

ISLAM BETWEEN RIGIDITY AND FLEXIBILITY: OBSERVING CONGREGATIONAL *ṢALĀH* (PRAYERS) UNDER COVID-19 IN NIGERIA (2020-2021)

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Abstract: *Coronavirus (COVID-19) has claimed the life of many and efforts to contain its spread led to the formulation of protocols that include social distancing in the entire world. Some Muslims appear to have a negative attitude toward this protocol in prayers with the excuse that Islam is more about brotherhood than individuality. Based on people's diverse positions on the validity of observing social distancing in Ṣalāh, Muslims are divided over some issues such as whether Muslims must necessarily observe congregational Ṣalāh with social distancing or not. Thus, this work discusses the position of Muslim scholars on the status of Ṣalāh observed during the covid-19 and the reactions of Muslims to the injunctions of Islamic law during the pandemic using a historical research method for data collection and data analysis. Findings of the work revealed that differences in the position of Muslims in Nigeria regarding the observance of social distancing in Ṣalāh are traceable to either the non-confidence of the masses in the government or their adherence to their rigid practice of Islam. This work, therefore, recommends that Muslims should realise the need to redefine religious practices to accommodate diversity without compromising the provisions of Islamic law.*

Keywords: *Flexibility, Rigidity, Covid-19, Concession, Ṣalātul-Jamā'ah*

INTRODUCTION

The effect of Covid-19 on both the spiritual and the mundane life of Muslims in the world over cannot be over-emphasised. Muslims in the whole world could not perform the hajj for the year 2000 while in the year 2021, only a few among those living within the Kingdom of Saudi Arabia were allowed by the government to perform the rite with the mode of practice of the rite and other obligations being subjected to stipulated protocols of Covid-19. One of the practices which Muslims never thought of compromising, even though the protocol enforced otherwise, is the observance of prayers in congregation. Muslims pray in the congregation because the Prophet Muhammad ascribed to it a reward that is twenty-seven times greater than the prayers observed individually. Because Islam emphasises brotherhood against individuality, Muslims are nervous about complying with the protocol. Even though the rule of concession that permits flexibility in the practice of religion is well enshrined in the *Sharī'ah*, some Muslims reject praying individually or with shoulders at a distance from one another in congregation especially for *Jumu'ah* and Ramadan congregational *Tarāwīḥ* prayers. This practice divides Muslims into conservatives and modernists. This paper studies Muslims' mode of prayer under COVID-19 because the COVID-19 protocol of maintaining social distance affects the practice, prayers are observed in compliance with the COVID-19 protocols by some Muslims, while others observed it without observing the protocol and the differences in the approach of each of the groups gained the support and arguments of

some scholars. The paper answers the following questions: What is the position of Islam on congregational *salah*? How does Islam handle issues of emergency and necessity?

THE OUTBREAK OF CORONAVIRUS

Coronavirus disease is a communicable disease caused by severe acute respiratory syndrome. The disease, which is also known as Covid-19, was named as such because the corona represents the crown-like spikes on the outer surface of the virus (Muhammad et al, 2020). The subgroups of the coronavirus family are alpha, beta, gamma and delta omicron coronavirus and the initial thought was that the viruses only infect animals until the outbreak of a severe acute respiratory syndrome caused by SARS-Cov, 2002 in Guangdong, China (Zhong et al). The Middle Eastern Countries witnessed another virus named Middle East respiratory syndrome coronavirus a decade later. (Muhammad et al, 2020). Coronavirus was identified in December 2019 in Wuhan, China. Another report indicates that the first confirmed case was traced to Hubei on November 17th, 2019 (Josephine, 2021). The virus transmits from one person to another through infected air droplets produced by sneezing, coughing or talking (coronavirus disease, 2019). It also spreads through direct contact with infected hands or surfaces (coronavirus disease, 2019). The symptoms of the virus include fever, cough, fatigue, shortness of breath and loss of sense of smell (Coronavirus disease, 2019), while its complications may include pneumonia and acute respiratory distress syndrome (Cathrine and Rhona, 2021). Consequently, the WHO declared a Public Health Emergency of International concern on 30th January 2020 and considered the novel coronavirus outbreak a global pandemic after it spreads to many countries (Saujan et al., 2023). It also took the burden of bringing the world's scientists and health professionals together to accelerate diagnostics, vaccines and therapeutics on the novel coronavirus.

