

The European Council for Fatwa and Research

Final Statement

The 30th Urgent Session of

The European Council for Fatwa and Research

Entitled the Jurisprudential Developments Due to the COVID-19 Pandemic

Held in Online Via Zoom

During the period

1st – 4th of Sha'ban 1441 HJ

25th– 28th of March 2020

In the Name of Allah, Most Gracious, Most Merciful

The final Statement of the Thirtieth Urgent Session of the European Council for Fatwa and Research, held online during the period 1st– 4th of Sh’ban 1441 HJ corresponding to 25th– 28th of March 2020 under the title “The Jurisprudential Developments Due to The COVID-19 pandemic”

Praise be to Allah, the Worlds' Sustainer, and peace be upon our Prophet Muhammad, his brethren prophets and on all his family and his Companions and those who follow his guidance until the Day of Judgment.

By Allah’s Grace and His Assistance the Thirtieth Urgent Session of the European Council for Fatwa and Research entitled “The Jurisprudential Developments Due to The COVID-19 Pandemic” was held online during the period 1st– 4th of Sh’ban 1441 HJ corresponding to 25th– 28th of March 2020 chaired by His Excellency Sheikh Dr Suhaib Hasan acting Chairman of the ECFR, and attended by most of the members of the ECFR. The first session was also attended by a number of specialised doctors:

Dr Yahia Makki, physician and specialist in viruses in France

Dr Anas Shakir, specialist in Anaesthesia and resuscitation

Dr Muhammad Al-Hams, consultant in internal and acute diseases

Dr Munthir Rajab, specialist in internal diseases, cardiology, and family medicine in Germany

The Thirtieth Session of the European Council for Fatwa and Research was inaugurated by a talk delivered by Sheikh Hussein Halawa, the Secretary-General of the ECFR, highlighting the significance of this session for the ECFR and the reasons for which it was urgently held. He elucidated the nature of many questions sent to the general secretariat of the ECFR in relation to COVID-19. Sheikh Halawa stressed that some of these questions required the exercise of collective 'Ijtihad (reasoning) founded on definitive rules and objectives of Shari'ah bearing in mind people's contexts and interest and aiming to facilitate people with flexible solutions consistent with the methodology adopted by the ECFR. Sheikh Halawa expressed his gratitude to the members of the ECFR, who, despite their busy schedules, responded promptly. He welcomed the doctors, who, in spite of their medical duties and this hectic period they are having, responded positively and swiftly to the invitation and participated in the session. Sheikh Halawa stressed that it is important that Muslim jurists consult with trusted doctors and establish their Fatwas and opinions on accurate verified information. He highlighted that it is the methodology adopted by the ECFR that it makes sure that its sessions are attended by experts in relevant fields alongside Muslim jurists, as it was the case when deliberating on issues pertinent to economics, astronomy, etc.

Once again, in his talk Sheikh Dr Suhaib Hasan acting Chairman of the ECFR welcomed the members and the doctors appreciating conducting the session online in light of the current circumstances. Successively the members commenced their deliberation upon listening to interventions of the four doctors where they presented facts, information, realistic practical problems of prevention, infection and handling diseased Muslims. They raised awareness needed by the jurists in order to issue true Fatwas in light of this context. The scholar members of the ECFR raised their questions to the doctors and they gave detailed answers. This was followed with successive meetings to give Fatwas and answer the questions directed to the ECFR.

Based on detailed deliberation the ECFR concluded the following Fatwas and recommendations:

Firstly, Fatwas:

An Introduction to the Islamic perception of the plagues and epidemics

Unlike other philosophies, where matters are seen in light of the law of cause and effect only and incidents are measured, calculated and observed mathematically or in a laboratory only, the Islamic perception is founded on a constellation of laws set by Allah to regulate the natural and human world portrayed by Allah in a verse in which He says: “ فَلَنْ تَجِدَ لِسُنَّتِ اللَّهِ ” “But no change wilt thou find in Allah's way (of dealing): no turning off wilt thou find in Allah's way (of dealing).” (Trans. 35:43) According to the Islamic methodology, some of the reasons are material and direct, whereas others are virtual and unseen. The logical explanations of the phenomena are related to certain aims the entire universe endeavours to achieve, while abiding by a supreme constellation of laws designed originally to pull the present towards the future. These aims and supreme constellation of laws are divine and set by Allah. In other words, they are the codes set by Allah for an orderly regular universe.

One of these laws is related to afflictions and adversities perceived, in consistency with the Qur'an, as a means of deterring humans from exceeding the limits and corruption on earth. Allah says: “ ظَهَرَ الْفَسَادُ فِي الْبَرِّ وَالْبَحْرِ بِمَا كَسَبَتْ أَيْدِي النَّاسِ لِيُذِيقَهُمْ بَعْضَ الَّذِي عَمِلُوا لَعَلَّهُمْ يَرْجِعُونَ ” “Mischief has appeared on land and sea because of (the deed) that the hands of men have earned, that (Allah) may give them a taste of some of their deeds: in order that they may turn back (from Evil). (Trans. 30:41) On the other hand, there are laws related to prosperity and blessings granted for following the divine guidance, doing good, righteousness, and seeking Allah's forgiveness for sins and defects. Allah says: “ وَلَوْ أَنَّ أَهْلَ الْقُرَىٰ آمَنُوا وَاتَّقَوْا لَفَتَحْنَا ” “If the people of the towns had but believed and feared Allah, We should indeed have opened out to them (All kinds of) blessings from heaven and earth” (Trans. 7:96)

The COVID-19 pandemic, covered by the law of affliction and adversity, is due to a number of reasons e.g. abusing the environment and the natural resources, the witnessed various types of oppression, and mocking at faith, ethics and manners leading to the recent imbalance of the universal equilibrium. Allah's laws are impartial. In the end, Allah will save, as He wills, those who shoulder the responsibility of forbidding evil. Allah says: " فَلَمَّا نَسُوا مَا " "ذُكِّرُوا بِهِ أَنحَنَّا الَّذِينَ يَنْهَوْنَ عَنِ السُّوءِ وَأَخَذْنَا الَّذِينَ ظَلَمُوا بِعَدَابِ بَنِي إِسْرَائِيلَ بِمَا كَانُوا يُفْسُقُونَ " "When they disregarded the warnings that had been given them, We rescued those who forbade Evil; but We visited the wrong-doers with a grievous punishment because they were given to transgression." (Trans. 7:165) Upon understanding the actual reality in light of the Divine laws, we should work hard to change this reality at all levels. As for the COVID-19, it will disappear over time as other pandemics disappeared, please God. However, the lesson will be there for those who may learn.

Fatwa 1/30

Question: Are the viruses and the catastrophes a punishment from Allah?

