ISLAMIC LESSONS & RULINGS PERTAINING TO THE CORONAVIRUS (COVID-19)

Shaykh Khalid bin ʿAli al-Mushayqih

Islamic Lessons and Rulings Pertaining to the Coronavirus (COVID-19)

الأَحْكَامُ الفِقْهِيَّةِ
المُتَعَلِّقَةِ بِوَبَاءِ كُورُونَا

Dr. Shaykh Khālid bin ʿAlī al-Mushayqiḥ

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Contents

BRIEF BIOGRAPHY OF THE AUTHOR ..... - 7 -

TRANSLATORS' INTRODUCTION ..... - 8 -

PREFACE ..... - 9 -

INTRODUCTION ..... - 10 -

ISLAM IS A COMPREHENSIVE RELIGION ..... - 11 -

PART I: THE ISLAMIC STANCE THE MUSLIM MUST ADOPT IN RELATION TO THIS ISSUE (COVID-19) ..... - 13 -

FIRST: BE CRITICAL REGARDING INFORMATION ..... - 13 -

SECOND: AVOID THE RUMOR MILL ..... - 14 -

THIRD: KNOW THE ISLAMIC NARRATIVE REGARDING SUCH DISEASES ..... - 16 -

FOURTH: THE PROPHET'S (ﷺ) WAY OF REACTING ..... - 17 -

FIFTH: CALAMITIES AND FAITH ..... - 19 -

SIXTH: RELIANCE ON ALLAH (ﷻ) ..... - 20 -

SEVENTH: *DUʿA* (SUPPLICATION) ..... - 21 -

EIGHTH: HAVING GOOD EXPECTATIONS OF ALLAH (ﷻ) ..... - 22 -

NINTH: BEING OPTIMISTIC ..... - 23 -

TENTH: AVOID FEAR MONGERING ..... - 24 -

USEFUL DEFINITIONS ..... - 27 -

PART II: FIQH RULINGS RELATED TO THIS CONTEMPORARY CRISIS ..... - 28 -

ISSUE 1: MEDICATION AND VACCINATION ..... - 28 -

ISSUE 2: TREATMENT AND TAKING MEDICATION ..... - 29 -

ISSUE 3: ENTERING A LAND THAT HAS THIS EPIDEMIC OR LEAVING (A LAND THAT HAS IT) TO FLEE FROM IT ..... - 31 -

ISSUE 4: ISSUES CONCERNING *TAHARAH* (PURIFICATION) ..... - 32 -

ISSUE 5: ISOLATION OF SOMEONE INFECTED WITH THIS DISEASE ..... - 33 -

ISSUE 6: *ADHAN* (THE CALL TO PRAYER) ..... - 34 -

ISSUE 7: SAYING DURING THE *ADHAN* صلوا في بيوتكم (PRAY IN YOUR HOMES) OR صلوا في رحالكم OR (PRAY IN YOUR TENTS) ..... - 35 -

ISSUE 8: HOW TO RESPOND WHEN THE *MU'ADHIN* SAYS: "PRAY IN YOUR HOMES OR TENTS" ..... - 36 -

ISSUE 9: TEMPORARY SUSPENSION OF THE CONGREGATIONAL PRAYERS IN THE *MASJIDS* ..... - 37 -

ISSUE 10: DESIGNATING A PRAYER AREA AT HOME ..... - 42 -

ISSUE 11: CONGREGATIONAL PRAYER AT HOME ..... - 43 -

ISSUE 12: WHO IS MOST DESERVING OF LEADING THE PRAYER? ..... - 43 -

ISSUE 13: WHERE THE IMAM SHOULD STAND ..... - 44 -

ISSUE 14: CONGREGATIONAL PRAYER FOR WOMEN ..... - 45 -

ISSUE 15: THE ONE INFECTED ATTENDING THE CONGREGATIONAL PRAYER OR OTHER GATHERINGS ..... - 46 -

ISSUE 16: WEARING A FACEMASK [IN THE PRAYER] ..... - 47 -

ISSUE 17: THE ROWS OF CONGREGATIONAL PRAYER BEING FAR APART FROM ONE ANOTHER ..... - 48 -

ISSUE 18: SUSPENDING *JUMUʿAH* (FRIDAY) PRAYER ..... - 48 -

ISSUE 19: HOLDING *JUMUʿAH* (FRIDAY) PRAYER AT HOME ..... - 49 -

ISSUE 20: THE RULINGS PERTAINING TO FRIDAY ..... - 50 -

ISSUE 21: OTHER RULINGS PERTAINING TO *JUMUʿAH* PRAYER ..... - 51 -

ISSUE 22: SUSPENDING THE '*EID* PRAYER ..... - 52 -

ISSUE 23: CONGRATULATING ONE ANOTHER ON THE TWO *EIDS* ..... - 53 -

ISSUE 24: ABANDONING HAND SHAKING ..... - 53 -

ISSUE 25: THE PRAYERS DUE TO AN ECLIPSE (*KUSUF* PRAYER) OR TO ASK ALLAH FOR RAIN (*ISTISQAʿ* PRAYER) ..... - 54 -

ISSUE 26: THE *TARAWIH* PRAYER ..... - 55 -

ISSUE 27: THE SUPPLICATION OF *QUNUT* ..... - 55 -

ISSUE 28: IS THERE A SPECIFIC PRAYER FOR THIS TYPE OF CALAMITY? ..... - 57 -

ISSUE 29: THE *JANAZAH* (FUNERAL) PRAYER ..... - 59 -

ISSUE 30: WASHING THE DECEASED AFFLICTED WITH COVID-19 (OR ANY OTHER CONTAGIOUS DISEASE) ..... - 59 -

ISSUE 31: CREMATION ..... - 60 -

ISSUE 32: GIVING CONDOLENCES TO THE LOVED ONES OF THE DECEASED ..... - 61 -

ISSUE 33: GIVING *ZAKAH* TO THOSE AFFLICTED WITH THE VIRUS ..... - 62 -

ISSUE 34: SPENDING *ZAKAH* FOR THE PURPOSE OF PURCHASING MEDICAL EQUIPMENT, OR TO BUILD CLINICS, AND SO FORTH, FOR THE TREATMENT OF THOSE AFFLICTED WITH THIS VIRUS (AND SIMILAR CASES) ..... - 62 -

ISSUE 35: BURYING MULTIPLE PERSONS AFFLICTED WITH THE VIRUS IN THE SAME GRAVE IF THERE ARE MANY DEATHS ..... - 63 -

ISSUE 36: FASTING ..... - 63 -

ISSUE 37: *IʿTIKAF* (SECLUSION IN THE *MASJID* FOR THE WORSHIP OF ALLAH)..... - 64 -

ISSUE 38: DELAYING *HAJJ* AND *ʿUMRAH* – FOR THOSE THAT VIEW THAT *ʿUMRAH* IS OBLIGATORY ..... - 64 -

ISSUE 39: BEING PREVENTED FROM *HAJJ* OR *ʿUMRAH* ..... - 65 -

ISSUE 40: WEARING A FACEMASK FOR THE ONE IN IHRAM ..... - 66 -

ISSUE 41: SALES CONTRACTS AND OTHER FINANCIAL EXCHANGES ..... - 67 -

ISSUE 42: HOARDING AND PRICE FIXING ..... - 67 -

ISSUE 43: CHARITABLE TRANSACTIONS ..... - 68 -

ISSUE 44: REMINDING THE SICK PERSON TO WRITE THEIR WILL AND TESTAMENT .. - 69 -

ISSUE 45: INHERITANCE ..... - 70 -

ISSUE 46: ONE IS NOT ALLOWED TO CURSE AN ILLNESS ..... - 70 -

ISSUE 47: RECONCILING BETWEEN THE HADITHS: “FLEE FROM THE LEPER” AND “THERE IS NO CONTAGION OR BAD OMEN” ..... - 71 -

CONCLUSION ..... - 71 -

ARABIC SYMBOLS

(ﷻ) Subhanahu wa Taʿala – “Glorified and exalted be He.”

(ﷻ) ʿAzza wa Jall – “Glorified and exalted be He.”

(ﷻ) Jalla Jalaluhu – “May His glory be exalted.”

(ﷺ) Salla-Allahu ʿAlayhi wa Sallam – “Blessings and peace be upon him.”

(ﷺ) ʿAlayhis-Salām – “Peace be upon him.”

(ﷺ) Radiya-Allahu ʿAnhu – “Allah be pleased with him.”

(ﷺ) Radiya-Allahu ʿAnha – “Allah be pleased with her.”

(ﷺ) Radiya-Allahu ʿAnhuma – “Allah be pleased with them both.”

(ﷺ) Radiya-Allahu ʿAnhum – “Allah be pleased with them all.”

(ﷺ) Radiya-Allahu ʿAnhunn – “Allah be pleased with them all (females).”

(ﷺ) Rahimahu-Allah – “Allah have mercy upon him.”

(ﷺ) Rahimahuma-Allah – “Allah have mercy upon them both.”

(ﷺ) Rahimahumu-Allah – “Allah have mercy upon them all.”

بِسْمِ اللَّهِ الرَّحْمَٰنِ الرَّحِيمِ

In the Name of Allah, the Most Beneficent, the Most Merciful

Brief Biography of the Author

Shaykh Khalid bin ʿAli al-Mushayqih is from the region of Qassim, Saudi Arabia. He is a renowned scholar and *faqih* (jurist). He currently serves as a professor at Qassim University. The Shaykh is known as one of the foremost disciples of his teacher; the great Shaykh Muhammad bin Salih al-ʿUthaymin (رحمه الله). Shaykh Khalid has contributed greatly in bringing Shaykh ʿUthaymin's teachings into publication. Having become a scholar and a jurist in his own right, Shaykh Khalid al-Mushayqih has taught many students from around the world. He currently holds a chair as a scholar in both the Grand Mosque in Makkah and the Prophet's Mosque in Madinah. He has authored many books, written commentaries and developed encyclopaedia in the areas of *Fiqh*, *Usul al-Fiqh*, *al-Qawaʿid al-Fiqhiyyah*, *Hadith* and *ʿAqidah*.

This book was written by him at very short notice. It was written in response to the escalating effects of the Coronavirus (COVID-19). We ask Allah to accept this effort from him. We ask Allah to reward him and all of those involved in making it available for the English-speaking Muslims around the world.

Translators' Introduction

This piece of work was translated on very short notice as an emergency project. The goal was to make this available as quickly as possible in order to aid Islamic volunteers, directors of *masjids*, *khatibs*, *duʿat*, community leaders, and Imams. These classes of individuals will have, or may have faced, many questions pertaining to the Coronavirus (COVID-19), and the affect it has on the Muslim population. The Shaykh himself has rushed to produce this piece of work in Arabic and make it available for the public. As is evident from the Shaykh's previous publications in normal circumstances, a lot of attention is usually given to the documentation of certain finer details, particularly details related to *tahqiq* (verification of sources). Time would not allow for such a thoroughly edited book in these circumstances.

It is advised for those who know the Arabic language to read the Arabic version which can be found in the link below. For those interested in a summarised version of the translation containing the most relevant issues, they may refer to the summarised version found in the link below.

Link for Arabic version:

https://books.islamway.net/1/330/Elmshek7_AhkamPkhea.pdf

https://t.me/m_ahlus_sunnah/1936

بِسْمِ اللَّهِ الرَّحْمَٰنِ الرَّحِيمِ

In the Name of Allah, the Most Beneficent, the Most Merciful

Preface

All praise is due to Allah. We praise Him, we seek His Aid, we seek forgiveness from Him, and we seek refuge in Allah from the evils of ourselves and the evils of our actions. Whomsoever Allah (ﷻ) guides, none can misguide; and whomsoever He leads astray, none can guide. I bear witness that there is no deity worthy of worship except Allah. I bear witness that Muhammad (ﷺ) is His slave and final messenger. O Allah! We seek refuge in You from insanity, leprosy, elephantiasis, and evil diseases. May Allah's Praise, Blessings and Peace be upon our Prophet Muhammad (ﷺ).