The first confirmed case in Nigeria was announced on 27th February 2020 as a result of an Italian citizen that was tested positive in Lagos. As a safety measure, the Federal Government on the 30th March 2020, declared lockdown in Abuja, Lagos and the state of Ogun and some states of the federation later followed suit. Two days after the first COVID-19 case was confirmed in Nigeria, the Nigeria Centre for Disease Control (NCDC) swung into action by publishing daily situation reports detailing the exact number of cases, tests, deaths and recoveries, as well as the spread of infection in the country. The NCDC provided relevant information on prevention and control of the disease, safety measures on travel and social gatherings, and in anticipation of the elections, produced a document detailing the necessary measures for conducting elections under the special circumstances created by the pandemic. Medical workers were also trained by the NCDC and necessary pieces of equipment were also distributed. Despite the pro-activeness of the government, the Centre for disease control still faced some challenges.

Nigeria, which is a country that depends majorly on importation, suffered heavily from the shortage of essential commodities like pharmaceutical materials, finished goods etc. The National Budget prepared with an oil price of US\$57 per barrel, also suffered a downward review as a result of a fall in the price of oil to US\$30 and dependence of Nigeria on it. In addition, stock market investors lost over NGN2.349 trillion to the stock market crash in Nigeria some weeks after the confirmation of coronavirus in Nigeria.

In the political terrain, the COVID-19 pandemic wreaked havoc on the political systems of many countries including Nigeria. It leads to the suspension of legislative activities, the death of politicians like Sen. Ajimobi in Nigeria and the rescheduling of fixed dates for elections

like by-elections for senatorial districts in Bayelsa, Imo and Plateau originally scheduled for March 2020 (Global Overview of Covid). The effects of the virus on religions cannot be overemphasized. This reached its pinnacle when the houses of worship, schools established for the acquisition of religious learning and public gathering meant to orientate people on religion were shutdown to contain the rapid spread of the diseases (Aishah, 2021). The table below shows the rate at which the virus spreads and threatens the life of citizens in the country.

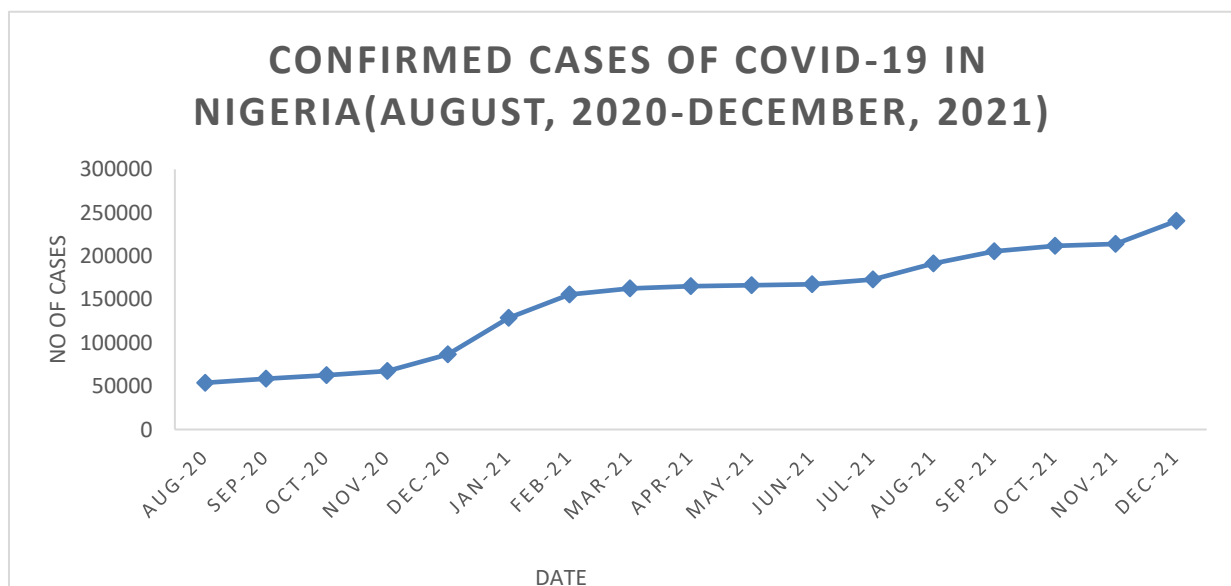
Figure 1

Source: Official Telegram Channel of the Nigeria Centre for Disease Control (NCDC)

