

MLA's LETTER TO THE PRESIDENCY – MOST REGRETTABLE

The Muslim Lawyers Association (MLA) has written to the Presidency seeking permission for organizing Eid Salaat at Eidgahs. In their letter, the MLA most regretfully proposed the following conditions for the permission sought from the government regarding the oppressive ban on Jamaat Salaat in the Musaaqid and in the Open:

In this regard, we submit that the following measures, which have been derived from — amongst others — the World Health Organisation's (WHO) published set of guidelines for Safe Ramadaan Practices, be imposed on the organisers and attendees of each Eid Gah should you be so inclined to accede to our request:

i) Attendance at the Eid Gah be limited to 50 worshippers for a 30 minute period between 6:30AM and 9:00AM, the identities of which will be decided through cooperation between worshippers and their local mosques (which are controlled by communally elected executive committees). The benefit of this is two-fold: firstly, the smaller service will reduce the risk of transmission between congregants, and secondly, the Government's valuable administrative capacities will not be strained, as the associated administrative burden will be managed by local mosques.

ii) Congregants over the age of 60 will be precluded from attending the Eid Gah, as they have been identified as a "high-risk" demographic in respect of the COVID-19 virus. Similarly, congregants who present with comorbidities such as diabetes, asthma and COPD, tuberculosis, and other conditions will be precluded from attending the Eid Gah, as they, too, have been identified as a "high-risk" demographic in respect of the COVID-19 virus.

iii) Congregants will be required to wear a cloth face mask or an item that covers the nose and mouth, which have been shown to be effective in combatting the spread of the COVID-19 virus.

iv) As a contingency for those congregants who present at the Eid Gah without nose and mouth coverings, disposable face masks will be made available to such congregants free of charge.

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v) Congregants will be screened upon arrival, and any congregant which presents as a risk will be denied access to the Eid Gah.

vi) Congregants will be required to present with their own prayer mats, which cannot be shared.

vii) Sanitizing stations will be made available at controlled entrances and exits at the Eid Gah in order that each attending congregant will be obliged to sanitize upon entering and exiting the Eid Gah.

viii) Congregants will be required to adhere to strict social distancing measures, both when seated and standing, through creating and assigning fixed rows (saffs) 2 metres apart, including when in prayer.

ix) The number and flow of congregants entering, attending, and departing from the Eid Gah will be regulated to ensure social distancing at all times. This will be achieved with the assistance of private security services, which will be arranged by the organising committee of each Eid Gah.

x) Congregants will be prohibited from liaising, communicating or interacting with one another after the Eid Gah, and instead will be ushered out of the venue in an organised fashion with the assistance of the private security personnel referred to above.

(End of MLA's conditions)

It was indeed inappropriate for the MLA to have written to the government with their plea encumbered by the aforementioned host of absolutely haraam terms and conditions without consulting the Ulama.

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Not a single one of the conditions in the aforementioned list is permissible. Every condition is in fact the very antithesis of the Ibaadat of Jamaat Salaat, Jumuah Salaat and Eid Salaat. Voluntary submission to these haraam/kufr conditions is in fact kufr. Voluntarily requesting the imposition of these haraam conditions is aggravated kufr.

These conditions are in total rejection of the Ahkaam of the Shariah as applicable to Musaaqid and Jamaat Salaat. Furthermore, the implied kufr is grotesque as it accords preference, respectability and acceptability over and above what Rasulullah (Sallallahu alayhi wasallam) had stated explicitly regarding plagues and diseases. Our Nabi's statement: "*LAA ADWAA*" can not be interpreted and wished away to suit and bootlick the authorities. Denial of this explicit statement of our Nabi (Sallallahu alayhi wasallam) effaces Imaan. It requires renewal of Imaan and renewal of Nikah as well. It is not an issue to gloss over.

The MLA has failed to apply its mind Islamically. In presenting the host of haraam conditions, it has brought disrepute to Islam and the Muslim Community. We urge the MLA to retract their request.

