bashir, M.S. and Hiqab, M.C. (1974); Islamic Religious knowledge for West African School Certificate, Book Two Fiqh, Islamic Bureau, Lagos pp. 70 – 71.

Dasuqi, M.U. (n.d) Hashiya Yatud Dasuqi alal-Sharhi Kabir vol. 1, Darul Fikr, Beirut, Lebanon.

Doi, I.A (1984); Shari'ah: The Islamic Law; Taha publication, United kingdom.

Encyclopedia Britannica; vol. 14 (1768) pp. 699.

Encyclopedia Britannica, INN, Wilham Bental publishers. Pp. 537.

Gibb, H.A.R. and Krammers, J.H. (1974): Shorter Encyclopedia of Islam; Netherland. Pp. 65 and 320 – 324.

Khan, M.M (1974); Sahih al-Bukhari: Arabic – English vol. 1. Hilal Ankara.

Khudri, S.M. (1967); Tarih al-Tashri al-Islam, 8th Editian, Dar al-Fikr, Cairo, Egypt

Mahmasni, S.(1961): The philosophy of Jurisprudence in Islam. Routledge and kegaa paul London.

Nafarawi, A.G.S.M. (n.d) Al-Fawakihu al-Dawwani. Vol. 1, Darul Fikr, Beirut, Lebanon.

Qadri, A.A (1981); Islamic Jurisprudence in modern World.

Qaizawani, A.A.Z. (1970); Risala, NNPC Ltd, Zaria.

Sawwaf, S.M.M. (1977); The Muslim Book of Prayer, Mujahid Muhammad, al-sawwaf, Makka, pp. 5.

Tukur, M.M. (1999); The Historical development of Islamic Law from the period of the Baghdad in the seventh centuary after Hijrah Ph.D. Thesis, A.B.U. Zaria (Unpublished).

Umar .A.; (n.d); A Guide to faith and prayer in Islam. Nassar Abdullah Book Fondation, Benue state, Da'awah centre, Makurdi.

Yusuf, A. (1975); The Holy Qur'an, Text, Translation and commentry, The Islamic Foundation London, U.K.