The diagram below shows the increased range in the confirmed cases contained in the table

| S/N | DATE | CONFIRMED CASES | DISCHARGED CASES | DEATHS |
|-----|------------|-----------------|------------------|--------|
| 1 | 30/8/2020 | 53,865 | 41,513 | 1,013 |
| 2 | 29/9/2020 | 58,647 | 49,937 | 1,111 |
| 3 | 30/10/2020 | 62,691 | 58,430 | 1,144 |
| 4 | 29/11/2020 | 67,412 | 63,055 | 1,173 |
| 5 | 30/12/2020 | 86,576 | 73,322 | 1,268 |
| 6 | 29/01/2021 | 128,674 | 102,780 | 1,577 |
| 7 | 28/02/2021 | 155,657 | 133,768 | 1,908 |
| 8 | 30/03/2021 | 162,762 | 151,532 | 2,056 |
| 9 | 29/04/2021 | 165,055 | 155,041 | 2,063 |
| 10 | 29/05/2021 | 166,285 | 156,557 | 2,071 |
| 11 | 29/06/2021 | 167,532 | 163,784 | 2,119 |
| 12 | 29/07/2021 | 172,821 | 164,930 | 2,141 |
| 13 | 29/08/2021 | 170,983 | 178,283 | 2,361 |
| 14 | 29/09/2021 | 205,484 | 193,482 | 2,701 |
| 15 | 29/10/2021 | 211,798 | 202,962 | 2,895 |
| 16 | 29/11/2021 | 214,113 | 207,292 | 2,976 |
| 17 | 29/12/2021 | 240,374 | 213,491 | 3,028 |

Figure 2



It is observed that the number of confirmed cases as contained in the above diagram is 13,556 in the first four months of the period studied (30/8/2020 to 29/11/2020) but in the subsequent four months (30/12/2020 to 30/3/2021), 76,186 confirmed cases were recorded. This alarming difference prompted the government to be proactive in containing further occurrences by placing some protocols which include social distancing, reduced number of congregation in churches and mosques, constant washing of the hands with soap and water or rubbing the hands with hand sanitiser.

MUSLIMS' RESPONSE TO COVID-19 PROTOCOL OF SOCIAL DISTANCING IN NIGERIA

In discussing the response of Nigerian Muslims to COVID-19 protocol, the concern of the authors is in the area that affects the observance of prayers in the congregation. While most of the protocols agree with the practice of Muslims, social distancing that keeps Muslims away from one another at the time of the five daily prayers and the *Jumu'ah* prayers that requires a congregation of worshippers standing shoulders to shoulders was not received with pleasure by Muslims.

While major religious bodies such as the Christians Association of Nigeria (CAN) and the Nigerian Supreme Council for Islamic Affairs (NSCIA) support the initiative, some pastors, Imams and followers kicked against the downsizing of congregations in places of worship. While some Christians believe that suspension of crowding in the churches is a rebellion against the lord, some Muslims uphold the defeat of the objective of prayer if Muslims are disallowed from praying in congregation.

Nigeria has six Geo-Political Zones; North Central, North East, North West, South-South, South East and South West. A combination of interviews and observation were adopted as tools to investigate the attitude of Muslims to social distancing protocol and the performance of prayers in congregations in major cities of selected states in four of the six zones. The other two zones; South-South and South East were not studied because of a very low representation of Muslims in the zones. In North Central, an interview was carried out in the city of Ilorin, Kwara state. In North East, an interview was carried out in the city of Maiduguri, Borno State. In North West, an interview was carried out in the city of Yauri, Kebbi State while in South West; an interview was carried out in the city of Ogbomoso in Oyo State. While some of the interviews were carried out orally, others were through phone calls and WhatsApp messages. The interview was made to cover the observation of social distancing in the mosques during the second wave of the virus between December 2020 and May 2021. The research covers twenty-five *Jumu'at* mosques in each of the selected cities with the exemption of the central mosques in the cities. Below is a table showing the response of people in the concerned cities regarding the compliance of Muslims with the social distancing protocol.