To proceed: The following pages represent a lecture that I delivered at Qassim University on Wednesday Rajab 23, 1441 AH (March 18, 2020 CE).[1]

The lecture was delivered in light of the Coronavirus (COVID-19). After delivering the lecture, I added some further points to the content discussed, thus leading to the development of this book. I ask Allah to make it a benefit to the one who delivered it and the one who reads it. *Ameen.*

[1] Link to the lecture:
https://www.youtube.com/watch?v=xuJXnwt3sHs

Introduction

May the peace, salutations, mercy and blessings of Allah be upon you all. To my dearly beloved, at the beginning of such a gathering, I turn my attention to showing gratitude to Allah (ﷻ) for blessing us with gatherings such as these ones; gatherings where it is sought to study the Book of Allah and the traditions of his Prophet Muhammad (ﷺ); gatherings in which the angels attend; gatherings covered with mercy; gatherings upon which tranquillity descends; and gatherings mentioned by Allah to those who are with Him (His angels).

In addressing contemporary issues, such as the one before us, it is essential to do so in light of certain factors; namely, one must consider *al-Qawaʿid al-Fiqhiyyah* (*Shariʿah* maxims), *Usul al-Fiqh* (principles of Islamic jurisprudence), *al-Ahkam al-Fiqhiyyah* (Islamic jurisprudence rulings) and *al-Maqasid al-Shariʿah* (*Shariʿah* objectives). From these said factors, what is significant and given consideration is only that which has been proven to stem from the evidences of the Qur'an, the pure Prophetic traditions of the Prophet (ﷺ), the statements of the Companions (رضي الله عنهم), the understanding of the Muslim scholars, and that which has been mentioned and documented by the *fuqaha'* (jurists) of Islam. Knowledge of how to extract from these aforementioned sciences and resources would aid in reaching the truth for issues of a contemporary nature.

I have previously discussed the factors that must be considered in identifying what it is that constitutes a 'contemporary issue'. I have further alluded to some of the factors and sciences mentioned above in my book entitled, "A Summary of Contemporary Issues Pertaining to Worship".

Islam is a comprehensive religion

To my dearly beloved, it is not unknown to you that which the world is going through today. This new event. A great pandemic known as the Coronavirus. The Book of Allah and the Prophetic traditions (are comprehensive and) do not fall short (in their guidance) for any matter the creation is in need of. For verily the Book of Allah has come with everything the creation is in need of. Everything that would rectify the people's affairs is present in these two sources.

Allah (ﷻ) says:

﴿ ٱلۡيَوۡمَ أَكۡمَلۡتُ لَكُمۡ دِينَكُمۡ وَأَتۡمَمۡتُ عَلَيۡكُمۡ نِعۡمَتِي وَرَضِيتُ لَكُمُ ٱلۡإِسۡلَٰمَ دِينٗا ﴾

"This day I have perfected for you your religion, and completed My Favour upon you, and have approved for you Islam as the religion."

[Surah al-Ma'idah (5):3]

And Allah (ﷻ) says:

﴿ مَّا فَرَّطۡنَا فِي ٱلۡكِتَٰبِ مِن شَيۡءٖ ﴾

"We have not neglected in the Register a thing."

[Surah al-Anʿam (6):38]

And the Prophet (ﷺ) said in the hadith of Ibn ‘Abbas (رضي الله عنهما):

> “I have left amongst you that, which if you were to hold on to it, then you shall never be led astray: The Book of Allah and my Sunnah.”
>
> [Narrated by Al-Hakim and Ad-Daraqutni]

And it was said to Salman (رضي الله عنه) in a mocking way:

> “Your Prophet has taught you concerning every matter, even defecation!”
>
> [Narrated by Muslim]

Meaning that he (ﷺ) has taught you even that which relates to a person attending to their needs regarding relieving themself.

So, with all of this in mind, in this gathering we shall take – by the permission of Allah (سبحانه وتعالى) – a portion of Islamic legal rulings that relate to this contemporary issue (COVID-19).

Part I: The Islamic Stance the Muslim Must Adopt in Relation to This Issue (COVID-19)

The Islamic stance for the Muslim in relation to this issue is to go back to the Book of Allah and the Sunnah of His Prophet (ﷺ). According to these two sources, the following is obligatory:

First: Be critical regarding information

The Muslim should be critical and only follow information stemming from official sources. Matters such as these concern the whole of society. Islamically speaking, any type of information that impacts the whole of society, such as rules and policies, should only be sourced from official institutions, governments, representatives, and leaders.

Allah (ﷻ) says:

﴿وَإِذَا جَآءَهُمۡ أَمۡرٞ مِّنَ ٱلۡأَمۡنِ أَوِ ٱلۡخَوۡفِ أَذَاعُواْ بِهِۦۖ وَلَوۡ رَدُّوهُ إِلَى ٱلرَّسُولِ وَإِلَىٰٓ أُوْلِي ٱلۡأَمۡرِ مِنۡهُمۡ لَعَلِمَهُ ٱلَّذِينَ يَسۡتَنۢبِطُونَهُۥ مِنۡهُمۡ﴾

"And when there comes to them information about [public] security or fear, they spread it around. But if they had referred it back to the Messenger or to those of authority among them, then the ones who can draw correct conclusions from it would have known about it. And if not for the favor of Allah upon you and His mercy, you would have followed Satan, except for a few."

[Surah al-Nisa' (4):83]

Therefore, matters concerning people's safety, security, and for events like pandemics, it is obligatory for us to be united and orderly in following official directions and information that is coming from legitimate, or appointed, authorities. We do not break this unity (by entertaining rumors, conspiracy theories, following unverified medical advice, etc.). Where an individual has a personal opinion, or their own take on things, then they should keep it to themselves, for our sources should be the people of knowledge (specialists), scholars, and leaders.

Allah (ﷻ) says:

﴿ يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ أَطِيعُواْ ٱللَّهَ وَأَطِيعُواْ ٱلرَّسُولَ وَأُوْلِي ٱلۡأَمۡرِ مِنكُمۡ ﴾

"O you who believe, obey Allah and obey the Messenger and those in authority among you."

[Surah al-Nisa' (4):59]

Second: Avoid the rumor mill

It is not befitting for the Muslim to latch onto rumors, nor to be involved in the spreading of information that is not stemming from trusted sources.

Allah (ﷻ) says:

﴿ يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِن جَآءَكُمۡ فَاسِقُۢ بِنَبَإٖ فَتَبَيَّنُوٓاْ ﴾

"O you who believe, if there comes to you a disobedient one with information, investigate."

[Surah al-Hujurat (49):6]

And Allah (ﷻ) says:

﴿ قَدۡ أَفۡلَحَ ٱلۡمُؤۡمِنُونَ ۝١ ٱلَّذِينَ هُمۡ فِي صَلَاتِهِمۡ خَٰشِعُونَ ۝٢ وَٱلَّذِينَ هُمۡ عَنِ ٱللَّغۡوِ مُعۡرِضُونَ ۝٣ ﴾

"Certainly will the believers have succeeded. Those who are humbly submissive during their prayer, and those who turn away from ill speech."

[Surah al-Mu'minun (4):1-3]

The term *'laghw'* as is mentioned in the verse has been interpreted by the scholars of *Tafsir* as "anything that has no benefit in it." Therefore, we can conclude that if in 'leaving all that has no benefit in it' is from the reasons one achieves success, then one can also conclude that it is even more pressing that one should abstain from latching onto and spreading rumors and unverified information. Many individuals are circulating information, latching onto it, and posting things that may be false.

Regarding the punishment concerning lying and circulating lies, we know from the hadith narrated by Samura bin Jundub (رضي الله عنه):

The Messenger of Allah (ﷺ) saw a dream and relayed what he saw to the Companions. He (ﷺ) said that he saw a man whose sides of his mouth, nostrils, and eyes were torn off from front to back. It was explained to the him the following:

"As for the man you came upon whose sides of his mouth, nostrils, and eyes were torn off from front to back, he is the symbol of the man who goes out of his house in the morning and tells so many lies that it spreads all over the world."

[Narrated by Bukhari]

We learn from this hadith that those groups of individuals that lie, or knowingly spread these rumors and fake news, the above mentioned is the punishment that they receive in the grave. It is also feared that the individual that takes these false news reports and disseminates them may be susceptible to such punishment as well because they are similar to those liars in their actions and participation.

Thus, it is incumbent upon us not to participate in the spreading of false information, rumors, and the like. We should not spread anything unless it comes from an official source.

Third: Know the Islamic narrative regarding such diseases

It is binding upon the Muslim to have the correct belief regarding such an event like this. The Muslim believes that pandemics and events like COVID-19 are a mercy from Allah for some, but may be a punishment by Allah for others. As is mentioned in the hadith narrated by ʿA'ishah (ﷺ), where she asked the Prophet (ﷺ) regarding plagues, to which he (ﷺ) replied:

> "It is a punishment which Allah sends upon whomsoever He wills, but Allah has made it as a mercy for the believers. Anyone who remains in a town which has been hit by the plague and remains patient knowing that nothing will befall him other than what Allah has decreed for him, he will receive the reward of a martyr."
>
> [Narrated by Bukhari]

Here, we learn from the Prophet (ﷺ) that sickness and ailments such as these can be a form of punishment for the sinners and those who seek to transgress the limits of Allah (ﷻ). On the other hand, it

is also a test, a means of purification, and a form of mercy for believers; for a believer is not inflicted with anxiety, sadness, or worry, even if it was a small thorn that pricks him, except that Allah (ﷻ) expiates his sins and errors.

Fourth: The Prophet's (ﷺ) way of reacting

It becomes essential for the Muslim to take from the guidance of the Prophet (ﷺ) in dealing with these types of variables, such variables that change in the environment around us, particularly when there is a change in the universal norms.

a. <u>During an eclipse</u>:

When the sun had once eclipsed, the Prophet (ﷺ) reacted by leaving his house abruptly whilst dragging his bottom garment and prayed (the Eclipse Prayer). He is reported to have said in the hadith of ʿA'ishah (رضي الله عنها) regarding this:

> "Indeed, the sun and the moon are signs from the signs of Allah. They do not eclipse to mark the death of anyone, nor to mark their birth. So, if you were to see that (an eclipse), then make *duʿa* to Allah, remember His greatness, pray, and give in charity."
>
> [Narrated by Bukhari]

And in the hadith of Abu Musa (رضي الله عنه), the Prophet (ﷺ) said concerning an eclipse:

> "Proceed to remember Allah, invoke Him, and ask for His forgiveness."
>
> [Narrated by Bukhari]

And in the hadith of Asma' (ﷺ), she narrates that the Prophet (ﷺ) ordered the manumission of slaves during the solar eclipse.

b. Reaction to wind:

It was also from the Prophet's (ﷺ) guidance that when the wind would blow, he would react by saying that mentioned in the hadith of ʿA'ishah (ﷺ):

> "O Allah! I ask You for what is good in it, the good which it contains, and the good of that which it was sent for. I seek refuge with You from what is evil in it, what evil it contains, and the evil of that what it was sent for"
>
> [Narrated by Muslim]

c. Reaction to droughts:

When the land would become dry and there would be a lack of rain, the Prophet (ﷺ) would pray for rain, as mentioned in the hadith of ʿA'ishah (ﷺ) [narrated by Abu Dawud]. He (ﷺ) would also raise his hands during the *Jumuʿah khutbah*, whilst praying for rain, as mentioned in the hadith of Anas (ﷺ) [narrated by Bukhari and Muslim].

