

## The Validity of Online Jumu‘ah

In The Name of Allah; al-Raḥmān al-Raḥīm, and limitless Ṣalawāt and Taslīm onto Sayyiduna Muḥammad al-Nūr al-Mubīn, wa ‘Alā Ālih wa Azwājih wa Dhurriyātih.

For various reasons, all major schools of Fiqh do not see praying Jumu‘ah following an Imam over Live-Radio/TV, or the Internet as valid, and recommend that one prays the four Rak‘ah of Zuhr in place of it until the prohibitive circumstances resolve.

There is, however, an innovative work by our direct grand Shaykh; al-Ḥāfiẓ al-Muḥaddith Aḥmad bin al-Ṣiddīq al-Ghumārī (d. 1960 CE), where he argues the validity of praying Jumu‘ah as Jamā‘ah behind an Imam over Live-Radio, granted both are in the same time zone (as far as Salah timings).

I tried to summarize the Shaykh’s work (may Allah Ta‘āla elevate his ranks in Jannah), did not change his words, but changed the sequence of a couple of Dalil texts he used, and added a few narrations that are pertinent. I also added a couple of points at the end that I felt may be needed to make the case clearer for those seeking Fiqhi views on them. This work is almost strictly Ḥadīthī (textual) in nature, arguing the foundation of the jurisprudential (fiqhi) views that led to the prohibition of following an Imam over Live-Radio (or similar).

Having said that, it is logical for non-Mujtahids (scholars who developed their own scientific methodology of deriving directly from The Texts, such as Abu Ḥanifah, Mālik, Al-Shafī‘ī, and Aḥmad) to follow a consistent scientific methodology (Madhhab) as it is a well-paved path to acquire knowledge in a methodologically consistent way, gradually. Picking and choosing from the opinions of great scholars may lead the unlearned to a whole new collection of Fiqh rulings; A new Talfīqī Madhhab, without the foundation of a scientific methodology of deriving Aḥkām, let alone consistency in such methodology. Scholars have spoken about the validity of Talfīq (a Muqallid following different Mujtahids) when the stronger textual evidence, even as it appears to the non-Mujtahid- is clearer, but picking and choosing based on following the “easiest”<sup>1</sup> as a concept is not only frowned upon but many scholars clearly uttered its prohibition. The same applies when the ignorant or students practice Tarjīḥ (giving preponderance of some final scholarly conclusions over others) without comprehensive knowledge of the texts surrounding the issue. Confusion may ensue. The point of Tarjīḥ is negotiating the evidence (texts) then Fiqh of the Text, followed by contextual application through a consistent and credible scientific methodology.

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<sup>1</sup> The Prophet ﷺ preferred to choose the easier in matters of Dunya, as for matters of Deen (worshipping Allah Ta‘āla) he did not have a few “scholarly” opinions to pick from, but he always did that which pleased Allah Ta‘āla most, and this is what is reflected by his Sunnah ﷺ.

It is equally important to pay attention to the principle of Murā'āt al-Khilāf (مراعاة الخلاف) as our Maliki scholars (Allah be pleased with them) define it, in addition to the known agreed-upon principle of al-Khurūj min al-Khilāf (الخروج من الخلاف).

In contrast to Sidī al-Ḥāfiẓ Aḥmad's view, his younger brother al-Muḥaddith al-'Allāma al-Mushārik Sidī 'Abd Al-'Aziz bin al-Siddīq (d. 1998 CE), may Allah Ta'āla elevate his station in Jannah, wrote a treatise titled:

محاضرة النشوان في الجواب على سؤال عالم تطوان، لسيد المحدث الصوفي الشريف عبد العزيز بن الصديق الغماري

In the above work, he substantiated that the conditions of Khuṭba and Jamā'ah are textually unsubstantiated conditions, and one is obliged to pray Jumu'ah as a two unit-prayer even when alone, or in a village that doesn't have a Khaṭīb or other excuses prohibiting the establishment of regular Jumu'ah rituals. Praying 2 unit (Rak'ah) prayers suffices the Farḍ of Jumu'ah on the accountable individual in question to Sidī 'Abd Al-'Aziz, Raḥimahu Allah. He also stated that this is the Madhhab of Ibn 'Arabī, among others. He, however, agrees with his senior brother and teacher Sidī Aḥmad concerning the unsoundness of requiring a specific place (Masjid) or a specific number of people for Jumu'ah to be valid, as he stated in his other book:

حسن السمعة بإبطال قول من اشترط العدد والمكان الخاص لصلاة الجمعة

(Refuting the requirement of a designated place and specific number for a valid Jumu'ah).

The purpose of this paper is enriching the academic discussion about the topic and studying the jurisprudential contribution of the above scholars rather than encouraging Taqlīd of one view over another, let alone obliging anything the Qur'ān and authentic Sunnah did not oblige. After all, Jumu'ah is a شعيرة ظاهرة (mass public ritual) that is held in a house of Allah Ta'ala where believers gather together, learn together from each other, get to know each other, and spiritually uplift each other. All that may be missing when prayed at home; nevertheless, Nawāzil (نوازل) have their own protocol, to say the least. And Allah Ta'ala knows best.

Muhammad bin Yahya al-Ninowy

(May Allah Ta'ala forgive him, his parents and all Mu'minīn).

Rajab 26, 1441 of the blessed Hijra. 3/20/2020 Gregorian.

## Summary<sup>2</sup> of al-Ḥāfiẓ Aḥmad bin al-Ṣiddīq al-Ghumārī's book on praying Jumu'ah behind the Imam over live Radio.

(تلخيص كتاب الإقناع بصحة صلاة الجمعة في المنزل خلف المذيع للحافظ السيد أحمد بن الصديق الغماري)

Some people prayed Jumu'ah at home following the Imam's Khuṭba and Ṣalah on Radio, is that permissible?

Answer:

It is valid with the following conditions:

- 1- Both are in the same time zone (as far as the sun).
- 2- Geographically speaking, the follower needs to be behind the Imam (Qibla direction), so that the follower (Muqtaḍī) is not ahead of the Imam.
- 3- The follower (Muqtaḍī) must have at least one other person with him forming a line (Ṣaff) together.

Some people of knowledge objected, saying that such Fatwa would render the Mosques closed on Fridays, and people would remain in their homes.

The objection does not render their Ṣalat invalid, despite the act being discouraged if it is not a necessity or temporarily. Jumu'ah is like the Jamā'ah in the aspect that it is Farḍ (obligatory) to some Imams and an emphasized Sunnah to the rest, however, this fact did not let people abandon the Mosques, and their Jamā'ah prayers at home are valid.

### The objective of Jumu'ah is listening to the Khuṭba (sermon):

Refuting the view of Ibn Ḥazm and al-Shawkānī that validated Jumu'ah with no Khuṭba, I have authored a book called "al-Ḥisbah 'ala man Jawwaz Ṣalat al-Jumu'ah bilā Khuṭba" listing 60 proofs on the essentiality of the Khuṭbah in Jumu'ah.