Answer: In actual fact, people, as individuals and groups regardless of their places and positions, are subject to tests and adversities, one of the ways of life. Tests come in forms of adversities as well as prosperity. Allah says: " كُلُّ نَفْسٍ ذَائِقَةُ الْمَوْتِ وَنَبْلُوكُم بِالشَّرِّ وَالْخَيْرِ فِتْنَةً وَإِلَيْنَا " "تُرْجَعُونَ " "Every soul shall have a taste of death: and We test you by evil and by good by way of trial. To Us must ye return." (Trans. 21:35) In his interpretation of this verse, Ibn Katheer states: "It means that sometimes we test you with afflictions and others with graces to show who will express gratitude and who will disbelieve and who will portray patience and who will despair." regardless of awareness or unawareness of Allah's significance, belief in destiny of adversity as well as destiny of prosperity constitutes one of the definitive rules of Islam. This deeply rooted belief does not curtail Muslims' contemplation and learning lessons. In the case of the universal catastrophes afflicting all, the good and the bad, it could be a reminder to humans that despite their material and scientific achievements they should

not overlook the spiritual and ethical aspects, strengthen their relations with the Creator the Exalted, and abide by the fundamental values e.g. social justice, peaceful coexistence, respecting human rights, and cooperation with all in good and righteousness. In this sense, Allah's tests are not an act of revenge since Allah is the most merciful and the most kind with His servants. Allah says: "إِنَّ اللَّهَ بِالنَّاسِ لَرَّءُوفٌ رَجِيمٌ" "For Allah is to all people Most surely full of kindness, Most Merciful." (Trans. 2:143) Tests are for reasons:

Reminding people of Allah's graces by missing some: Only those who are unwell appreciate health and only those who are not safe appreciate security. By means of familiarity with and getting used to Allah's graces humans are often headless of Allah's favour when granting them abundant implicit and explicit graces. Allah says: " أَلَمْ تَرَوْا أَنَّ اللَّهَ سَخَّرَ لَكُمْ مَا فِي السَّمَاوَاتِ وَمَا فِي الْأَرْضِ وَأَسْبَغَ عَلَيْكُمْ نِعَمَهُ ظَاهِرَةً وَبَاطِنَةً وَمِنَ النَّاسِ مَنْ يُجَادِلُ فِي اللَّهِ بِغَيْرِ عِلْمٍ وَلَا هُدًى وَلَا كِتَابٍ مُنِيرٍ " "Do ye not see that Allah has subjected to your (use) all things in the heavens and on earth, and has made his bounties flow to you in exceeding measure, (both) seen and unseen? Yet there are among men those who dispute about Allah, without knowledge and without guidance, and without a Book to enlighten them!" (trans. 31:20) The more Allah's servant becomes aware of Allah's graces on her/him the more grateful s/he becomes. This gives satisfaction with Allah's granted favours.

One is to turn always to Allah and seek His assistance and protection. By nature, when afflicted man looks for someone to help. Realising that Allah supports humans and He is sufficient in time of adversity creates peace and tranquillity in one's heart needed to face tests and is a shield against depending on others. Allah says: " يَا أَيُّهَا النَّاسُ أَنْتُمُ الْفُقَرَاءُ إِلَى اللَّهِ وَاللَّهُ هُوَ الْغَنِيُّ الْحَمِيدُ " "O ye men! It is ye that have need of Allah: but Allah is the One Free of all wants, worthy of all praise." (Trans. 35:15). In the time of affliction one expresses his turning to Allah by means of prayers and submission. Allah says: " وَإِذَا غَشِيَهُمْ مَوْجٌ كَالظَّلْلِ دَعَوْا اللَّهَ مُخْلِصِينَ لَهُ " "الَّذِينَ فَلَمَّا نَجَّاهُمْ إِلَى الْبَرِّ فَمِنْهُمْ مُّقْتَصِدٌ وَمَا يَجْحَدُ بِآيَاتِنَا إِلَّا كُلُّ خَتَّارٍ كَفُورٍ " "When a wave covers them like the canopy (of clouds), they call to Allah, offering Him sincere devotion. However, when He has delivered them safely to land, there are among them those that halt between (right and

wrong). But none reject Our Signs except only a perfidious ungrateful (wretch)!” (Trans. 31:32) In another place, Allah says: “فَلَوْلَا إِذْ جَاءَهُمْ بَأْسُنَا تَضَرَّعُوا” “When the suffering reached them from us, why then did they not learn humility?” (Trans. 6:43)

Adversities and tests come to warn people against committing sins. Since sins have repercussions on humans themselves and their society but not Allah, then it is out of His mercy that He warns humans so that they might give them up. In this regard, people, the believers and the non-believers, are treated equally. Tests are not a form of revenge but rather a warning against a sin one commits so that one might give it up. Allah says: “مَا أَصَابَكُمْ مِنْ مُصِيبَةٍ فَبِمَا كَسَبَتْ أَيْدِيكُمْ وَيَعْفُو عَنْ كَثِيرٍ” “Whatever misfortune happens to you, is because on the things your hands have wrought, and for many (of them) He grants forgiveness.” (Trans. 42:30)

At this point, it is worth mentioning that Allah has uniquely granted the Prophet Muhammad, peace be upon him, the last prophet, the privilege of securing his nation against the punishments of general destruction in this world, yet it befell some of the previous nations. Allah has postponed their accountability to the hereafter in order to give them the right opportunity of repentance in this worldly life. Hence, the Prophet Muhammad, peace be upon him, did not make prayers for the destruction of his opponents. In a hadith narrated by Abu Hurairah, the Prophet Muhammad, peace be upon him, when requested to invoke curse on the idol worshippers, said: “I have not been sent to invoke curse but rather as a mercy.” Reported by Muslim. In his Qur’anic exegesis of the verse “وَمَا نُزِيلُ إِلَّا تَحْوِيفًا” We only send the Signs by way of terror (and warning from evil)” Al-Tabari reports that Qatadah says: “Allah casts fear into people’s heart with whatever sign He determines in order to learn the lesson, remember or return. One day Kufa was hit with earthquake during the time of Ibn Mas’ud, so he said: ‘Indeed your Lord is blaming you so seek His pleasure.’” According to Alhasan, this verse refers to death in large scales.

Tests befall believers and non-believers. In fact the believers’ tests are harder than the non-believers’, since their belief gives them patience. In an authentic hadith, the Prophet Muhammad, peace be upon him, says: “The most severe tests are the prophets’ and those

of these who are the nearest to them and then those of these who are the nearest to them.” We should say that tests come as a warning against sins i.e. every behaviour that is not right in relation to Allah, in relation to a human brother or sister and in relation to the universe that one lives in. It is obvious that humans are misbehaving at all levels. Nowadays, due to COVID-19, the wise people all over the world are calling for considering much of the humans’ misbehaviour dominant in all fields. These wise people say what is after COVID-19 will be divergent to what was prior to it. The immoral approach, the perpetration of inequality among people and unfair financial system, the unethical environmental activities and pollution, and the problematic situations resulting from waging wars and confrontations are sins from which humans should repent. Adversities come as a warning against continuing adopting these aggressive and oppressive means.

Fatwa 2/30

The Role of Religion When Dealing with COVID-19

Question: What is the role of religion in relation to the spread of COVID-19 and its Repercussions?

Answer: The universal incident known as COVID-19 has spread all over the world driving all counties to using all the health and material means they have to confront it. There is no doubt confronting this pandemic requires adopting all material and virtual means one has. Religion has an auxiliary role in confronting COVID-19 and preventing it as follows:

One of the most important functions of religion is providing humans with spiritual power that guides them to good and virtual power enabling them to face hardship courageously and with strong determination. To confront diseases humans need strong physical and psychological immunity, as stated by doctors and specialists. The more tranquillity and peace

The above-mentioned healthy measures, also urged by medical governorates, undoubtedly impact for a great deal on preventing diseases. When a Muslim adheres to the instructions, s/he acts in a healthy way and at the same time, s/he performs an act of worship, a bonus that encourages these practices.

