

Answer to Question

Distancing in Prayers is an Innovation which the Rulers Obtain its Sin

(Translated)

Praise be to Allah, and prayers and peace be upon the Messenger of Allah and on his family, companions and his followers,

To all those who sent asking me about the two-meter spacing between the worshiper and the one next to him during Friday and congregational prayers... and they say that rulers in some Muslim countries close mosques, and when they open them, they oblige worshipers to keep two-meter apart. The authorities justify this as the sick person is excused and prays sitting, so, by analogy he can be two meters apart from the one next to him, even if he is not sick, but he fears illness, then he should keep a distance ... and they ask: Is it permissible for rulers to oblige worshipers to pray spaced apart as mentioned? Or is this spacing an innovation (bid'ah) that the rulers obtain its sin? Those questioning are insistent to find out the answer...

In response to their questions, I say, and Allah is the guardian of success:

We have previously issued more than one answer regarding innovation (bid'ah), and if the questioners reflect on them, the answer will be clear to them that distancing as mentioned is an innovation that the rulers are sinful for it if they oblige people to this distancing, and the explanation for that is as follows:

First: We issued on Rajab 28, 1434 AH, corresponding to 07/06/2013 CE, it was stated:

(An innovation is a violation of a Shar'i matter, the means of which have been determined by the Shari'ah. The innovation, linguistically as noted in Lisan al-Arab is "المبتدع الذي يأتي أمراً على شبه لم يكن...، وأبدعت الشيء: اخترعته لا على مثال" "The innovator comes with a matter in a form until then inexistent..., having 'invented' a matter: Making it up with no example for it." Its conceptual meaning is the same. If for example the Prophet (saw) did something in a particular method and a Muslim deviates from this method, then this is an innovation. An innovation is thus a deviation from the method prescribed by the Shari'ah to carry out a Shar'i matter. And this is the deduced meaning of the Hadith: «وَمَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ» **“Whosoever introduces into this affair of ours (i.e. into Islam) something that does not belong to it, it is to be rejected.”** [Bukhari and Muslim]

For example, if one were to perform three Sujud in his prayers as opposed to two, since he has innovated a matter and deviated from the method of the Prophet (saw). If one were to throw eight stones instead of seven stones in Mina then he would have committed innovation because it has opposed what the action of the Prophet (saw). And if, for example, one were to add or remove words from the Adhan, then he or she would also have fallen into innovation as the Prophet (saw) approved of the specific wording of the Adhan.

However, the ruling on deviating from a matter of the Shari'ah in which a distinct method was not ordained falls into one of the legal ordinances, meaning: It is either Haram, Makruh, etc. if it is a matter of the regulatory ordinance (Hukm Wad'i) depending on the applicable indication to the matter, then it comes under the categories of Baatil, Fasiq, etc.

For example, it was reported by Muslim from Aisha (ra) in description of the Prophet's prayer (saw) that she said: «...وَكَانَ إِذَا رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ لَمْ يَسْجُدْ، حَتَّى يَسْتَوِيَ قَائِمًا، وَكَانَ إِذَا رَفَعَ رَأْسَهُ مِنَ السَّجْدَةِ، لَمْ يَسْجُدْ...» **“He (saw) upon raising his head from Ruku' would not make Sujud until he was standing upright and when he raised his head from Sujud he would not make Sujud until he was sitting upright.”**

Accordingly, in this narration the Prophet (saw) shows us that the Muslim should upon raising his head, not make Sujud until he is standing upright, and if he rose from his Sujud, he should not return to a state of Sujud until he is sitting upright. This is the method ordained by the Prophet (saw) and if anyone were to deviate from this prescribed method, then he or she has fallen into innovation. So, if a Muslim in prayer were to go immediately from Ruku' to Sujud without standing upright between the two, then he will have fallen into an innovation since it is opposition to the way the Prophet (saw) demonstrated to us. This is a wrongful innovation and the one committing it has fallen into grave sin.

However, it was reported by Muslim upon the narration of 'Ubaydah Bin Samit that: **إِنِّي سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «يَنْهَى عَنِ بَيْعِ الذَّهَبِ بِالذَّهَبِ، وَالْفِضَّةِ بِالْفِضَّةِ، وَالنَّبْرِ بِالنَّبْرِ، وَالشَّعِيرِ بِالشَّعِيرِ، وَالتَّمْرِ بِالتَّمْرِ، وَالْمَلْحِ بِالْمَلْحِ، إِلَّا سَوَاءً بِسَوَاءٍ، عَيْنًا بِعَيْنٍ، فَمَنْ زَادَ، أَوْ أَزَادَ، فَقَدْ أَرَبَى»** I heard the Prophet (saw): **He forbid the selling of gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates and salt for salt unless the same for the same, eye to eye, for whoever added or had something added, has indulged in Riba.** If the Muslim violated this Hadeeth and sold gold with gold with increase (interest), and not the weight with weight, then it is not to be said that he has committed innovation, rather it is said that he has committed haram i.e. interest (riba).