- 1- Surah al-Jumu'ah:9

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نُودِيَ لِلصَّلَاةِ مِنْ يَوْمِ الْجُمُعَةِ فَاسْعَوْا إِلَىٰ ذِكْرِ اللَّهِ وَذَرُوا الْبَيْعَ ذَٰلِكُمْ خَيْرٌ لَّكُمْ إِنْ كُنْتُمْ تَعْلَمُونَ )

(O you who have believed, when [the adhan] is called for the prayer on the day of Jumu'ah [Friday], then proceed to the Dhikr of Allah and leave trade. That is better for you, if you only knew).

The Dhikr of Allah here means the Khuṭba specifically, listing many reasons why.

- 2- Ṣalat al-Jumu'ah was like Eid, where the Ṣalah is performed first until the verse was revealed in Al-Jumu'ah: 11:

( وَإِذَا رَأَوْا تِجْرَةً أَوْ لَهْوًا أَنْفَضُوا إِلَيْهَا وَتَرَكُوكَ قَائِمًا قُلْ مَا عِنْدَ اللَّهِ خَيْرٌ مِّنَ اللَّهْوِ وَمِنَ التِّجَارَةِ وَاللَّهُ خَيْرُ الرَّازِقِينَ )

<sup>2</sup> The original book is a small book in size and is packed with engaging textual evidence. For the sake of brevity for non-Arabic readers, I added to his text the numbering references for the various Ḥadīth narrations he quoted, and summarized the most important points based on my knowledge, may Allah Ta'āla teach and forgive me for my ignorance and shortcomings.

( But when they saw a transaction or a diversion, [O Muhammad], they rushed to it and left you standing. Say, "What is with Allah is better than diversion and than a transaction, and Allah is the best of providers.").

The reason for revelation is some Ṣaḥābah after performing the prayer of Jumu‘ah, left the Prophet ﷺ standing giving the Khuṭba to attend to some transactions; hence the

Prophet ﷺ changed the sequence to make Khuṭba first, so they all attend to it before the actual prayer.

- 3- The Farā'id of Jumu‘ah and its Sunan are because of the variant of having a Khuṭba versus other Jamā‘ah.
- 4- Purposely abandoning Jumu‘ah for three times leads to Nifāq (hypocrisy).
- 5- The Khuṭba of Jumu‘ah suffices for the Khuṭba of Eid. (Person attending Eid are not obligated to attend Jumu‘ah to some scholars, as the objective of having listened t a Khuṭba has already been met).

If this is understood, then praying behind an Imam over live-Radio fulfills this obligation (with the conditions mentioned above).

Ṣalat al-Jumu‘ah is valid in other than a Maṣjid (as far as a location):

Being held in a Maṣjid is not a condition for the validity of the Ṣalat of Jumu‘ah, and it is valid to be done in homes, shops, or open spaces.

### **The permissibility of having Jumu‘ah in other than a Maṣjid:**

Jumu‘ah is essentially like any other Ṣalat with two variants (conditions): Khuṭba(sermon) and a Jamā‘ah (congregation).

Any other condition added to the Jumu‘ah has no conclusive authentic textual evidence.

Therefore, Jumu‘ah is valid anywhere a regular Ṣalah is valid (as far as a designated place).

Al-Bukharī (335, 438, 3122) and Muslim (523) narrated on the authority of Jābir that the Prophet ﷺ said:

(وَجُعِلَتْ لِي الْأَرْضُ مَسْجِدًا وَطَهُورًا، فَأَيُّمَا رَجُلٍ مِنْ أُمَّتِي أَدْرَكْنَهُ الصَّلَاةُ فَلْيُصَلِّ)

(The earth has been made for me (and my followers) a place for praying and something with which to perform Tayammum (to purify oneself for prayer). Therefore, anyone (of my followers) can pray (anywhere) and at any time that the Salat (prayer) is due.").

There is no authentic textual evidence to remove Jumu‘ah prayer specifically out of this general Ḥadīth.

Ibn Sa‘d narrates in his Ṭabaqāt (63:3) from al-Wāqidī with a Mursal Sanad:

(أَخْبَرَنَا إِبْرَاهِيمُ بْنُ مُحَمَّدٍ الْعَيْدَرِيُّ، عَنْ أَبِيهِ، دَخَلَ حَدِيثٌ بَعْضُهُمْ فِي حَدِيثِ بَعْضٍ، قَالُوا: " لَمَّا انْصَرَفَ أَهْلُ الْعَقَبَةِ الْأُولَى الْأَثْنَا عَشَرَ وَفَنَّا الْإِسْلَامَ فِي دُورِ الْأَنْصَارِ، أَرْسَلَتِ الْأَنْصَارُ رَجُلًا إِلَى رَسُولِ اللَّهِ ﷺ وَكَتَبَتْ إِلَيْهِ كِتَابًا: ابْعَثْ إِلَيْنَا رَجُلًا يُفَقِّهُنَا

فِي الدِّينِ، وَيُفَرِّقُنَا الْقُرْآنَ، فَبَعَثَ إِلَيْهِمْ رَسُولُ اللَّهِ ﷺ مُصْعَبُ بْنُ عُمَيْرٍ، فَقَدِمَ فَتَزَلَّ عَلَى سَعْدِ بْنِ زُرَّارَةَ، وَكَانَ يَأْتِي الْأَنْصَارَ فِي دُورِهِمْ وَقَبَائِلِهِمْ فَيَدْعُوهُمْ إِلَى الْإِسْلَامِ وَيَقْرَأُ عَلَيْهِمُ الْقُرْآنَ، فَيُسَلِّمُ الرَّجُلَ وَالرَّجُلَانِ حَتَّى ظَهَرَ الْإِسْلَامُ وَفَسَا فِي دُورِ الْأَنْصَارِ كُلِّهَا وَالْعَوَالِي إِلَّا دُورًا مِنْ أَوْسِ اللَّهِ، وَهِيَ خَطْمَةٌ، وَوَائِلٌ، وَوَأَقْفٌ، وَكَانَ مُصْعَبُ يُقْرَأُ الْقُرْآنَ وَيُعَلِّمُهُمْ، فَكَتَبَ إِلَى رَسُولِ اللَّهِ ﷺ يَسْتَأْذِنُهُ أَنْ يَجْمَعَ بِهِمْ، فَأَذِنَ لَهُ وَكَتَبَ إِلَيْهِ: " أَنْظِرْ مِنَ الْيَوْمِ الَّذِي يَجْهَرُ فِيهِ الْيَهُودُ لِسَبِّهِمْ، فَإِذَا زَالَتِ الشَّمْسُ فَارْزُلْ إِلَى اللَّهِ فِيهِ بِرَكْعَتَيْنِ، وَاخْطُبْ فِيهِمْ "، فَجَمَعَ بِهِمْ مُصْعَبُ بْنُ عُمَيْرٍ فِي دَارِ سَعْدِ بْنِ خَيْثَمَةَ وَهُمْ اثْنَا عَشَرَ رَجُلًا، وَمَا دَبَحَ لَهُمْ يَوْمَئِذٍ إِلَّا شَاةً، فَهُوَ أَوَّلُ مَنْ جَمَعَ فِي الْإِسْلَامِ جُمُعَةً، وَقَدْ رَوَى قَوْمٌ مِنَ الْأَنْصَارِ أَنَّ أَوَّلَ مَنْ جَمَعَ بِهِمْ أَبُو أَمَامَةَ أَسْعَدُ بْنُ زُرَّارَةَ، ثُمَّ خَرَجَ مُصْعَبُ بْنُ عُمَيْرٍ مِنَ الْمَدِينَةِ مَعَ السَّبْعِينَ الَّذِينَ وَافَقُوا رَسُولَ اللَّهِ ﷺ فِي الْعَقَبَةِ الثَّانِيَةِ مِنْ حَاجِّ الْأَوْسِ وَالْخَزْرَجِ، وَرَافَقَ أَسْعَدُ بْنُ زُرَّارَةَ فِي سَفَرِهِ ذَلِكَ، فَقَدِمَ مَكَّةَ فَجَاءَ مَنْزِلَ رَسُولِ اللَّهِ ﷺ أَوَّلًا وَلَمْ يَقْرُبْ مَنْزِلَهُ، فَجَعَلَ يُخَيِّرُ رَسُولَ اللَّهِ ﷺ عَنِ الْأَنْصَارِ وَسُرْعَتِهِمْ إِلَى الْإِسْلَامِ، وَاسْتَبْطَأَهُمْ رَسُولُ اللَّهِ ﷺ فَسَرَّ رَسُولُ اللَّهِ ﷺ بِكُلِّ مَا أَخْبَرَهُ).