The above shows the various reactions of the Prophet (ﷺ) in response to these universal phenomena. As can be seen, he (ﷺ) would consistently seek protection and refuge in Allah (ﷻ). He would also increase in his acts of worship, seeking of forgiveness, and supplication.

Allah (ﷻ) says:

﴿وَمَا كَانَ ٱللَّهُ لِيُعَذِّبَهُمۡ وَأَنتَ فِيهِمۡۚ وَمَا كَانَ ٱللَّهُ مُعَذِّبَهُمۡ وَهُمۡ يَسۡتَغۡفِرُونَ ٣٣﴾

"But Allah would not punish them while you, [O Muhammad], are among them, and Allah would not punish them while they seek forgiveness."

[Surah al-Anfal (8):33]

So at times like these, it is upon us to repent, return to Allah (ﷻ), and increase ourselves in prayers, worship, and turning back to our Lord (ﷻ).

Fifth: Calamities and faith

The Muslim must believe in Allah's *Qadha'* and *Qadr* (Destiny and Predestination). They should have this belief with contentment and be positive in their of reliance Allah.

The Prophet (ﷺ) said:

"What has come to you could not miss you, and what has missed you could not come to you."

[Narrated by Abu Dawud]

And Allah (ﷻ) says:

﴿إِنَّا كُلَّ شَيۡءٍ خَلَقۡنَٰهُ بِقَدَرٖ ٤٩﴾

"Indeed, all things We created with predestination."

[Surah al-Qamar (54):49]

Thus, it is upon the Muslim to surrender himself and be content and pleased with the destiny that Allah (ﷻ) has in store for him, and what He had decreed for him. Allah has not decreed anything in this existence except for an ultimate wisdom and highest objective.

The Prophet (ﷺ) said in the hadith of Suhayb (رضي الله عنه):

> "Strange is the affair of the believer, for there is good in every affair of his, and this is not the case with anyone else except in the case of a believer; for if he has an occasion to feel delight, he is thankful, and that is good for him; and if he is afflicted with calamities and bears it with patience, that is good for him."
>
> [Narrated by Muslim]

Sixth: Reliance on Allah (ﷻ)

Incumbent upon the Muslims is their reliance on Allah (ﷻ). They must actively rely on Allah to bring about any goodness and ward away any evil. They must attach their hearts to Allah and surrender to the fact that the result of their affairs is ultimately with Allah, whilst actively taking all the necessary means (to achieve their goal).

Ibn ʿAbbas (رضي الله عنهما) said:

> "Allah is Sufficient for us and He is the Best Disposer of affairs." This statement was made by Prophet Ibrahim (عليه السلام) when he was thrown into the fire, and it was made by Prophet Muhammad (ﷺ) when they (the hypocrites) said: "A great

army is gathering against you, therefore, fear them."

[Narrated by Bukhari]

So, Allah is sufficient for us and He is the Best Disposer of affairs; Allah is enough for us, the One we rely on, and our Protector, so we must trust in Him and leave our affairs to Him (ﷻ).

Seventh: *Duʿa* (supplication)

It is incumbent upon the Muslim to increase in *duʿa*, increase in his humility towards Allah (ﷻ), and make *duʿa* for his fellow Muslims. He should say as the Prophet (ﷺ) said:

اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْبَرَصِ، وَالْجُنُونِ، وَالْجُذَامِ، وَمِنْ سَيِّئِ الأَسْقَامِ

"O Allah! I seek refuge in You from insanity, leprosy, vitiligo, and evil diseases."

[Narrated by Ahmad, Abu Dawud and Nasa'i]

The Muslim should be diligent in his morning and evening supplications, and the supplications that the Prophet (ﷺ) used to say, such as reading the *'Muʿawidhaat'* (Surah al-Nas and Surah al-Falaq), Surah al-Ikhlas, Ayaat al-Kursi, and the last two verses of Surah al-Baqarah and saying thrice:

بِسْمِ اللهِ الذِي لَا يَضُرُّ مَعَ اسْمِهِ شَيءٌ فِي الأَرْضِ وَلَا فِي السَّمَاءِ

وَهُوَ السَّمِيعُ العَلِيم

"In the name of Allah, when Whose name is mentioned, nothing on earth or in heaven can cause harm, and He is the Hearer, the Knower."

[Narrated by Abu Dawud and Tirmidhi]

The Muslim should also read from the other supplications that have been narrated from the Morning and Evening Supplications. One should be reciting the Qur'an, as the Qur'an is a cure, guidance, mercy and an admonition.

The Prophet (ﷺ) before he would sleep would perform *'Ruqyah'* (heal and protect by Allah's permission) on himself; so he would bring his palms together and recite the *'Muʿawidhaat'* (Surah al-Naas and Surah al-Falaq) along with Surah al-Ikhlas, then wipe what he could of his body. When he (ﷺ) got sick, ʿAa'ishah (رضي الله عنها) would aid him by guiding his hands to wipe over his body and blow (dry spit) for him [narrated by Bukhari].

Eighth: Having good expectations of Allah (ﷻ)

Incumbent upon the Muslim is to have good expectations of Allah (ﷻ). For example, knowing that Allah (ﷻ) did not create things like this virus and did not allow the existence of these diseases except for an ultimate wisdom, higher objective, and for the benefit of humanity and the nations on earth; whether it is distinguishing between the creation (the righteous and the patient from the disbelievers and the ungrateful), or purification of sins and expiation of mistakes, or the raising of ranks, or repentance, to turn to and return back to Allah (ﷻ).

Allah (ﷻ) says in the *Hadith Qudsi*:

> "I am to my slave as he thinks of Me (i.e. I am able to do for him what he thinks I can do for him)."

[Narrated by Bukhari and Muslim]

And the Prophet (ﷺ) said in the Hadith of Jabir (رضي الله عنه):

> "Let none of you die without having good expectations of Allah."
>
> [Narrated by Muslim]

And Ibn Masʿud (رضي الله عنه) said:

> "Whoever has good expectations of Allah, Allah will give him that which he expected, for indeed 'goodness' is in the Hands of Allah."
>
> [Narrated by Abu Dawud]

So, have good expectations in Allah's universal laws, and that Allah does not decree it except for a great benefit and objective. Also have good expectations with Allah in His religious jurisprudential laws and that Allah did not legislate it except for a great benefit and wisdom. And have a good expectation of Allah with regards to His recompense in punishment and reward – reward for the obedient and punishment for the disobedient – and that this is from the Justice of Allah and His Mercy.

Ninth: Being optimistic

We should be optimistic. This adversity will pass and depart. What will remain is the reward of the patient, the believing, the obedient, the grateful, the repentant, and those who returned (in their affairs) to Allah (ﷻ); for indeed, what will have befallen them will not be lost with Allah (in terms of rewards) if they were to be patient and have faith in the rewards from Allah. Such an optimism that brings the understanding that Allah shall compensate them in this life

and the hereafter. What will remain (besides what they have lost in this life) will be the lessons learnt from repentance, being tested, and returning to Allah (ﷻ).

In the hadith of Anas (رضي الله عنه), we learn that the Prophet (ﷺ) used to like optimism; and from optimism is good befitting statements that the Muslim hears [narrated by Bukhari and Muslim].

Thus, the Muslim should be optimistic and have good expectations of Allah (ﷻ).

Tenth: Avoid fear mongering

It is not permissible to cause panic amongst the believers, to spread fear amongst them, or to bring them any grief. Rather, a Muslim must avoid such acts. These are all considered as acts of bringing harm to the believers. These types of acts are mentioned in the Qur'an.

Allah (ﷻ) says:

﴿ وَٱلَّذِينَ يُؤْذُونَ ٱلْمُؤْمِنِينَ وَٱلْمُؤْمِنَٰتِ بِغَيْرِ مَا ٱكْتَسَبُوا۟ فَقَدِ ٱحْتَمَلُوا۟ بُهْتَٰنًا وَإِثْمًا مُّبِينًا ﴿٥٨﴾ ﴾

"As for those who abuse believing men and women unjustifiably, they will definitely bear the guilt of slander and blatant sin."

[Surah al-Ahzab (33):58]

And He (ﷻ) says:

﴿وَلَا تَهِنُوا۟ وَلَا تَحْزَنُوا۟ وَأَنتُمُ ٱلْأَعْلَوْنَ إِن كُنتُم مُّؤْمِنِينَ ﴿١٣٩﴾﴾

"Do not lose heart and do not grieve, while you are the upper superior ones, if you are of the believers."

[Surah Aal ʿImran (3):139]

Causing grief to Muslims undermines one of the objectives of the *Shariʿah*. If we were to ponder upon the rulings of the *Shariʿah*, be it in worship or in dealings, we will find that these laws advocate to ensure that no anxiety, grief, or enraging of the hearts are to occur to the believers.

Due to this, Muslims pray together in one place; so that they may achieve affection, love, kind-heartedness, and dispel sadness. This objective is incorporated and woven into every aspect of the Islamic legal code. Whether one takes, for example, the objectives of fasting or Hajj, or the laws pertaining to financial transactions, they will find this aim as an objective of the *Shariʿah*.

For example, a Muslim cannot (legally) sabotage the selling of a good or service of his fellow Muslim for his own sale [narrated by Bukhari], nor can a Muslim (legally) sabotage the buying of a product or service of his fellow Muslim for his own acquisition, nor can a Muslim overtake the bid of another Muslim [narrated by Muslim].

Actions such as these would bring about one's grief and anxiousness (hence allowing for a reflection of this objective in the Islamic legal system). Such actions are a means for animosity, dislike, cutting of relationships, hatred, and enmity; and the Prophet (ﷺ) says in the hadith of Ibn ʿUmar (رضي الله عنهما):

“The Muslim is the brother of a Muslim. He does not oppress him, nor does he surrender him. Whosoever fulfills the need of his brother, Allah will fulfill his needs.”

[Narrated by Bukhari and Muslim]

Useful Definitions

Definition of the Corona (COVID-19) pandemic:

A term that has been used to describe this fast spreading contagious disease (that broke out in late 2019).

The difference between an epidemic/pandemic and a plague:

It is said that an epidemic/pandemic is a plague. It is also said that a plague is a very painful tumor that emerges and turns the surrounding area black, green, or red, accompanied by palpitations and vomiting.

Part II: Fiqh Rulings Related to this Contemporary Crisis

There are many *fiqh* (juristic) related issues that arise concerning the Coronavirus. Here, I have gathered only some of them. I had to leave off mentioning some of them. This was due to time constraints. I will attempt to summarise and focus on the most important issues. These issues mentioned are important because most of the questions people have had so far revolve around these issues, and they are in need of knowing their rulings.

Some of the rulings regarding these key issues are as follows:

Issue 1: Medication and vaccination

Taking vaccinations that fight against these viruses and diseases was a matter of dispute between contemporary scholars. Shaikh Ibn Baz (رحمه الله) considered taking vaccinations permissible and it does not undermine *tawakkul* (relying upon Allah). Rather, it is from taking the means. The proof that it is allowed to take the necessary precautions to prevent sickness and calamities is the remembrances and supplications recommended to say in the morning and evening. The Prophet (ﷺ) has prescribed for the Muslim remembrances to say to protect himself from the evil eye, *jinn*, black magic, and so forth. From these (narrations) is the hadith narrated by Saʿd (رضي الله عنه) that Allah's Messenger (ﷺ) said:

> "He who eats seven ʿ*ajwa* dates every morning will not be affected by poison or magic on that day."
>
> [Narrated by Bukhari and Muslim]

The Prophet (ﷺ) guided the Muslim to eat seven ʿ*ajwa* dates first thing in the morning so that it can protect him from poison and magic.

