

The Times for Isha and Fajr Prayers in Western Countries during summer

The designated times for Isha and Fajr prayers in the UK and other similar countries during the summer season.

All praises are due to Allah and peace and blessings be upon the prophet Mohammed (SAW).

Abstract:

The beginning of summer occasions great confusion amongst many Muslims living in the UK, North America, Canada and some other European countries concerning the commencement of Isha, Magrib and Fajr prayers. Muslims frequently enquire about the best time to pray Isha since it starts very late. In this fatwa I will explain the different opinions of the scholars in dealing with this problem. Thereafter, I will discuss these opinions, their evidences and any respective criticisms made against them. Finally, I will explain the best practical opinion taking into consideration the diversity of Muslims residing in these countries as well as the abnormal situations they are facing.

Introduction:

1- Firstly, it is essential to state that Isha time starts once twilight disappears. This is based on many prophetic traditions such as the statement narrated in Sahih Muslim by Abdullah Ibn Amr that the prophet (SAW) said "and the time for Magrib continues until the twilight does disappear".

2- Both Muslim and non-Muslim astronomers disagree on the time twilight disappears especially in areas of extreme latitude such as Canada and many European countries. England has a latitude of between 50 to 60 degrees).

3- Some believe that the twilight never disappears for a certain period of time during the summer while others believe that it does disappear, but extremely late.

This disagreement is a result of different opinions concerning two main factors:

a - The linguistic interpretation of the disappearance of twilight.

b - The astronomical interpretation of the disappearance of twilight.

While the vast majority of scholars believe that it is the disappearance of the redness of twilight that truly signifies its 'disappearance', Hanafi scholars believe that it is the disappearance of the whiteness.

Concerning the second reason behind this disagreement, Muslim scholars differ on which astronomical interpretation should be adopted to determine the disappearance of twilight. The resolution of the ninth Muslim World League conference held in 1406 H (March 1996) holds that 17 degrees is the correct interpretation for the disappearance of twilight. If we adopt this opinion, which is the opinion of the majority of Muslim scholars as well as astronomers, then all countries located above 49 degrees latitude may well observe the phenomenon of persistent twilight until the break of dawn. If we adopt the other linguistic meaning and the second astronomical interpretation for the disappearance of twilight we will end up with allocating 15 degrees as the start of Isha time. According to this degree, twilight does disappear yet it disappears very late in places located roughly at 49 or 50 degrees but it never disappears in countries which are located at 60+ degrees latitude.

According to the opinion of the vast majority of scholars and astronomers, twilight does not disappear for a period of time during summer in many European countries since many of them are located above 49 degrees latitude.

The above discussion is far from sufficient in uniting the word of the scholars since the difference discussed above is deeply rooted in the four acceptable official schools of thought as well as astronomical interpretation. Moreover the wide diversity of Muslims residing in the UK and Europe, their juristic schools of thought, and the absence of any Muslim leadership for Muslims to follow, makes it almost impossible to agree on specific criteria for the timings of prayer. In any case, it is almost universally accepted that twilight either does not disappear or persists until very late into the night before disappearing in many European countries.

In other words, there are two aspects to this period of confusion or hardship: the first aspect is when the legislated indications of the commencement of Isha are to be observed, but very late; the second concerns that period when the legislated indications for the commencement of Isha disappear completely. Hence, irrespective of the disagreement amongst scholars and astronomers, there will be places which observe only one aspect while there will be definitely some other countries observing both aspects mentioned above. The issue is further confounded when on the one hand, some followers of some schools of thought believe that they are observing the first aspect only, while on the other hand, followers of other schools of thought in the very same locality, may believe that they are facing both situations. Now, regardless of whether we follow 17, 19, or 15

degrees as being the start of Isha, a comprehensive explanation and solution should be presented taking in consideration the diversity of understanding found amongst the Muslims.

The problem of the absence of the legislated signs indicating the start of Isha, or the very late start, leads to difficulty in understanding the correct position concerning three related issues:

- 1- The end of Magrib.
- 2- The start of Isha.
- 3- The start of Fajr.

Let us first discuss the start of Isha time since it is the main matter of concern here.

Start of Isha time:

From the previous discussion we conclude that the aspects relevant to this discussion comprise two parts:

- 1- The first part is when the legal sign is visible, but it starts extremely late
- 2- The second part is when the legal sign disappears altogether.

Both cases are treated in a very similar way since the late start makes it extremely difficult to pray Isha on time. An example of this is the start of Isha time on May 20th in London just after midnight ^[1] and a similar time is found on 25th July. The following options result when examining this situation in its totality, taking into consideration all of its various facets:

- a. Muslims pray Isha at its stated time even if it starts very late or even if it starts after midnight, which according to many scholars signifies the end of Isha time. This is based upon many prophetic traditions. Let us call this option praying at the astronomical time or praying on time.
- b. Because of the difficulty involved, Muslims estimate the time for Isha prayer at odds to its actual astronomical time. Let us call this option estimation.
- c. Because of the difficulty involved, Muslims combine Isha with Maghrib at the time of Maghrib. Let us call this option combination.

