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Salat al-Qada'

There is consensus among the schools that it is *wajib* to perform *qada'* of every obligatory *salat* omitted either intentionally, or on account of forgetfulness, ignorance or sleep, and that there is no *qada'* for a woman for the prayers left during *hayd* and *nifas*, because *salat* is not *wajib* during these periods. The schools differ regarding one who is insane, unconscious or intoxicated.

The Hanafis state: *Qada'* is *wajib* upon one who loses his senses by consuming a *haram* intoxicant, such as wine or something of its kind. As to someone insane or in a swoon, he is not required to perform *salat* in the following two situations: firstly, if the state of swoon or insanity continues for a period exceeding five *salats* (hence if it lasts for less than that period the person should perform its *qada*.'); secondly, if the recovery from insantiy or swoon does not occur at the time of *salat* (hence if he recovers and does not perform the *salat* its *qada'* will be *wajib* upon him).

The Malikis are of the opinion that an unconscious or insane person has to perform *qada'*. An intoxicated person will perform *qada'* if the cause of intoxication is the drinking of something *haram*; but if it is something *halal* (such as sour milk) there is no *qada'* for it.

According to the Hanbalis, an unconscious person and one intoxicated by something *haram* will perform *qada'*, though an insane person is not required to do so.

The Shafi'is state: An insane person whose state of insanity extends over the entire period of *salat* will not perform its *qada'*. The same applies to one in a swoon or one intoxicated, provided he is not responsible for his state.

The Imamis consider it *wajib* for anyone who has consumed an intoxicant to perform *qada'*, irrespective of whether he drinks it knowingly or unknowingly, voluntarily or out of an exigency or under duress. As to an insane person and one in a swoon, they have no *qada'* to perform.

The Mode of Performing Qada'

The Hanafis and Imamis observe: A person who has omitted an obligatory *salat* will perform its *qada'* exactly in the manner he would have performed it *ada'*. Hence if a person with an outstanding complete *salat* intends to perform it during journey, he should perform it completely, and one performing a *qasr* prayer as *qada'* at home will perform it *qasr*. Similar is the rule respecting recital in a high or low voice. Hence if *maghrib* and *'isha'* prayers are performed *qada'* during daytime, their recital will be loud, and in the *qada'* of *zuhr* and *'asr* prayers during night the recital will be in a low voice.

The Hanbalis and the Shafi'is state: The one who intends to perform the *qada'* of a *qasr* prayer during journey will perform it *qasr* in accordance with the *salat* missed by him. But if he happens to be staying (*hadr*), it is *wajib* upon him to perform it complete as *qada'*. This was with respect to the number of *rak'ahs*.

As to its recital in a high or low voice, the Shafi'is say: The one who performs the *qada'* of *zuhr* at night will recite in a loud voice and one performing *qada'* of *maghrib* during daytime will do so in a low voice. The Hanbalis require all *qada'* prayers to be recited in a low voice, irrespective of their being those that are recited in a high voice or low, and regardless of whether the *qada'* is performed during daytime or at night, except where the person performing it is an imam and the *salat* is one which is recited in a high voice and it happens to be nighttime.

The schools, excepting the Shafi'i, concur that sequence should be maintained in the performance of the prayers missed. Thus the *qada'* of one missed earlier will be performed before the *qada'* of one missed later. Hence if *maghrib* and *'isha'* prayers are missed, the former will be offered before the latter, as is the case while performing them *ada'*.

According to the Shafi'is, the maintaining of sequence in prayers missed is *sunnah* and not *wajib*. Hence the *salat* of a person who performs the *'isha'* prayer before the *maghrib* prayer is valid.

Proxy for Acts of Worship

There is a general consensus that appointing a proxy for carrying out prayers and fasts for a living person is not valid in any situation irrespective of whether he is capable or incapable of performing them himself. The Imamis state: It is valid to appoint a proxy for carrying out fasts and prayers on behalf of a dead person. The four Sunni schools observe: It is not valid in the case of a dead person, in the same manner as it is not valid for a living one.

The schools concur that appointing a proxy for Hajj is valid in the case of a living person provided he is incapable of performing it himself, and with greater reason in the case of a dead person. An exception are the Malikis who say: The appointing of a proxy, both for a living or a dead person, is of no consequence.

The Imamis are alone in observing that it is *wajib* for a child to perform the *qada'* of the fasts and prayers left unperformed by its father. But they differ among themselves, and some of them state: It is *wajib* to perform all that which has been missed by the father, even if intentionally. Others say: It is necessary to perform the *qada'* of only those acts which he has been unable to perform due to illness or some similar cause. There are others who observe: Nothing except that which has been missed by him during death-illness is to be performed as *qada'* by the child. According to some others, the *qada'* of the mother will also be performed by the child in the same manner as that of the father.

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