(...The first Jumu'ah was in the house of Sa'd bin Khaythamah...)

Abū Dāwūd (905), Ibn Khuzayma (1633) in his authentic collection, and al-Hākim (281:1) declaring it authentic fulfilling the criteria of Muslim, on the authority of Ka'b:

(عَنْ عَبْدِ الرَّحْمَنِ بْنِ كَعْبٍ بْنِ مَالِكٍ، وَكَانَ قَائِدَ أَبِيهِ بَعْدَ مَا ذَهَبَ بَصَرُهُ، عَنْ أَبِيهِ كَعْبِ بْنِ مَالِكٍ، أَنَّهُ كَانَ إِذَا سَمِعَ النِّدَاءَ يَوْمَ الْجُمُعَةِ تَرَحَّمَ لِأَسْعَدِ بْنِ زُرَّارَةَ، فَقُلْتُ لَهُ: إِذَا سَمِعْتَ النِّدَاءَ تَرَحَّمْتَ لِأَسْعَدِ بْنِ زُرَّارَةَ، قَالَ: لِأَنَّهُ أَوَّلُ مَنْ جَمَعَ بِنَا فِي هَرَمِ النَّبِيِّ مِنْ حَرَّةِ بَنِي بَيَاضَةَ فِي نَقِيعٍ، يُقَالُ لَهُ: نَقِيعُ الْخَضَمَاتِ، قُلْتُ: كَمْ أَنْتُمْ يَوْمَئِذٍ؟ قَالَ: أَرْبَعُونَ).

(When Ka'b ibn Malik heard the call to prayer on Friday, he prayed for As'ad ibn Zurarah. I asked him: What is the matter that when you hear the call to prayer, you pray for As'ad ibn Zurarah? He replied: This is because he held the Friday prayer for the first time for us at Hazm an-Nabit of Harrah belonging to Banu Bayadah in Naqi', called Naqi' al-Khadumat. I asked him: How many were you at that time? He said: Forty).

Naqī' al-Khaḍamāt is an open place and not a Masjid; it is a place where water accumulates in the winter and dries up in the summer. If this is objected to by saying: it was prior to building the Masjid. The answer is that the Anṣār had already built many Masjids in their villages and community, some without a ceiling.

Al-Bayhaqī in al -Dalā'il (792) narrates that the Prophet ﷺ upon leaving Qubā' towards Madina, prayed Jumu'ah in Banī Sālim's Masjid.

عَنْ عَبْدِ الرَّحْمَنِ بْنِ عُثَيْمٍ، قَالَ: أَخْبَرَنِي بَعْضُ قَوْمِي، قَالَ: " قَدِمَ رَسُولُ اللَّهِ ﷺ وَذَلِكَ يَوْمَ الْاِثْنَيْنِ لِاثْنَتَيْ عَشْرَةَ لَيْلَةً مَضَتْ مِنْ شَهْرِ رَجَبِ الْأَوَّلِ، فَأَقَامَ بِقُبَاءِ الْاِثْنَيْنِ وَالثَّلَاثَاءِ وَالْأَرْبَعَاءِ وَالْخَمِيسِ، فَأَسَّسَ الْمَسْجِدَ وَصَلَّى فِيهِ تِلْكَ الْأَيَّامَ حَتَّى إِذَا كَانَ يَوْمُ الْجُمُعَةِ خَرَجَ عَلَى نَاقَتِهِ الْقُصَوَاءِ وَبَنُو عَمْرٍو بْنُ عَوْفٍ يَزْعُمُونَ أَنَّهُ لَبِثَ فِيهِمْ ثَمَانِ عَشْرَةَ لَيْلَةً، ثُمَّ خَرَجَ وَقَدْ اجْتَمَعَ النَّاسُ فَأَذْرَكْنَاهُ الصَّلَاةَ فِي بَنِي سَالِمٍ، فَصَلَّاهَا بِمَنْ مَعَهُ فِي الْمَسْجِدِ الَّذِي بِبَطْنِ الْوَادِي، فَكَانَتْ أَوَّلَ جُمُعَةٍ صَلَّاهَا بِالْمَدِينَةِ.

The Anṣār had their own Masajid in Madina.

Had the Masjid been a condition, the Prophet ﷺ would have prohibited them from praying Jumu'ah except in a Masjid. Nevertheless, they prayed in it in the Masjid, open space, and homes.

Ibn Ḥazm in al-Muḥalla (3:253):

(عَنْ أَبِي هُرَيْرَةَ، " أَنَّهُمْ كَتَبُوا إِلَى عُمَرَ بْنِ الْخَطَّابِ، " يَسْأَلُونَهُ عَنِ الْجُمُعَةِ وَهُمْ بِالْبَحْرَيْنِ ؟ فَكَتَبَ إِلَيْهِمْ: أَنْ جَمَعُوا حَيْثُمَا كُنْتُمْ؟)

(On the authority of Abu Hurayrah: They wrote to Umar Ibn Al-Khattab asking him about Jumuah while in Bahrain/ He wrote back saying: do Jumuah wherever you are).