Figure 3

| S/N | Zone | City | compliant Mosques | Non-Compliant Mosques | Percentage of Compliance |
|-----|---------------|------------------------|-------------------|-----------------------|--------------------------|
| 1 | North Central | Ilorin/Kwara State | 15 | 10 | 60% |
| 2 | North East | Maiduguri/ Borno State | 5 | 20 | 20% |
| 3 | North West | Yauri/ Kebbi State | 5 | 20 | 20% |
| 4 | South West | Ogbomoso/ Oyo State | 3 | 22 | 12% |

With 60% compliance, Muslims in North Central Zone have the highest compliance of social distancing in the observance of COVID-19 protocol in congregational *salah*. The reason for this is probably because of the lockdown observed by some of the states. Except for Kogi State where the Governor declined to recognise the existence of the scourge, most of the states in the region are conscious of the infection even though with varying degrees of response. The city of Ilorin which was sampled for study in the zone, though with a relatively high number of Muslims, was locked down fully and later partially and prayer in the *Jumu'at* mosques was suspended while *ratibi* (non-*jumu'at* mosques) were dissented for a while. Muslims in the other three zones were deviant of the COVID-19 protocol of non-congregation even when the Presidential Steering Committee on COVID-19 on 10th May 2021 declared that all places of worship should be 50% filled and worshippers should be at a distance from one another.

An interpretation of the table shows that Nigerian Muslims have less than 50% compliance to covid-19 protocol of social distancing and when interviewed on the reason for non-compliance, 25% of the interviewee did not recognize the existence of the infection and argued that the entire scenario was politically motivated. 55% of the interviewee was deviant because of their interest in having the reward of congregation and the remaining 20% choose to be deviant without reason. Because of the response of the interviewee, we shall look at the position of *Salatu'l-Jama'ah* (congregational prayer) and the perception of Islam on contagious diseases

THE POSITION OF ISLAM ON CONTAGIOUS DISEASES

Islam has a say on everything on earth (Q6:38) and thus, it considers the outbreak of disease as a test from Allah (Q2:155), which can be inflicted on Muslims and non-Muslims. In addition, the stance of Islam on the infectious nature of some diseases is not controversial among the scholars of Ḥadīth despite the existence of two seemingly contradictory reports attributed to the Prophet (SAW). The reports are: “Abu Hurayrah (may Allah be pleased with him) reported that Allah's Messenger (SAW) said: “(There is) neither contagious disease nor any bad omen (from birds) nor any Hamah or any bad omen in the month of Safar” (Al-Bukhari, Ḥadīth 5769). In the second tradition, the Prophet (SAW) was reported to have said that “Run away from the leper as you run away from the lion” (Al-Bukhari, Ḥadīth 5707). The later tradition is an indication of the Prophet's acknowledgement of the existence of contagious diseases. Ibn Ḥajar, in reconciling the two reports, commented that the interpretation of the two reports is that these diseases cannot infect by their nature but Allah

made the mixture of the sick with the healthy as a cause for its infectiousness (Ibn Hajar, n.d). Explaining the seemingly contradictory reports, Ṣāliḥ Fawzān unfolded: The Messenger (SAW) did not negate the existence of contagious disease but only repudiated the creed of *Jāhiliyyah* Arabs on the capability of disease to transmit by itself without Allah's decree (Rabī). This position was supported by An-Nawawī who added that the statement was made to censure the *Jāhiliyyah* Arabs who believed that disease can infect on its own (An-Nawawī, 1392 A.H).

Qāḍī 'Iyāḍ and Al-Māziriyy recorded that some scholars consider the report that establishes the infectiousness of some diseases as abrogated (*Al-Jam'u bayna ḥadīth*). The statement credited to these scholars in our opinion, is not weighty because it negates the fact proved by experiences and observations. It is, therefore, lucid from the comments harvested that Islam does not negate the potentiality of some diseases to transmission. Islam however, implores the victim of the disease to be patient during the period and assures him of divine reward. Imām Bukhārī reports: "The Prophet (SAW) said: No fatigue, nor disease, nor sorrow, nor sadness, nor hurt, nor distress befalls a Muslim, even if it were the prick he receives from a thorn, but that Allah expiates some of his sins for that" (Al-Bukhari). It requires all to put trust in Allah and take precautionary measures to get rid of any disease. The measures prescribed include isolation which was practised during the time of the second Caliph, 'Umar bn Al-Khaṭṭāb and which is widely adopted by scientists as one of the vital ways to contain the spread of infections (Roghuvir, 2020). Encouraging the necessity for isolation of an infected person during a pandemic, the Prophet (SAW) warned:

