

بسم الله الرحمن الرحيم

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Question: Government restrictions are in place, due to which people cannot gather in the *masājid* and perform *ṣalāh*. In light of this, should one perform *Zuhr* or *Jumu'ah* in one's home on Friday? If one is to perform *Zuhr* then should it be performed in congregation or by oneself? Additionally, when *ṣalāh* is performed in homes in congregation should the *adhān* and *iqāmah* be called or not? It is mentioned in the books of *fiqh* that the excused (*ma'dhūrīn*) will perform *Zuhr* on Friday by themselves; the reason mentioned is that a congregation of *Zuhr* will decrease the congregation for *Jumu'ah* which is contradictory to the purpose of *Jumu'ah*. However, this reasoning is not applicable in today's situation, so will it be permissible to perform *Zuhr* in congregation? !
بينوا بالدليل توجروا بالأجر الجزيل!

الجواب والله المستعان وعليه التكلان

According to the scenario in the question, in those areas where the conditions of *Jumu'ah* are found one must only perform *Jumu'ah*. If there is no permission to congregate in the *masājid* then it must be performed in the homes. If there are restrictions which limit large gatherings then three mature males excluding the *imām* are enough. For those individuals who cannot read the *khuṭbah*, a long *khuṭbah* is not necessary, rather, in the first *khuṭbah* *surah al-Fatiḥah* can be recited and in the second *khuṭbah* *surah al-Ikhlāṣ* and *sūrah al-'Aṣr* can be recited. If, however, three mature males are not present excluding the *imām*, nor can they gather, or if none of them can recite the *khuṭbah* and the Quran (*qirā'ah*) aloud, then *Zuhr* can be performed in congregation or in solitude, both will be permissible. However, performing *ṣalāh* in congregation is much more virtuous than performing *ṣalāh* in solitude; therefore, performing *ṣalāh* in congregation is better.

Some have said that performing *Jumu'ah* in homes is incorrect because the condition (*shart*) of general permission of assembly (*idhn 'ām*) is not found. In reality, however, closing the door to one's home is for security purposes and not to prevent others from joining the *Jumu'ah* prayer, because if one's door remains open, then too, people would not come and join the prayer. The meaning of 'no *idhn 'ām*' is when people gather in the *jāmi' masjid*, the doors are then closed and the *Jumu'ah* prayer is performed, while permission for others to join is not granted and there is no other place in the locality where *Jumu'ah* is taking place. In this situation, the *Jumu'ah ṣalāh* of those performing in the *jāmi' masjid* will not be valid, because there is no *idhn 'ām*, i.e. no permission for others to join. This however, is not found when *Jumu'ah* is performed in homes, because even if one locks their doors then the *Jumu'ah* of others is not missed (because *Jumu'ah* can be performed elsewhere as well). An example of this is elucidated by the *fuqahā'* who state that if *Jumu'ah* is performed after having locked the gates of a fort, and *Jumu'ah* is also performed in *masājid* outside the fort, then the *Jumu'ah* of those within the fort will be valid. Locking the gates is for the sake of the regulations of the fort and not to prevent anyone from performing *Jumu'ah*.

Observe some proofs from the books of *fiqh*:

قال في «الدر المختار»: والسابع الإذن العام من الإمام، وهو يحصل بفتح أبواب الجامع للواردين كافي، فلا يضر غلق باب القلعة لعدو أو لعادة قديمة. وفي «رد المختار»: والذي يضر إنما هو منع المصلين لا منع العدو... قلت: وينبغي أن يكون محل النزاع ما إذا كانت لا تقام إلا في محل واحد، أما لو تعددت فلا، لأنه لا يتحقق التفويت كما أفاده التعليل، تأمل. («الدر المختار» مع «رد المختار»: ١٥٢/٢، سعيد). وللمزيد راجع:

(«حاشية الطحطاوي على مراقي الفلاح»: ص ٥١٠، قديمي كتب خانه، و«مجمع الأنهر»).