‘Abd al-Razzāq narrates in his Muṣannaf (3:161):

(عَنْ سَعِيدِ بْنِ السَّائِبِ بْنِ يَسَارٍ، قَالَ: حَدَّثَنَا صَالِحُ بْنُ سَعِيدٍ الْمَكِّيُّ، أَنَّهُ كَانَ مَعَ عُمَرَ بْنِ عَبْدِ الْعَزِيزِ وَهُوَ مُتَبَدِّي بِالسُّوَيْدَاءِ، وَهُوَ فِي إِمَارَتِهِ عَلَى الْحِجَازِ، قَالَ: " فَحَضَرْتُ الْجُمُعَةَ، فَهَيَّئُوا لَهُ مَجْلِسًا مِنَ الْبُطْحَاءِ، ثُمَّ أَذَّنَ الْمُؤَذِّنُ لِلصَّلَاةِ، فَخَرَجَ إِلَيْهِمْ فَجَلَسَ عَلَى ذَلِكَ الْمَجْلِسِ، ثُمَّ أَذَّنُوا أَذَانًا آخَرَ، ثُمَّ خَطَبَهُمْ، ثُمَّ أُقِيمَتِ الصَّلَاةُ فَصَلَّى بِهِمْ رَكْعَتَيْنِ، وَأَعْلَنَ فِيهَا بِالْقِرَاءَةِ، ثُمَّ قَالَ لَهُمْ حِينَ فَرَغَ مِنْ صَلَاتِهِ: إِنَّ الْإِمَامَ يُجَمَّعُ حَيْثُ كَانَ ).

(Umar bin Abd al-Aziz was in al-Suwayda’ during his governorship over Hijaz. Jumuah time came in, and they prepared for him a sitting place in al-Baṭhā’ (opn’ space). Al-Mu’adhin called for the prayer (adhan) he came and sat on the sitting place, then they called the second Adhan , then he addressed them (Khutba), then the Salat was called, and he lead them in two units of prayer reading loudly. Then he said upon finishing: the Imam can make Jumu’ah wherever he is).

Ibn Qudamah (al-Hanbali) said in al-Mughni (البنیان): (فصل: ولا يشترط لصحة الجمعة إقامتها في البنيان):

(It is not a condition for the Jumu’ah to be within a city (place with people where they are homes), and it can be held in the desert or the like. This is agreed to by Abu Hanifah, while al-Shafi disagreed...).

Al-Nawawi said in Sharh al-Muhadhab (الإمام النووي في شرح المذهب): (ولا يشترط إقامتها في المسجد، ولكن.. الإمام النووي في شرح المذهب):

(it is not a condition for Jumuah to be held in a Masjid, and it can be held in an open space so long it is within the city or considered as such).

In Sharh Faṭḥ al-Qadīr (Hanafi) 2/49 (والحكم غير مقصور على المصلى بل تجوز في جميع أفضية المصر)

(The ruling is not limited to the Muṣalla area, but it is valid in all spaces within the city/great community of people).

In al-Rawḍ al-Naḍī by al-Siyaghī (Zaydi Fiqh):

ولم يكن ذلك في مسجد فدل على عدم اشتراطه

(the Sahabah gathered to pray Jumuah in Madina before the Prophetic arrival, and it was not in a Masjid; therefore, it is not a condition).

Al-Shaykh al-Akbar (Ibn ‘Arabī) said in al-Futuhāt (فإذا صحت الجماعة وجبت الجمعة لا غير):

(Wherever Jamā’ah (congregational prayer) is valid, Jumu’ah (Friday prayer) is obligatory, nothing more).

## The permissibility of praying Jumu'ah outside of the Masjid following an Imam who is praying it inside of it:

Ahmad (23495) and Abu Dawud (1126) narrated:

(عَنْ عَائِشَةَ، قَالَتْ: " صَلَّى النَّبِيُّ ﷺ فِي حُجْرَتِي وَالنَّاسُ يَأْتُمُونَ بِهِ مِنْ وَرَاءِ الْحُجْرَةِ يُصَلُّونَ بِصَلَاتِهِ )

(On the authority of Aisha: The Prophet ﷺ prayed in my quarter, and people are following him (in prayer) from behind the quarter, following his lead).

Ahmad (12652) and Ibn Khuzayma in his authentic collection (1536):

(عَنْ أَنَسٍ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ ذَاتَ لَيْلَةٍ يُصَلِّي فِي حُجْرَتِهِ، فَجَاءَ أَنَسٌ مِنْ أَصْحَابِهِ فَصَلَّوْا بِصَلَاتِهِ، فَخَفَّفَ، ثُمَّ دَخَلَ الْبَيْتَ، ثُمَّ خَرَجَ، فَفَعَلَ ذَلِكَ مَرَارًا، كُلُّ ذَلِكَ يُصَلِّي وَيَنْصَرِفُ، فَلَمَّا أَصْبَحَ قَالُوا: يَا رَسُولَ اللَّهِ، صَلَّيْنَا مَعَكَ الْبَارِحَةَ، وَنَحْنُ نُحِبُّ أَنْ تَمُدَّ فِي صَلَاتِكَ، فَقَالَ: " قَدْ عَلِمْتُ بِمَكَانِكُمْ، وَعَمْدًا فَعَلْتُ ذَلِكَ ).

(on the authority of Anas: the Prophet ﷺ was praying one night in his home. Some of his companions came and prayed following him. He lightened his prayer (shorter) then he entered the sleeping quarter, then came out, and repeated this multiple times, praying, then leaving to his sleeping quarters. In the morning, they said: O Messenger of Allah, we prayed with you last night, and we like that you extend your prayers. He said: I knew your place (where you were) and I purposely did that).

Musnad al-Shāfi':

(بَابُ: مِنْهُ حَدَّثَنَا الشَّافِعِيُّ رَضِيَ اللَّهُ عَنْهُ، قَالَ: أَخْبَرَنَا ابْنُ أَبِي يَحْيَى، عَنْ صَالِحِ مَوْلَى التَّوَعْمَةِ قَالَ: رَأَيْتُ أَبَا هُرَيْرَةَ يُصَلِّي فَوْقَ ظَهْرِ الْمَسْجِدِ وَحْدَهُ بِصَلَاةِ الْإِمَامِ. أَخْبَرَنَا إِبْرَاهِيمُ بْنُ مُحَمَّدٍ، قَالَ: حَدَّثَنِي عَبْدُ الْمَجِيدِ بْنُ سُهَيْلٍ بْنُ عَبْدِ اللَّهِ بْنِ عَوْفٍ، عَنْ صَالِحِ بْنِ إِبْرَاهِيمَ، قَالَ: رَأَيْتُ أَنَسَ بْنَ مَالِكٍ صَلَّى الْجُمُعَةَ فِي بُيُوتِ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ فَصَلَّى بِصَلَاةِ الْإِمَامِ فِي الْمَسْجِدِ وَبَيْنَ بُيُوتِ حُمَيْدٍ وَالْمَسْجِدِ الطَّرِيقَ. أَخْرَجَ الْأَوَّلُ مِنْ كِتَابِ الْأَمَالِيِّ، وَالثَّانِي مِنْ كِتَابِ الْإِمَامَةِ).

(chapter: Al-Shāfi'ī –radiya' Allahu anhu- said: we were told by.....who said: I saw Abu Hurayrah praying on top of the Masjid by himself following the lead of the Imam. We were told by..... Who said: I saw Anas bin Malik praying Jumuah in the house of Humayd bin Abd Al-Rahman bin Awf. He prayed following the lead of the Imam in the Masjid and between the Masjid and the home of Humayd is the road).

