

COVID 19 AND ITS CHALLENGE ON MUSLIM PRAYERS, A DISCUSSION IN THE LIGHT OF MAQASHID ASY-SYARIAH

(A study of the concept of prayer in the commentary of the Maqashid asy-syariah and how Muslims perform their prayers during the Covid)

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Abstract: *The Covid 19 Pandemic has thrown a fundamental challenge to the world, leading to engaging the stakeholders in rigorous research exercise and exposing the weakness in some current values system. As a safety measure, all forms of gathering were prohibited. Being a gathering place too, some mosques were closed while some were left open to observe congregational prayer in distance. This shows a disparity in scholars opinions as some scholars are clearly against this practice. This work is a comparative and maqashid based research, highlighting the two positions of scholars regarding this type of congregational prayer. In this study resulted that praying congregational prayer at home is better than praying in the mosque while observing distance for it is free from elements of doubt. To ensure prayer is perpetually observe in the sacred mosques, it is better for the mosque keeper to provide soap and water to be used before and after the prayer. They should also compel the use of face mask as it is more secure*

Key words: covid 19, muslim prayer, maqashid asy-syariah

Abtrak: *Pandemi Covid 19 telah memberikan tantangan besar bagi dunia yang melibatkan para pemangku kebijakan turut ekstra dalam penelitian yang serius dan mengungkap kelemahan dalam beberapa sistem nilai saat ini. Sebagai tindakan pengamanan dan penvegahan, semua bentuk pertemuan dan perkumpulan dilarang, beberapa masjid ditutup dan ada yang dibiarkan terbuka untuk melaksanakan salat berjamaah dengan jaga jarak. Hal ini menunjukkan adanya perbedaan pendapat ulama karena disatu sisi ada beberapa ulama yang dengan jelas menentang praktik ini. Penelitian ini berbasis komparatif yaitu menyoroti dua posisi ulama mengenai jenis shalat berjamaah. Dalam penelitian ini menghasilkan bahwa shalat berjamaah di rumah lebih baik daripada shalat di masjid dengan memperhatikan jarak karena terbebas dari unsur keraguan. Agar sholat tetap exsis di berbagai masjid, maka baiknya penjaga masjid menyediakan sabun dan air untuk digunakan sebelum dan sesudah shalat. Mereka juga harus memaksakan penggunaan masker wajah untuk lebih aman.*

Kata kunci: covid 19, shalat, maqashid asy-syariah

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Introduction

Prayer is the second most significant act among the pillars of Islam. It is said to be the first to be inquired into on the day of recompense by Almighty Allah. Praying rightly and at its right time is as important as prayer itself. Meanwhile, praying as recommended by the Prophet is the only way through which one's prayer could be sound and acceptable in the sight of Allah².

The most rewarding prayer is said to be the congregational prayer, as it earns Muslims multiple rewards³. Moreover, it is better to observe this congregational prayer in the Mosque where available. However, due to the ongoing COVID 19 pandemic, Muslims around the globe have been facing a number of challenges in the observance of the congregational prayer in the mosque. The *Tarawih* prayer, the *Tahajud*, the *Eid* prayer and most essentially the five daily obligatory prayers were been monitored and prevented from been observed as it is supposed to, by the personnel in-charge of control of COVID 19 Pandemic. This is no doubt a catastrophe on its own as the Prophet hints the Muslims about the danger of positioning of a matter in the hands of non-expert. These personnel are not expert on religious knowledge, yet the government permitted them to intervene and decide for Muslims on their religious matter thereby exposing the *Ummah* into mistakes and confusion in their pray⁴. This paper therefore, intends to expose the position of Islam on observing the congregational prayer while distancing one another as it is happening in the two sacred mosques and some mosques in Nigeria. The work concentrates on the five daily prayers alone. The paper outlines the objectives (*Maqashid*) of observing congregational prayers and presents the debate between Muslim Scholars on the permission or otherwise of observing congregational prayer while observing social distance and finally come up with some helpful recommendation afterwards.

Theoretical Review

Pray and its Maqashid

Pray is an act of physical worship and a religious service, which consist of recitation of Qur'anic verses, glorification of Allah and a series of movements

² This is as mentioned by the prophet in an hadith reported by Anasbn al-xuwairith wherein the Prophet(SAW) said; "pray as you see me praying" see Bukhari, Sahih al-Bukhari no. 5662/6819

³ On this, Ibn Umar reported the prophet of Allah (SAW) to have said; "The congregational prayer is twenty-seven times better than the prayer of one man" Bukhari and Muslim.