It was also narrated that ʿUqbah bin ʿAmr (رضي الله عنه) said: The Messenger of Allah (ﷺ) said:

> "Verily, some verses were revealed to me this night, the likes of which have never been seen before (in seeking refuge in Allah). 'Say: I seek refuge with (Allah), the Lord of the daybreak' [i.e. Surah al-Falaq] and 'Say: I seek refuge with (Allah) the Lord of mankind' [i.e. Surah al-Nas]."
>
> [Narrated by Nasaʿi]

These are Islamic principles which show the permissibility of taking vaccinations and seeking protection from these diseases through vaccines.

Issue 2: Treatment and taking medication

The general ruling in taking medication is that it is permissible. In fact, it can be at times compulsory. The Prophet (ﷺ) mentioned different types of remedies and *ruqya* which are used as a means of medical treatment and recovery. Ibn ʿAbbas (رضي الله عنهما) narrated that the Prophet (ﷺ) said:

> "If there is healing in anything, then it is in cupping, honey diluted in water, or branding with fire."
>
> [Narrated by Bukhari]

He (ﷺ) also said:

"Treat yourselves with medication, and do not take medications which are prohibited."

[Narrated by Abu Dawud]

He (ﷺ) also said:

"Allah did not send a disease without appointing a cure for it."

[Narrated by Abu Dawud]

The scholars have mentioned that treatment can be compulsory if leaving it will lead to death, the damage of any limbs, or the obstruction of an ability (i.e. hearing, vision, etc.).

If there is a known or presumed benefit in a specific medicine, and leaving that medicine will lead to death, loss of a limb, or loss of an ability, then in that instance taking the said medicine is obligatory. The same would apply to the issue at hand here (i.e. COVID-19). Leaving medical treatment by one affected by the disease could lead to death and/or to the further spread of the disease. Thus, if taking medical treatment is a way to preserve lives, it becomes obligatory.

Allah (ﷻ) says:

﴿وَلَا تَقْتُلُوٓاْ أَنفُسَكُمْۚ إِنَّ ٱللَّهَ كَانَ بِكُمْ رَحِيمًا ٢٩﴾

"And do not kill yourselves. Surely Allah is ever Merciful to you."

[Surah al-Nisa' (4):187]

And He (ﷻ) says:

﴿وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ﴾

"And do not throw [yourselves] with your [own] hands into destruction."

[Surah al-Baqarah (2):195]

If it is known or presumed that there is a benefit in taking a specific medicine, and not taking that medicine will *NOT* lead to death, then in this instance it becomes recommended (to take that medicine).

On the occasion there is doubt as to whether a specific medicine will be of benefit, or its benefit is not yet known, or it is more probable than not that it will work, then in this instance it is permissible to take that medicine.

Issue 3: Entering a land that has this epidemic or leaving (a land that has it) to flee from it

The general ruling is that if there is a plague in a certain land, it is not permissible to enter or leave it. This ruling is taken from the hadith which was narrated by ʿAbdur-Rahman bin ʿAwf (رضي الله عنه), whereby the Messenger (ﷺ) said:

"If you hear that it (the plague) has broken out in a land, do not go to it; and if it breaks out in a land where you are present, do not leave it (seeking to) escape from it."

[Narrated by Bukhari]

This is the position taken by the majority of the scholars; that it is not permissible for one to enter a land where there is an epidemic

such as the one at hand (COVID-19), nor is it permissible to leave that land trying to escape from it.

Issue 4: Issues concerning *Taharah* (purification)

It could potentially become necessary for the one treating (a sick patient), or for the one that has been afflicted with this virus, to wear coverings over parts of his body like wraps, bandages, and similar items (i.e. personal protective equipment). If it is possible to remove what is worn before performing *wudhu'* (ablution), then its removal becomes *wajib* (obligatory) because what is obligatory is to perform *wudhu'* with water.

Allah (ﷻ) says:

﴿ يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا قُمۡتُمۡ إِلَى ٱلصَّلَوٰةِ فَٱغۡسِلُواْ وُجُوهَكُمۡ وَأَيۡدِيَكُمۡ إِلَى ٱلۡمَرَافِقِ وَٱمۡسَحُواْ بِرُءُوسِكُمۡ وَأَرۡجُلَكُمۡ إِلَى ٱلۡكَعۡبَيۡنِ ﴾

"O you who have believed, when you intend to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles."

[Surah al-Ma'idah (5):6]

If the individual is unable to remove that piece (i.e. bandage, wrap etc.), then in that instance they must do *mas'h* (wipe) with water.[1] The uncovered parts of that limb must be washed with water (as usual).

In the event one is unable to do *mas'h* (as described above), then they must wash all the uncovered areas of the limb (along with all the other limbs as is usually required in *wudhu'*). Then, they

[1] Wipe over the entire covered part using the palm of the hand that is wet.

perform the *Tayamum* (dry ablution) by striking the surface of the earth, whether it is dirt, sand, rocks, and similar (parts of the earth). Then, they wipe their face and their hands.[1] This is done after (performing) the *wudhu'*.

Allah (ﷻ) says:

﴿ وَإِن كُنتُم مَّرۡضَىٰٓ أَوۡ عَلَىٰ سَفَرٍ أَوۡ جَآءَ أَحَدٞ مِّنكُم مِّنَ ٱلۡغَآئِطِ أَوۡ لَٰمَسۡتُمُ ٱلنِّسَآءَ فَلَمۡ تَجِدُواْ مَآءٗ فَتَيَمَّمُواْ صَعِيدٗا طَيِّبٗا فَٱمۡسَحُواْ بِوُجُوهِكُمۡ وَأَيۡدِيكُم مِّنۡهُ ﴾

"If you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and do not find water, then seek clean earth and wipe over your faces and hands with it."

[Surah al-Ma'idah (5):6]

Issue 5: Isolation of someone infected with this disease

If an infected person isolates himself as a measure to not infect others, and that person does not have (sufficient) access to water, they should then resort to *Tayammum* (described above).

Allah (ﷻ) says:

﴿ وَإِن كُنتُم مَّرۡضَىٰٓ أَوۡ عَلَىٰ سَفَرٍ أَوۡ جَآءَ أَحَدٞ مِّنكُم مِّنَ ٱلۡغَآئِطِ أَوۡ لَٰمَسۡتُمُ ٱلنِّسَآءَ فَلَمۡ تَجِدُواْ مَآءٗ فَتَيَمَّمُواْ صَعِيدٗا طَيِّبٗا فَٱمۡسَحُواْ بِوُجُوهِكُمۡ وَأَيۡدِيكُم مِّنۡهُ ﴾

[1] From the fingertips to the wrists.

"If you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and do not find water, then seek clean earth and wipe over your faces and hands with it."

[Surah al-Ma'idah (5):6]

And He (ﷻ) says:

﴿وَمَا جَعَلَ عَلَيۡكُمۡ فِي ٱلدِّينِ مِنۡ حَرَجٖ﴾

"He has not placed upon you in the religion any difficulty."

[Surah al-Hajj (22):78]

Issue 6: *Adhan* (the call to prayer)

Recently, the people were ordered to pray (the obligatory prayers) in their homes and were prevented from praying in *Jamaʿah* (congregation) and from performing *Jumuʿah* (the Friday sermon and prayer). This was done in fear of the disease spreading. In this instance, every individual is commanded to pray in their homes with their families. However, should the individual make the *Adhan* at home or not? This is an issue the scholars differed over. The stronger opinion, and Allah knows best, is that it is recommended to call the *Adhan* even if the *Adhan* has been made in the (nearby) *masjid.* Therefore, it is recommended for the male guardian of the household or a boy who has reached the age of *Tamyiz* (understanding)[1] to call the *Adhan* in the house.

The evidence for this is that it has been authentically narrated that the Companions of the Prophet (ﷺ) used to make *Adhan* when

[1] This is the age when a child can correctly understand speech and respond appropriately, and this is usually at the age of seven.

they missed the (congregational) prayers. This is narrated from the practice of Jabir ibn ʿAbdullah, Anas ibn Malik, and Salamah ibn al-Akwaʿ (ﷺ).

If a Muslim chooses not to call the *Adhan*, sufficing with the *Adhan* performed in the *masjid*, then this is permissible. However, calling the *Adhan* at home is better and more favourable because this is what has been narrated from the actions of the Companions (ﷺ).

Issue 7: Saying during the *Adhan* صلوا في بيوتكم (Pray in your homes) or صلوا في رحالكم or (Pray in your tents)[1]

Saying صلوا في بيوتكم or صلوا في رحالكم during the *Adhan* is recommended.

There are three different *sunan* (traditions) narrated from the Prophet (ﷺ) regarding when it should be said:

The first is the hadith narrated by ʿAbdullah bin ʿUmar (ﷺ) in which it is said after the *Adhan*. [Narrated by Bukhari and Muslim]

The second is the hadith narrated by Ibn ʿAbbas (ﷺ) which shows that it is to be said during the *Adhan* instead of *'Hayya ʿala-as-Salah'* (come to the prayer). [Narrated by Bukhari and Muslim]

The third is a hadith narrated by one of the Companions, which shows that it is to be said after saying both *'Hayya ʿala-as-Salah'* (come to the prayer) and *'Hayya ʿala-al-Falah'* (come to success). [Narrated by Bukhari and Muslim]

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[1] Tents, or cabins, or make-shift houses used during travel.

The matter is flexible. All three ways are permissible because all are authentically established in the Sunnah.

Issue 8: How to respond when the *Mu'adhin* says: "Pray in your homes or tents"

If the *mu'adhin* were to say: صلوا في بيوتكم (Pray in your homes), then what appears to me to be the strongest, is that the one responding should say: *"la hawla wa la quwwata illa billah"* (There is no change nor power except by the Will of Allah). This is because in the hadith of Ibn ʿAbbas (ﷺ) he mentioned that the statement صلوا في رحالكم (Pray in your tents) took place of *'Hayya ʿala-as-Salah'* (come to the prayer). And the Muslim, in response to *'Hayya ʿala-as-Salah'* (come to the prayer), says*: "la hawla wa la quwwata illa billah"*, and the legal maxim states: 'The substitute takes the same ruling as what it substituted'.

It is narrated in the hadith of Ibn ʿUmar (ﷺ) that the *mu'adhin* says it (i.e. "Pray in your tents") twice (consecutively). The hadith of Ibn ʿAbbas (ﷺ) also indicates this, because he mentioned it as a substitute for *'Hayya ʿala-as-Salah'* (come to the prayer) and *'Hayya ʿala-al-Falah'* (come to success). Therefore, it should be said twice.

If the *mu'adhin* is calling the *Adhan* inside a city (or town), then he should say the phrase صلوا في بيوتكم (Pray in your homes). If he is (calling the *Adhan*) outside the city (i.e. he is traveling, on the road), he should say the phrase صلوا في رحالكم (Pray in your tents). This is a distinction made by some of the scholars.

Issue 9: Temporary suspension of the congregational prayers in the *masjids*

Praying the prayers in congregation is *wajib* (obligatory), and this is the position of Imam Abu Hanifah and Imam Ahmad (رحمهما الله). In fact, the *Dhahiri* (Literalist) *Madh'hab* [1] considered it to be a condition for the prayer to be valid.

The following evidences prove that it is *wajib*:

Firstly, Allah (سبحانه وتعالى) says:

﴿وَٱرۡكَعُواْ مَعَ ٱلرَّٰكِعِينَ ٤٣﴾

"And bow with those who bow [in worship and obedience]."