If you hear that a plague has broken out in a land, do not enter it; but if it breaks out in a land while you are there, do not exit it (with the intent of escaping from it). (Al-Bukhari, Hadith 5730)

'*Tā'ūn*' as mentioned in the report is a disease that affects a majority of people in a region and which is different from the disease the people are familiar with. Thus, the disease affecting them will be uniform in the period different from other periods when the diseases (affecting them) will be varied (Al-Asqalani, n.d.). Commenting on the teachings of the report, 'Abdur-Raḥmān bn 'Awf advised 'Umar bn Al-Khaṭṭāb not to return to Madinah when plague broke out in Syria (Al-Bukhari). We observed that the failure of some countries to embrace the above principle of Islam on time accounts for the ravage of their countries by coronavirus. For instance, the index case of coronavirus in Nigeria was attributed to an Italian citizen, who works in Nigeria and returned from Milan, Italy to Lagos on 25th of February, 2020.

The maintenance of at least 1^{1/2} metres distance, pronounced by the WHO as a protection against transmission of Covid-19, has been enjoined thousand years ago by Islam. In the ḥadīth recorded by Muslim, the Prophet maintained: "The sick should not be mixed with the one that is healthy" (Al-Bukhari) The implication of the report, in our view, is that there must be a separation between the two and this can only be achieved when social distance is maintained. The report that was quoted earlier on isolation is relevant to the issue of social distancing

The regular washing of hands prescribed by WHO is also enshrined in the practice of Islam because a practising Muslim washes his hands when performing ablution daily to prevent contamination. A devoted Muslim who performs ablution regularly for *Ṣalāh* is

considered to have unconsciously observed the covid-19 protocol of constant hand washing for fear of infections

SALATU'L-JAMA'AH (CONGREGATIONAL PRAYER)

Ṣalāh (Prayer) in Islam is an essential pillar of the religion and the first for which a Muslim shall be held accountable on the Day of Judgment. Prayer is a universal practice that is enjoined on Muslims of all generations (Q89:5). Observing the *Ṣalāh* along with other faithful is highly encouraged and more rewarding (Muslim, Hadīth 650). Women are, however, discouraged from going to the mosque for their prayers. Even then, a tradition gave a concession to those who still wanted to benefit from the great reward of praying in the congregation. *Shariah* also allowed them to hold congregation among themselves or with the members of their family among other instances that are geared towards females reaping the reward of congregational *Salawāt*

It is a well-known practice that a minimum of two worshippers constitute the congregation in the five daily *Salawāt* and *Salātul Jumu'ah* cannot therefore be an exception (Sabiq). Even though some schools like the Hanafi adopt a different view on the *Jumu'at* prayer (Abdullah, 2011). Abū Sa'īd narrated that a man entered the mosque while the Prophet (SAW) and his Companions had already prayed in congregation. The Prophet, (SAW) said: "Who will give charity to him by praying with him? A man from the people (who had prayed in congregation) stood and prayed with him." (Ahmad, Abū Dāwūd and At-Tirmidhī). It is also encouraged that congregational prayer is said by men in a mosque because the objective of collectivity is achieved, and the reward for the congregation still stands when it is said at home provided all the conditions are met (At-Tirmidhī).

At a time of necessity, the law allows that congregational *Ṣalāh* should be eschewed. There are several instances when Prophet (SAW) enjoined individuals to pray in their houses because of either rain or extreme cold weather (Al-Hajjaj). The Prophet permitted a companion to observe his prayer wherever the prayer met him and should not suspend it till he gets to a place where there is a mosque (Al-Bukhārī). These indicate that prayers are accepted when said at home as an individual or in a congregation at a time of necessity. A discussion of some legal maxims that serve as the basis for flexibility in the practice of Islam will serve as elucidation to the eligibility of diversity at times of necessity.