THE SHARIAH'S FATWA

It is not permissible to participate in a Salaat encumbered with the conditions proposed by the MLA. Should the government relent and grant permission on the basis of the proposed haraam conditions, then too, Muslims should not visit such **fake eidgahs and fake eid salaat which will not be valid.**

It is infinitely better that the Musajjid and the Eidgahs remain closed and dysfunctional than submission to the host of haraam, humiliating conditions of kufr. It is most unbecoming for Muslims to string around their necks the humiliation proposed by the MLA. **SALAAT WITH THESE CONDITIONS WILL SIMPLY NOT BE VALID.**

It is Imaanicly inconceivable to turn away even one elderly or one sick person from a Masjid or an Eidgah. Masjid committees and personnel are not to conduct themselves as members of the Gestapo. They have no RIGHT whatsoever of acting like the oppressive police to shunt, kick and humiliate any Muslim. The Imaan embedded in the heart of even a faajir-faasiq Muslim (not a Munaafiq) is more treasured by Allah Ta'ala than even Baitullah. The heart of the true Mu'min is Allah's Abode. Thus, in a Hadith Qudsi, Allah Azza Wa Jal declares:

“Nothing can contain ME but the heart of the Mu'min.”

How is it possible for true Muslims to break this Abode of Allah Ta'ala for appeasing atheists and oppressors? Never attend a mock eidgah for a mock eid salaah encumbered with the host of satanic conditions proposed by the MLA.

For Eid Salaah, follow the advice which we have published in earlier articles which is the same as the advice proffered by Madrasah Arabia Islamia (Azaadville) which is as follows:



Darul Uloom Azaadville - Ifta Department

EID SALAAT DURING LOCKDOWN

Congregation

A minimum of at least four adult males are required for congregational *Eid Salaat*. Therefore, if a minimum of four males are present in a household, they may offer their *Eid Salaat* in congregation. (*Raddul Muhtar* Vol. 2 Pg. 166).

In order for a congregation to be valid, it is necessary that the congregation takes place in such a manner that all the congregants are in the same place. Therefore, all forms of virtual congregations, whether by means of audio, video, television or any other means will be invalid. (*Raddul Muhtar* Vol. 1 Pg. 586)

If a congregation is not possible

If it is not possible to hold a congregation due to the current circumstances, one may perform two or four *Rak'ats* of *Nafl Salaat* at any time between *Ishraaq* and *Zawaal*. By doing so, *In Sha Allah*, one will attain the reward of having offered the *Eid Salaat*. (*Raddul Muhtar* Vol. 2 Pg. 176)

Method of performing Eid Salaat

- **Intention:** Make the intention of offering two *Rak'ats* of *Wajib Eid Salaat* with six extra *Takbeers*.
- **First Rak'at:** The *Salaat* will be commenced and *Thanaa* recited as normal. After *Thanaa*, the *Imaam* will recite *Takbeer* thrice, raising the hands upon each *Takbeer* and dropping them to the sides. The hands will be tied after the third *Takbeer*. The first *Rak'at* will then proceed as normal.
- **Second Rak'at:** After having recited *Surah Fatihah* and a *Surah*, the *Imaam* will once again recite *Takbeer* thrice, raising the hands upon each *Takbeer* and dropping them to the sides. He will thereafter recite the *Takbeer* for proceeding to *Ruku* without raising the hands and proceed to *Ruku*. The remainder of the *Salaat* will be completed as normal.
- **Du'a:** *Du'a* should be made after the *Salaat*.
- **Khutbah:** Thereafter, two *Khutbahs* will be given in the Arabic language.

MAY ALLAH سُبْحَانَهُ وَتَعَالَىٰ GIVE US TAWFEEQ



KINDLY HANDLE WITH CARE AND RESPECT AT ALL TIMES

26 Ramadhaan 1441 – 20 May 2020