[Surah al-Baqarah (2):43]

Secondly, the hadith where Ibn Umm Maktum (رضي الله عنه) asked the Prophet (ﷺ) to excuse him from attending the congregational prayer due to him not having anyone to guide him to the *masjid*. The Prophet (ﷺ) replied:

> "Answer the call (to prayer), I do not find for you (your circumstance) a concession."
>
> [Narrated by Muslim] [2]

Thirdly, Abu Hurairah (رضي الله عنه) reported:

> The Messenger of Allah (ﷺ) found some people not attending certain prayers, so he said: "I intend that I order a person to lead people in prayer, and then go to the persons who do not

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[1] Islamic legal school.

[2] The part of the hadith "I do not find for you a concession" is narrated by Abu Dawud.

join the (congregational prayer) and then order their houses to be burnt by the bundles of fuel."

[Narrated by Bukhari]

Fourthly, ʿAli (ﷺ) said:

"There is no prayer for the one near the *masjid* except in the *masjid*."

[Narrated by Ibn Abi Shaybah]

However, the scholars have mentioned that the obligation of the congregational prayers is waived when there is a valid reason. Evidence for this can be found in the hadith of 'A'ishah (ﷺ) wherein it was narrated that:

The Prophet (ﷺ) did not attend the congregational prayer due to him being ill. He (ﷺ) said: "Order Abu Bakr (ﷺ) to lead the prayer."

[Narrated by Bukhari and Muslim]

This is proof that when a Muslim is excused due to sickness, or has an apparent difficulty in reaching the *masjid*, or fears that attendance may cause him to get sick – as is the case in this situation (i.e. the Corona Pandemic) – or they fear an increase in the severity of the sickness, then in cases like these, it is permissible to leave the congregational prayers in the *masjid*.

In Islamic Jurisprudence, we have a major *Fiqh* maxim (which applies here): "Hardship brings about ease."

Allah (ﷻ) says:

﴿ فَٱتَّقُواْ ٱللَّهَ مَا ٱسْتَطَعْتُمْ ﴾

"So fear Allah as much as you are able."

[Surah al-Taghabun (64):16]

And He (ﷻ) says:

﴿ لَا يُكَلِّفُ ٱللَّهُ نَفْسًا إِلَّا وُسْعَهَا ﴾

"Allah does not burden a soul except [with that within] its capacity."

[Surah Baqarah (2):282]

It was reported in the hadith of Abu Hurairah (رضي الله عنه), that the Prophet (ﷺ) said:

"This religion (of Islam) is easy, and whoever tries make the religion excessively strict, it will overpower him."

[Narrated by Bukhari]

Concerning what some (contemporary) scholars have relayed, (regarding) that diseases did occur in the time of the Companions, and in those instances the congregational prayers in the *masjid* were not suspended, then this is debatable. With this type of epidemic in our present time, if looked at with the advancements of medicine and science in mind, it is either certain or more probable than not that there is harm in it (i.e. in the congregation). This is in contrast to the situation of the people of the past and the diseases present in those times. In the past, people were not able to conclude, with certainty or strong probability, on matters regarding the spread of such epidemics

and the severity of its harm. This is in contrast to the situation today.[1]

With that in mind, Allah (ﷻ) gave the specialists the authority (to determine whatever is specific to their field). Allah (ﷻ) says:

﴿يَحۡكُمُ بِهِۦ ذَوَا عَدۡلٖ مِّنكُمۡ هَدۡيَۢا بَٰلِغَ ٱلۡكَعۡبَةِ﴾

"…as judged by two just men among you as an offering [to Allah] delivered to the Kaʿbah."

[Surah al-Ma'idah (5):95][2]

The jurists also refer back to experts in certain cases, whether in acts of worship, transaction laws, marriage laws, or criminal law.[3]

Today, specialized bodies are concluding that, either absolutely or more probably than not, there is a harm in this (i.e. in the contagious nature of Covid-19 and the resulting harms). Investigations have proven this.

Religious verdicts may change with the change of time, place, and the customs of the people. Now, studies have definitely

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[1] Where modern medicine and science has allowed for the study of diseases and the formation of specialized bodies and institutions.

[2] This verse discusses the penalty for hunting in a state of *ihram* or in the *Haram.* Allah (ﷻ) said: **"O you who believe, do not kill game while you are in the state of *ihram*. And whoever of you kills it intentionally - the penalty is an equivalent from sacrificial animals to what he killed, as judged by two just men among you as an offering [to Allah] delivered to the *Kaʿbah*, or an expiation: the feeding of needy people or the equivalent of that in fasting, that he may taste the consequence of his deed."** [Surah al-Ma'idah (5):95] Those who determine the value of the animal are two experts. Details are mentioned in the books of *Tafsir* and *Fiqh.*

[3] Sometimes, a jurist needs an expert opinion in other fields to derive a ruling, if the issue at hand involves other fields of knowledge.

concluded, due to the advancement of medicine, that contagion occurs;[1] this is unlike in the past. Also, taking precautions from such diseases is a means (and not an act of worship). A means (to something) is not something that is fixed (as opposed to rituals). Meaning, it does not require a text (from the Qur'an and the Sunnah). It is not a pure ritual (act of worship like prayer, fasting, Hajj, etc), such that it must be based on specific textual evidence. Based on this, then it (i.e. the spreading of this disease) should be prevented by praying at home.

If a Muslim were to pray in his house and they were from those who were regular attendees in the congregational prayers at the *masjid*, then they will be rewarded the full reward (of congregational prayer) by Allah (ﷻ). It is reported in the hadith of Abu Musa (رضي الله عنه) wherein the Prophet (ﷺ) said:

> "When a servant [of Allah] falls ill or travels, he will be rewarded with the same reward that he would get for good deeds he used to perform when he was residing and healthy."
>
> [Narrated by Bukhari]

All praise belongs to Allah (ﷻ). This is from His Bounty and the greatness of His Mercy. Something like this calls us to hold firmly onto acts of worship and to practice recommended acts, so that if a situation were to occur like the situation before us, or one gets sick or travels, then the reward written will be that of the individual when they were healthy or not traveling.

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[1] In this epidemic, due to congregating and sharing spaces.

Issue 10: Designating a prayer area at home

It is recommended that a Muslim designate a place in his home for performing obligatory prayers (if they are missed for a valid reason) and for voluntary prayers. This is from the guidance of the Prophet (ﷺ).

ʿUtban bin Malik (رضي الله عنه) narrated that he said to the Prophet (ﷺ), "O Allah's Messenger! I have lost my eyesight and I lead my people in the prayer (as an Imam). When it rains, the valley which is between me and my people flows with water, and I cannot go to their mosque to lead them in the prayer. O Allah's Messenger! I wish that you could come and pray in my house so that I may take it (i.e. the place your pray) as a *musalla* (prayer area)."

The Prophet (ﷺ) said, "Allah willing, I will do that."

ʿUtban said, "The next morning, soon after the sun had risen, Allah's Messenger (ﷺ) came with Abu Bakr (رضي الله عنه). The Prophet (ﷺ) asked for permission to enter and I admitted him.

The Prophet (ﷺ) had not sat till he had entered the house and said to me, 'Where would you like me to pray in your house?'

I pointed at a place in my house whereupon he (ﷺ) stood and said, 'Allahu Akbar.'

We lined up behind him and he prayed two *rakʿat*."

[Narrated by Bukhari]

This was also done by Maymunah (رضي الله عنها) and ʿAmmar bin Yasir (رضي الله عنه). They both had designated prayer areas in their homes.

Therefore, we should take a lesson from this recent calamity and establish a place of prayer within our homes.

Issue 11: Congregational prayer at home

Congregational prayer at home is legislated during such a calamity. In the more renowned view of the *Madh'hab* of Imam Ahmad (رحمه الله), it is considered obligatory. This is based on what has preceded of the evidences for the obligation of congregational prayer. Furthermore, it has been authentically attributed to several companions, like Ibn Masʿud, Anas, and others (رضي الله عنهم); they would hold congregational prayers at home whenever they would miss the prayer with the Imam.

Issue 12: Who is most deserving of leading the prayer?

If congregational prayer is held at home, the most deserving to lead is the head of the household. If, however he does not step forward to lead, then the most deserving to lead is the one who has memorized the most Qur'an. If there are more than one equal in memorization, then the most deserving is the one who has the most knowledge of the rulings of the prayer. If there are more than one equal in that knowledge, then the most deserving is the one who made migration first. If they are equal in that, then the most deserving is the older one. If they are equal in age, then the most deserving is the one with the most *Taqwa* (piety). If they are equal in that, then they enter into a draw.

This is based on the hadith of Abu Masʿud al-Badri (رضي الله عنه) who said:

> The Messenger of Allah (ﷺ) said, "The one who is best versed in the Book of Allah should lead the prayer; but if all those

present are equally versed in it, then the one who has most knowledge of the *Sunnah*; if they are equal in that respect too, then the one who has migrated first; if they are equal in this respect also, then the first of them to accept Islam. No man should lead another in prayer where the latter has authority, or sit on his special seat in his house without his permission."

[Narrated by Muslim][1]

Issue 13: Where the Imam should stand

When a Muslim prays at home, if the follower is one male, it is best for him to pray on the right of the Imam. If they are more than one (male), the *Sunnah* is for them to stand behind the Imam.

If the follower(s) are female (one or more), the *Sunnah* is for them to stand behind the Imam. If a mahram woman stands to the right or left of the Imam, it is valid, but it goes against the preferred *Sunnah.*

When males and females pray in a congregation, the males stand behind the Imam. This is based on the hadith of Anas (ﷺ) who said:

"The boy and I formed a row behind him [the Prophet, (ﷺ)], and the old woman was behind us."

[Narrated by Bukhari and Muslim]

If a man leads his wife or his daughter in prayer, they should be behind him, or behind the row of males.

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[1] In another narration, it mentions "the more senior in age" instead of "the first to accept Islam."

This calamity is a great opportunity for us to teach our families the description of the prayer and its conditions, as well as the rulings of purification (before prayer) and what is required in it.

ʿAbdullah bin ʿAmr (ﷺ) reported:

> The Prophet (ﷺ) said, "Command your children to pray when they are seven years old and spank them for (not praying) when they are ten."
>
> [Narrated by Abu Dawud][1]

When the *fuqaha'* (jurists) comment on this hadith, they say, "It is obligatory upon the guardian to ask the child to pray when they are seven years old, and to discipline them for not praying when they are ten years old. It is also obligatory upon the guardian to teach the child purification and the prayer; their conditions, pillars, and method."

Issue 14: Congregational prayer for women

It is recommended for women to pray in congregation at home if they are praying separately from men. This is based on what has been authentically attributed to Umm Waraqah, ʿAa'ishah, and Umm Salamah (ﷺ). Moreover, the congregation of women is virtuous and has reward with Allah (ﷻ).

The female who is leading should stand in between them (in the same row). But should they call the *Adhan* and *Iqamah*? This is something scholars have differed over. Some said that it is recommended for them to call the *Adhan* and *Iqamah*. Some said that

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[1] And its chain is *hasan* (good).

doing so is permissible (but not recommended). Some said that doing so is disliked. Some said that it is recommended to call the *Iqamah*, but not the *Adhan*.

It has been reported from ʿA'ishah, Anas, and Ibn Umar (ﷺ) that it is okay for women to make *Adhan* and *Iqamah*. It has also been reported from ʿA'ishah (ﷺ) that they should call the *Iqamah*.

Based on this, if a woman, with her sisters, calls the *Adhan* and *Iqamah*, then this is something that has been narrated from the Companions. However, if they decide to suffice with the *Iqamah*, then this is also narrated (from the Companions). So, there is flexibility in this matter.

