



Re: Fatwa, Ref. No M 000126 05 23,

Date: 12th of Shawwal 1444 Corresponding to 02/05/2023

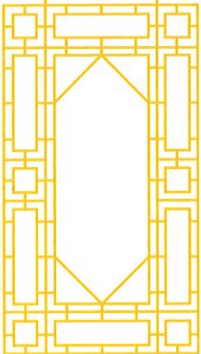
Fatwa: "Combining the *Maghrib* and *Isha Salahs*"

Imam Office

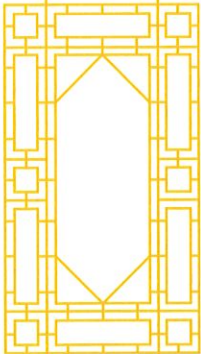


Due to the late *Isha* time or the absence of the sign that marks its time in some countries

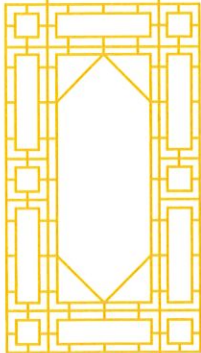
Praise be to Allah, the Lord of the worlds, and may Allah's blessings and peace be upon our Prophet Muhammad, his family, and companions.



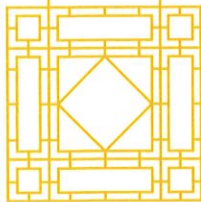
Allah, Glory be to Him, prescribes on us the performance of every *Salah* at its appointed time. He, the Most High, says: "Indeed, the *Salah* has been prescribed unto the believers at fixed times (al-Nisa / 103). The *Salahs* have specific times designated by the Most Wise Legislator in His saying: "Establish *Salah* at the sun's decline until the darkness of the night, and the Qur'an of dawn, for the Qur'an of dawn was Witnessed "(Al-Israa / 78). Moreover, a condemnation is stressed against those who are not punctual in their *Salahs*, as Allah the Almighty says: " But after them there followed a posterity who missed prayers and followed after lusts soon, then, will they face Destruction) "Maryam / 59).



It is not permissible for any responsible Muslim to postpone her/his *Salahs* until the time expires without a valid reason. Nevertheless, the Islamic rulings are based on facilitation, which is the spirit of Islamic law, e.g. gathering *Salahs* for travel, heavy rain, sickness, fear, or an emergency, or even for a need. Since the times of *Dhuhr* and *Asr*, as well as *Maghrib* and *Isha*, are overlapping times, the Wise Lawgiver gives concession permitting combining them.



In the West, the issue of the times of the *Salahs* arises on the surface in the summer and winter seasons. In the summer, the sign of the time for *Isha* does not appear, or is extremely late, and in the winter, the period between the times of *Dhuhr* and *Asr* is very short. Therefore, in more than one academic session, the European Council for *Fatwa* and Research deliberated on the issue of combining the *Maghrib* and *Isha Salahs*, due to the delay in the time of *Isha* or the absence of the sign that marks the commencement of its time in some countries in the summer time, as well as the *Dhuhr* and *Asr* times in the winter time. In this regard it issued several resolutions, e.g. Resolution 3 (3/3), Resolution 35 (1/1), and Resolution 41 (1/2).



The Council affirms the legitimacy of combining the *Maghrib* and *Isha Salahs* during the

summer period when the time for *Isha* is delayed until or after midnight, or its sign does not

exist; in order to remove hardship from the Muslim nation, an approach stressed in the Qur'an and Sunnah. The Almighty says: " And He has not placed any hardship on you in religion " (Al-Hajj: 78) In his *Sahih* Muslim reports that Ibn Abbas says: " The Messenger of

Allah, may Allah's peace be upon him, prayed the *Dhuhr* and the *Asr* together, and the *Maghrib* and the *Isha* together in Medina, while not being in a state of fear or on a journey ."

In a different narration: " : "The Messenger of Allah, may Allah's peace be upon him, prayed the *Dhuhr* and the *Asr* together, and the *Maghrib* and the *Isha* together in Medina, while not being in a state of fear or on journey. "Abu Al-Zubair (Al-Makki) said: I asked Saeed (Ibn Jubair), why did he do that? He said: I asked Ibn Abbas as you asked me, and he said: He did not want to impose any hardship on his nation."