In conclusion: The deviation from the method prescribed by the Prophet (saw) is an innovation. And the deviation from an absolute command of the Prophet (saw) without the prescription of a method falls into one of the following legal ordinances (Ahkaam Shar'iyah): Haram and Makruh, Fasiq and Baatil...This is determined according to the evidences.) **End quote.**

We have issued more detailed information about innovation on 08 Dhu al-Hijjah 1436 AH corresponding to 22/09/2015 CE and we also issued other answers before and after that which are sufficient enough, by the permission of Allah.

Second: Accordingly, if the countries in the Muslim countries compel the worshipers to separate one or two meters from the one beside them, whether on Friday or in congregation for fear of contagion, especially without pathological symptoms, then they commit a great sin where this spacing is an innovation, because it is a violation, as it is a clear deviation of the method of making the rows and keeping close together as revealed by the Messenger of Allah (saw) by the Shari' (legal) evidence, including:

- Al-Bukhari extracted in his Saheeh from Abu Sulayman Malik ibn al-Huwayrith said, "We came to the Prophet (saw) being young men of a similar age. We spent twenty nights with him... He was merciful and kind, and said, **«فَقَالَ ارْجِعُوا إِلَىٰ أَهْلِيكُمْ فَعَلِّمُوهُمْ وَمُرُوهُمْ وَصَلُّوا كَمَا رَأَيْتُمُونِي أَصَلِّي وَإِذَا حَضَرْتَ الصَّلَاةَ فَلْيُوَدِّنْ لَكُمْ أَحَدُكُمْ ثُمَّ لِيَوْمَكُمْ أَكْبَرُكُمْ»** **Go back to your family. Instruct and command them. Pray as you have seen me praying. When it is time for the prayer, then let one of you give the adhan and let the oldest of you lead the prayer.**"

- And al-Bukhari extracted in his Sahih on the authority of Anas Bin Malik, he said: When the Iqamah had been announced, the Messenger of Allah (saw) turned his face towards us and said: **«أَقِيمُوا صُفُوفَكُمْ، وَتَرَاصُّوا، فَإِنِّي أَرَاكُمْ مِنْ وَرَاءِ ظَهْرِي»** **Make your rows straight and stand close together, for I can see you from behind my back.**"

- Muslim extracted in his Sahih from al-Nu'man ibn Bashir (r.a), he said the Messenger of Allah (saw) directed us to keep our rows as straight as arrows. He continued stressing this until he realized that we had learnt it from him (recognized its significance). One day he came into the mosque and stood up. He was just about to say Takbir (Allah is Greater) when he noticed a man whose chest was projected from the row, so he said, **«عِبَادَ اللَّهِ لَتُسَوَّنَّ صُفُوفَكُمْ، أَوْ لِيُخَالِفَنَّ اللَّهُ بَيْنَ وُجُوْهِكُمْ»** **O slaves of Allah, you must straighten your rows or Allah will certainly put your faces in opposite directions.**"

- And Muslim also extracted in his Sahih on the authority of Jabir ibn Samrah, who said: The Messenger of Allah (saw) said: **«أَلَا تَصُفُّونَ كَمَا تَصُفُّ الْمَلَائِكَةُ عِنْدَ رَبِّهَا؟»** **فَقُلْنَا يَا رَسُولَ اللَّهِ، وَكَيْفَ تَصُفُّ الْمَلَائِكَةُ عِنْدَ رَبِّهَا؟ قَالَ: «يُتِمُّونَ الصُّفُوفَ الْأُولَىٰ وَيَتَرَاصُّونَ فِي الصَّفِّ»** **Why don't you draw yourselves up in rows as**

angels do in the presence of their Lord? We said: Messenger of Allah, how do the angels draw themselves up in rows in the presence of their Lord? He (the Holy Prophet) said: They make the first rows complete and keep close together in the row.”

- And Al-Hakim extracted, and said it is an authentic hadith on the condition of Muslim, on the authority of Abdullah bin Umar, the Messenger of Allah (saw) said: «مَنْ وَصَلَ صَفًّا وَصَلَهُ اللَّهُ، وَمَنْ قَطَعَ صَفًّا قَطَعَهُ اللَّهُ» **“Whoever completes a row, may Allah be generous to him, and whoever cuts a row, may Allah cut him off.”**

- Ahmed extracted from Abdullah ibn Umar that the Messenger of Allah (saw) said: «أَقِيمُوا الصُّفُوفَ فَإِنَّمَا تَصُفُّونَ بِصُفُوفِ الْمَلَائِكَةِ وَحَادُوا بَيْنَ الْمَنَاقِبِ وَسُدُّوا الْخَلْلَ وَلِيُونَا فِي أَيْدِي إِخْوَانِكُمْ وَلَا تَدْرُوا فُرُجَاتِ الشَّيْطَانِ وَمَنْ وَصَلَ الصُّفُوفَ فَاتَمَّ تَصُفُّونَ بِصُفُوفِ الْمَلَائِكَةِ وَحَادُوا بَيْنَ الْمَنَاقِبِ وَسُدُّوا الْخَلْلَ وَلِيُونَا فِي أَيْدِي إِخْوَانِكُمْ وَلَا تَدْرُوا فُرُجَاتِ الشَّيْطَانِ وَمَنْ قَطَعَ صَفًّا قَطَعَهُ اللَّهُ» **“Set the rows in order, stand shoulder to shoulder, close the gaps, be pliant in the hands of your brethren, and do not leave openings for the devil. If anyone joins up a row, Allah will join him up, but if anyone breaks a row, Allah will cut him off.”**