Another religious instruction relevant to the time of the epidemics is applying the preventive measures. In an authentic hadith narrated by Usamah Ibn Zaid the Prophet Muhammad, peace be upon him, says: "If you get wind of the outbreak of plague in a land, do not enter it; and if it breaks out in a land in which you are, do not leave it." Agreed upon. This prophetic instruction teaches Muslims how to adopt a responsible attitude regarding their and others' protection in the time of the plagues. In another hadith the Prophet Muhammad, peace be upon him, lays down a general rule for the Islamic rules. The Prophet Muhammad, peace be upon him, says: "Let there be no harm nor reciprocal harm." Reported by Malik in Al-Muwatta'. In his book, Al-Muntaqa Imam Malik explains: "Al-Darar (harm) refers to that activity that achieves your interest yet harms other, whereas Dirar (reciprocal harm) refers to that activity that does not achieve your interest but inflicts harm on others. This means that Darar refers to the activity that one embarks on aiming to achieve his interest but it involves harming others, whereas Dirar refers to the activity one embarks on to cause harm to others and Allah knows the best."

As part of the role performed by religion confronting COVID-19, it urges the believers to abide by the health instructions issued by official bodies in order to protect themselves and others. This concept, known as social responsibility, is preached and well established by religion. The Prophet Muhammad, peace be upon him, stresses it in the hadith of the ship in which he, peace be upon him, states: "The likeness of the man who observes the limits prescribed by Allah and that of the man who transgresses them is like the people who get on board a ship after casting lots. Some of them are in its lower deck and some of them in its upper (deck). Those who are in its lower (deck), when they require water, go to the occupants of the upper deck, and say to them: 'If we make a hole in the bottom of the ship,

we shall not harm you.' If they (the occupants of the upper deck) leave them to carry out their design they all will be drowned. But if they do not let them go ahead (with their plan), all of them will remain safe". Reported by Al-Bukhari. The religion urges everyone to feel their responsibility towards averting this pandemic. Each one should apply the best of her/his skills. Doctors and nurses should fulfil their duties and treat the patients. Researchers should save no efforts to find out cures and vaccinations. Everyone should help people with special needs and the elderly people. Well-off people should donate to help with scientific researches, treatment and provision for those in need. Everyone should remember that working hard for delivering of people's need is one of the best deeds drawing one nearer to Allah. In a hadith, when he was asked about the most beloved people by Allah, the Prophet Muhammad, peace be upon him, said: "The dearest people to Allah are the most helpful with people." This hadith is ranked as hasan (good) and is narrated by Ibn Abi Al-Dunia, Al-Tawani and others.

Tests and adversities befalling people are to remind them of Allah and should drive them to returning to Allah, believing in Him and praying to him in submission for the removal of their suffering. Allah says: " *فَلَوْلَا إِذْ جَاءَهُمْ بَأْسُنَا تَضَرَّعُوا وَلَكِنْ قَسَتْ قُلُوبُهُمْ وَرَيَيْنَ لَهُمُ الشَّيْطَانَ مَا كَانُوا يَعْمَلُونَ* " "When the suffering reached them from us, why then did they not learn humility? On the contrary their hearts became hardened, and Satan made their (sinful) acts seem alluring to them." 8Trans. 6:43)

Fatwa 3/30

Suspending Salah (prayers) in the Mosques due to COVID-19

Question: Is there anything in Shar'ah that gives priority to health protection over establishing rituals? Please provide textual proofs from the Qur'an and Sunnah for suspending Salah in mosques in these circumstances.

Answer: Islam preaches protection of humans' life against all types of harm deeming it one of the subtle values it establishes. Islam pays so close attention to the protection of human's life that the Qur'an gives concession to Muslims, in the case of compulsion, to utter the words of disbelief as an act of protection from killing. Allah says: " مَنْ كَفَرَ بِاللَّهِ مِنْ بَعْدِ إِيمَانِهِ إِلَّا مَنْ أَكْرَهَ وَقَلْبُهُ مُطْمَئِنٌّ بِالْإِيمَانِ " "Any one who, after accepting faith in Allah, utters Unbelief,- except under compulsion, his heart remaining firm in Faith" (Trans. 16:106). The Qur'an gives concession of breaking fasting in Ramadan to unwell people and people journeying to protect themselves from severe hardship and harm. Allah says: " فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ عَلَى سَفَرٍ " "but if any of you is ill, or on a journey, the prescribed number (Should be made up) from days later." (Trans. 2:184) Despite the fact that breaking fasting does not reflect strong determination and is not the most perfect practice, this concession is given. Based on that, suspending Salah in mosques is the most justified action, when it comes to protecting lives threatened by the spread of COVID-19. The Salah can be offered at home.

In addition to the agreed upon Islamic rules e.g. harm should be removed, necessities justify prohibitions and hardship provides flexibility, proofs of the permissibility of avoiding establishing Salah in the mosques are stated in the following lines:

Abu Hurairah narrates that the Prophet Muhammad, peace be upon him, says: "A man with sick camels should not let them graze or drink alongside healthy ones." Reported by Al-Bukhari and Muslim. Doctors confirm that no symptoms may be evident on a carrier of COVID-19 for a long period, yet s/he transfers infection to everyone s/he meets. When going to mosques people meet when entering and quitting. In addition, Muslims, when praying in mosques, they stand in close rows and a number of them prostrate in the same place.

Abdul-Rahman Ibn 'Auf narrates that the Prophet Muhammad, peace be upon him, says: "If you hear of an outbreak of plague in a land, do not enter it; but if the plague breaks out in a place while you are in it, do not leave that place." Reported by Al-Bukhari and Muslim. If this is a general prophetic order with regard to countries, cities and areas, then it is more justified in smaller areas e.g. mosques. Protection imposes a complete shutdown especially

when there are Islamic alternatives of combing prayers and congregational prayers stated in Islamic text.

Analogy when considering the concession of avoiding Friday prayer in the case when people have to cover their heads due to rain: 'Abdullah b. 'Abbas reported that he said to the prayer caller on a rainy day: When you have announced "I testify that there is no god but Allah; I testify that Muhammad is the Messenger of Allah," do not say: "Come to the prayer," but make this announcement: "Say prayer in your houses." He (the narrator) said that the people disapproved of it. Ibn 'Abbas said: Are you astonished at it? He (the Holy Prophet), who is better than I, did it. The Friday prayer is no doubt obligatory, but I do not like that I should (force you) to come out and walk in mud and slippery ground." Reported by Al-Bukhari and Muslim. There is no doubt that COVID-19 is more dangerous and the hardship it causes is more serious than that caused by going out for prayer in a rainy day.

Muslim jurists state that fear for one's life and fear for one's family are two of the reasons for which concession for avoiding Friday prayer is granted. The Prophet Muhammad, peace be upon him, says: "If anyone hears him who makes the call to prayer and is not prevented from joining the congregation by any reason--he was asked what is the reason? He replied 'fear or illness--". Reported by Abu Dauud and Al-Nisai'. People, who miss congregational prayers and Friday prayers for fear of COVID-19 infecting them or their families, have concession.

Fatwa 4/30

Friday Prayer Offered at Home and the Sermon is Delivered online

Question: Is it valid if I offer Friday prayer at home, led by an Imam online accompanied by one or two people in the mosque? Please note that I do not offer the Dhuhr prayer.