⁴ salĒt means the canonical or ritual prayer which must be performed at five appointed times each day.

and repeated several times. It is started with *takbir*⁵ and terminates with *teslim*⁶. It is an important pillar of Islam second only to *Shahadah*⁷. The five daily prayers are obligatory on every sensible Muslim, starting from the age of reason⁸. Pray restrain one from sins when properly observed⁹. Pray is a prominent distinguishing factor between the Muslims and Non-Muslims. Therefore, whoever rightly observed the Pray has duly observes the religion of Islam, and he who neglect the Pray, has automatically forsaken his religion. The most perfect means of communicating with Allah is through Pray¹⁰.

The obligatory prayers are best observe in congregation because of its outstanding reward¹¹. Obligatory prayer is classified among the emphatic Sunnah for male, among the Maliki, Syafii and majority of other schools¹². It is also the most popular view of the Hanafi School of thought, however some of the Hanafi scholars classified it as obligatory due to the Hadith of *ibn Abbas* who reported the Prophet (SAW) saying; “whoever hear the caller to prayer and is not prevented from going by any excuse, Allah will not accept his prayer” they said and what is excuse? He said fear or sickness¹³ “. As said earlier, congregational prayer is observed by a group of Muslims starting from two

⁵TakbÊr is the saying of Allahuakbar (Allah is Greater (than anything) which opens the salÊt.

⁶*The Concise Encyclopaedia of Islam*, Revised Edition, Salat.

⁷ShahÊdah is to testify that there no diety worthy of worship except Allah and Muhammad (S.A.W) is Allah’s slave and messenger. shahÊdah is the affirmation of Islamic creed. It is fundermental and the first and most important of the five pillars of Islam.

⁸ This is said to be 10years of age according to the prophet.

⁹ This is as contained in Q29:45

¹⁰*Pivotal Teacher Training Programme course book for Islamic studies*, (Kaduna: National teachers’ institute, 2000),59

¹¹ On this Abu Hurairah also reported the Prophet (S.A.W) saying: “Ones prayer congregationally is twenty five times better than his individual prayer either at home or in the market”. See Fat’hu al-BÊrÊ 2/92

¹²mahmÊd Muhammad khuÏÏÊb al-Subkiyy, *al-DÊnu al-khÊliÊ aw IrshÊd al-khalqilÊ al-DÊnu al-Haq*(al-QÊhirah, Dar al-ManÊr li al-ÛibaÑwa al-Nashirwa al-TawzÊÑ, 2005),36

¹³Al-Manhal al-ÑAdhb 4/239 (al-TashdÊd fi tarkial-JamÊÑah). On this is also the Hadith of Abu Hurairah in sahihu Muslim regarding a blind man that seek for rukhsah regarding going to mosque.

including the Imam¹⁴. The prayer is preceded by a call (*adzan*) to prayer in order to summon people to the Mosque for prayer¹⁵. After the Muslims have assembled inside the place of worship, another call (*iqamah*)¹⁶ is given inside as a signal to rise up and form rows immediately before the prayer begin. Their ankles and shoulders are expected to join one another as they connect together and form a straight row behind the Imam. This is a pre-requisite of congregational prayer as Imams are found of observing the Sunnah of reminding the followers to straighten their rows and join their leg and shoulders as they avoid leaving any gap for *shaitan's* interruption. Most of the *ahÉbah's* clothe were said to ear out from the side of the shoulder, due to robbing the shoulder of one another in the lines during congregational prayer¹⁷.

Maqashid asy-syariah literarily means objectives, wisdoms, aims and the target of the law giver regarding certain ruling or towards the *asy-syariah* as a whole¹⁸. *Maqashid* of a ruling is always a glaring phenomenon in every *asy-syariah* rule (*Qur'an and Hadith*) the companions of the prophet as well are always cognizant of the wisdom behind the rule and ensure the pursuant of not only those rules but their purposes too.