Abd al-Razzāq narrates in his Musannaf (3:231):

(عَنْ مَعْمَرٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، قَالَ " جِئْتُ أَنَا، وَأَبِي مَرَّةً، فَوَجَدْنَا الْمَسْجِدَ قَدِ امْتَلَأَ، فَصَلَّيْنَا بِصَلَاةِ الْإِمَامِ فِي دَارٍ عِنْدَ الْمَسْجِدِ بَيْنَهُمَا طَرِيقٌ "، عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ مِثْلَهُ، إِلَّا أَنَّهُ قَالَ: صَلَّيْنَا فِي دَارِ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ).

(On the authority of Hisham: I came with my father (Urwa bin al-Zubayr) and found the Masjid to be full. We prayed following the lead of the Imam of the Masjid in a house by the Masjid, between them a road).

Ibn Abi Shaybah narrates in his Musannaf (6010):

(حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ، عَنْ حَمَادِ بْنِ سَلَمَةَ، عَنْ هِشَامِ بْنِ عُرْوَةَ: " أَنَّ عُرْوَةَ كَانَ يُصَلِّي بِصَلَاةِ الْإِمَامِ وَهُوَ فِي دَارِ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ الْحَارِثِ، وَبَيْنَهُمَا وَبَيْنَ الْمَسْجِدِ طَرِيقٌ ").

(Urwa used to pray following the lead of the Imam of the Masjid while he is in the house of Humayd, and between the house and the Masjid a road).

### **The Dalil for praying Jumu'ah following the lead of an Imam from a distant place:**

Since the permissibility of praying Jumu'ah is established from a short distance from the Masjid, following the lead of its Imam, it is permissible to be done from a farther distance, because of the lack of textual evidence designating a valid distance. The determining factor is seeing or hearing the Imam, or the one who conveys the movements/reading of the Imam.

Al-Bukhārī (668, 901) and Muslim (700) narrated in their authentic collections:

عَبْدُ اللَّهِ بْنُ الْحَارِثِ، قَالَ: " خَطَبَنَا ابْنُ عَبَّاسٍ فِي يَوْمٍ ذِي رَدْغٍ، فَأَمَرَ الْمُؤَذِّنَ لَمَّا بَلَغَ حَيَّ عَلَى الصَّلَاةِ، قَالَ: قُلِ الصَّلَاةُ فِي الرَّحَالِ، فَتَنَظَرُ بَعْضُهُمْ إِلَى بَعْضٍ فَكَأَنَّهُمْ أَنْكَرُوا، فَقَالَ: كَأَنَّكُمْ أَنْكَرْتُمْ هَذَا، إِنَّ هَذَا فَعَلَهُ مَنْ هُوَ خَيْرٌ مِنِّي يَعْنِي النَّبِيَّ ﷺ إِنَّهَا عَزْمَةٌ وَإِنِّي كَرِهْتُ أَنْ أُخْرِجَكُمْ "، وَعَنْ حَمَّادٍ، عَنْ عَاصِمٍ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ، عَنْ ابْنِ عَبَّاسٍ نَحْوَهُ، غَيْرَ أَنَّهُ قَالَ: كَرِهْتُ أَنْ أُؤْتَمَّكُمْ، فَتَجِئُونَ تَدُوسُونَ الطِّينَ إِلَى رُكْبِكُمْ.

(‘Abdullah bin Al-Hārith: Ibn ‘Abbās addressed us on a (rainy and) muddy day and when the Mu'adhdhin (caller for prayer) said: "Hayya ala al-Salat: Come for the prayer". Ibn `Abbas ordered him to say, "Pray in your homes." The people began to look at one another with surprise as if they did not like it. Ibn `Abbas said, "It seems that you thought ill of it, but no doubt it was done by one who was better than I (i.e., the Prophet ﷺ). It (the prayer) is a strict order and I disliked to bring hardship to you." Ibn `Abbas narrated the same as above, but he said, "I did not like you to suffer hardship and to come (to the mosque) covered with mud up to the knees.").

Abu Dawud narrated in his Sunan (1957):

(عَنْ عَبْدِ الرَّحْمَنِ بْنِ مُعَاذٍ النَّيْمِيِّ، قَالَ: " خَطَبَنَا رَسُولُ اللَّهِ ﷺ وَنَحْنُ بِمِنَى فَفَتَحَتْ أَسْمَاعُنَا حَتَّى كُنَّا نَسْمَعُ مَا يَقُولُ وَنَحْنُ فِي مَنَازِلِنَا، فَطَفِقَ يُعَلِّمُهُمْ مَنَاسِكَهُمْ حَتَّى بَلَغَ الْجَمَارَ فَوَضَعَ أُصْبُعَيْهِ السَّبَّابَتَيْنِ، ثُمَّ قَالَ: بِحَصَى الْخَذْفِ، ثُمَّ أَمَرَ الْمُهَاجِرِينَ فَتَزَلُّوا فِي مُقَدِّمِ الْمَسْجِدِ وَأَمَرَ الْأَنْصَارَ فَتَزَلُّوا مِنْ وَرَاءِ الْمَسْجِدِ ثُمَّ نَزَلَ النَّاسُ بَعْدَ ذَلِكَ ").

(Narrated AbdurRahman ibn Mu'adh at-Taymi: The Messenger of Allah (ﷺ) addressed us (gave Khutba) when we were at Mina. Our ears were open and we were listening to what he was saying, while we were in our homes. He began to teach them the rites of hajj till he reached the injunction of throwing pebbles at the Jamrahs (pillars at Mina). He put his forefingers in his ears and said: (Throw small pebbles. He then commanded the Emigrants (Muhajirun) to station themselves. They stationed themselves before the mosque. He then commanded the Helpers (Ansar) to encamp. They encamped behind the mosque. Thereafter the people encamped).

‘Abd Al-Razzāq narrated in his Musannaf (5367):

(أَخْبَرَنَا مَعْمَرٌ، عَنْ أَيُّوبَ، قَالَ: بَلَغَنِي أَنَّ ابْنَ رَوَاحَةَ سَمِعَ النَّبِيَّ ﷺ وَهُوَ بِالطَّرِيقِ، يَقُولُ: اجْلِسُوا، فَجَلَسَ فِي الطَّرِيقِ فَمَرَّ بِهِ النَّبِيُّ ﷺ فَقَالَ لَهُ: مَا شَأْنُكَ؟ قَالَ: سَمِعْتُكَ تَقُولُ: اجْلِسُوا، فَجَلَسْتُ، فَقَالَ لَهُ النَّبِيُّ ﷺ: رَأَيْتَ أَنَّكَ طَاعَهُ؟).



(Ayyub says: I heard (through Balagh) that Ibn Rawahah heard the Prophet ﷺ saying to people sit (during Jumuah salah), Ibn Rawahah was still on the road, and he sat on the road. The Prophet ﷺ passed by him saying: what is the matter? He replied: I heard you saying: sit, so I sat. The Prophet ﷺ said: may Allah increase you in devotion to Him).