Issue 15: The one infected attending the congregational prayer or other gatherings

It is prohibited for the one who has been infected (with the virus) to attend public gatherings because of the potential harm that can have on others. Allah (ﷻ) says:

﴿ وَٱلَّذِينَ يُؤْذُونَ ٱلْمُؤْمِنِينَ وَٱلْمُؤْمِنَٰتِ بِغَيْرِ مَا ٱكْتَسَبُوا۟ فَقَدِ ٱحْتَمَلُوا۟ بُهْتَٰنًا وَإِثْمًا مُّبِينًا ﴿٥٨﴾ ﴾

"As for those who abuse believing men and women unjustifiably, they will definitely bear the guilt of slander and blatant sin."

[Surah al-Ahzab (33):58]

And He (ﷻ) says:

﴿وَلَا تَقْتُلُوٓاْ أَنفُسَكُمْۚ إِنَّ ٱللَّهَ كَانَ بِكُمْ رَحِيمًا ٢٩﴾

"And do not kill [each other or] yourselves. Surely Allah is ever Merciful to you."

[Surah al-Nisa' (4):29]

Also, among the established *Shariʿah* maxims is: "Harm shall not be inflicted nor reciprocated." So, it is impermissible for the one who is infected with this disease to mix with those who are healthy.

Abu Hurayrah (رضي الله عنه) reported that the Prophet (ﷺ) said:

"Flee from the leper as you would flee from a lion."

[Narrated by Bukhari]

There are many other evidences (that prove the above).

Issue 16: Wearing a facemask [in the prayer]

It is disliked for the one who prays to cover his face whilst praying, because this is discouraged (in the *Sunnah*). Therefore, the one who prays should not wear these facemasks, and it goes against the encouragement to adorn oneself for the prayer.[1]

However, when there is a need, this is permissible and there is nothing wrong with it. In fact, where there is potential harm whereby one fears the spread of disease, it becomes obligatory to wear these facemasks.

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[1] Allah (ﷻ) said, "O children of Adam, take your adornment at every masjid." [Surah al-Aʿraf (7):31]

Issue 17: The rows of congregational prayer being far apart from one another

The *Sunnah* is for the rows to be close together, such that there is only enough space for prostration between each row. However, where there is a fear of the spread of disease, or where there is a need, then there is nothing wrong with spacing out the rows, even if one prays behind the row(s) by himself if there is the need to do so.

Ibn Taymiyyah (رحمه الله) considered it obligatory for a person to join the row (and to not pray by one's self behind the row), but if there is a need to pray behind the row on one's own – like if the rows are full – then the prayer of such a person is valid and the obligation of being in the row is waived for him. Likewise, it seems to be the case – and Allah (سبحانه وتعالى) knows best – that if one fears the spread of disease and prays by himself behind the row(s), then his prayer is valid; otherwise praying in the row is obligatory based on the hadith of ʿAli bin Shaiban (رضي الله عنه):

> The Prophet (ﷺ) said, "There is no prayer for the one who prays by himself behind the row(s)."
>
> [Narrated by Ahmad and others]

Issue 18: Suspending *Jumuʿah* (Friday) Prayer

Jumuʿah Prayer is obligatory by scholarly agreement.

Allah (ﷻ) says:

﴿ يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا نُودِىَ لِلصَّلَوٰةِ مِن يَوۡمِ ٱلۡجُمُعَةِ فَٱسۡعَوۡاْ إِلَىٰ ذِكۡرِ ٱللَّهِ ﴾

"O you who believe! When the call to prayer is made on Friday, then proceed [diligently] to the remembrance of Allah."

[Surah al-Jumuʿah (62):9]

Hafsah (رضي الله عنها) reported that:

The Prophet (ﷺ) said, "Going to *Jumuʿah* prayer is obligatory upon he (i.e. the male) who has reached the age of puberty."

[Narrated by Nasa'i]

Abu Hurayrah (رضي الله عنه) reported that:

The Messenger of Allah (ﷺ) said, "People must stop neglecting *Jumuʿah* Prayers or else Allah (ﷻ) will place a seal on their hearts."

[Narrated by Muslim]

Thus, *Jumuʿah* prayer is obligatory. However, if attending it and the gathering of this large number of people leads to harm and the spread of the disease, then a Muslim is excused for not attending *Jumuʿah* prayer. In that case, it is legislated to [temporarily] suspend it, and for the people to pray *Dhuhr* in their homes instead.

Issue 19: Holding *Jumuʿah* (Friday) Prayer at home

Holding *Jumuʿah* Prayer at home is invalid by agreement of the scholars.

The *Hanafis* consider the attendance of the Muslim leader (head of state) or his representative a pre-requisite for the validity of *Jumuʿah* Prayer. The *Malikis* consider it a condition for *Jumuʿah* Prayer to be held in *Al-Masjid Al-Jamiʿ*.[1] The *Shafiʿis* and *Hanbalis* consider the attendance of forty people of those whom *Jumuʿah* is obligatory upon a pre-requisite.

Also, *Jumuʿah* and *Eid* Prayers are commissioned by the Muslim leader (head of state). The Muslim leader has suspended the prayers in the *masjids* [due to the previous harms mentioned]. Thus, praying it at home is a defying the Muslim leader.

Also, holding it at home opposes the objectives of the *Shariʿah* regarding the *Jumuʿah* Prayer. The *Jumuʿah* Prayer also has a particular format that is specific to it, and the formats of acts of worship are *tawqifi* (based only on textual evidence).

Finally, *Jumuʿah* Prayer is from the public Islamic rituals. Nothing has been recorded in the time of the Prophet (ﷺ) and his Rightly-Guided Caliphs except one *Jumuʿah* Prayer being held in the entire city of Madinah. So how can it be said to hold this outrageously large number of multiple *Jumuʿah* Prayers according to the number of houses?

Issue 20: The rulings pertaining to Friday

In the event of the suspension of the *Jumuʿah* Prayer, the rulings that specifically pertain to Friday are rulings that remain and continue. So, it is still legislated to recite *Surahs Sajdah* and *al-Insan* in *Fajr* Prayer on Friday morning, to make duʿa in the hour in which

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[1] A *Masjid Jamiʿ* is a masjid which has been designated for Friday prayer to be held in. It is not permitted to pray it in other masjids except in cases of necessity.

Allah (ﷻ) answers – which is the last hour of Friday before sunset, to send Allah's (ﷻ) blessings upon the Prophet (ﷺ) during the day on Friday, and to recite *Surah al-Kahf* – according to the scholarly difference of opinion on whether it is legislated to recite it every Friday or sometimes. This is because the general rule is that these matters are legislated (on Friday) and are not dependant on the *Jumuʿah* Prayer.

Issue 21: Other rulings pertaining to *Jumuʿah* Prayer

The rules pertaining to *Jumuʿah* Prayer, like bathing, wearing the best of clothes, perfuming oneself, and performing the first *Adhan* for *Jumuʿah* Prayer, are not legislated when there is no Prayer. This is because they are dependent on the *Jumuʿah* Prayer, and as the *Sharīʿah* maxim states, "The attachment follows the principal."[1]

There is a difference of opinion regarding some of these rulings, like bathing, based on the scholarly difference whether they are related to the prayer or to the day itself. The majority of scholars are of the opinion that bathing is for the *Jumuʿah* Prayer. Based on this, it is not specifically legislated to bathe when there is no *Jumuʿah* Prayer. On the other hand, according to the *Dhahiris*, bathing is for the day itself. Based on that, it is legislated to bathe even if be after ʿAsr (later on in the day).

The correct view is the view of the majority of scholars. This is based on the hadith of ʿA'ishah (رضي الله عنها) who said:

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[1] This means that matters that rely upon a primary act, follow it in its rulings. So, if the primary act gets waived, all matters related to it also get waived.

The people used to come on Fridays (for *Jumuʿah* Prayer) from their houses and from *al-ʿAwali* (outskirts of Madinah). They used to pass through dust and used to be drenched with sweat and covered with dust; so, sweat would trickle from them. One of them came to the Messenger of Allah (ﷺ) who was in my house. The Prophet (ﷺ) said to him, "You should have cleansed (bathed) yourselves for this day of yours."

[Narrated by Bukhari and Muslim]

So, this proves that the bathing is specifically for *Jumuʿah* Prayer.

Issue 22: Suspending the '*Eid* Prayer

Eid Prayer is *Fard Kifayah* (a communal obligation) according to the *Madh'hab* of Imam Ahmad (رحمه الله). It is said to be *Fard 'Ayn* (individual obligation) according to the *Hanafi Madh'hab*, due to Allah's (ﷻ) statement:

﴿ فَصَلِّ لِرَبِّكَ وَٱنْحَرْ ۝٢ ﴾

"So pray and sacrifice to your Lord [alone]."

[Surah al-Kawthar (108):2]

According to some interpretations, what is meant by the prayer here is the *Eid* Prayer (i.e. *Eid al-Adha*).

It is also based on the hadith of Umm ʿAtiyyah (رضي الله عنها) who said:

The Prophet (ﷺ) commanded us to bring the older and younger girls along with us (to the '*Eid* Prayer).

[Narrated by Bukhari and Muslim]

What has been stated concerning the congregational prayer and the *Jumuʿah* Prayer is the same to be stated here. Based on this, *Eid* Prayer should not be held in the open areas and *Jamiʿ Masjids* if a potential harm is feared for people. Likewise, *Eid* Prayer is not valid at home, as has been previously stated concerning *Jumuʿah* Prayer.

This is why *Shaykh al-Islam* Ibn Taymiyyah (ﷺ) was of the opinion that if *Eid* Prayer has been missed, it is not to be made up, because it was legislated in this particular communal manner.

As for other rulings pertaining to the day of *Eid* – like bathing, wearing the best of clothes, perfuming oneself, congratulating one another, saying *Takbir*, and other such rulings – they remain legislated, because the basic rule is that their legislation remains as is and because these rulings are independent of the *Eid* Prayer.

Issue 23: Congratulating one another on the two *Eids*

Congratulating one another on the two *Eids* is recommended, because this is reported from the Companions (ﷺ). However, if gathering for congratulating one another or shaking hands leads to harm by spreading disease and acquiring it, then we should simply resort to congratulating one another verbally or through the various means of tele-communication. This is based on the Fiqh maxim, "Harm shall not be inflicted nor reciprocated."

Issue 24: Abandoning hand shaking

Shaking hands is a *Sunnah*. On the authority of al-Bara' (ﷺ):

> The Messenger of Allah (ﷺ) said, "When two Muslims meet and shake hands, their sins forgiven will be forgiven before

they part ways."

[Narrated by Abu Dawud, Tirmidhi and Ibn Majah]

However, if a Muslim fears the spread of the disease through handshaking, he should suffice with greeting (i.e. giving the *salam)* verbally. Moreover, if a Muslim used to shake hands and now leaves it out of fear for this disease, his reward will be recorded for him, as mentioned previously.

Issue 25: The prayers due to an eclipse (*Kusuf* Prayer) or to ask Allah for rain (*Istisqa*ʿ Prayer)

These two prayers are legislated in congregation and individually, as the *fuqaha'* (jurists) have stated concerning *Kusuf* (Eclipse) and *Istisqa*ʿ (seeking rain) Prayers. This is based on the hadith of ʿAbdullah bin Zayd (ﷺ):

> The Prophet (ﷺ) went out to offer the *Istisqa*ʿ prayer (the prayer for seeking rain). Then, he turned his cloak inside out.
>
> [Narrated by Bukhari and Muslim]

If harm is feared by holding this prayer in the *masjid*, it should not be held in the *masjid*. Based on this, if these two prayers are suspended in the *masjids*, then they should be held at home in congregation or individually.