Maqashid asy-syariah nowadays had become a significant tool in construing religious law and a fundamental in the much needed contemporarization of the Islamic law. It is useful in the understanding and application of religious law. To have *Maqashid* based or a purpose oriented

¹⁴ Muhammad al-Sayyid, *al-TargÉbwa al-TarhÉb li al-ImÉm al-Mundhiriyy* (al-Qahirah, al-Azhar University, 2000), 200

¹⁵ *adhÉn* means the call to prayer made one or more times by the Muazzin from a minaret, a roof top or simply from the door of the place of prayer about a quarter of an hour before the prayer begins.

¹⁶ *iqÉmah* means raising up, it is the interior or secondary call for assemble and rising which signaled to the Muslims that the prayer is to begin. Therefore, they should stand up and join their legs and shoulder in a row. It is different from *adhÉn* in that the word in it are made once instead of twice as in *adhÉn*, it includes, *QadqÉmatiSalÉt* (the prayer is established) twice

¹⁷ Pivotal course Book. 60

¹⁸ Musfirbn Ali al-Qahtani, *Understanding MaqÉlid al-SharÉÑah a contemporary perspective* (Washington and Kualanpur, IIIT and IBT, 2015), 05.

exposition of congregational prayer is a good way out of the confusion brought by the Covid 19 pandemic. This leads one to the question of what are the Maqashid of congregational prayer and can this objective be satisfied while praying distance? To answer the former question here are the outline of the objectives of Pray congregation :

1. Congregational prayer was instituted to bring about social equality among Muslims of all class. It narrows down the wide gap between different classes of people. It allows the slave, his master, the ruler, the ruled, the haves, the have not, the young and the old stand in the same row, shoulder to shoulder with one another worshipping one God (*Allah*). It instill the sense of belonging in the heart of low class Muslims and break the class-barrier between Muslims of all class. It awake in them, the virtue of brotherhood. It breaks any demarcation or social stratification.
2. To instill the sympathetic feeling of the condition of the poor in the mind of the rich while respect and love in the mind of the poor.
3. To foster mutual assistance and help between Muslims of all class.
4. To train the Muslims, the virtue of leadership and followership as brought by Islam. It will educate them, the necessity of obeying the *Imam*, so far he is on the right part in the observance of prayer.
5. To train Muslims the value of general co-operation and endow them the strength in unity. Congregational prayer is aimed at granting the Muslims the forum to come together and discuss important issues affecting Muslims community socially, economically, politically and otherwise.
6. To help Muslims gain physical fitness and ease their digestion. Congregational prayer is like a constant doing of yoga in the midst of and under the leadership of giant people, an unfit person will no doubt gain physical strength, his body, mind and soul will be modeled.
7. Congregational prayer is to remind the Muslims the virtue of health as they are required to purify themselves, clothes and environment of Pray

8. Congregational prayer is to instill in Muslims the virtue of utilizing time.
9. To remind Muslims of their equality in the sight of Allah. For the best among men is the most pious in the sight of Allah. The Qur'an says; "O mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily, the most honourable of you with *Allâh* is that (believer) who has At-Taqua [i.e. one of the Muttaqûn (pious - see V.2:2). Verily, *Allâh* is All-Knowing, All-Aware¹⁹.
10. To clean up the Muslim's soul and their heart and endow them with inner satisfaction and tranquility.
11. To remind Muslims of the day of resurrection, when all human being and the Jinns would be assembled. It is to remind Muslims of the objective of creation as well, which is to worship Allah, the most High.
12. To awaken the consciousness of Allah in the mind of Muslims.

Haven outlined the objectives of Congregational prayer, the question that comes to mind is whether all these objectives are achievable in the Pray observed during the out-brake of covid 19 pandemic. This calls for the next point which is; covid 19 and its challenge on Muslims Pray.

Covid 19 and its Challenge on Muslims Prayers (Shalat)

Corona virus disease (Covid-19) is an infectious disease caused by a newly discovered corona virus²⁰. It led those infected with this virus to experience mild to moderate respiratory illness and recovered without requiring special treatment. However, people with underlying medical problems²¹ and aged are more likely to develop serious illness. This virus can spread through the droplet of saliva or discharge from the nose and mouth of an infected person when

¹⁹ Surat al-Hujurat:13

²⁰ World Health Organization, *Coronavirus overview* www.who.int (accessed on 9 July, 2020)

²¹ Such serious illness include; cardiovascular disease, diabetics, chronic respiratory disease and cancer.

he/she sneezes or cough. Therefore, the said ways of protecting oneself from contacting this disease are:

- Frequent washing of hands with soap and water or by rubbing hand sanitizer.
- Practicing respiratory etiquettes (i.e sneezing and coughing into flexed elbow)
- Avoid hand shaking (but you can greet by touching your friend's elbow or legs with yours)
- Ensure social distance.