Answer: Offering Friday prayer at home led by an Imam on the TV, Radio, live broadcast or any other online means of communication is invalid. If offered in this way one should offer Dhuhr prayer. This is the conclusion reached by contemporary authorities and organizations

of Fatwas. It is the opinion expressed by the majority of the contemporary Muslim scholars during this plague and even decades before its occurrence. Friday prayer is a ritual valid only if established in the reported way. The way it is performed, prerequisites and obligatory procedures have been narrated about the Prophet Muhammad, peace be upon him, form its obligation until his demise. Since the time of the Prophet Muhammad, peace be upon him, until now it has been commonly practised in this way without any change or amendment. Establishing it at home the way described in the question contradicts the prophetic way. Inventing a novel way of Friday prayer violates the prophet's command and invalidates it. This perception is backed up with the following:

First: Allah says: "يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نُودِيَ لِلصَّلَاةِ مِنْ يَوْمِ الْجُمُعَةِ فَاسْعَوْا إِلَىٰ ذِكْرِ اللَّهِ" "O ye who believe! When the call is proclaimed to prayer on Friday, hasten earnestly to the Remembrance of Allah" (Trans 62:9) This is a divine command to hasten earnestly to Friday prayer. The Muslim jurists and scholars of the Qur'anic exegeses consensually state that it is an obligation to hasten to Friday prayer, an obligation not fulfilled when performing it at home through the radio. In addition, there are hadiths stipulating certain procedures and rules that cannot be fulfilled if offered at home. For instance, Aus Ibn Aus Al-Thaqafi narrates: "I heard the Prophet, peace be upon him, says 'Whoever washes (ghassala) and performs ghusl, comes early to the masjid and sits near the imam, and does not engage in idle talk, he will have for every step he takes (the reward of) a year's worth of good deeds, fasting it and praying Qiyam (voluntary night prayer) during it.'" Reported by Ahmad, Abu Dauud, Al-Nisai'i and Ibn Majjah with Hasan (good) chain of narration. How would one attend early, accomplish the gathering and fulfil the rituals, if the prayer is offered at home through the radio?

Second: Friday prayer is an obligation that has certain procedures, characteristics and objectives. The Muslim scholars consensually agree on the prescribed time for Friday prayer and Dhuhr prayer. However, they express divergent opinion regarding which of them is the substitute of the other. According to the preponderant opinion, Friday prayer is the

substitute of Dhuhr prayer, since Dhuhr prayer was prescribed during the journey of Ascension, whereas Friday prayer was prescribed later on. Hence, in the case when performing Friday prayer is impossible, we should offer Dhuhr prayer, since it is the original prescription. In many Islamic countries, Muslims still differentiate between mosques where congregational prayers are established and mosques where Friday prayer is offered. They offer Friday prayer only in large mosques and shut down the small mosques on Friday in order to achieve the meaning of gathering, the ritual and the weekly festival for Muslims. All of that will be lost if we state that prayer through the radio is valid.

Third: One of the repercussions of offering Friday prayer online is killing its spirit and invalidating all Friday prayers and the congregational prayers completely, both in time of reason and no reason. If Friday prayer offered through the radio is valid, then it is more justified to perform the other congregational prayers through the radio. That would lead to the claim that building mosques as well as going to mosques are pointless. Then it will be enough to have a small mosque in every city that gives room to two people and an Imam and other people may pray at home or in their work places through live broadcast. When the time matches, people may offer their prayers following live broadcast from Mecca and hence they may obtain the multiple rewards while praying at home. How ironic it all is.

Fourth: As a prerequisite for joining a prayer lead by an Imam, the Muslim scholars stipulate that both the Imam and the congregation he is leading in a prayer should be in the same place, and that the congregation should be aware of the postures assumed by the Imam in a way that prevents ignorance and suspicion as in the case of ignorance or suspicion the prayer is invalid. They also stipulate that there should not be a big partition e.g. a high wall or a big river where ships are sailed between the Imam and the congregation or that partition that would not allow a member from the congregation to reach the Imam if he chooses to do so. Joining a prayer through live broadcast while being at home breaks all these stipulations, makes it impossible to reach the Imam and invalidates the prayer as

expressed by the majority of the Muslim scholars. The Prophet Muhammad, peace be upon him, says: "The Imam is appointed so that he should be followed." Agreed upon

Fifth: Stating that offering Friday prayer through the radio is valid, if approved, can be permitted either exceptionally due to the plague or as a normal practice, but not both of them otherwise there will be paradox. However, this permissibility in both cases is invalid. As for the permissibility in exceptional cases, it is invalid since due to necessities Islamic rules cannot be altered when there are Islamic alternatives. In the case when establishing Friday prayer is unavailable or when its prerequisites are not fulfilled, let one offer Dhuhr prayer. As for the permissibility in normal practice, that would mean continuing to offer it at home even after the plague, a suggestion that no one would approve of. The ECFR urges the Imams in Europe to fulfil their duties related to facilitating people with religious talks and lessons throughout all the week in a way that enables them do without the Friday sermon. This should be conducted in a way that does not resemble Friday's rituals nor belittle it in Muslims' opinions such as calling it Friday's sermon, delivering it while standing on a pulpit and proceeding it with a prayer call.

Fatwa 5/30

Friday Prayer at Home

Question: In light of the suspension of prayers in the mosques due to the current circumstances, is it permissible to offer Friday prayer at home or work place if we are three people or more? One of us could deliver the sermon and lead Friday prayer. Is Friday prayer offered only in a mosque?

Answer: Friday prayer is not valid if offered the way you described it and if offered in this way the obligation of Friday prayer has not been fulfilled. Nowadays Islam prescribes staying at home to protect one's life as well as others. In the meantime, one should offer Dhuhr prayer as long as the plague continues regardless of how long it will take. A concession

granted for a reason remains valid as long as the reason remains. This is the Fatwa given by the Fatwa houses all over the Muslim world. It is also the opinion adopted by most of the contemporary Muslim scholars. Friday prayer is invalid if offered at home because of the following:

First: Friday prayer is a ritual and should be performed the way prescribed. The Prophet Muhammad, peace be upon him, says: “Pray in the same way you saw me praying.” The Prophet Muhammad, peace be upon him, applied certain procedures and adopted a given set of aspects when offering Friday prayer demonstrating what is mentioned in brief in the Qur’an i.e. hastening earnestly to it. The Prophet, peace be upon him, did not offer Friday prayer at home, despite availability. Had it been an obligation at home, by all means the Prophet, peace be upon him, would have offered it. Moreover, it has never been reported that he, peace be upon him, the Companions or even their Followers offered it once unless it was in the reported methodology. That was the reason for which during the time of the Prophet Muhammad, peace be upon him, people of strong determination deactivated their mosques on Friday to pray in the Prophet’s mosque and they were not allowed to offer Friday prayer in their mosques or at home.

Second: Friday prayer is a ritual. Hence, it has to be performed publicly and people should be made aware of it in order to join. Offering it at home is contradictory to that. Because of this reason the scholars who do not stipulate offering it in a mosque argue that it should be offered in a known place specified for Muslim congregational prayers.

Third: According to the Hanafi School, the Friday prayer offered at home is valid provided that it is attended by the stipulated number of people. If this opinion is adopted, then the conditions stipulated by the Hanafi School should be fulfilled. They state that a general permission, that requires public awareness of offering it in a place known to all people while the doors are open, must be obtained. These conditions can by no means be fulfilled if it is offered at home. Moreover, ranking it as valid if Friday prayer is offered at home is an act of

being selective of parts of opinions stated in various schools of Fiqh, an attitude that does not fulfil the conditions of Friday prayer in any school. In this case, the conclusion will be a form of selection rejected by the scholars of Islamic principles.