Discussion of the first opinion: praying on time:

Scholars who hold the first option, i.e. praying on time, base their opinion on numerous evidences that clearly indicate that praying on time is the most important condition for performing prayer. Among such proofs is the Qur'anic verse where Allah says [4:103]

“Verily, the prayer is enjoined on the believers at fixed hours”.

We also find that the Prophet (SAW) explained the significance of prayer at the appointed time in various ways. For example he said, “The most beloved of actions to Allah is the prayer at its time”.

However, this opinion faces problems when twilight persists. In that period, the legal sign for the start of Isha disappears, so what then should be the starting time of Isha? These scholars, in this circumstance, adopt the option of estimation yet their opinions vary as to the best way of estimating. Some scholars believe that the last time on which the legal sign appeared should be the reference time. This time should be adopted throughout the period of persistent twilight. In London, for example, the last day when the legal sign is detectable is the 25th May at 12:38 am^[2]. According to this opinion, Isha should be prayed at 12:38 until the legal sign starts to be visible again on the 18th July.

A second group of these scholars hold that the reference point should be the nearest city where the legal sign is visible.

A third group of these scholars hold that we should divide the night into 3 parts and Isha should start by the end of the first third of the night. This means that Muslims living in London, for example, should pray Isha at around 10:45 pm.

The fourth group of those scholars hold that Makkah should be our reference point for matters related to acts of worship as it is our Qiblah and we perform Hajj there. According to this opinion Isha commences one and a half hours after Magrib.

Discussion of the second opinion: estimation:

The second group of scholars believe that estimation is the best solution. We have seen in the previous argument the justification for such an opinion. These scholars do not accept the option of combination due to the following reasons:

a - The Shari'a intended to distribute the prayers over the day and night. This is why the Shari'a considered time a vital condition for prayer. They supported their argument by the fact that the Shari'a discourages people from combining unless

there is a pressing need let alone the fact that many scholars prohibited the continuous practice of combining prayers over a long period of time in a manner that gives rise to a habitual action.

b - The estimation of Isha time is a valid approach since many scholars agree that Isha time starts after the end of the first seventh of the night according to an interpretation of some Shafi'i scholars.

c - The principle of estimation in essence is valid since it is mentioned in the famous hadith of the Dajjal during the last days when Allah extends the length of the days of his presence so that one day will be as long as one complete year, another day will be equal to a month in length, and the third day as long as a week, while others are normal days in length. The Companions asked the Prophet (SAW) about praying in these extended days. The reply of the Prophet (SAW) was to command them to estimate the times of prayer. This hadith is reported in Sahih Muslim.

Discussion of the third opinion: combining:

Those who believe that we should combine prayers during the whole period, i.e. both scenarios, base their opinion on various justifications:

a - The disappearance of the legal sign leaves no option but to combine the two prayers together.

b - The late start of Isha makes it extremely difficult for the vast majority of people in these countries to pray on time when the sign is visible, or at similar time when the sign can no longer be observed. This difficulty brings to attention the principle established by Islamic law to remove any hardship. There is no doubt that praying Isha after midnight, or close to midnight, in such countries is a hardship that the Shari'a seeks to remove. Based on this they believe that, whether the legal sign is visible or invisible, the end ruling is the same, i.e. the period of late visibility should be treated the same as the period of absence.

There are numerous prophetic traditions where the Prophet (SAW) combined Magrib with Isha. Most of the scholars believe that the legal reasoning behind this combination is to remove hardship. For example, the prophet carried out this practice several times while he was on a journey from one city to another^[3].

Moreover, the Prophet (SAW) practiced combination once when he was resident in the city of Madinah neither without being sick nor in a state of fear. Ibn Abbas explained the reason behind this by saying "He intended to remove hardship from his ummah". The scholars deduce from this that in cases of hardship or necessity it

is allowed to combine between Dhuhr and Asr prayer any time between the start of Dhuhr and the end of Asr. Likewise it is allowed to pray Magrib and Isha together in the time of either. According to these scholars, this verdict is conditional on not making this act a habit.

In a similar vein, we find that Imam Ahmad allowed the breast-feeding woman who faces difficulty in cleaning her clothes to combine between these prayers. Sa'eed bin al-Mussayyib instructed a shepherd who sought his advice to combine Isha with Magrib before sleeping if he is afraid of missing Isha prayer due to sleepiness and tiredness.

These scholars disagree with opinion of estimating prayers, as they believe that it is baseless. They believe that this situation is different from the situation mentioned in the hadith of the Dajjal. These scholars explained that this analogy is unacceptable because this hadith is only applied in the case of complete disappearance of all the legal signs. This means that we cannot extend this to cover our case when only one of the legal signs is present but appears very late or is absent altogether.