This disease spread to the level of it been a global pandemic at early 2020, leading to prohibition of any form of gathering be it political, educational, social or religious and also to subsequent lockdown of most of the affected Countries by their political authorities. This global pandemic thereby affects almost every aspect of human life, especially the religious life of the Muslims, since Muslims were expected to form religious gathering atleast five times daily. Regarding the challenges on Muslim's prayer, the first to be affected was the call to prayer, then the congregational prayer. Muslim's adzan and prayer which had always been a changeless phenomenon for the past decades were hit by a number of changes during the covid 19 pandemic. The first challenge was to ban praying in the mosque. The *muazin* thereby replaces the words "come and observe prayer(*Hayya Ala al-Shalāh*)" with "pray in your home(*Shollu Fii Buyuthikum*)" this was seen as the best option by many Muslim clerics especially considering the significant of protection of life among other basic Maqashid which asy-syariah seeks to protect. Since it is a general believe that all the essential maqā'id are not characterized by the same degree of importance, scholars of maqashid places some essential maqashid over another. Scholars like *Abu Êmid al-Ghazali*, *al-Izz ibn Abdussalam*, *shatibi* and *al-Ômidi* though gave protection of religion the superior priority above other values which are; protection of life, family, intellect and wealth, yet, most of them permitted the forsake of religion

under duress or other threat to life²². This, in other words, means they gave priority to preservation and protection of life above all other essential values in this type of situation the *Ummah* finds itself. The two Holy mosque in *Makkah* and *Madinah*, as well as the *mosque al-Aqsah* were also not left out on this as they were all closed off too, to all worshipers and visitors due to the pandemic²³.

To ease the effect of this on the Muslims, other measures were taken by most of the affected Muslim nations which in addition to curtailing the spread of Covid 19, will ensure Muslims enjoy the due rewards, like setting up of live-streaming to broadcast sermons and prayer through various social medias. Mention need to be made here of the fact that this rule of praying indoors is not without benefit. This is because apart from the fact that Muslims could still get their full reward when they pray congregational prayer with their family at home, they stand to gain other rewards for keeping the family together, teaching their family members the way to pray and for following their leaders. And by praying at home they incur no sin. After three months of closing the mosques, including the three Holy mosques, the general presidency for the affairs of the two holy mosques launched social distancing measure in congregational prayer as part of its strategy to combat corona virus²⁴. This was accepted by the Scholars and Imams of the two Holy mosques and ever since then, congregational prayers were been observed in distance²⁵. This kind of unprecedented prayer generates a serious controversy among scholars of Islamic religion. While some regarded it as an uncalled for innovation, the other

²² Gamal EldinAttia, *Towards Realization of the Higher Intents of Islamic Law maqÉlîd al-SharÉñah a functional approach*, (Kuala Lumpur: IIIT & Islamic Book Trust, 2010), 17

²³ Arwa Ibrahim, "Praying in time of Covid 19: How world's Largest mosques adapted" <http://www.aljazeera-com.cdn.amaproject.org> (accessed on 7 July, 2020)

²⁴ Safe prayer: makkah promotes social distancing for worshipers" <http://www.arabnews.com> (accessed on 7 July, 2020)

²⁵ This was accepted together with other rules such as; ensuring the rule of hygiene part of which is closing up the restroom and ablution centres, restriction on attendance by the elderly, worshipers are to bring their personal praying mat, wearing of face-mask etc.

see it as a mere simple issue and the best way out from forsaking the House of *Allah*.

It is Better to Pray at Home than Observing Distance in Congregational Prayer

The Covid 19 has brought about a lot confusion in the Muslim Ummah, due to its changing of the unchangeable, it has given the Muslim scholars the new assignment of researching on the possible way out of the mess of locking down the mosques. Most of the scholars approved of the lockdown until when the pandemic disappears claiming that to be the safest option while some others believe locking down the mosque itself could prolong the stay of the virus as it is inside the mosque that prayers are best answered and to be safe from this pandemic, prayer is a significant equipment. This had led these scholars into accepting to observe social distance while praying in congregation. This section will outline the evidences of both scholars on the issue of observance of social distance while on congregational prayer.