Al-Bukhari (781) and Muslim (410) narrated:

(عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: " إِذَا قَالَ أَحَدُكُمْ آمِينَ، وَقَالَتْ: الْمَلَائِكَةُ فِي السَّمَاءِ آمِينَ فَوَافَقَتْ إِحْدَاهُمَا الْآخَرَى غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ ").

(Abu Hurayrah reported: The Messenger of Allah (ﷺ) said: When anyone amongst you utters Amin and the angels In the heaven also utter Amin and (the Amin) of the one synchronizes with (that of) the other, all his previous sins are pardoned).

Al-Bayhaqi in al-Sunan al-Kubra (1736):

(عَنْ سَلْمَانَ الْفَارِسِيِّ، قَالَ: قَالَ النَّبِيُّ ﷺ: " مَا مِنْ رَجُلٍ يَكُونُ بِأَرْضٍ فِيَّ، فَيُؤَدِّنُ بِحَضْرَةِ الصَّلَاةِ وَيُقِيمُ الصَّلَاةَ، فَيُصَلِّي إِلَّا صَفَّ خَلْفَهُ مِنَ الْمَلَائِكَةِ مَا لَا يَرَى فُطْرَاهُ يَرْكَعُونَ بِرُكُوعِهِ وَيَسْجُدُونَ بِسُجُودِهِ وَيُؤْمِنُونَ عَلَى دُعَائِهِ ").

(on the authority of Salman al-Farsi: the Prophet ﷺ said: No man who is in a land gained from the enemies, calls for the Salah and prays, except the numbers of angels who pray behind him exceed the range of sight, they do Ruku' with his Ruku', and Sujud with his Sujud, and do Amin to his Du'a).

Al-Bayhaqi in al-Sunan al-Kubra (1735):

(وَأَخْبَرَنَا أَبُو الْحُسَيْنِ بْنُ بِشْرَانَ، أَنَا إِسْمَاعِيلُ بْنُ مُحَمَّدٍ الصَّفَّارُ، ثنا مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ، ثنا يَزِيدُ بْنُ هَارُونَ، ثنا سُلَيْمَانُ، عَنْ أَبِي عُنْتَمَانَ، عَنْ سَلْمَانَ، قَالَ: " لَا يَكُونُ رَجُلٌ بِأَرْضٍ فِيَّ فَيَتَوَضَّأُ إِنْ وَجَدَ مَاءً، وَإِلَّا يَتَيَمَّمُ فَيَنَادِي بِالصَّلَاةِ ثُمَّ يُقِيمُهَا، إِلَّا أَمَّ مِنْ جُنُودِ اللَّهِ عَزَّوَجَلَّ مَا لَا يَرَى طَرْفَاهُ، أَوْ قَالَ: طَرْفُهُ " هَذَا هُوَ الصَّحِيحُ مُوَفَّقٌ، وَقَدْ رُوِيَ مَرْفُوعًا وَلَا يَصِحُّ رَفْعُهُ

(Salman al-Farisi said: No man who is in a land gained from the enemies, performs ablution if he finds water or otherwise does Tayamum, then calls for the Salah and prays, except the numbers of soldiers of Allah who pray behind him exceed the range of sight. This is the authentic narration; Mawquf. It is narrated as Marf' but not authentically).

‘Abd Al-Razzāq narrated in his Musannaf (2648):

(عَنْ مَعْمَرٍ، قَالَ: حَدَّثَنِي مَنْ سَمِعَ عِكْرِمَةَ، يَقُولُ: " صُفُوفُ أَهْلِ الْأَرْضِ عَلَى صُفُوفِ أَهْلِ السَّمَاءِ، فَإِذَا وَافَقَ آمِينَ فِي الْأَرْضِ آمِينَ فِي السَّمَاءِ غُفِرَ لَهُ ").

(on the authority of Ma'mar: someone heard Ikrimah say: The lines (Ṣufūf) of prayers of the people of earth are on the lines of those in heavens, if the Āmīn of the people of earth coincides with the Āmīn of the people of heavens, forgiveness is granted to him).

Muslim narrates (432) in his authentic collection:

(رَأَى جَابِرُ بْنُ سَمْرَةَ، قَالَ: خَرَجَ عَلَيْنَا رَسُولُ اللَّهِ ﷺ فَقَالَ: " مَا لِي أَرَاكُمْ رَافِعِي أَيْدِيكُمْ، كَأَنَّهَا أُنْتَابُ خَيْلٍ شُمُسٍ، اسْكُنُوا فِي الصَّلَاةِ "، قَالَ: ثُمَّ خَرَجَ عَلَيْنَا، فَرَأَانَا حُلُقًا، فَقَالَ: " مَا لِي أَرَاكُمْ عَزِينَ "، قَالَ: ثُمَّ خَرَجَ عَلَيْنَا، فَقَالَ: " أَلَا تَصُفُّونَ كَمَا تَصُفُّ

الْمَلَائِكَةُ عِنْدَ رَبِّهَا؟"، فَقُلْنَا: يَا رَسُولَ اللَّهِ، وَكَيْفَ تَصُفُّ الْمَلَائِكَةُ عِنْدَ رَبِّهَا؟ قَالَ: "يُتِمُّونَ الصُّفُوفَ الْأُولَى وَيَتَرَاصُّونَ فِي الصَّفِّ".

(Jabir b. Samura reported: The Messenger of Allah (ﷺ) came to us and said: "How is it that I see you lifting your hands like the tails of headstrong horses? Be calm in prayer." He (the narrator) said: He then again came to us and saw us (sitting) in circles. He said: "How is it that I see you in separate groups?" He (the narrator) said: He again came to us and said: "Why don't you draw yourselves up in rows as angels do before their Lord?" We said: Messenger of Allah, how do the angels draw themselves up in rows before their Lord? He said: "They make the first rows complete and keep close together in the row.").

From all of the above, angels follow the lead of the people on earth in their prayers, line up, and say Amin after the Imam on earth, despite the vast distance. This is a textual Dalil affirming our view.

### **The Permissibility of Salah al-Janazah on al-Ghā'ib (الغائب: the absentee) is a Dalil for the permissibility of praying Jumuah following a distant Imam:**

Janazah Salat is obligatory, and it is performed from a distance in the case of the absentee, like al-Najashi.

If it is said: the purpose of the Janazah on the absentee is to pray for the deceased and prayers reaches him irrespective of distance. We reply: the same applies to our example of distant Jumuah. It is the extra of Khutba and following the Imam's lead by hearing his movement during the prayers.

What is required is hearing the Imam not seeing him, as already established through the Ahadith above.

Abu Dawud narrated in his Sunan (1056):

(عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو، عَنِ النَّبِيِّ ﷺ قَالَ: " الْجُمُعَةُ عَلَى كُلِّ مَنْ سَمِعَ النِّدَاءَ ").

(On the authority of Abdullah bin Amr: The Prophet ﷺ said: Jumuah is obligatory on any who hears the call).