AD-ḌARŪRAH (NECESSITY) IN ISLAM

Shariah is not as rigid as it may be assumed. Concession is given to practices in Islam at a time of necessity. Pieces of evidence of this include the concession for the consumption of forbidden foods at a time of severe necessity (Q.5:3). Similar to this is the concession for the shortening of prayers while on a journey (Q.4:101). A general maxim on concession is *Al-Mashaqqatu tajlibu 't-Taysir* (hardship begets facility) (Ibn Nujaim, 1993). This legal maxim is considered fundamental in removing the burden of any difficulty in the practice of Islam. This maxim agrees with the word of Allah "Allah intends for you ease and does not intend for you hardship (Qur'an 2:185). Other maxims emanating from this fundamental legal maxim include:

1. *Aḍ-Ḍarūrāt Tubīḥu 'l-Ma'zūrāt* (Necessities legalises illegalities): This maxim provides that in the face of a necessity that is life-threatening, a Muslim should adopt a solution without recourse to the legal provision of such solution (Muhammad. 1989)

2. *Aḍ-Ḍararu Yuzāl* (Injury must be repelled). This maxim, according to Shittu, has three major aspects
 - i. No injury should be inflicted on anybody except on a legal basis.
 - ii. An injury should not be reciprocated unless under the law of retribution
 - iii. Any existing injury must be removed (Shittu, 2017)
3. *Aḍ- Ḍararu Tuqaddaru bi Qadriha* (Necessity is estimated by the extent thereof). By this maxim, the rule on any concession given in Islam should be treated as exceptional and when the condition that calls for the concession is over, a return must be made to the original course without transgression of any type as emphasised in Qur’ān 2:17

The above legal maxims, along with others on the theme of necessity, all point to the flexibility of *shariah*. Adopting these legal maxims on the issue of *Ṣalāh* during the outbreak of coronavirus in Nigeria in particular and in the world as a whole, one will agree that the outbreak is an injury that must be contained and repelled. In addition, the fact that the obligation of observing congregational *salah* while shoulder touching one another is a controversial issue among Muslim scholars reveals that the prayer performed while observing social distance is valid (Hishamud-deen Afaana, 2002). The instances of permissibility of suspending fasting for the travellers and the sick person during Ramaḍān (Q2:184), profession of infidelity while belief in Allah is entrenched in mind during coercion (Q16:106), eating carcass by the coerced and the distressed one (Q2:173), shortening *salah* of four *raka’at* while on a journey (Q.4:101) and many others are sufficient as proofs to claim the flexibility of Islam at a time of necessity

CONCLUSION

With the outbreak of Coronavirus in Nigeria, many activities were changed from how they used to be. There was advocacy for virtual lectures, low patronage of media houses, low distribution of food items, cancellation of physical *tafsīr* programme, cancellation of *tarāwhih* prayer and cancellation of celebration of *laylatu’l-qadr* in the month of Ramadan, restriction of congregational prayers, closure of the sacred house in Makkah and mosques and proliferation of venal scholars. From the information gathered so far, it is observed that Nigerian Muslims have low respect for the Covid -19 protocol of social distancing. While the first table shows how threatening the infection is, the second table shows the negative response of Nigerian Muslims to social distancing. Only an average of 28% of entire mosques complies with the rule of social distancing.

Based on the facts provided in the discussion on the position of Islam on infection, what constitutes congregation on prayers and the Islamic legal maxims, the following could be made as submission of the authors

1. Islam is a flexible religion that does not accommodate rigidity of any kind
2. One of the major objectives of the Shariah is the preservation of life and therefore, Islam does not permit anybody to subject his life to destruction
3. Islam recognises contagious diseases and advises that precautionary measures should be taken to contain the spread of any infection
4. At the time of necessity, it is more rewarding to pray at home for precaution against infections
5. When prayer is to be observed in congregation at a time of necessity and social distancing is considered a remedy to infection, observing the congregation with

distancing is more rewarding than violating the rule and falling into the trap of infection

6. At a time of necessity. Observing congregational prayers at home is not only acceptable but equally more rewarding

Thus, it is pertinent to recommend that Muslim leaders need to be more informed about the teachings of Islam because their followers are submissive to them in all that they command and they will be held accountable for directing them to a wrong path

Even though some religious leaders have reservations about the sincerity of the government in the pronouncement of the existence of the virus, the religion of Islam enjoins submission to leaders. If the leaders are wrong in what they direct the followers. the followers shall not be required to answer the wrong done by the leaders

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