Observe some *fatāwā* of the *akābir* regarding performing *Jumu'ah* in homes, car factories and offices:

Ḥaḍrat Muftī Kifāyatullāh, may Allah ta'ālā have mercy upon him, states that it is permissible to perform *Jumu'ah* in homes. It is written in '*Kifāyat ul-Muftī*':

"Yes, it is possible to perform *Jumu'ah* in homes as well, when there is no prevention; however, one should not always perform *ṣalāh* in one's home and leave the *masjid* barren." (*Kifāyat ul-Muftī*, v.3, pg. 231, Dār al-Ishā'at).

Ḥaḍrat Thānwī, may Allah ta'ālā have mercy upon him, states that performing *Jumu'ah* in a government office is valid. Observe the *fatwā* titled "حکم اقامت جمعہ در مکان دفتر سرکاری و قلعہ" (i.e. "The ruling of performing *Jumu'ah* in a government office and a fort"):

"*Idhn 'ām* (general permission) is among the conditions for *Jumu'ah* to be valid, which means that stopping people from performing *ṣalāh* there should not be the motive. Rather, if preventing others from prayer is because of other necessities then that does not affect *idhn 'ām*. It is written in '*al-Durr al-Mukhtār*':... Thus from the previously mentioned, performing *Jumu'ah* in this fort is permissible." (*Imdād al-Fatāwā*, v.1, pg.481).

Ḥaḍrat Muftī 'Azīzur Raḥmān, may Allah ta'ālā have mercy upon him, states: "It is permissible to perform *Jumu'ah* in one's home due to rains." Observe his *fatwā*, titled: "بارش کے زمانہ میں جمعہ کی نماز باجماعت گھر میں" "The ability to perform *Jumu'ah* in one's home during times of rain" in '*Fatāwā Dārul 'Ulūm Deoband*', v.5, pg.75, Dār al-Ishā'at. The summary of the *fatwā* is: Question: During the monsoon season when the *masjid* is far and walking is difficult what is the ruling regarding *Jumu'ah*? Answer: According to the *muftā bihī* view *Jumu'ah* is permissible in multiple places, therefore, if going to the *masjid* is difficult due to excuse of rain then it is permissible to perform *Jumu'ah* elsewhere with a permissible congregation, (i.e. three men other than the *imām*)."

Ḥaḍrat Mawlānā Zafar Aḥmad Uthmānī, may Allah ta'ālā have mercy upon him, states that if preventing people from performing *Jumu'ah* is not the purpose, rather, it is for regulation purposes then it will be permissible to perform *Jumu'ah* in a fort. (*Imdād al-Aḥkām*, v.1, pg.751).

In another place it is written that it is permissible to perform *Jumu'ah* in a car factory. (*Imdād al-Aḥkām*, v.1, pg.739). Yet in another place it is written that if *Jumu'ah* is missed by a few individuals then they can make one among them the *imām* and perform *Jumu'ah*. (*Imdād al-Aḥkām*, v.1, pg.784).

Ḥaḍrat Muftī 'Abdur Raḥīm, may Allah ta'ālā have mercy upon him, states: "If some people have not yet performed *Jumu'ah*, then they can perform it in a house." (*Fatāwā Raḥīmiyyah*, v.3, pg.421).

Ḥaḍrat Muftī 'Azīzur Raḥmān, may Allah ta'ālā have mercy upon him, stated that if one says *subḥān Allāh*, or *alḥamdu Lillāh*, or *Allāhu Akbar* once in the *khuṭbah*, then that suffices. Observe what he writes in '*Fatāwā Dārul 'Ulūm Deoband*': "The *khuṭbah* which is *farḍ* will be also completed by saying *subḥān Allāh*, or *alḥamdu Lillāh*, or *Allāhu Akbar* once. According to the *Ṣāhibayn* if one recites three verses or the amount of *tashahhud* then the *khuṭbah* will be complete. Therefore, if one does not know one of the common *khuṭbahs* then he can suffice with the previously mentioned amount and perform *Jumu'ah*. In those places where *Jumu'ah* is *wājib*, i.e. in cities, and large villages then *Jumu'ah* should not be left out." (*Fatāwā Dārul 'Ulūm Deoband*, v.5, pg. 82, Dār al-Ishā'at).