The word Nabi Muhammad was used by the Prophet to command the congregation to connect together to observe the congregational prayer. For instance, the hadith that reads, "*Anas bin Malik* relates; the Prophet (SAW) said: straighten your rows and keep close together, for indeed I see you from behind my back²⁶".

The above hadith was said before the Prophet said the *takbir*, it is meant to command them to straighten their row and join together closely, not only at the beginning of the pray but through-out the pray as the prophet will be watching them all through. Again, *Anas bin Malik* reported that everyone of us used to put his shoulder to the shoulder of his companions (i.e the person standing next to him) and his foot to the foot of his companion²⁷"

²⁶ Al-bukh ri (741) and Muslim (424)

²⁷ Bukhari.

Other scholars claim all the Prophetic hadith regarding joining the ankle to perform congregational prayer is *mustahab*. They rely solely on the hadith below:

Hammam b. Munabbih reported: this is what was transmitted to us by Abu Hurairah from the messenger of Allah (SAW) and while making a mention of a few *Ahadith*, said; the Messenger of Allah directed us thus: Establish rows in prayer, for the making of a row (straight) is one of the merits of prayer²⁸.

Since the Prophet (P.B.U.H) used the word *merit* (*Íusn*) in the above hadith, they claimed, its neither obligatory nor significant. Though the hadith is authentic, yet the implication they drew from it is faulty because of the availability of many other haidth were-in the prophet used a more compelling word in pronouncing the order and whicpoint to the significant and obligation of *tawsiyah* in pray Among such are the hadith; *Anas bin. Malik* reported the prophet saying: "Straighten your rows, for straightening of the rows is part of perfection of pray²⁹" *Anas bin. Malik* also reported a similar hadith where in the Prophet said, "Straighten your rows, for straightening of the rows is part of institution (*iqomah*) of *salat*."³⁰

The two hadith above show that *taswiyah* is an unavoidable part of pray especially the second which referred it as part of institutionalizing pray meaning that without it one has not properly observe the prayer. One more convincing tone is the attachment of warning to neglecting it during congregational prayer as in the hadith, "*Abi Masud* also reported an hadith saying, The prophet do touch our shoulders when we were about to start pray saying; Straighten up and don't defer lest your heart differ"³¹

The prophet again said: straighten your rows and stand close to each other, join your rows and stand shoulder to shoulder. I swear by whose Hand

²⁸ Muslim bnHajjaj, Sahih Muslim, book 4, hadith number 0873

²⁹ BukhÉri, SaÍihBukhÉri, hadith 690 also in Sahih al-Muslim hadith 433

³⁰ Ibid hadith 723

³¹ Muslim, 432

the soul of Muhammad is, I see the devil penetrating between the rows as does a young goat³².

Another hadith reads, *shaba Bashir* (RTA) said: the prophet do straighten up our rows as if he was straightening the shaft of an arrow to the extent that he knew we have mastered that from him. Then he came out one day and was about to say the *takbir* when he noticed a man who pull his chest out of the row, then, he (P.B.U.H) said: "O servants of Allah, straighten up your rows or Allah will cause discord among your faces³³

While commenting on this hadith, *Imam al-nawawi* said what its meaning is that enmity and hatred will be cast among you as well as deferring of heart as it is said that; so and so is changed toward me, meaning, they became apparent to me from his face a dislike for, and his heart change towards me, since their differing in the rows is a differing of their out-wardness and the outward differing is a reason for inward differing³⁴. These scholars also posit that this is allowed since they can only worship Allah to the best of their capability, and in the face of the pandemic this is how far they can go in ensuring prayer is constantly instituted in the sacred Mosques, they further buttress their point with the Qur'anic verse that reads thus;

{ فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ } [التغابن: ١٦]

so keep Your duty to *Allâh* and fear Him as much as You can³⁵;

based on the above verse they posit that, that is the extent they can go in ensuring prayer is always held in the two Holy Mosques bearing the circumstance brought by the pandemic. And because the prophet himself had permitted Muslims not to overboard in following his Suunah instead Muslims should follow the Sunnah to the level of their capacity. They forwarded the hadith;

³² Al-Nisai and abuDaud

³³ bukhârî 436, Muslim 717

³⁴ SahrhSahihmuslim 4/118 gotten from www.wrightstreetmosque.com (straightening the rows

³⁵ At-Taghabun:16

ما أمرتكم به فأتومنه ماستطعتم

What I have ordered you (to do), do as much of it as you can³⁶.