Fourth: The Prophet, peace be upon him, says: "If anyone introduces in our matter something which does not belong to it, will be rejected." Reported by Al-Bukhari and Muslim. Despite the plagues and epidemics, Friday prayer has never been offered in homes. The COVID-19 pandemic does not represent a new phenomenon that requires inventing a new image for Friday prayer expressed by none before. Suspending Friday prayer and the congregational prayers occurred more than once throughout the Islamic history, yet no one suggested amending the way Friday prayer was offered during the Prophet's lifetime and the succeeding era. Al-Thahabi describes one of the occasions when Friday prayers and the congregational prayers were suspended: "Egypt and Andalusia suffered severe draught. No similar draught or plague was experienced before in Ketuvah. The mosques were closed and no one prayed there. It was called the year of the great hunger." *Siyar A'lam Al-Nubala'*, v13, p483. Al-Maqridhi says: "There were no weddings. No one knew of anyone having a wedding during the time of the plague. No one heard singing. In several places, the prayer call was suspended. Only one prayer call remained active. It was in the famous place. Most of the mosques and prayer halls were closed." *Al-Suluk Lima'rifat Al-Muluk*, v4, p88. About 827HJ ibn Hajar says: "At the beginning of this year Mecca suffered a severe plague that caused forty deaths a day. In Rabi' Al-Auwal 1700 people passed away. It was said that only two people formed the congregation lead by the Imam of the holy mosque. The other Imams did not lead prayers as there was no one to form a congregation." *Inba' Al-Ghamr Bianba' Al-'Umr*, v3, p 326

Fifth: The majority of the Muslim jurists prohibit establishing multiple Friday prayers in one city in order to achieve the meaning of assembly and meeting and establishing many Friday prayers by building many mosques contradicts it. Sheikh Taqi Al-Deen confirmed this in a

special message called “Al-I’tisamu Biwahidi Al-Ahadi Min Iqamati Jum’atin Fe Bald ”. He argued that the preponderant opinion states that it is not permissible to establish multiple Friday prayers in one city unless needed. He says: “Thinking that multiple Friday prayer could be established when there is no urgent need for that is definitely condemned in Islam.” Fatawa Al-Sabki 1,189. What then would he say about multiple Friday prayers established at homes? In light of prohibiting establishing multiple Friday prayers in one city by the Muslim jurists, despite establishing them in mosques in big congregations lead by Imams, could it be, then, offered at homes thousands times in one city, yet there are no Imams and each congregation is made of three people? Is it logically accepted to establish ten Friday prayers in one building?

Sixth: Arguing that it is permissible due to the urgent need is not valid, since the case could have been classified as an urgent need, had it remained an obligation. Muslims are relieved from this obligation, due to the plague. In fact, the obligation of Friday prayer is removed due to a reason less serious than that e.g. rain. One of the serious repercussions of stating the permissibility of offering it at home is that people will keep offering it at home afterwards and will not take going to the mosques seriously, especially when those who make this statement do not relate it to the urgent need. Their statement is expressed in general terms applicable in all cases and times.

Seventh: Muslim scholars make a comparison between Friday and the Day of Arafah, since the two days are days of assembly and supplications. Ibn Al-Qaiym states: “Friday prayer, one of the most confirmed Islamic obligations, and one of the greatest Islamic gatherings, represents the best and the most confirmed assembly of Muslims except the assembly of Arafah.” Could an obligation of such a status be offered at home in a congregation made of three people?

Friday prayer, when offered in its reported methodology observing its known conditions, is one of the Islamic prides and one of the graces Allah blessed Muslims with. In his book “Zad

Al-Ma'aad", Ibn Alqaiyam states that Friday prayer has thirty-three distinctive characteristics e.g. assembly, a congregation made of a minimum, the stipulation of Iqamah, etc. Stating that it is valid if offered at home leads to losing its distinctiveness and special characteristics. Hence, Imams and Muslims in general are to adhere to performing it in its reported way. They should not offer it in any other way never stated by any of the early Muslim jurists; otherwise, it will be an 'Ijtihad (reasoning) that makes what Allah makes easy difficult, an act of creating hardship for people, while Allah does not overburden them.

Fatwa 6/30

Going to a Mosque in a City COVID-19 free

Question: Until this moment, there has been no reports of COVID-19 cases in my city and no decision has been taken to shut down our mosque. Doctors say some could be infected people but we are unaware, since they have no apparent symptoms. Should I refrain from going to the mosque in this case?

Answer: The rule is that one should abide by the instructions issued by the authorities and health organizations based in his city. In the case when people are leading their lives as usual, no cases has been reported and instructions banning gathering and meeting have not been issued, there is no harm in going to the mosque. Yet we recommend that you keep an eye on the instructions issued by health organizations in your city. If they ban meetings, then stay at home and offer your prayers there. Offer Dhuhr prayer instead of Friday prayer and offer your prayers in a congregation made of your family members. In this case, prayers in the mosques should be suspended in order to protect people's lives. Allah says: " وَلَا تُلْفُوا " وَ لَا تُلْفُوا " and make not your own hands contribute to (your) destruction." (trans. 2:195)

Fatwa 7/29

Adhering to the Social Distancing of one meter in Prayers Offered in Congregations

Question: As a result of the spread of COVID-19, in a number of mosques out of their eagerness to keep their congregational prayers, Muslims adhere to the social distancing of one meter or more to prevent the spread of COVID-19 during their congregational prayers. What does Islam say about that?

Answer: In light of such circumstances, it is better to suspend prayers in the mosques and offer them at home, since offering the prayers in congregations is a confirmed Sunnah, whereas protecting people's life is an obligation. By all means one should not give a priority to a Sunnah act over an obligation. Offering the prayers in the way described in the question is an act of overburdening and complicating something Allah facilitates. Moreover, it contradicts the spirit of the congregational prayers breaking the rules of standing nearby one another, alienating the rows and forbidding standing alone behind a row. In addition, this step does not prevent spreading the disease as people come near each other when entering and leaving the mosques. They prostrate in the same place and they touch the doors when opening and closing. The mosques should give an example of adhering to the regulations and law and adopting the most preventive measures to protect people's lives.

Fatwa 8/30

Congregational Rituals in a Specified Time to Remove Adversity

Question: On social media, there are a number of calls inviting people to perform a given act of worship in specific times e.g. a day of fasting and a night for prayers to remove the adversity. Is this permissible or a forbidden act of Bid'ah (innovation)?

Answer: Muslims, when afflicted, hasten to prayer, supplications and showing humility. Allah says: " فَلَوْلَا إِذْ جَاءَهُمْ بَأْسُنَا تَضَرَّعُوا وَلَكِنْ قَسَتْ قُلُوبُهُمْ وَزَيَّنَ لَهُمُ الشَّيْطَانُ مَا كَانُوا يَعْمَلُونَ " " When the suffering reached them from us, why then did they not learn humility?" (trans. 6:43) Also,

the Prophet, peace be upon him, says: "The sun and the moon are two signs of Allah's; they do not eclipse on the death or life of anyone. So when you see the eclipse, remember Allah and say Takbir, pray and give charity." Reported by Al-Bukhari. As much as the eclipse of the sun and the moon are signs of Allah's indicating His power, the plagues are and all the diseases are. As much as man is commanded to hasten to prayers in the case of eclipse, they are commanded to turn to Allah in the time of the plagues and other adversities Inviting Muslims to make prayers and sincere supplications and to seek Allah's forgiveness is an Islamic act. In fact, the Qur'an describes it as an obligation. Allah says: "وَاسْتَعِينُوا بِالصَّبْرِ وَالصَّلَاةِ" "Nay, seek (Allah's) help with patient perseverance and prayer: It is indeed hard, except to those who bring a lowly spirit" (Trans. 2:45) Also Allah says: "يَا أَيُّهَا الَّذِينَ آمَنُوا اسْتَعِينُوا بِالصَّبْرِ وَالصَّلَاةِ إِنَّ اللَّهَ مَعَ الصَّابِرِينَ" "O ye who believe! seek help with patient perseverance and prayer; for Allah is with those who patiently persevere." (Trans. 2:153) There is not even one text that prevents specifying time for rituals performed to remove adversity. The scholars of the Islamic principles state that specifying certain time for a general act of worship e.g. voluntary night prayers, remembrance of Allah and permissible supplications is an Islamic act, when people believe that offering this ritual in this way does not make it excel others.

