

SALAAT AND SAUM IN ABNORMAL TIME ZONES

QUESTION

How should people perform Salaat and fast in such places where the day is 23 hours long, or in places where the sun does not set for six months? In these places of abnormal times, I have been confused by some weird 'fatwas' issued recently by a sheikh. Abother person writes the following:

"Now in the UK, as well as Canada, Norway and any country above 48.5 degrees latitude, the whiteness never actually disappears at some times of the year. Also, for any place above 54.5 degrees latitude, which includes my birth town of Middlesbrough, the redness in the sky also does not disappear. This happens from around May 18th until July 25th (depending on where you are located.)"

In the sixth Islamic century, Muhammad ibn Abi Qasim al-Baqali al-Khawarizmi issued the following ruling ('fatwa') "The time of Isha does not occur and therefore there is no Isha prayer", Shams al-Aimmah al-Hilwani al-Bukhari disagreed and said that "there is Isha prayer because there is compulsion of prayer within the religion and this (compulsion) is not lifted due to the time (not occurring)." Imam Baqali responded by giving the following pertinent example: "When a person has his hand cut off, does he need to do ablution [ritual washing] on it? When a person has no hand, compulsion to wash that limb is removed and therefore when there is no time, compulsion to prayer Isha is also removed". Imam Shamsul al-Aimmah, who was a famous and highly respected scholar throughout the Muslim world, to the extent that he was given the title of the 'Sun of all Imams', took back his own ruling ('fatwa') and issued a new ruling which supported the position of Imam Baqali. Fortunately, we had some genuine scholars at that time, something we are seriously lacking today, where people see correcting themselves as a sign of weakness and fight for their entrenched positions regardless of their absurdity or harm caused to the Muslim laity. This became the relied upon opinion ('Mu'tamad') within the Hanafi School which is narrated by huge number of Hanafi Scholars and can be found in the famous and authoritative books of that school, such as 'Nur al Idah', 'Fatwa Shaamia', 'Fatwa Hindiyyah' etc.

Of course, people will keep insisting on their own entrenched views and confusing the lay Muslims by trying to make it look as if the opposite is the true opinion of the Hanafis. Towards

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this end they often quote that the foregoing opinion was not accepted by Imam Kamal al Deen Muhammad bin Humam who is Sahibul Ikhtiyar (which means he is, due to his seniority, allowed to leave the relied upon opinion or 'Mu'tamad' of the School – but others are forbidden from following this opinion as that of the School in any case). His point was that prayer is known by consensus ('Ijma') and therefore its compulsion should not be removed. This is a weak position because washing your hands as a part of ablution is also Ijma but its compulsion can be removed as explained earlier. This opinion was incorrectly accepted and taken by some of the contemporary Hanafi scholars.

Kamal ibn Humam was a Hanafi scholar from the 15th century and was the first person to apply a numerical value to the 'whiteness' of the post sunset sky (aside from modern astronomers of course), which he ascertained as '18 degrees'. In this matter he doesn't really leave the position of the Hanafi school as he is still following the position of the whiteness disappearing, he merely applies a numerical value to the situation. However, it is illustrative to note that there is the famous position of Imam Abu Hanifa that one does not apply a numerical value to something which has not been mentioned in the Quran or Sunnah. An example of this is the matter of what exactly is considered as a 'large body of water' (mentioned in the Islamic sources), whereas Imam Muhammad applies a numerical value to his position of how much this amount is, Imam Abu Hanifa does not. Therefore '18 degrees' is a numerical estimation of the disappearing of whiteness, and the actual position of the Hanafi school is that Isha begins when the whiteness disappears. Fajr prayer begins when there is a thin white Horizontal line in the sky. As the whiteness never disappears this light is always present and this thin line does not appear after the darkness. Therefore Fajr prayer also does not begin.