Such scholars have however forgotten that Allah will never over bore His servants. More so, He has never compelled them to pray only in the mosques. The compelling injunctions of Allah on obedience to the constituted authorities, as well as, expert advice were other reasons advanced by these scholars. They claimed since the expert opinion is duly recognized and regarded by asy-syariah on professional and sensitive issue like this, the leader did right by following the expert's advice on observance of distance in prayer. In the same vein the scholars who followed their ruler's order in observing social distance while prayer are right too. Their ideas were corroborated with the verses;

{ يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِيَ الْأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا } [النساء: ٥٩]

O You who believe! Obey *Allâh* and obey the Messenger (Muhammad), and those of You (Muslims) who are In authority. (and) if You differ In anything amongst yourselves, refer it to *Allâh* and his Messenger, if You believe In *Allâh* and In the Last Day. that is better and more suitable for final determination.³⁷

{ وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ إِلَّا رَجُلًا نُوحِي إِلَيْهِمْ فَاسْأَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ } [النحل: ٤٣]

and we sent not (as Our Messengers) before You (*Muhammad*) any but men, whom we inspired, (to preach and invite mankind to believe In the Oneness of *Allâh*). so ask of those who know the Scripture learned men of the *Taurât* (Torah) and the *Injeel* (Gospel)], if You know not³⁸.

³⁶bukhĒri and Muslim

³⁷ Surat An-Nisa': 59

³⁸ Surat al-Nahl:43

Refusal to comply with these orders, according to them, implies one inviting destruction upon himself. This is against the teaching of Islam as Allah says;

{وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ} [البقرة: ١٩٥]

and spend In the Cause of *Allâh* (i.e. Jihâd of All kinds, etc.) and do not throw yourselves into destruction³⁹.

This order could not be legally compelling because of its repugnant to the emphatic Sunnah of the Prophet (p.b.u.h). This is because majority of the scholars have confirmed the commanding effect the hadith on *taswiyah* to imply obligation especially because of the punishment attached to defaulters.

A logical reason posit by them is the fact that *Shaitan* focuses the three Holy Mosques and would do anything to prevent people from visiting and observing prayer in them, so as to make them loss the huge reward from such a golden act. If prayer is then banned from been observe in these Holy mosques for any reason, then he will rejoice and has evidence at hand to further mislead and discourage Muslims. Then he will be able to fulfill his promise of distancing people from mosque and from the part of Allah. In this case, it is important to take a look at the effect of observing congregational prayers in distance, what other demerit is there and weight them in comparison to the above. As promised by the prophet, there will be dissension and disparity among Muslims that refused to join together while observing the congregational pray. He also said *shaitan* will intrude in their prayer thereby they will lack focus, concentration and calmness which are fundamental requirement in upright Pray. They will stand the chance of misleading others who see them as role model (*qudwah*) in the observant of *SalÉ* and continue to pray like that even after the pandemic, this will be most disastrous to the *Ummah* as it will bring disparity in the way we worship our Lord. When all

³⁹ Surat al-Baqarah 195

these and many more are compared with the fear of closing up the sacred mosque for the period of the pandemic one will see that it is better to continue to pray at home till Allah will bring end to the pandemic, after all, that was not the first time of closing up the sacred mosque in Islamic history.

A portion of those scholars will argue that *taswiyah* required by *asy-syariah* is maintaining a straight line and not necessarily joining together. This still does not justify the act of observing distance in the said congregational prayer. To start with, straightening of the row, (*taswiyat al shaf*), means standing upright on a straight row in such a way that no one will be too forward or backward on this line and to close up the space in between them. The act of leaving a mitre space in-between worshipers is uncalled for and unprecedented in the history of congregational prayer and thus such prayer could not be equated with anything in history except that of the one who secluded himself from the congregation which is called pray *al-Munfarid*. Majority of the scholars ruled that the prayer of such person is null and void. This is based on fact that the prophet had warned against this in an authentic hadith below;

It was reported that a man was praying behind the rows during a congregational prayer and the prophet said to him; Go forward (and join the row) for the pray of a person standing alone behind the rows is not valid⁴⁰.