This is backed up by a number of statements made by Muslim jurists. For instance, the Hanafi jurist Ali Al-Qari states: "In this way they prayed individually when they saw a strong beam of light at night, a wide spread of stars, a deep dark period during the day, a fast wind, earthquakes, continuous snowing and raining, dominant diseases and fear of enemy." Fath Bab Al-Inaiah, v1, p348. In his book Shifa' Al-Qalb Al-Mahzoon Fe baiian Ma Yataalq Bilta'un, the Shafi'i historian Shams Al-Deen Al-Dimashqi (d780HJ) states: "There was a serious plague in 764HJ. During this period people were extremely active in offering voluntary prayers at night, fasting during the days, giving charity and repenting to Allah."

Fatwa 9/30

Giving Zakah to Mosques and Islamic Centre in Europe before it is due

Question: What is the Islamic rule regarding giving Zakah to mosques and Islamic centres in Europe before it is due, due to the urgency caused by COVID-19?

Answer: It is permissible to pay Zakah one or more years in advance dependent on the need of the mosques and Islamic centres in Europe, provided that one owns the minimum stipulated for Zakah, even though the stipulated period of ownership is not met. The permissibility of paying Zakah before its due term for a genuine reason is the opinion adopted by the majority of Muslim jurists and most Muslim scholars e.g. the Hanafi, the Shafi'i, the Hanbali scholars and others. In support of their perception they quote a Hasan (good) hadith reported by Al-Tirmidhi and narrated by Ali Ibn Abu Talib, may Allah be pleased with him: "Al-Abbas asked the Prophet, peace be upon him, about paying his Zakah before its due term. The Prophet, peace be upon him, gave him concession." Since it is a financial right there is a term for it, a reflection of flexibility with the payers. Since the debt can be paid before its due term, by means of analogy, Zakah can be paid before it is due.

In addition, the mosques and Islamic centres in Europe are run by donations. Muslims' charities represent a fundamental financial source for them. Upon closing mosques due to COVID -19 these donations ceased, but the mosques and Islamic centres are in need of funds to pay employee's salaries and cover the costs of running the places. Some mosques may face complete shutdown due to their financial situations, The ECFR urges Muslims in general in Europe to perform their duty and fix their regular financial support to the Islamic centres by charity and donations other than their Zakah. This is their duty of this time. Charity is one of the means adopted to remove adversities and plagues. It is obvious that mosques and Islamic centres in Europe constitute the most important factor of protecting religion for Muslims in Europe. In a previous Fatwa, the ECFR stated that it is permissible to spend Zakah for the benefit of Islamic centres.

Fatwa 10/30

Prayers for Non-Muslims

Question: What is the Islamic rule regarding making prayers for non-Muslims?

Answer: Some Muslims, erroneously think that adopting the Islamic ethics should be observed only when dealing with Muslims. This misconception contradicts the true concept of Islam. Islamic ethics are applicable when dealing with all people. The Prophet Muhammad, peace be upon him, says: "And behave decently towards people." Reported by Al-Tirmidhi. Humane attitudes towards non-Muslims e.g. prayers, being merciful and all types of help are not only permissible but will also be rewarded, please God. Prayer is a type of the kind attitude mandated by Islam as stated in the Qur'an and Sunnah. The Muslim scholars consensually state that it is permissible to make prayers of health and recovery for non-Muslims. In a hadith narrated by Anas, the Prophet, peace be upon him, says: "None of you is a true believer unless he wishes his brother what he wishes himself." Reported by Al-Bukhari and Muslim. In this hadith, the term brother refers to Muslims and non-Muslims. Muslims as much as they wish themselves health and recovery they wish their non-Muslim brothers health and recovery. In his book Dalil Al-Faliheen Lituruq Al-Saliheen, Ibn Al-Imad states "It is better to understand the term brother as a general term so that it includes non-believers. Then a Muslim wishes his non-believing brother what he wishes for himself."

Fatwa 11/30

Showing Aggressive Attitude to the COVID-19 Patients

Question: What is the Islamic rule regarding showing aggressive attitude and disgust to the COVID-19 patients and their family members?

Answer: It is not permissible in Islam to show aggressive attitude and disgust to the COVID-19 patients or patients of any diseases. Whoever suffers from a disease is afflicted or tested. If you believe that Allah has saved you from it, you have to thank Him. In a hadith narrated

by Abu Hurairah the Prophet, peace be upon him, says: "Whoever unexpectedly comes across a person suffering a calamity, and says: Al-hamdu Lillahil-ladhi 'afani mim-mabtalaka bihi, wa faddalani 'ala kathirin mimman khalafa tafdila (Praise is to Allah Who has kept me safe from that which has afflicted you and preferred me over many of those whom He has created), will be kept safe from that calamity, no matter what it is." Reported by Al-Tirmidhi with a Hasan (good) chain of narration. A suffering person could be of a higher status than the healthy one in the sight of Allah. The Prophet, peace be upon him, says: "When Allah has previously decreed for a servant a rank which he has not attained by his action, He afflicts him in his body, or his property or his children and then let him portray patience to reach his rank." Reported by Abu Dauud with a Sahih (authentic) chain of narration. Let him who can help the patients and the elderly people hasten to do so to gain Allah's love. The Prophet Muhammad, peace be upon him, says: "The dearest people to Allah are the most helpful to people." Hadith Hasan (good)

There is a difference between adopting preventive measures, which is required in the time of plague, when mixing with people and showing a different attitude when meeting a patient. For instance, the doctor, who treats the patient, should apply all preventive measures when checking or treating a patient. However, he should not treat him aggressively or show disgust. This should be one's attitude towards the patients. If one cannot help him, then at least make prayers for their recovery, talk to him in a gentle way, show him respect and make him pleased even by meeting him with a cheerful face.

Fatwa 12/30

Al-Ruqyah (Recitation of Religious Text) during the Plague

Question: Is it permissible to use Ruqyah as a treatment from pandemics?

Answer: What is called an Islamic Ruqyah has been distorted by anti-Islamic practices. People should be alerted against these practices and avoid visiting people performing these

practices. They are corrupted and they take advantage of the weak and the suffering people in the worst way.

The right way to face pandemics and diseases in general is to adopt the usual procedures guided by instructions issued by doctors and specialists. In light of this spread pandemic Muslims and other should abide by the instructions issued by health experts and state officials responsible for people's protection. The Islamic Ruqyah is made of supplications and showing humility to Allah seeking His cure. The rule is that people do it themselves especially during plagues and pandemics.

Fatwa 13/30

Leaving One's Home in the Areas of Lockdown

Question: What is the Islamic rule regarding leaving one's home in the areas where lockdown is imposed?

Answer: It is obvious that this pandemic spreads very fast when people get in contact with one another. This contact leads to infecting a great number of people and the death of some. Whoever does it deliberately is committing not only a wrong action but also a sin. Let people stay at home and go out only for urgent needs. Let them observe social distancing. We are afraid that if a confirmed infected person leaves his house and causes someone's death, it may mount to semi-deliberate killing.

Fatwa 14/30

Moving and Travelling in the Area of the Pandemic

Question: What is the Islamic rule regarding moving and travelling from and to the areas of the pandemic?