For more information see: '*Aḥsan al-Fatāwā*' v.4, pg.120, and '*Fatāwā Maḥmūdiyyah*' v.8, pg.184, Jāmi'ah Fārūqiyyah.

Another aspect is that regarding *idhn 'ām* being a condition (*sharṭ*), 'Allāmah Ṭaḥṭāwī, 'Allāmah Shāmī, 'Allāmah Shurunbulālī and other *fuqahā'* have stated that this is not mentioned in *ẓāhir al-riwāyah*, rather it is mentioned in *nādir al-riwāyah*. It is for this reason that *Imām Qudūrī* and *Ṣāhib al-Hidāyah* did not mention it. Moreover, there are severe warnings in the *aḥādīth* for one who discards *Jumu'ah*; therefore, *Jumu'ah* in the homes should be diligently observed.

Observe what 'Allāmah Shāmī, may Allah ta'ālā be pleased with him, has written regarding *idhn 'ām*:

واعلم أن هذا الشرط لم يذكر في ظاهر الرواية ولذا لم يذكره في الهداية بل هو مذكور في النوادر. (فتاوى شامي: ١٥٢/٢، ط: سعيد).
وقال في «مراقي الفلاح»: ولم يذكر في الهداية هذا الشرط لأنه غير مذكور في ظاهر الرواية وإنما هو رواية النوادر... (مراقي الفلاح: ص ١٩١، ط: بيروت).
قوله: الإذن العام، أي أن يأذن للناس إذنا عاما بأن لا يمنع أحدا ممن تصح منه الجمعة عن دخول الموضع الذي تصلى فيه... (فتاوى الشامي: ١٥١/٢).

Indeed, if three males other than the *imām* are not present and gathering is difficult because of the law then *Zuḥr* should be performed in congregation. Some scholars have written regarding the excused (*ma'dhūrīn*) that performing *Zuḥr* in congregation in their homes on Friday is *makrūh*. The '*illah*' (reason) for it being *makrūh* is that the congregation for *Jumu'ah* will decrease and it will seem as this action is in opposition to *Jumu'ah*. This '*illah*' is not present in this situation, because there are restrictions in attending the *masājid*. Due to the '*illah*' not being present, the ruling of *makrūh* will also no longer be present, and performing *Zuḥr* in congregation is not only permissible but greater and more virtuous as well. Observe what 'Allāmah Sayyid Aḥmad Ṭaḥṭāwī states regarding the '*illah*' of *karāhah*:

ووجه الكراهة أنها تنفذي إلى تقليل جماعة الجمعة، لأنه ربما تطرق غير المعذور للاقتداء بالمعذور ولأن فيه صورة المعارضة بإقامة غيرها.
(حاشية الطحطاوي على مراقي الفلاح: ص ٥٢٢، قديمي كتب خانه).

Thus, there is no apparent opposition to *Jumu'ah* in villages; therefore, *Zuḥr* in congregation is permissible there without being disliked (*karāhah*). 'Allāmah Ṭaḥṭāwī further states:

قوله في المصر، قيد به لإخراج أهل السواد فإنه لا يكره لهم الجماعة لعدم الجمعة على أهلها فلا يلزم ما ذكر. (حاشية الطحطاوي على مراقي الفلاح: ص ٥٢٢، قديمي كتب خانه).

وفي «اللباب»: لما فيه من الإخلال بالجمعة بتقليل الجماعة وصورة المعارضة، قيدنا بالمصر لأنه لا جمعة في غيرها فلا يفرضي إلى ذلك.
(«اللباب»: ١ / ٥٥، ط: دار الكتاب العربي).

For more information see: '*al-Nahr al-Fā'iq*' and '*al-Hidāyah*', v.1, pg.170, Ashrafiyah Deoband, and '*al-Durr al-Mukhtār*'.

And Allah ta'ālā knows best, and to Him is the return and final abode.

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