Muslim narrated (2939) about al-Dajjal:

(قُلْنَا: يَا رَسُولَ اللَّهِ، وَمَا لَبِئْتُهُ فِي الْأَرْضِ؟، قَالَ: " أَرْبَعُونَ يَوْمًا يَوْمًا كَسَنَةٍ، وَيَوْمٌ كَشَهْرٍ، وَيَوْمٌ كَجُمُعَةٍ وَسَائِرُ أَيَّامِهِ كَأَيَّامِكُمْ "، قُلْنَا: يَا رَسُولَ اللَّهِ، فَذَلِكَ الْيَوْمُ الَّذِي كَسَنَةٍ أَتَكْفِينَا فِيهِ صَلَاةُ يَوْمٍ؟، قَالَ: لَا أَقْدُرُوا لَهُ قَدْرَهُ "...)

(We said: Allah's Messenger, how long would he stay on the earth? He (ﷺ) said: For forty days, one day like a year and one day like a month and one day like a week and the rest of the days would be like your days. We said: Allah's Messenger, would one day's prayer suffice for the prayers of day equal to one year? Thereupon he (ﷺ) said: No, but you must make an estimate of time (and then observe prayer).

Qibla (direction to the Ka‘bah) was made obligatory when praying, yet Islam waived it in Nafl prayers allowing the traveler to pray it in whichever direction his vehicle goes.

Standing up in an obligation when praying Obligatory (Fard) prayers, yet Islam waived it in Nafl prayers allowing people to pray it sitting and even laying down.

Islam omitted from the Fard (obligatory) prayers two units and reduced it to half, and made the salah of Khawf (fear of harm) only one unit.

Islam waived the obligation of the fasting of Ramadan for the traveler until reaching residence.

All these conditions are waived for a circumstance, then how about a less critical condition which is going to the Masjid (to pray Jumuah).

### **The condition for the validity of praying behind an Imam over physical distance:**

#### **1- United time zone of Salat timings:**

If the time where the Imam is Jumuah time and those who are following his lead have an earlier time where the Salat time has not even entered yet, this renders their following of him entirely invalid.

#### **2- Another condition is the place where the Imam is must be physically ahead (Qibla direction wise) in relation to the Muqtadi (the one who is following his lead). This means that the Imam must be closer to the Ka‘bah physically than his follower/s over the Radio; otherwise, the follower will be ahead of the Imam which renders his prayer invalid, though some scholars see it Makrūh (مكروه: discouraged) only.**

#### **3- Also that the person should not be alone in forming a line because of the authentic hadith narrations prohibiting that.**

Al-Tirmidhī (231) narrated:

(عَنْ وَابِصَةَ بْنِ مَعْبُدٍ، أَنَّ رَجُلًا صَلَّى خَلْفَ الصَّفِّ وَحْدَهُ، " فَأَمَرَهُ النَّبِيُّ ﷺ أَنْ يُعِيدَ الصَّلَاةَ ".)

(Wabisah bin Ma'bad narrated: "A man prayed alone behind the rows the Prophet ﷺ ordered him to repeat the Salat.”).

### **What if electricity or transmission is interrupted?**

If interruption happens before the end of the Khutba and the beginning of the Salat, then Jumuah is invalid, and Zuhur must be prayed in place of it. If interruption happens after the Salat has started, then one of the followers who are praying steps up and completes the Salat as normal, and Allah knows best.

The End.

Here is the link for the book of the Shaykh in Arabic for those interested, may Allah Ta'ala grant him His Mercies and the company of the Prophets –alayhim assalam- in Jannah.

<https://ia800604.us.archive.org/4/items/Benseddiq/iqna3.pdf>

**Additional explanations to some of the points mentioned by al-Sayyid al-Hāfiẓ Aḥmad bin al-Ṣiddīq al-Ghumārī:**

- There is no difference between Live-Radio transmission and Live-Internet transmission.
- The issue of Muqtadī's (follower of the Imam) position vis-à-vis the Imam

The Muqtadi (follower of an Imam) must be physically/geographically behind the Imam, and this is the position of most scholars; otherwise, they deem the Salat (prayers) invalid. There is no explicit binding text in this; therefore, Some scholars disagreed and viewed the permissibility for the Muqtadī's (follower of the Imam) to be positioned physically/geographically AHEAD of the Imam. Some of them considered it permissible unconditionally while others considered it (Makrūh: مكروه, discouraged/disliked) if without a necessity but valid nevertheless, such as:

Imam Malik, al-Shāfi'ī in the old Madhhab, Ishāq, al-Ḥasan, Abi Thawr, and Imam Aḥmad in one opinion attributed to him.

Al-Mardāwī said in al-Inṣāf 2/272:

(وقيل تصح في الجمعة والعيد والجنائز ونحوها لعذر اختاره الشيخ تقي الدين)

(Some said: it is valid in Jum'ah, Eid, Janazah and the like for a good excuse, this was the choice of Ibn Taymiyyah).

Ibn Mufliḥ uttered a similar statement in his Furū'.

Khalīl said in his Mukhtaṣar 2/433 (مواهب الجليل لشرح مختصر خليل) deeming it as Makrūh (discouraged) if without a necessity:

(وصلاة بين الأساطين أو أمام الإمام بلا ضرورة)

(Or praying ahead of the Imam without a necessity)

Al-Shīrāzī said in al-Muhadhdhab (الإمام الشيرازي في المذهب) 1/189:

(إِنْ تَقَدَّمَ الْمَأْمُومُ عَلَى الْإِمَامِ، فَفِيهِ قَوْلَانِ: قَالَ فِي الْقَدِيمِ: لَا تَبْطُلُ صَلَاتُهُ، كَمَا لَوْ وَقَفَ خَلْفَ الْإِمَامِ وَحْدَهُ: وَقَالَ فِي

الْجَدِيدِ: تَبْطُلُ؛ لِأَنَّهُ وَقَفَ فِي مَوْضِعٍ لَيْسَ مَوْقِفَ مُؤْتَمِّ بِحَالٍ، فَأَشْبَهَ إِذَا وَقَفَ فِي مَوْضِعٍ نَجَسٍ.)

(If the follower is ahead of the Imam (in Salat), there are two views; in the old view: his Salat is not invalid, just like the same if he stands alone behind the Imam. In the new view: it is invalid because he stood in a place that does not belong to a follower (of an Imam in Salat), as if he stood in a place contaminated with filth).

Al-Nawawi said in al-Majmū‘ (الإمام النووي في المجموع) 4/292:

((فَرُعٌ) فِي مَذَاهِبِ الْعُلَمَاءِ فِي تَقَدُّمِ مُوقِفِ الْمَأْمُومِ: قَدْ ذَكَرْنَا أَنَّ الصَّحِيحَ مِنْ مَذْهَبِنَا أَنَّ الصَّلَاةَ تَبْطُلُ بِهِ. وَبِهِ قَالَ أَبُو حَنِيفَةَ، وَأَحْمَدُ، وَقَالَ مَالِكٌ، وَإِسْحَاقُ، وَأَبُو ثَوْرٍ، وَدَاوُدُ: يَجُوزُ. هَكَذَا حَكَاهُ أَصْحَابُنَا عَنْهُمْ مُطْلَقًا، وَحَكَاهُ ابْنُ الْمُنْذِرِ عَنْ مَالِكٍ، وَإِسْحَاقَ، وَأَبِي ثَوْرٍ، إِذَا ضَاقَ الْمَوْضِعُ).