Also, the rulings that are related to these two prayers remain legislated – like giving in charity, freeing slaves, supplication, and seeking Allah's forgiveness at the time of an eclipse. Likewise, what pertains to the *Istisqa*ʿ (seeking rain) Prayer – like humbling ourselves, turning our cloaks inside out, and praying in worn-out clothes. These rulings remain legislated because these prayers are still

legislated, and as the *Shariʿah* maxim states, "The attachment follows the principal."[1]

Issue 26: The *Tarawih* Prayer

It is legislated to pray the *Tarawih* prayer in the *masjid* and at home. If there is fear of harm by praying in the *masjid*, then prayer is not done therein. If the prayers are suspended in the *masjid*, then it is still prescribed to pray them at home. This is evident in the Hadith of ʿA'ishah (ﷺ) that the Prophet (ﷺ) prayed the night prayer of Ramadan in his home alone (meaning not in a congregation in the masjid). [Narrated by Bukhari and Muslim]

Issue 27: The supplication of *Qunut*

Qunut is to make *duʿa* (supplication) in the last *rakaʿah* (unit) of a prayer, either after the *rukuʿ* or before it.

There is a difference of opinion on this matter (i.e. making *Qunut* in the prayers to remove this epidemic). The most predominant view in the *Hanbali Madh'hab* is that the *Qunut* should not be done for this type of epidemic, because dying from a plague is a form of martyrdom, and one should not make *duʿa* to alleviate one's self from martyrdom.

However, the majority of the scholars are of the opinion that *Qunut* should be made.

Their evidence is the hadith narrated by ʿA'ishah (ﷺ):

> The Prophet (ﷺ) came to Madinah, and it had an epidemic and a fever. The Prophet (ﷺ) said, "O Allah! Make us love

[1] See previous footnote.

Madinah as you made us love Makkah, or more, and transfer its fever, to al-Juhfa (on the outskirts of Madinah)."

[Narrated by Bukhari and Muslim]

Then Allah (ﷻ) sent the fever to al-Juhfah.

What seems stronger, and Allah (ﷻ) knows best, is that there should be no *Qunut* (for an epidemic), because the Prophet (ﷺ) only made normal *duʿa*.[1] There is a difference between the *Qunut duʿa* that is a specific sunnah in the prayer and general supplications. The Prophet (ﷺ) would make various types of *duʿas* in a variety of forms.

That being said, we do not say that all (types) of *duʿas* are legislated to be performed (as *Qunut*) in the prayer. The *Qunut* should (only) be done (in the prayer) when there is a calamity stemming from the creation (human beings). The Prophet (ﷺ) performed *Qunut* for the oppressed Muslims, and when the *Qurra'* (Quran reciters) were killed. If there is transgression happening to a party of Muslims, then we perform the *Qunut duʿa* for them (in the prayer) to lift that oppression. As for things that are a natural universal phenomenon – what Allah creates and allows to occur in this universe[2] – then for those things we do not perform the *Qunut duʿa*.

Other various forms of worship have been legislated concerning the different types of natural phenomena, such as the *Kusuf* Prayer for an eclipse, the rain prayer (*Istisqa'*) in times of drought, and a particular *duʿa* for when there are strong winds, etc.

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[1] Meaning he made normal *duʿa* to remove the epidemic and he did not perform the *Qunut duʿa* in prayer.

[2] Meaning the source of which is not from humans.

Therefore, we make general *duʿa*, as was narrated on the Prophet (ﷺ) by Anas ibn Malik (رضي الله عنه):

The Prophet (ﷺ) used to say:

اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْبَرَصِ وَالْجُنُونِ وَالْجُذَامِ وَمِنْ سَيِّئِ الأَسْقَامِ

"O Allah, I seek refuge in You from leprosy, madness, elephantiasis, and evil diseases."

[Narrated by Abu Dawud]

Issue 28: Is there a specific prayer for this type of calamity?

The most predominant view in the *Hanbali Madh'hab* is that you do not pray (a specific prayer) for plague (or an epidemic). Rather, prayer is (prescribed in the event of) an eclipse or an earthquake. As for the eclipse, the hadith is narrated by ʿA'ishah (رضي الله عنها) and others in Bukhari and Muslim.

Regarding the prayer in the event of an earthquake, it is narrated that Ibn ʿAbbas (رضي الله عنهما) performed the prayer on the occasion of an earthquake. [Narrated by Ibn Abi Shaybah, ʿAbd al-Razzaq and Bayhaqi]

There is a position that there should be prayer in the event of any sign (natural disaster/phenomenon) that brings about fear or is alarming (such as natural disasters). This is the *Madh'hab* of Imam Abu Hanifah (رحمه الله). This is based on the saying of the Prophet (ﷺ) during the eclipse mentioned in the hadith of Abu Bakrah (رضي الله عنه):

Allah's Messenger (ﷺ) said, "The sun and the moon are two signs amongst the signs of Allah. A solar or lunar eclipse does

not occur due to the birth or death of anyone. Rather, Allah frightens His slaves with them."

[Narrated by Bukhari]

There is a position that the prayer is only performed in the event of an eclipse. This is the opinion of Imam Malik and Imam al-Shafiʿi (ﷺ). The reasoning behind this is that there were natural phenomena that occurred during the time of the Prophet (ﷺ) such as heavy winds, dark days, illuminating nights and thunderbolts. However, no recorded narrations are mentioned that the Prophet (ﷺ) performed any prayer during those events.

Therefore, according to the Maliki, Shafiʿi and Hanbali *Madh'habs*, there is no specific prayer to be prayed for this event (i.e. Covid-19).

Some of the jurists from the Hanafi and Maliki schools have opined that there should be prayer to lift afflictions and plagues either in congregation or individually, because of the fear associated with these events.[1]

What appears to be the correct opinion, and Allah (ﷻ) knows best, is that no specific prayer should be performed for this type of calamity (epidemic). Rather, one should turn to Allah (ﷻ) with the regular supplications and prayers. The reasoning for this is that there was a plague that occurred in the time of ʿUmar (ﷺ) and we do not have any narrations of the Companions that show that they performed any type of specific prayers for that event.

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[1] i.e. which make them similar to the lunar/solar eclipse.

Issue 29: The *Janazah* (Funeral) Prayer

The *Janazah* prayer is a communal obligation (*Fard Kifayah*). This is due to the hadith of Umm ʿAtiyyah (ﷺ) and Ibn ʿAbbas (ﷺ).

What was mentioned above (in Issue 29) about the congregational prayer equally applies to the *Janazah* Prayer. That is, if there is fear that congregation for the *Janazah* Prayer could lead to the spreading of viruses and diseases, then it should not be prayed in the *masjid*. If the (congregational) prayer is suspended at the *masjid* or at the graveyards, then in those instances, the *Janazah* Prayer can be performed by one individual who will fulfil the communal obligation.

Issue 30: Washing the deceased afflicted with COVID-19 (or any other contagious disease)

The one that is afflicted must still be washed if he passes away. This is the opinion of the majority of scholars, excluding Imam Malik (ﷺ), as washing the deceased is considered obligatory. On the other hand, Imam Malik (ﷺ) viewed that washing the deceased is an emphasized Sunnah (i.e. highly recommended).

The correct opinion is that washing the deceased is obligatory due to the hadith of Umm ʿAtiyyah (ﷺ), where the Prophet (ﷺ) said to those that were washing his daughter:

> "Wash her with water and (with the leaves of) the lote-tree, three or five times, or more than that if you see it fit."
>
> [Narrated by Bukhari and Muslim]

In the hadith of Ibn ʿAbbas (ﷺ) regarding the man that fell off of his camel and was stomped by it (causing death), the Prophet (ﷺ) said:

> "Wash him with water and *sidr* and shroud him in his two garments."
>
> [Narrated by Bukhari and Muslim]

However, if it is feared that washing the body of the deceased via direct contact (skin to skin or otherwise) could result in the disease being contracted, then it is enough to pour water on the deceased while they are dressed in their clothing. The person(s) doing the washing must take all necessary preventative measures such as wearing protective gear, etc.

Issue 31: Cremation

In some non-Muslim countries, if the person afflicted (with Covid-19) is taken to the hospital and dies therein, the hospital policy is to cremate the body, not allowing the family an opportunity to wash the body, shroud it, or pray upon it.

There are two issue that arise here:

First: The ruling on getting treatment from these types of hospitals.

If getting treatment from these hospitals can <u>definitely</u> or <u>more probably than not,</u> result in the sick individual's improvement (in health), and not going to such a hospital can result in harm or death, then in such a case, it is *wajib* (obligatory) to seek treatment from these hospitals, as Allah (ﷻ) says:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُواْ لَا تَأۡكُلُوٓاْ أَمۡوَٰلَكُم بَيۡنَكُم بِٱلۡبَٰطِلِ إِلَّآ أَن تَكُونَ تِجَٰرَةً عَن تَرَاضٖ مِّنكُمۡۚ وَلَا تَقۡتُلُوٓاْ أَنفُسَكُمۡۚ إِنَّ ٱللَّهَ كَانَ بِكُمۡ رَحِيمٗا ٢٩﴾

"And do not kill yourselves [or one another]. Indeed, Allah is to you ever Merciful towards you."

[Surah al-Nisa' (4):29]

An issue like this triggers the principle. "Preservation and sacredness of the living (person) is preferred over their sacredness if deceased."

Second: Praying upon the body.

When unable to wash, shroud, and pray upon the body of the deceased, then in such a case the prayer of absence is to be performed. Jabir bin ʿAbdullah (ﷺ) narrated that:

> Allah's Messenger (ﷺ) offered the funeral prayer for Al-Najashi (ﷺ) and I was in the second or third row.
>
> [Narrated by Bukhari and Muslim]

Issue 32: Giving condolences to the loved ones of the deceased

If gathering for the condolences of the family of the deceased[1] could lead to harm by the potential spreading of the disease, then the family should be consoled by the various means of modern communication. If hand shaking could lead to potential harm, the

[1] According to those who view that it is permissible or legislated.

family should be consoled verbally. This is based on the Islamic legal maxim: "Harm shall not be inflicted nor reciprocated."

Issue 33: Giving *Zakah* to those afflicted with the virus

For individuals afflicted by the virus and are unable to afford the cost of treatment and do not have someone funding their treatment, it is permissible to give them *Zakah*. The reasoning behind this is that they fall within the category of those class of people that are considered to be from the 'poor' and 'needy'.

Allah (ﷻ) says:

﴿ إِنَّمَا ٱلصَّدَقَٰتُ لِلۡفُقَرَآءِ وَٱلۡمَسَٰكِينِ ﴾

"Zakah expenditures are only for the poor and for the needy..."

[Surah al-Tawbah (9):60]

Issue 34: Spending *Zakah* for the purpose of purchasing medical equipment, or to build clinics, and so forth, for the treatment of those afflicted with this virus (and similar cases)

This issue is based on another issue: is it required for the validity of *Zakah* that the recipient of *Zakah* gains ownership of *Zakah* money? I have discussed this issue extensively in my book *'Al-Jamʿ li Ahkam Al-Zakah'* (A Compendium of *Zakah* Rulings). What has become clear (after research and analysis) is that it is not a condition for the recipient to gain ownership. I mentioned the evidence for this (in my book). Based on this, it is permissible to give *Zakah* money for the purpose of purchasing medicine and medical equipment and building clinics for the benefit of *Zakah* recipients (only).