Joining up and straightening the congregation is said to be an emphatic *sunnah* by majority of the scholars⁴¹. It is aimed at ensuring and displaying co-operation and unity in Muslim's creed. It is awarded high significant in Islam due to the prophet's persistent order regarding it. These hadith are not mere utterances meant to beautify prayer but binding order to ensure completeness (perfection) of *salat*. According to Sheikh Uthaymeen (RTA) straightening the rows refers to ensuring a situation where no one stands in front of anyone else.

⁴⁰ Ali ibn Shaiban in Ahmad, ibn Majjah and al-Baihaqi

⁴¹ Like al-Bukh ri, Ibn Hazim, and al-Shaw  ni. Seal-Asq  ni, Fath al-B  ri (Beirut; Dar al-Kutub al-Ilmiyyah, 1989)2:266, also, al-Shaw  ni,, Nayl al-Awt  r (Dar al-Mustaqbal,2005); 3:211

Neither one's shoulder nor his heels should be in front of another persons'. This is only achievable when the shoulders and feet were joined as this was how the companions displayed and got the approval of the prophet. *Abu Umamah* relate the prophet saying; straighten your rows, stand shoulder to shoulder, be soft upon your brother and fill the gap, for the devil enters through the gaps like the small lamps⁴²."

Ibn Umar (RT) report the prophet saying straighten your rows, join your shoulders, close up the gaps in between you, be soft with your brother, don't leave gap for *shaitan* in between you. Whoever straighten and connect his rows Allah will join him. Whoever cut off a row Allah will cut him off⁴³

The prophet's order on every pray is enough an evidence to show the compulsoriness of that act. The lingual structure of the verb used, command verb, is another, then, the statement of punishment or warning to those that yield not to the command is another pointer to it been an obligation. Such a warning could not be attached to leaving what is not obligatory.

If one all claims *taswiyah* is maintenance of a straight line and not necessarily connecting together, then all his previous prayers were null and void. A more important consideration here is the prophetic intention for commanding *taswiyah* it is well known that he did not command the ensurance of a mere straight row without connection, therefore there is no evidence for distancing in prayer neither Qur'an nor Hadith they only rely on *takhrijat*

Some of the scholars like *ibn Hazmm* that if one prays without joining the ankle his prayer is void, however, to some others, his prayer is right but he is a sinner. Both views, though different, it implies that the prayer of such Muslim contains an element of doubt which the Prophet warns Muslims against.

⁴² Ahmad, musnad number 21760. It was confirmed as authentic (sahih) in al-Bayhaqi al-Jami' al-Saghir (Beirut: al-Maktab al-Islam, 1986) no 1840

⁴³ In an-Nasai, al-Hakim and ibn Khuzaimah

A pointer to the significant of joining one leg in prayer is what is deducible from Pray *al-khaf*. This is a conditional prayer that can ordinarily warrant each person to hide out and split up while praying due to fear of attack on all worshipers, especially the leader of the congregation. Yet *al shariah* did not order splitting up of one another while observing this prayer, instead, they must join their ankles and shoulder just like their normal prayer while a part of them would stand behind them as guard, while the first guard too will subsequently observe theirs too and the first group will also stand as guard.

Another inductive evidence is the permission of Muslims to observe their prayers at home when it is raining or there is a catastrophe outside the house. In this time the *muazin* will go to the mosque to call to prayer but announce that everyone should observe their prayers at home saying “pray in your home(*Shollu Fii Buyuthikum*)” instead of “come and observe prayer (*Hayya Ala al-Shalā*)”. If this is allowed when it rain who will then compell people to just go out when there is a deadly pandemic outside which is more serious than the darkness when it rains⁴⁴.

Again this kind of prayer makes it difficult to differentiate between congregational prayer and *nawafil*. We all know the nature of *nawafil* is that everyone will stand separately to observe it before or after obligatory prayer, it will be difficult for a new comer to join the congregation in this new system. It is when one join with another that we refer to their prayer as congregational. Prayer not when they spread about. Ordinarily when Muslims want to pray in congregation, they come together and join up it is only when they want to observe *nawafil* that they spread around.