Answer: Coronavirus, known as COVID-10, is one of the killing viruses that can be transmitted from an infected person to another through different ways of contact. People could die of it. Allah says: “وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ” “and make not your own hands contribute to (your) destruction.” (trans. 2:195) Also, Allah says: “وَلَا تَقْتُلُوا أَنْفُسَكُمْ ۚ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا” “Nor kill (or destroy) yourselves: for verily Allah hath been to you Most Merciful!” (Trans. 4:29) In addition, in a number of hadiths the Prophet, peace be upon him, prohibits entering and leaving a land where there is a plague. The Prophet, peace be upon him, says: “If you get wind of the outbreak of plague in a land, do not enter it; and if it breaks out in a land in which you are, do not leave it.” Based on the afore-mentioned quotations, it is forbidden to enter or leave a land where a plague is spread in order to protect one’s life, an objective of Shari’ah. Muslims should abide by the instructions issued by the official authorities and health organizations in their land. They should leave their home only for urgent needs and when leaving home, they should adhere to the regulations of social distancing and the preventive and safety requirements. According to the hadith, the duty is to stay at home during the periods of the plagues. ‘Aisha, may Allah be pleased with her said: “I asked the Prophet, peace be upon him, about pestilence and he said, "It is a punishment which Allah sends upon whomsoever He wills, but Allah has made it as a mercy to the believers. Anyone who remains in a town which is plagued with pestilence maintaining patience expecting the reward from Allah, and knowing that nothing will befall him other than what Allah has foreordained for him, he would receive a reward of martyr". Reported by Ahmad

Fatwa 15/30

Shaking Hands and Hugging during the Time of Plague

Question: What is the Islamic rule regarding shaking hands and hugging during the time of plague and infectious disease?

Answer: When a Muslim meets a Muslim brother it is Sunnah to shake hands with him. The Prophet, peace be upon him, says: “When a Muslim shakes hands with his Muslim brother, their sins wither just as the leaves of the trees wither.” Reported by Al-Bazzar with a Sahih (authentic) chain of narration. Nevertheless, if shaking hands and hugging cause transmitting diseases, as confirmed by doctors and specialists, it turn into a prohibited action in consistency with the Islamic rule: “Let there be no harm nor reciprocal harm” “What is needed to fulfil an obligation is an obligation.” The Prophet, peace be upon him, refused to shake had with a man from Thaqif who suffered from leprosy saying “Go back and I have accepted your pledge.” It is obvious that the infectious COVID-19 is more serious than Leprosy.

Fatwa 16/30

Responsibility for Someone’s Death due to Disease Transmission

Question: If I am a confirmed case of COVID-19 and I spread the disease to someone else, is this considered an attempt of murder or unintended killing and what should I do?

Answer: One should apply all the necessary measures to protect himself as well as others. If one knows that oneself to be infected with COVID-19, one should isolate oneself, otherwise, one is wrong and Allah will hold you accountable. The Prophet, peace be upon him, says: “If you get wind of the outbreak of plague in a land, do not enter it; and if it breaks out in a land in which you are, do not leave it.” Reported by Al-Bukhari. This is a command and the

unrestricted command means an obligation. Some Hanafi Scholars considered a case of a man, who passed away of a plague. Before his death, he travelled and transmitted the disease to another person, who also died. Hanafi Scholars judged it as causing killing and stated that his family would pay the blood ransom to the family of the second person. However, in the case when the patient applies all the measures to prevent spreading the disease, and yet it spreads and kills another person, the patient is not guilty. Allah says: “وَلَيْسَ عَلَيْكُمْ جُنَاحٌ فِيمَا أَخْطَأْتُمْ بِهِ وَلَكِنْ مَا تَعَمَّدَتْ قُلُوبُكُمْ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا” “But there is no blame on you if ye make a mistake therein: (what counts is) the intention of your hearts: and Allah is Oft-Returning, Most Merciful.” (Trans.33:5)

Fatwa 17/30

Storing Commodities and Increasing the Prices

Question: What is the Islamic rule regarding storing more than what is needed of commodities and the merchants increase the prices?

Answer: The rule is that Muslims buy only their usual needs and during difficult times be economical as much as possible. Storing foods in an exaggerated way inflicts harm on the interest of others. In addition, it causes fear of food shortages and contributes to increasing prices. Muslim merchants are not allowed to take advantage of people’s needs by increasing the prices or storing goods awaiting the prices to go up. The Prophet, peace be upon him, forbids manipulation saying: “Manipulation is a sin.” This prohibition is to avert harm from all people. During the time of affliction. Muslims should embody self-denial and not selfishness and mercy.

Fatwa 18/30

Priority of Treatment

Question: What can we do as Muslim doctors when the patients are many and the artificial respiratory systems are few? For instance, if there are two patients, one is more likely to be recovered while the other is unlikely to be recovered.

Answer: The Muslim doctors should abide by the medical rules regulating their work. If they have to take a decision, they have to apply the medical criteria and the human ethics. It is not accepted to take a system from a patient in the middle of his treatment and give it to another patient who arrived after him. Nevertheless, if the doctor has two patients and he has no choice but choosing to treat one of them, priority is given to the one who arrived first unless he is a hopeless case. Priority is given to the one who urgently needs treatment over the one whose case is not urgent. Priority is given to the one whose recovery is expected over the one who is unlikely to recover. This likelihood is usually determined by strong conjecture and medical estimation.

Fatwa 13/30

The Funeral Rules in light of COVID-19 crisis

Question: The obvious repercussions of infections and deaths caused by the spread of the COVID-19 pandemic lead to the imposition of certain rules and regulations, almost bringing life to a halt in all fields: borders are closed; means of transport are restricted or ceased; hospitals are so full of patients that the ICUs are at full capacity and cannot accept any more patients. In some cities, the places, where funeral procedures take place, can no longer be used, due to the high death toll, which has driven Fiqh academies to issue Fatwas, such as suspending congregational prayers and Friday prayer, in order to face this urgent situation

and protect people's lives. In such a situation where people are dying in large numbers, and the seriousness of such a contagious pandemic, Muslims will not be able to apply the usual Islamic funeral procedures. How can Muslims perform washing, shrouding, prayers and burials?

Answer: The Fatwa is dependent on time, place and situation. There are a number of Fiqh rules pertinent to exceptional cases and urgent circumstances, e.g. necessities justify prohibitions, hardship leaves room for flexible rules and no soul is to be overburdened, are well-established in Islam. These and other rules are based on a thorough understanding of revealed as well as inspired texts. For instance:

Allah says: "On no soul doth Allah Place a burden greater than it can bear."

"and he has imposed no difficulties on you in religion"

The Prophet Muhammad, peace be upon him, says: "Make things easy and do not make them hard."

Based on these and other quotations, while stressing the urgency of adhering to the law and instructions issued by the State and concerned bodies, we summarize below the answers to the most important questions raised about funerals and the rules governing them in the light of such a critical situation:

First: Ghusl (washing) the diseased infected with COVID-10: Upon detailed deliberation and queries raised to doctors working in the area of infection, the ECFR concluded that the preponderant perception is that the diseased infected with COVID-19 should be kept in the cases and coffins they leave they hospital in and they should be buried in them buried without Ghusl (washing) and Tayamum (dry ablution), even if legally allowed for the forthcoming reasons:

According to the majority of the Muslim scholars Ghusl (washing) the diseased is an obligation, whereas the Maliki school classifies it as a confirmed Sunnah. This divergence has

credibility and it is due to the fact that Ghusl was reported by action and not by word and the actions do not have a formula imperative and otherwise. In addition, it was reported by means of education and not a mandatory way. According to the preponderant opinion, Ghusl is an obligation attainable in normal situations and in unusual circumstances e.g. the time of pandemics and plagues it is permissible to avoid it as well as Tayamum.

It is obvious now for medical experts that if one performs Ghusl or Tayamum for an infected diseased despite adopting all the preventive measures, still he is in danger because he may get infected, especially adopting these measure requires training and experience currently unavailable. Certain members of the Medical teams, despite their training and extra precaution, got infected. What about Muslims performing Ghusl who lack this experience yet contact the diseased directly?