Issue 35: Burying multiple persons afflicted with the virus in the same grave if there are many deaths

The Sunnah is to bury each person in their own respective grave. However, in the instance where there is a need to bury more than one person in a single grave due to a necessity or an (overwhelming) increase in the number of dead bodies, then in such a circumstance it is permitted to bury multiple dead bodies in a single grave. The Prophet (ﷺ) did this after the Battle of Uhud, as narrated by Jabir (رضي الله عنه):

> The Prophet (ﷺ) collected every two martyrs of Uhud (in one grave) and then he would ask, "Which of them knew more Qur'an?" If they pointed to someone, he would put him first in the *lahd* (the L-shaped grave)."
>
> [Narrated by Bukhari]

Issue 36: Fasting

Allah (ﷻ) says:

﴿ فَمَن كَانَ مِنكُم مَّرِيضًا أَوۡ عَلَىٰ سَفَرٖ فَعِدَّةٞ مِّنۡ أَيَّامٍ أُخَرَۚ وَعَلَى ٱلَّذِينَ يُطِيقُونَهُۥ فِدۡيَةٞ طَعَامُ مِسۡكِينٖ ﴾

"So whoever among you is ill or on a journey [during the days of Ramadan] - then an equal number of days [are to be made up]. And upon those who are able [to fast, but with hardship] - a ransom [as substitute] of feeding a poor person [each day]."

[Surah al-Baqarah (2):184]

If the one that is afflicted by the virus is in need to break their fast (or to avoid fasting) due to a harm that may come by way of

fasting or a hardship that may occur that is an significant hardship, then in that case they are excused from fasting. Then, it is obligatory upon them to make up for their missed days.

If the individual in question has progressed in that sickness to a point whereby it is anticipated by medical specialists (after consultation) that the disease or ailment will not be cured, then in that instance the individual must feed for every one day they do not fast one poor person.

Issue 37: *I'tikaf* (seclusion in the *masjid* for the worship of Allah)

Those that are afflicted with this virus should not attend the gatherings of people or their *masjids*. If their attendance will lead to harming the people, then it is prohibited for them to do so, as indicated in the hadith of Anas (ﷺ):

> The Prophet (ﷺ) said, "Whoever eats from this plant [i.e. garlic] then he shall not come close to our masjid."
>
> [Narrated by Bukhari and Muslim]

Therefore, it is prohibited for the one afflicted with the virus to attend the gatherings of people or their *masjids*, or to perform *I'tikaf*, and so on.

Issue 38: Delaying *Hajj* and *'Umrah* – for those that view that *'Umrah* is obligatory

Hajj and *'Umrah* – for those that view *'Umrah* to be obligatory – are obligatory as soon as possible (and cannot be delayed, once it becomes obligatory upon the person). This is indicated in the following verse:

﴿ وَلِلَّهِ عَلَى ٱلنَّاسِ حِجُّ ٱلْبَيْتِ مَنِ ٱسْتَطَاعَ إِلَيْهِ سَبِيلًا ﴾

"And [due] to Allah from the people is a pilgrimage to the House - for whoever is able to find thereto a way."

[Surah Aal ʿImran (3):97]

The principle in *Usul al-Fiqh* states that "a general command (in a text) is to be considered obligatory, unless there is something to indicate otherwise." Therefore, the Muslim must go for *Hajj* as soon as it becomes obligatory upon him. However, if going for *Hajj* will cause harm (to him or to others), like the one afflicted by this virus, then in that instance he must delay his *Hajj* to another time, and it is not permissible for him to go, knowing that it would be harmful. This is indicated in the principal, "Harm shall not be inflicted nor reciprocated."

Hajj was made compulsory in the ninth year after *Hijrah*, and with that, the Prophet (ﷺ) delayed his *Hajj* until the tenth year because of the need for him to stay in Madinah to greet and receive the delegations that recently accepted Islam after the conquest of Makkah. Another reason he delayed his *Hajj* is so that the *Hajj* may be exclusively for Muslims.[1]

Issue 39: Being prevented from *Hajj* or ʿ*Umrah*

If a person is in a state of *Ihram* for *Hajj* or ʿ*Umrah*, and is then prevented from entering Makkah, or a person is prevented from performing *Hajj* or ʿ*Umrah*, then:

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[1] Meaning, so that it is free from any polytheists already on route to perform the *Hajj* in the ninth year. In the ninth year, a notice was made that polytheists were not to perform the *Hajj* after that year, hence making it exclusive for Muslims.

If they made the conditional statement (during *Ihram*, that my place of exiting *Ihram* will be wherever I get prevented), and they feared that they may be prevented (from *Hajj*, ʿ*Umrah* or entering Makkah), then in this instance, they may exit the state of *Ihram* (wherever they get prevents), and there is no penalty upon them.

If they did not make such a clause/condition during the intention phase of the *Ihram*, and they are then prevented from *Hajj*, ʿ*Umrah*, or entering Makkah, then in this case, they are considered *muhsar* (from those prevented from completing the ritual). In this case, they can come out of their state of *Ihram*, but must sacrifice an animal[1] wherever he was prevented or in the *Haram* of Makkah. They can do this payment or slaughter in the actual place they were (stuck in) prevented from, or they can do it in the *Haram* of Makkah. Then, they must shave or shorten their hair. This is because the Prophet (ﷺ) did so when they were prevented at *Hudaybiyyah* (from entering Makkah): they slaughtered and shaved their heads and came out of the state of *Ihram*, as narrated by Bukhari by Umm Salamah (رضي الله عنها).

Issue 40: Wearing a facemask for the one in Ihram

If the *Muhrim* (the one in a state of *Ihram*) needs to wear a facemask because he is afraid of being afflicted (by this illness), then it is permissible and there is no issue with it. This (i.e. covering the face in *Ihram*) was narrated from some of the Companions, as reported in *Musannaf Ibn Abi Shayba* from the authority of Uthman, Zaid bin Thabit and Jabir (رضي الله عنهم), and in *Al-Muhalla* on the authority of ʿAbdur-Rahman ibn ʿAwf and Ibn ʿAbaas (رضي الله عنهم).

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[1] A sheep, goat, cow, or camel. Details are mentioned in books of Fiqh.

Issue 41: Sales contracts and other financial exchanges

The Prophet (ﷺ) commanded, as reported in the hadith of Jabir (رضي الله عنه), to make deductions in the payment of that struck with a calamity. [Narrated by Muslim]

There are many people that leased things for large amounts of money, or signed *Istithna'*[1] contracts, and so forth, that were affected by this calamity. The Prophet (ﷺ) ordered us to make deductions in these circumstances, as some have paid substantial amounts of money in leases with the intention to rent or sell. They were then not able to do so because the country prevented people from entering the country or prevented people from gathering, or they were prevented from selling (having to close their shops, etc.). In this circumstance, it is compulsory to make proportionate deductions given the situation. The owners of these properties must fear Allah (سبحانه وتعالى) and take into consideration this calamity.

Shaykh al-Islam Ibn Taymiyyah (رحمه الله) viewed that making deductions for calamities was not specific to fruits, but extended to lease contracts, *Istithna'* contracts and other (contracts).

Issue 42: Hoarding and price fixing

Some business people take advantage of epidemics, like the Covid-19 outbreak. They hoard products and do not sell them until the desired high price is reached. This causes an increase in prices.

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[1] *Istithna'* refers to a contract for the acquisition of goods by specification where the price is paid at the time of contract, or paid gradually in accordance with the progress or on completion of a job. The good in this contract is the construction, building or manufacturing of an asset.

There are two issues here:

First: Hoarding: This is to hoard products and not sell them until the seller gets the desired inflated price that he wants. This is prohibited as indicated in the hadith of the Prophet (ﷺ) in which he said:

"No one hoards (a commodity) except a sinner."

[Sahih Muslim]

Second: Price fixing from the government: this is when the government sets a price limit that businesses are not allowed to exceed. Price fixing has two scenarios:

a) When the cause of increase in price is because of human interference, like in the case of hoarding of commodities, as previously mentioned. In this case, price fixing from the government is permissible.
b) When the cause of increase in prices is not due to human interference. Rather, it is something from the Creator (that is out of their control), such as natural disasters that affects crops which leads to a low supply in the market causing an increase in price. In this case, price fixing is not permitted.

Issue 43: Charitable Transactions

Charitable transactions include gifts, wills and testaments, endowments *(waqfs)*, favours/benefits, etc. If the afflicted individual has reached the stage wherein a physician or related expert fears for their life, then their gift, *waqf*, and will cannot exceed one third of their total wealth, and cannot be only to non-heir (i.e. one who will not inherit that person).

Abu al-Darda' (رضي الله عنه) narrated that the Prophet (ﷺ) said:

"Verily, Allah has been charitable with you over the disposal of one third of your wealth at the time of your death, so that you may be able to add to your good deeds."

[Narrated by Ahmad and others]

And in a hadith reported by Saʿd (ﷺ): The Prophet (ﷺ) said:

"A third (of your wealth can be given as a will), and a third is a great amount."

[Narrated by Bukhari and Muslim]

Therefore, if the physician determines that the patient is at a stage wherein their life is in danger, then their donations in the form of a gift, will and testament, endowment, etc. cannot exceed a third of their wealth, and can only be given to non-heirs.

However, if the physician determines that the patient is not in danger of losing their life at this stage, then they may donate whatever they wish of their wealth, just like any healthy individual.

Regarding matters related to buying and selling, renting, *salam* contracts, currency exchange, partnerships, and other (financial exchanges) then their transactions are valid as long as they (the sick person) are of sound mind.

Issue 44: Reminding the sick person to write their will and testament

The one who has been afflicted by this illness and reaches a stage where their life is threatened should be reminded to write (or complete) their will and testament. This is because they may die. Additionally, there may be undocumented claims for or against the person. Therefore, it is obligatory that they hasten to write their will and testament.

Ibn ʿUmar (ﷺ) reported that the Prophet (ﷺ) said:

"It is the duty of a Muslim who has something which is to be given as a bequest not to have it for two nights without executing a written will."

[Narrated by Bukhari]

Having a will is obligatory whenever a person has undocumented claims for or against them.

Issue 45: Inheritance

In the case of two relatives who die around the same time from an illness like this (such as a father and son), if it is known which one passed away before the other, then the second will inherit from the first one who died. However, if they died at the same time, or it is not known which one preceded the other in death, then they do not inherit from each other. Instead, the wealth of both individuals will be inherited by their living heirs, because the condition of inheritance is established. This is the correct opinion which the majority of scholars held, in contrary to the *Madh'hab* of Imam Ahmad (ﷺ).

Issue 46: One is not allowed to curse an illness

The Prophet (ﷺ) forbade cursing fevers.

Umm al-Sa'ib (or Umm al-Musayyab) (ﷺ) narrated that the Prophet (ﷺ):

"Do not curse the fever, for it cleanses out the sins of the sons of Adam in the same way that a bellow removes the filth of iron."

[Narrated by Muslim]

Therefore, it is not permissible to curse an illness. Rather, it is upon the person to seek refuge with Allah (ﷻ) and turn to Him and ask Him to protect him from illness.

Issue 47: Reconciling between the hadiths: "Flee from the leper" and "There is no contagion or bad omen"

As for the Prophet's (ﷺ) saying, "There is no contagion" [narrated by Bukhari and Muslim], this means that diseases do not spread by themselves. Rather, they only spread by the Divine Will and Decree of Allah (ﷻ). On the other hand, the Prophet's (ﷺ) saying, "Flee from the leper" [narrated by Bukhari and Muslim] establishes that there are in fact contagious diseases.

Conclusion

These are the *Fiqh* rulings which we were able to discuss regarding this contemporary crisis.

I ask Allah (ﷻ) to remove this calamity, relieve this distress, protect the Muslims everywhere, and protect our land from all harm and evil. We seek refuge in Him from insanity, leprosy, vitiligo and extreme sicknesses. We ask Him that whoever this illness afflicts, that it be an expiation for them and a reason for raising their status.

Finally, I thank Qassim University and the Department of Student Affairs for organizing this gathering in which the Book of Allah and Sunnah of His Messenger (ﷺ) were studied.

O Allah (may Your) praise, peace and blessings be upon our Prophet Muhammad (ﷺ).