

Series of Questions Addressed to Eminent Scholar Ata Bin Khalil Abu Al-Rashtah,  
Ameer of Hizb ut Tahrir through his Facebook Page (Fiqhi)

**Answer to Question:**

**The Innovation (Bid'ah) of Distancing in Congregational Prayer**

**To: Ferid Saad, Usaid Salim, Safaa Muhammed, Hassan Yaser, Nasser Al-Islam, Al-Rayahi Abou Fatima**

(Translated)

Here is the answer to questions on the **Friday Prayer** that you asked about:

1- We have previously issued an answer for Friday prayers on 2nd Sha'ban 1441 AH corresponding to 26/3/2020 CE, as well as on 18<sup>th</sup> Sha'ban 1441 AH – 11th April, 2020 CE, then on 17<sup>th</sup> Shawwal 1441 AH - 6/8/2020 CE, and these were sufficient for your questions, where the following have been mentioned in these answers:

**First: Our answer on 2nd Sha'ban 1441 AH 26/3/2020 CE, it came in it:**

(As for Friday prayer, it is ***Fard Ain*** (individual obligation) prayer... **﴿إِذَا نُودِيَ لِلصَّلَاةِ مِنْ يَوْمِ﴾** «**O you who have believed, when [the adhan] is called for the prayer on the day of Jumu'ah [Friday], then proceed to the remembrance of Allah and leave trade.**» [Al-Jumu'a: 9] The request in this verse is obligatory due to the evidence of the Qareenah (indication) of the prohibition from what is permissible, indicating the decisive request (jazim). And Al-Hakim narrated in Al-Mustadrak on Al-Sahihain on the authority of Tariq bin Shihab, on the authority of Abu Musa, from the Prophet (saw) that he said: «**الْجُمُعَةُ حَقٌّ وَاجِبٌ عَلَى كُلِّ مُسْلِمٍ فِي جَمَاعَةٍ إِلَّا أَرْبَعَةً: عَبْدٌ مَمْلُوكٌ، أَوْ امْرَأَةٌ، أَوْ صَبِيٌّ، أَوْ مَرِيضٌ.**» «**The Friday prayer in congregation is a necessary duty for every Muslim, with four exceptions; a slave, a woman, a boy, and a sick person**». Al-Hakim said: "It is a Sahih hadith on the condition of the two sheikhs." And it is not obligatory on the one who is in fear, due to what was narrated from Ibn Abbas, may Allah be pleased with them, that the Prophet (saw) said: «**مَنْ سَمِعَ النِّدَاءَ فَلَمْ يُجِبْهُ فَلَا صَلَاةَ لَهُ إِلَّا مِنْ عُذْرٍ، قَالُوا: يَا رَسُولَ اللَّهِ وَمَا الْعُذْرُ؟ قَالَ: خَوْفٌ أَوْ مَرَضٌ.**» «**He who heard the call must answer it, there is no prayer for a man except with an excuse. They said: O Messenger of Allah, what is the excuse? He said: Fear or disease**» It was extracted by Al-Bayhaqi in Al-Sunan Al-Kubra. Thus, Friday is obligatory for every Muslim, except for those who have a Shariah text that excludes them) End.

**Second: Our answer on 18th Sha'ban 1441 AH - 11<sup>th</sup> April CE, it came in it:**

(Allah's saying: **﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نُودِيَ لِلصَّلَاةِ مِنْ يَوْمِ الْجُمُعَةِ فَاسْعَوْا إِلَىٰ ذِكْرِ اللَّهِ وَذَرُوا الْبَيْعَ ذَلِكُمْ خَيْرٌ لَكُمْ إِنْ كُنْتُمْ تَعْلَمُونَ﴾** «**O you who have believed, when [the adhan] is called for the prayer on the day of Jumu'a [Friday], then proceed to the remembrance of Allah and leave trade.**» [Al-Jumu'a: 9]. The Muslim seeks to pray without being stopped **﴿فَاسْعَوْا إِلَىٰ ذِكْرِ اللَّهِ وَذَرُوا﴾** «**then proceed to the remembrance of Allah and leave trade.**» [Al-Jumu'a: 9].

The pursuit of the prayer is obligatory because it is associated with leaving the permissible (Mubah)... i.e. prayer does not take place in private places, such as houses, where the prohibition is permitted ... This is why it was stated in the Question and Answer that the closure of mosques by the rulers and the prevention of prayer in mosques is something that is not permissible and bears a great sin for these rulers. Accordingly, if the

rulers prohibited performing Friday prayers in the mosque, and there was no place available for prayer except the houses, then it is prayed at home as four Rak'at of Zuhur, and the state that closes the mosques would bear a great sin.

As for the issue of taking the means (*al-Asbab*), that is correct, but without violating the Shariah. Taking the means here would be that the patient does not go to the Friday prayer and the healthy people do ... We have mentioned in the Question and Answer enough (information) to indicate that mosques must not be locked so that the healthy people can pray, and that measures should be taken to prevent the sick with a contagious disease from attending the prayer, which is clear. It cannot be said that healthy people may be sick with Coronavirus, but the symptoms are not visible, and therefore all are prevented from the mosques, that is, all the inhabitants of the planet are prevented from the mosques! These are words that do not make up an argument not even with least amount of doubt!) **End.**

**Third: Our answer on 08/06/2020 CE, the following was mentioned at the end of it:**

(Sixth: The summary of the above is as follows:

1- Changing the method that the Messenger (saw) has made it for the prayer is considered an innovation. Rather, the Shar'i ruling in this case is that the healthy person goes to pray as usual in straight rows close together, and without gaps, and the sick person with an infectious disease does not go and does not infects others.