This is a complete explanation from the Messenger of Allah (saw) of how to perform the prayer in congregation, and the Companions, may Allah be pleased with them, adhered to this. Malik in Al-Muwata and al-Baihaqi in As-Sunan al-Kubra narrated **“that Umar ibn al-Khattab used to order the rows to be straightened, and when they had come to him and told him that the rows were straight he would say the takbir.”**

Third: It is not said that contagious disease is an excuse that permits distancing in prayer, it is not said so because contagious disease is an excuse not to go to the mosque and not an excuse to go and be at one or two meters a part from the worshiper besides him!! Because infectious diseases (the plague) occurred during the era of the Messenger of Allah (saw) and it was not reported from the Messenger Allah (saw) that the plagued patient goes to pray and keeps two meters away from his brother, but is excused and prays in his home ... Treatment in the area where the disease is spread, is intensified for free and diligently under the auspices of the state and is not mixed/mingled with healthy individuals... as narrated by Muslim in his Sahih that Usama bin Zaid reported that Allah's Messenger (saw) had said: «الطَّاعُونَ آيَةُ الرَّجْزِ ابْتَلَى اللَّهُ عَزَّ وَجَلَّ بِهِ نَاسًا مِنْ عِبَادِهِ، فَإِذَا سَمِعْتُمْ بِهِ فَلَا تَدْخُلُوا عَلَيْهِ وَإِذَا وَقَعَ بِأَرْضِ وَأَنْتُمْ بِهَا فَلَا تَفْرُوا مِنْهُ» **“Plague is the sign of a calamity with which Allah, the Exalted and Glorious, affects people from His servants. So when you hear about it, don't enter there (where it has broken out), and when it has broken out in a land and you are there, then don't run away from it.”** That is, the patient with an infectious disease does not mix with healthy people and is provided with adequate treatment, by the permission of Allah. As for the healthy one, he goes to the mosque and prays Friday and congregation prayers as usual, without distancing.

Fourth: Likewise, it is incorrect to say that distancing in prayer at the time of the epidemic is measured by analogy (Qiyas) to the license/permit (rukhsa) to pray sitting at the time of illness. For this is not a Shari' Qiyas (analogy), because the sick person prays sitting with a Rukhsa from Allah (swt) that is for an excuse which is illness. Excuses are causes (*asbab*) and not reasons (*ilal*), thus the Shari' did not justify them but made every excuse an excuse for the ruling, which came as an excuse for it and not for others, as it is considered a special excuse for the rule that came to it, and is not a general excuse for every rule; it does not imply (*mufhim*) the cause of reasoning (*wajh allillah*). Therefore, an analogy can not be made with it, because the cause is specific to what was the cause for its existence, and does not exceed it to others, so it is not measured against it. This is in contrast to the reason (*illah*), because it is not specific to the ruling for which it was legislated. but rather it extends to others, and Qiyas can be made to it ... Hence it is clear that the acts of worship, which are causes (*asbab*) and not reasons (*ilal*), makes the acts of worship tawqefiya (fixed by the Lawgiver), not reasoned and no Qiyas can be made on them; Because the cause is specific to what was the cause of it.

Fifth: Also, the rukhsa (legal licence/ permit) is from the declaratory rules (Hukm Wad'), which is the address of the Legislator related to the actions of the servants in terms of declaration, and since itself is the address of the Legislator, there must be legal (Shari') evidence that indicates it. For example, with regard to the prayer of a sick person sitting, Al-Bukhari reported in his Sahih on the authority of `Imran bin Husain saying I had piles, so I asked the Prophet (saw) about the prayer. He said, «**صَلِّ قَائِمًا فَإِنْ لَمْ تَسْتَطِعْ فَقَاعِدًا، فَإِنْ لَمْ تَسْتَطِعْ فَعَلَى جَنْبٍ**» **“Pray while standing and if you can't, pray while sitting and if you cannot do even that, then pray laying on your side.”** This is a permit (*rukhsa*), that is a legitimate excuse, and all that is stated in legal evidence to be an excuse for a specific ruling, is considered an excuse, and whatever no evidence exists for it has no value, and it is not considered a legal excuse at all ... and since there is no evidence that the sick person may pray one or two meters apart from the one next to him, then there is no legal value for this statement, and it is not correct ... How about if he is not ill, but only because he anticipates the disease?!

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.

Wassalamu Alaikum wa RahmatuAllahu wa Barakatuhu.

17th Shawaal 1441 AH

Your Brother

08/06/2020 CE