This reasoning of such a remarkable scholar, Ibn Abbas, gives manifest indication that the Prophet, peace be upon him, was keen to make it easy for his nation. He, peace be upon him, did not want his nation to fall into hardship and distress. The hadith explicitly states the legitimacy of gathering *Salahs*. This hadith is also narrated by Abu Dawood, Al-Nasa'i and Al-Tirmidhi in their Sunan, and it is also narrated by Ibn Sirin. It was also quoted on the authority of Ibn Qudamah in (Al-Mughni) on the authority of Ibn Shubrumah that he adopts the same perception expressed by Ibn Sirin.

In ((Al-Fath / 1/155)) Al-Hafiz Ibn Hajar states: A group of Imams accept the apparent meaning of this hadith, so they permit gathering *Salahs* at home, when needed, provided that it does not turn into a usual practice. This opinion is expressed by a number of scholars e.g. Ibn Sirin, Rabia, Ashhab, Ibn al-Mundhir, al-Qaffal al-Kabir, and al-Khattabi narrates it on the authority of a group of hadith scholars.

In addition to the above-mentioned, in some countries the emergence of the twilight is delayed until after midnight in certain periods of the year. In other countries the days are long, and the nights are as short as four hours or even less during certain months of the year. In some cases, the employees and students are unable to perform the *Salahs* on time, due to work periods and the limited break time, also some people are old and others are young children. They all find it hard to perform some *Salahs* in their prescribed times according to the Sharia.

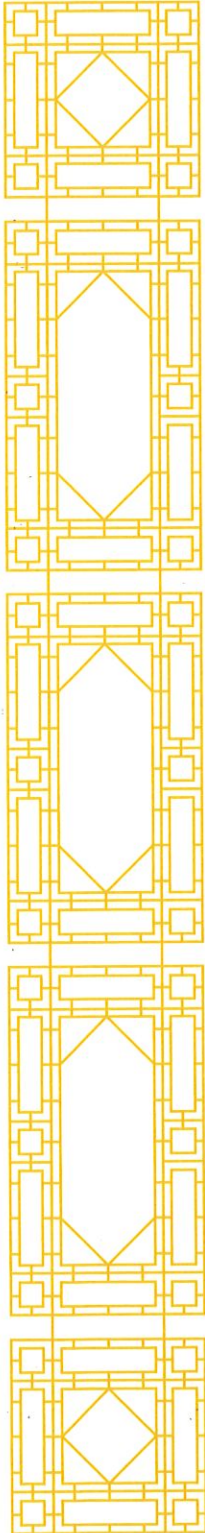
Is it obligatory on people who live in places where the twilight disappears after midnight to wait until the time of *Isha* commences in order to perform it on time, while they are committed to work in the morning of that day, bearing in mind that they need to sleep, rest,

and perform the *Fajr Salah*?!



Is it obligatory for someone whose night time is only four hours to perform three *Salahs* in it while abandoning sleep awaiting *Salah*, bearing in mind that he is also committed to work, and all types of work require a clear mind and a healthy body, dependent on the rest and sleep?

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Or, is there a concession that a Muslim can avail of in order to remove hardship, deemed an Islamic objective?

Allah Almighty says: (And He has not placed upon you in religion any hardship) (Al-Hajj: 78).

The Prophet, peace be upon him, reiterates this meaning in a hadith narrated by the Imam Al-Tirmidhi: "Were it not hard, I would have commanded my nation to delay *Isha* until one-third of the night is gone."

In one of the established jurisprudential rules it is stated: "Hardship brings ease."

Hence, according to the Shari'ah it is valid to combine two *Salahs* at the time of one of them in order to remove hardship, given that there is time for each of them. This indicates that the need and a reason make the time for each of the two *Salahs* the time for the other, even though it is not an emergency.

With reference to the matter of concern, the circumstance we are facing makes the time for *Maghrib Salah* the time for *Isha* by means of necessity, since the sign marking the commencement of *Isha* does not exist.

This is an example of a clear analogy. Thus, the most correct perception regarding the *Isha Salah* in the countries, where the sign marking the commencement of *Isha* does not exist, is to combine it with the *Maghrib Salah* at the time of *Maghrib*. This removes hardship.

It is not possible to reject this perception, under the guise that it lasts for about three months, and that this gets people used to complacency regarding their punctuality in *Salah*. This concession is due to the fact that the sign marking the commencement of *Isha* does not exist or it emerges late. The Islamic concessions are valid in acts of worships and other matters as long as their reasons exist.

Finally, our last *Salah* is that praise be to Allah, Lord of the worlds, and may Allah's blessings and peace be upon our Prophet Muhammad, his family and companions.

Your brother, Sheikh Dr. Hussein Halawa

The imam of the ICCI