The Fiqh rules and the religious texts state that protecting one's life is given priority over performing a Sunnah act or an obligatory act related to a diseased. A great probability of transferring the disease to the person performing Ghusl and then consequently to others is sufficient to make the rule of avoiding Ghusl and Tayamum. At this point the ECFR highlights the point that in the case of a diseased infected and buried in the above-mentioned way, s/he will not suffer any decrease for her/his deeds. Also, the Muslims and his family will not be blamed for it. There are Islamic texts that indicate that people dying of this pandemic have the status of martyrs. The Prophet Muhammad, peace be upon him, says: "Anyone who remains in a town which is plagued with pestilence maintaining patience expecting the reward from Allah, and knowing that nothing will befall him other than what Allah has foreordained for him, he would receive a reward of martyr". Reported by Al-Bukhari

Second: The funeral prayer is a collective duty i.e. if performed by some, the rest are not obliged to offer it. The number of people permissible by law, even if three, is enough for a funeral prayer. Some Muslim scholars state that when a funeral prayer is offered by a Muslim adult, Muslims are relieved from this obligation. This opinion is expressed by the Hanafi, Shafi'i and Hanbali schools.

Muslims may also offer the funeral prayer for an absent body, even individually. Some Shafi'i and Hanbali scholars state that it is permissible to offer the funeral prayer, while the body is not present in the case of unavailability. The funeral prayer of the absent body is more reasonable where body is unavailable.

Third: As for burial, the rule is that Muslims are to be buried where they die. The Companions, may Allah be pleased with them, were buried where they passed away. Also, Muslims are to be buried in Muslim cemeteries. However, in the case of unavailability, the diseased Muslims could be buried wherever possible, even if it be non-Muslim cemeteries, as Allah does not overburden a soul. In addition, in such a situation if a Muslim is buried in a non-Muslim cemetery it will not harm her/him. In the hereafter s/he can only avail of her/his deeds. Allah says: "That man can have nothing but what he strives for" (Trans. 53:39). Also, Solomon says: "The land does not make anyone holy."

Fatwa 20/30

Cremation of Muslims Who Have Died from COVID-19

Question: Is it permissible to cremate Muslims who have died from the COVID-19 pandemic especially when urged to do so by concerned bodies?

Answer: Burying bodies, consistent to man's honour and sacredness, is stated in the Qur'an. Allah says: "Have We not made the earth (as a place) to draw together, the living and the dead" (Trans. 77:25-26). In addition, it is the way adopted in Muslim land from the time of the Prophet Muhammad, peace be upon him. Muslims should persist in such a Sunnah act related to their deceased. Islamic organizations should do their best to explain the Muslim religious distinctiveness of burial of the deceased and that cremation would cause serious problematic situation for Muslims. We are grateful to Allah as, to the best of our knowledge, cremation is not imposed anywhere in Europe and people are given the choice.

Fatwa 21/30

The Unavailability of Burial outside Europe as Stated in the Will

Question: My mother passed away from COVID-19 infection. In her will she states that she wants to be buried in her homeland. Currently there no flights and she cannot be transferred outside Europe. Is it a sin if we bury her where she passed away?

Answer: The rule is that one is to be buried where one passes away. In addition, in consistency with the Sunnah the burial is to be conducted as quickly as possible. This is the case in normal situations, let alone the exceptional cases where transferring the body and acting according to the will are impossible. You should bury your mother in a Muslim cemetery where she passed away as soon as you can. A number of authentic hadiths indicate the rewards granted to those who pass away while being away from their home. For instance, Ahmad, Ibn Majjah, An-Nisai' and Ibn Habban reports a hadith narrated by Abdullah Ibn Amr stating: "A man who had been born in Al-Madinah died there, and the Messenger of Allah prayed for him, then he said: 'Would that he had died somewhere other than the place where he was born.' They said: 'Why is that, O Messenger of Allah?' He said: 'If a man dies somewhere other than the place where he was born, a space in paradise, equal to the distance between the place where he was born and the place where he died, is measured for him.'" This hadith is ranked as hasan (GOOD) by Al-Albani and Sahih, (AUTHENTIC) by Ahmad Shakir. We pray to Allah to raise her grade in paradise and grant her the reward of martyr

Recommendations

In light of the critical situation in Europe and the entire world the ECFR recommends Muslims in general in Europe to:

- Renew their links with the Lord and increase their acts of obedience e.g. prayer, charity, fasting, etc., make supplications showing humility for the removal of the plague from their countries and the entire world and constantly seek Allah's forgiveness and offer sincere repentance.
- Abide by the decisions taken by the authorities in relation to staying at home, suspending performing rituals in the mosques and refraining from assemblies until the adversity is removed. The ECFR warns against spreading rumours that magnify or belittle the pandemic, yet affect badly the public interest.
- Continue performing their duty relevant to the needed support i.e. donations, charities and Zakah for the benefit of the Islamic institutions, mosques, schools, and Islamic centres so that they could carry on playing their roles and cover the needs of their employees especially the Imams and teachers as they contribute for a great deal to the education and instruction, a gesture of recognition of the great services they offered and are still offering to the Muslims.
- The ECFR expresses its appreciation to the medical teams working hard to serve the patients. The ECFR prays to Allah to protect them against every evil
- The ECFR urges Muslims in general to actively integrate into their European homes during this adversity. The ECFR encourages the positive initiatives, e.g. charity campaigns for hospitals, blood donations campaigns, volunteering to help the elderly and needy and volunteering to join ambulance teams and civil protection organizations, offered by Muslims and Islamic organizations in a number of European countries. The ECFR recommends that these activities should be organized with the concerned bodies in every city and all the preventive measures should be applied.

- The ECFR stresses that people should not exaggerate in storing foods buy only what is usually sufficient. The ECFR warns Muslim merchants against manipulation, increasing the prices and taking advantage of people's need.
- The ECFR urges the Imams and Da'iahs in Europe to perform their role relevant to guiding people and supporting them spiritually and culturally through the modern ways of communications. It urges them to adopt an international humane civilized talks spreading hope and pessimism and highlighting aspects of mercy, facilitation and graces during the times of adversities. It also urges them to adopt the resolutions issued by the authorities of Fatwas and collective 'Ijtihad (reasoning).
- The ECFR encourages Muslims in general to adopt a merciful approach, cooperate with their societies, show a spirit of self-denial and support and embody the Islamic ethics and values during the time of the crises.
- The ECFR recommends the Muslim families in Europe to schedule their time and invest it and take advantage of isolation by making spiritual, scientific and recreational useful programmes. It appeals to them to communicate with their kin and forgive one another and communicate with one another and check on each other through available means of communications. It also urges them to make prayers of peace and protection for their relatives.
- The ECFR recommends the Islamic institution to continue demanding the Muslims' rights in relation to having Muslim cemeteries and observing, as much as possible, the Islamic rules of burial. It also recommends them to increase their prayers of mercy for the diseased and prayers of recovery for the patients and prayers of removing the pandemic from the entire world.

Conclusion

Upon concluding the academic deliberations, the ECFR resolved to hold an online supplementary session on the 13th of April 2020 to answer the questions related to the month of Ramadan, the two festivals, Ramadan's Zakah, and the new questions related to COVID-19

The ECFR would like to thank its general secretariat and all the brothers and sisters who contributed to the success of this session. We pray to Allah to remove this plague from the entire world, cure the unwell and remove afflictions.

Our last prayer is praise be to Allah and may Allah's peace, blessing and mercy be upon Prophet Muhammad, his family, and his Companions.