The observance of distance in congregational prayer however cannot prevent the spread of corona virus as the droplet from one’s nose can definitely

⁴⁴ Dr. Sirajudeen al-Asra’i (2020, June), “Position of Scholars on Taswiyah”. Weekly lecture at his mosque in Iwo, Osun, Nigeria.

touch the others' back or the front while praying even if the distance is up-to three metre as there is nothing to prevent the speed of the droplet.

The experts instruct to avoid hand shakings but permit shaking legs and elbows, if one can touch his friend's legs and elbows with his while greeting, what then could stop touching it during prayer, especially since one don't shake hand nor face another during the congregational prayer.

The authority does not go round markets and banks to ensure compliance with the rule of social distancing but all eyes is on the prayer-ground, this makes one wonder if the virus is really against humanity or religion. They as well claimed that this kind of prayer was necessitated by the pandemic under the *usul fiqh* rule of *al-Dhar'u al-mafasid* this principle is however not applicable when there is a lawful way-out. In this kind of situation we found ourselves, it is more appropriate to pray at home as in case of rain or danger, than to pray in distances which could further lead to others praying like that even after the incident of covid pandemic. This will mean subsequent abandonment of a beautiful emphatic Sunnah which could eventually lead to display of class in pray. This is simply an act of burying the Sunnah.

It is therefore, the responsibility of the imams to command his followers to straighten up their rows as the prophet does during his life time⁴⁵. It is possible that the disagreement between the *Ummah* nowadays is due to refusal to straighten up the congregational rows.

The scholars outline some significant wisdom regarding the meaning of straightening the rows in congregational prayer

- Straightening the rows ensure attainment of outward uprightness as required inwardly. This because the outer evil and corruption affects the inner evil and corruption and vice versa.
- To avoid devil's infiltration and whispering which can corrupt their prayer.

⁴⁵ On this the prophet said; "...and all of you are shepherds and all of you will be asked about your flock."

- It display a beautiful appearance and show of unity in this *Ummah*.
- It is a sensible way of managing the large number of the congregational, if not some mosques might not contain it members when we distance one another. This is glaring in the case of the aramain, if Muslims were not stopped from visiting, it will be difficult to manage the congregation with the rule of social distancing.
- To aid in attaining total concentration.
- To earn the congregational the deserved comfort in their prayer and tranquility against inattentiveness, forgiveness and separation between face.
- To attain harmony of the heart. This is because prayer helps relax the mind and prompt intense feelings of love and joy. This occurs when the excitatory and inhibitory neurotransmitters in the brain excrete hormones⁴⁶

Abu Mas'ud reported the prophet of Allah used to touch our shoulders in prayer and say keep straight, don't be irregular, for there will be dissension in your heart. Let those who are sedate and prudent be near me then those who are next to them than those who are next to *ehm*. *Abu masud* said nowadays there is much dissension among you.

Conclusion

From the foregoing so far, it can be rightly proved that praying congregational prayer at home is better than praying in the mosque while observing distance for it is free from elements of doubt. To ensure prayer is perpetually observe in the sacred mosques, it is better for the mosque keeper to provide soap and water to be used before and after the prayer. They should also compel the use of face mask as it is more secure, instead of observing distance in congregational prayers which is unprecedented and a way of bringing innovation into the religion. The Qur'an says:

⁴⁶ Tommy Dharmawan, following the prophet, with social distancing. www.thejakartapost.com.cdn.ampproject.org (accessed on Thursday 9 july, 2020).

{ لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا لَهَا مَا كَسَبَتْ وَعَلَيْهَا مَا اكْتَسَبَتْ } [البقرة: ٢٨٦]

Allâh burdens not a person beyond his scope. He gets reward for that (good) which He has earned, and He is punished for that (evil) which He has earned⁴⁷.

This implies that Allah did not compel Muslims to ensure the establishment of *salat* in the sacred mosque at the expense of introducing unwarranted innovation into the religion of Allah.

{ فَمَنْ اضْطُرَّ فِي مَخْمَصَةٍ غَيْرَ مُتَجَانِفٍ لِإِثْمٍ فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ } [المائدة: ٣]

but as for Him who is forced by Severe hunger, with no inclination to sin (such can eat These above-mentioned meats), Then surely, *Allâh* is Oft-Forgiving, Most Merciful⁴⁸.

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⁴⁷ Surat al-Baqarah:286

⁴⁸ Surat al-Maidah:3

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