(The scholarly views on the follower being ahead of the Imam in Salat: We mentioned that the authentic position in our Madhhab that the prayer is invalid. This was also the opinion of Abu Hanifah and Ahmad. Malik, Ishaq, Abu Thawr, and Dawud said it is permissible. This is how our scholars related it from them, in an absolute way. Ibn Al-Mundhir related it to Malik, Ishaq, and Abi Thawr if the place (for prayer) becomes small).

- The other issue is al-Idhn al-‘Ām (الإذن العام) to the Ḥanafī scholars?

Our Ḥanafī Masters stipulate al-Idhn al-‘Ām for a Jumu‘ah to be valid. This means that all who are eligible to pray Jumuah are allowed to enter and pray. In other words, exclusive Jumuah’s are not allowed to the Ḥanafī scholars, and this is exclusively a Ḥanafī view versus other jurisprudential schools. However, this condition may be qualified in times of fear of an enemy, a custom, or an established habit.

In Radd al-Muḥtār (رد المحتار لابن عابدين) by Ibn ‘Ābidīn 3/25:

(لا يضرّ غلق باب القلعة لعدوّ أو لعادة قديمة؛ لأنّ الإذن العام مقرر لأهل لأهله وغلقه لمنع العدو لا المصلي، نعم لو لم يغلّق لكان أحسن).

(Closing the door of the castle (where the Jumuah is held) because of an enemy or an old habit does not harm, because al-Idhn al-‘Ām is established to the people (of the castle) and closing the door is to prevent the enemy not the attendee of Jumuah. Yes, it is better if the doors are not closed...).

This text may give an understanding that closing the doors in abnormal conditions may be valid. Such abnormal conditions are fear of an enemy, or because of an established habit, and Allah Ta’ala knows best.

Furthermore, Ibn ‘Ābidīn mentioned in his Ḥāshiya 3/25

(وينبغي أن يكون محل النزاع ما إذا كانت لا تقام إلا في محل واحد أما لو تعددت فلا لأنه يتحقق التفويت كما أفاده التعليل).

(This issue is only contested if Jum'ah is held in one place (in the city), but when there are multiple Jum'ah prayers, then this condition is waived because missing Jum'ah is no longer an issue).

Thus, Ibn 'Abidīn, Allah Ta'āla grant him Jannah, solved the issue for military recruits praying inside their barracks where the public is not allowed, or prisoners inside the prison, etc. in addition to the already established waiver due to fear.

- Praying with the Niyyah of Mufāraqah (المفارقة: separation from the lead of the Imam) and continuing own Salat for multiple reasons.

Whether the separation is due to interruption of sound transmission (in microphones) in massive Jamā'ah during regular prayer rituals, or other reasons, has a basis of validity based on the text Al-Bukhārī (6106) and Muslim (465, 466) narrated:

(حَدَّثَنَا جَابِرُ بْنُ عَبْدِ اللَّهِ، أَنَّ مُعَاذَ بْنَ جَبَلٍ رَضِيَ اللَّهُ عَنْهُ، كَانَ يُصَلِّي مَعَ النَّبِيِّ ﷺ ثُمَّ يَأْتِي قَوْمَهُ فَيُصَلِّي بِهِمْ الصَّلَاةَ، فَقَرَأَ بِهِمُ الْبَقْرَةَ قَالَ: فَتَجَوَّزَ رَجُلٌ فَصَلَّى صَلَاةً خَفِيفَةً، فَبَلَغَ ذَلِكَ مُعَاذًا، فَقَالَ: إِنَّهُ مُنَافِقٌ، فَبَلَغَ ذَلِكَ الرَّجُلَ، فَأَتَى النَّبِيَّ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ إِنَّا قَوْمٌ نَعْمَلُ بِأَيْدِينَا وَنَسْقِي بِنَوَاضِحِنَا، وَإِنَّ مُعَاذًا صَلَّى بِنَا الْبَارِحَةَ فَقَرَأَ الْبَقْرَةَ فَتَجَوَّزْتُ، فَرَعَمَ أُنِّي مُنَافِقٌ، فَقَالَ النَّبِيُّ ﷺ: " يَا مُعَاذُ، أَفَتَأْنِ أَنْتَ ثَلَاثًا، أَقْرَأَ وَالشَّمْسُ وَضَحَاهَا وَ سَبَّحَ اسْمَ رَبِّكَ الْأَعْلَى وَنَحَوَهَا ").

Which means: (Narrated Jaber bin `Abdullah: Mu`adh bin Jabal used to pray with the Prophet (ﷺ) and then go to lead his people in prayer. Once he led the people in prayer and recited Surat-al-Baqara. A man left (the row of the praying people) and offered (light) prayer (separately) and left. When Mu`adh came to know about it, he said. "He (that man) is a hypocrite." Later that man heard what Mu`adh said about him, so he came to the Prophet and said, "O Allah's Messenger (ﷺ)! We are people who work with our own hands and irrigate (our farms) with our camels. Last night Mu`adh led us in the (night) prayer and he recited Sura-al-Baqara, so I offered my prayer separately, and because of that, he accused me of being a hypocrite." The Prophet called Mu`adh and said thrice, "O Mu`adh! You are putting the people to trials? Recite 'Washshamsi wad-uhaha' (91) or 'Sabbih isma Rabbi ka-l-A'la' (87) or the like.").

Separation from the lead of the Imam and continuing the Salat is not limited to the above case, but the above narrations constitutes a legal foundation for this action for multiple reasons.

Another reason for separation is when the leading Imam loses his Wuḍū' or something happens to him interrupting his Salat, or if someone –for instance- is praying his Fajr (legal make-up) behind someone praying Zuhr or 'Aṣr, etc.

Al-'Allāma al-Zurqānī mentioned in his Sharḥ on the Mukhtaṣar of Khalīl 2/37:

(أن يتابعه في أفعاله لا على أن يحمل عنه ما ذكر، ويأتي في صلاته بما تتوقف صحتها عليه، فهو إنما يتابعه صورة لا حقيقة، وهذه لا يشترط فيها نية الاقتداء، وصلاته صحيحة بدونها. وإنما يحصل ذلك غالباً ممن يعلم

قَادِحًا فِي صَلَاةِ الْإِمَامِ وَيَخْشَى ضَرَرًا بِصَلَاتِهِ مَنفِرْدًا عَنْهُ).

Which means: (For the Muqtadi (follower of the lead of the Imam) to follow the Imam without the Imam being responsible for him, and the Muqtadi follows but fulfills all the conditions of a valid Salat. In this case, the Muqtadi is virtually following the lead of the Imam, not in really. This kind of Salat doesn't require for validity the Niyyah of Iqtidā' (following the Imam), and this prayer is valid without a Niyyah of following the Imam. This kind of praying happens when someone knows something invalidating the Salat of the Imam (Kufr, or less, etc..) and at the same time fears to pray entirely alone without a ("virtual") lead).

And Allah Ta'ala knows best.

Muhammad bin Yahya al-Ninowy,

May Allah Ta'ala forgive him, his parents, and all believers