2- If the state closes the mosques, and then prevents the healthy people from attending the mosques for Friday and congregational prayers, then it will be in a major sin for disrupting the Friday and congregational prayers, as the mosques must continue to be open for prayer as indicated by the Messenger (saw).

3- Likewise, if the state prohibits worshipers from performing the prayer according to the method set forth by the Messenger of Allah (saw) but rather obliges them to keep a space of one or two meters apart between one worshiper and the one next to him for fear of infection, especially without showing symptoms, then this is a major sin.

This is the Shari' ruling that I favor in this matter, and Allah Knows Best and He is All-Wise.... And I ask Him, Subhanahu, to guide Muslims to the right cause, and to worship Him, Subhanahu, as He commanded, and they are obliged to adhere to the method of His Messenger (saw), and establish the true Shari'a without any deviation by the establishment of the Khilafah Rashidah (rightly guided Caliphate) ... for in which goodness and victory, by the permission of Allah, Who is not to be caused failure by anything in the heavens or on the earth, He is the Mighty, the Wise.) **End.**

**Fourth: It is clear from all of the above that Friday (prayer) is Fard Ain (individual obligation) and that it must be performed according to the method prescribed by the Messenger of Allah (saw) with its pillars (Arkan), conditions of its correctness and making the rows according to the Shari' manner, as we have shown in our previous answers... The prevention by the authority of performing the prayer in this way is a great sin that falls on the shoulders of the authority, whether that is by the state closing mosques or by preventing its performance in the Shari' manner...**

And because Friday (prayer) is an individual obligation, every legally responsible (mukallaf) Muslim is obligated to seek it and perform it in the Shari' manner, with its pillars, conditions of its correctness, and keeping rows close together... etc. And if the individual is not able due to a physical impediment or an unjust ruler who prevents the performance of Friday prayers in the Shari' manner, rather he forces the worshipers to innovate by imposing separation, and the worshiper is not able to prevent that, then one should perform it according to his ability, and the unjust ruler bears the sin...

The Messenger (saw) said, as reported by Al-Bukhari and Muslim, may Allah have mercy on them, on the authority of Abu Hurairah, may Allah be pleased with him: «وَإِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ» **“so if I give you a command do it to the best of your ability”** and the wording is of Al-Bukhari ... Therefore, if a Muslim is able to perform Friday Prayer (individual obligation) in straight rows close together then it should be performed in this manner because separation is an innovation as long as he can avoid it. But if he is not able by the act of sinful authority, then he should pray in the manner that is possible for him. Al-Nawawi, (deceased: 676 AH) said in his book, Al-Minhaj Sharh Sahih Muslim Ibn Al-Hajjaj in explaining of this hadith in the wording of Muslim: On the authority of Abu Hurayrah, the Messenger of Allah (saw) said: ... «فَإِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ» **“so if I give you a command do it to the best of your ability.”** Al-Nawawi said in his explanation: «فَإِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ» **“so if I give you a command do it to the best of your ability”**) this is from the important rules of Islam and the words which are concise but comprehensive in meaning that were given to the Prophet (saw) and include under it countless provisions such as prayer (salah) of all kinds. If a person is unable to perform some of its pillars (Arkan) or some of the conditions (*shoroot*) he should perform the rest ... Allah Knows Best] **End.**

**Fifth:** accordingly, the brothers and sisters who asked the questions should seek to perform the Friday Prayer because it is Fard Ain (individual obligation): «يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نُودِيَ لِلصَّلَاةِ مِنْ يَوْمِ الْجُمُعَةِ فَاسْعَوْا إِلَىٰ ذِكْرِ اللَّهِ وَذَرُوا الْبَيْعَ ذَلِكُمْ خَيْرٌ لَكُمْ إِنْ كُنْتُمْ تَعْلَمُونَ» **“O you who have believed, when [the adhan] is called for the prayer on the day of Jumu'a [Friday], then proceed to the remembrance of Allah and leave trade.”** [Al-Jumu'a: 9]. And the Prophet (saw) said: «الْجُمُعَةُ حَقٌّ وَاجِبٌ عَلَىٰ كُلِّ مُسْلِمٍ فِي جَمَاعَةٍ إِلَّا أَرْبَعَةً: عَبْدٌ مَمْلُوكٌ، أَوْ امْرَأَةٌ، أَوْ صَبِيٌّ، أَوْ مَرِيضٌ» **“The Friday prayer in congregation is a necessary duty for every Muslim, with four exceptions; a slave, a woman, a boy, and a sick person”**. Al-Hakim said: "It is a Sahih hadith on the condition of the two sheikhs." And they should perform it in the manner that the Messenger (saw) prescribed in straight rows close together, and if they cannot do so because the authorities prevent them from doing so and force them to separate, then let them pray according to their ability, and work seriously and earnestly to establish the Khilafah Rashidah (rightly guided Caliphate) that will apply the Shariah rules in its right manner without any deviation with Allah's help and success from Him.

I hope that this is sufficient and Allah Knows Best and is Most Wise.

**Your brother,**

**Ata Bin Khalil Abu Al-Rashtah**

27<sup>th</sup> Safar 1442 AH

14/10/2020 CE

**The link to the answer from the Ameer's Facebook page:**

<https://web.facebook.com/HT.AtaabuAlrashtah/photos/a.1705088409737176/2766706993575307/>