Now even though we know that the time of the Isha prayer does not in fact occur in certain climes, yet there are some weak opinions about how one should calculate when to read Isha prayer irrespective of this reality. Aqrabul Ayyam ('nearest day'), this is when you look use the time of the last day when the whiteness did actually disappear and one reads Isha prayer based on this time. Aqrabul Bilaad ('nearest city'), which is to find the nearest city below 48.5 degrees, where the whiteness does disappear and use that time to establish the time of Isha prayer in your own city. Nisful Layl ('half of the night'). This is when the night divided into two parts. In the first part one prayer Maghrib and Isha and this is also divided into two parts. There is also the opinion of Imam Shafi where he divides the night into seven parts. People are free to follow these but they are not licit within the Hanafi school (at least), and to mandate them upon people is an interesting example of a peculiar modern notion of 'non-sectarianism' or 'non-partisanship', where respect for other opinions and 'unity' in fact leads to the enforcement of just one opinion, often incongruent with Hanafism, upon its followers. If however the followers of a Madhab (school of thought such as Hanafi, Shafi etc) try to pick and choose between the madhabs by themselves, they are accused to 'taking the easy way out'. So in reality, we see people who advocate a traditional point of view are accused of reviving rivalries between Madhabs and sectarianism, but this is just a means to unite everyone under the puritan or Salafi opinion, which itself is sectarian, as dissent from it is paradoxically labelled 'sectarianism' and 'dividing

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the Ummah' (community of believers). (End of letter)

Is what he said correct and is it true that if the whiteness cant be seen then we cant do isha prayer? In all masaajid here they specifically do Isha an hour and a half after Maghrib time but if the whiteness can't be seen in the summer months does that mean our isha wont be valid what do we do?

ANSWER

The conundrum is the effect of modernists latching on to technicalities to find the easiest way out, and the easiest way in terms of the technicalities of some Ulama is that in certain abnormal times zones Salaat is Fardh five times in the whole year.

We are simple people and we set aside the technicalities for it is easy for us to understand that one of the fundamental articles of Imaan is the performance of five Fardh Salaat in 24 hours.

Rasulullah (sallallahu alayhi wasallam) had informed the Sahaabah that Dajjaal will dwell on earth for 40 days. One day will be as long as a year, one day as long as a month, one day as long as a week, and the balance of the days will be as normal. They asked whether Salaat on the day equal to a year will be only five times (in that whole year). Rasulullah (sallallahu alayhi wasallam) responded: "NO!" Calculate the time." That is, in the 24 hours perform the five Salaat. Divide the time suitably to accommodate the five Salaat.

How should this time be calculated? The Fuqaha have explained several ways. One way is to take the times of the nearest location in that region where sunrise, sunset, etc. are normal. This is the simplest solution. In short, the people could use any method of convenience to fix the

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times for the five Salaat, and for Fasting.

In places where there is normal sun rise, sunset, etc., the Salaat and Fasting times will be as usual regardless of the length of the day. It will remain Fardh to fast. Assuming that some people are **genuinely** unable to fast for 22 or 23 hours – they would collapse or faint or become ill – then they should make Qadha in the next season when the normal days are extremely short. But the modernist theory of ending the fast before sunset simply because of the length of the day is baseless and haraam.

The writer has baselessly accused the Hanafi Ulama of acting in terms of a non-Hanafi tenet in this regard, but do not allow others to select from other Math-habs. It has always been a principle in the Hanafi Math-hab to adopt from any valid Math-hab a ruling when there is a dire need. But to decide and adopt this 'dire need' are not for laymen, least of all for deviate modernists. The authoritative Ulama will decide what is need. On other issues too, the Hanafi Ulama have adopted the rulings of other Math-habs in time of need. This is not an unknown or hidden principle of the Hanafi Math-hab.

We are under no obligation to follow the view of any particular Faqeeh as quoted by the writer. We are not the muqallideen of a particular Faqeeh. We are followers of the Hanafi Math-hab and we act within the latitude permitted by the Math-hab.

Deviated modernists and those whose ties with the Deen are extremely slack are kicking up a lot of dust and blowing hot air full of sound and fury signifying nothing regarding this issue. This matter has been decided many centuries ago by the Fuqaha, in fact by Rasulullah (sallallahu alayhi wasallam) himself in his fatwa in the Hadith pertaining to Dajjaal.

3 Ramadhaan 1436 – 20 June 2015