The strongest opinion concerning the start of Isha time in such countries:

As we can see, all the opinions mentioned above are justified by many evidences, while at the same time, none of these opinions are free of criticism. Even if we say we must pray on time irrespective of the necessity of hardship involved in praying late at night, we will still not be safe from valid criticism. Isha might start after midnight, as is the case of cities lying above 49 degrees. Midnight according to many scholars is the end of Isha time. This means that adopting this option results in praying Isha after it has ended!

Having analysed the previous argument, the following conclusion can be drawn:

- 1- There is no opinion free of criticism.
- 2- All opinions are supported by strong direct or indirect proofs and evidences. Moreover all opinions are supported by quotations from the previous scholars. As a result this disagreement becomes a matter of valid Ijtihad.

So if someone were to ask: what shall I do and when do I pray Isha? We will give the following answer:

- 1- The male adult should join the congregational prayer in the mosque that he usually prays in whether they combine or chose any criteria for estimation.

a. Praying in congregation is compulsory upon every able male adult and it is of great significance in Islam. The Prophet (SAW) desired to punish those who did not attend the congregational prayer and he did not excuse a blind person who hears the call for Salah from not attending it. Some scholars mentioned that attending prayer in congregation takes precedence over many conditions of Salah. For example the adult person who is sick and will pray in a sitting posture if he joins the congregation while he could pray in a standing posture if he prays alone should join the congregation.

b. The times assigned for Isha in such countries are not definite as shown by the previous discussion. Actually it is a matter of ijtiḥād as we have just stated. In such cases courses of action that maintain unity or remove disagreements should take precedence over individual opinions.

c. The reason behind this conclusion is the fact that we cannot confirm that Isha during this period starts at a specific time which puts it within the area of ijtiḥād. So if it is an matter of ijtiḥād, one should pray in congregation even if it takes place at a time that does not match his ijtiḥād. This conclusion is supported by the fact that Islam aims to prevent fitnah between Muslims and block all roads leading to it.

2- If there is no near-by mosque or the person is not an individual who must join the congregation like a sick person, a female or immature child, then he or she should delay Isha prayer as much as he or she can. The reason behind this conclusion is the fact that praying on time puts great hardship on a person yet at the same time this opinion is not free of criticism. On the other hand combining Isha with Magrib should not be a habit especially when there is no pressing need. Estimation, as a last resort, should take into consideration the practical side of the situation despite the fact that there is no solid foundation for any of the estimation criteria mentioned earlier. Moreover estimation is not a very strong option during the time of late visibility since the sign is still visible. So we should pray Isha at the closest time to its legal time which starts very late provided that we do not cross midnight. The basis for this is the principle in Islam established by the Qur'ānic verse, "fear Allah as much as you can." Also, by doing so, we are meeting the Shari'a aim of distributing the prayers over the day and night.

3- A related point to this is a situation where a person has the choice to join either of two congregational prayers: one praying late and the other praying early. In this case this person should join the prayer that is taking place very close to the actual legal start of Isha time, provided that it does not cross midnight, unless there is a harm that arises from doing this. An example of this harm is a split occurring between the Muslims praying in that Mosque.

Fajr time:

Another major problem occurs during summer time especially when the twilight does not disappear is determining the beginning of Fajr prayer. This is due to the fact that the continued presence of the twilight makes it impossible to determine the appearance of the white colour of the Fajr or we might even say that there is no start for Fajr. In this case what should be done? Again this is a matter of disagreement between the scholars. The previous opinions and justifications mentioned earlier when we discussed the start of Isha time are also apply here which makes it a matter of valid Ijtihad.

To conclude we advice people who cannot join the congregational Fajr prayer to pray Fajr one and half hour before sunrise. Any time around that may be acceptable.

Many Muslims ask if they can pray Fajr at times such as 1:15 am since many Islamic calendars show that Fajr time enters at that time in many European countries (England is one example). The answer for this is we should pray at a time that is most likely part of the legal time. We should avoid praying and performing our ibadah on a doubtful time. The prophet (SAW)said: leave what is doubtful for that which is not doubtful. There is no question about the doubtful start of Fajr at 1:15 am or so. So we should delay Fajr to a time where we are most likely sure that the time has definitely started. A good time for that is 1 ½ or 2 hours before sunrise. Another reason for that is the aim of the Shari'a in distributing the prayers over the day and night. Also the Shari'a seeks to establish prayer during the beginning, middle and end of the day. Allah says in the Quran [17:78]

“Perform As-Salat from duluk al shamas (midday till the darkness of the night, and recite the Qur’an in the early dawn. Verily, the recitation of the Qur’an in the early dawn is ever witnessed”.

The manner in which the Shari'a legalised combining two prayers give us a clear indication that there are five times in normal situations and three times for abnormal situations. These are: just after the end of the night and sleep period and just before the start of the day, at midday and the third one is the one performed just after the end of the day and in the beginning of the night.

However, if other factors are involved we should exercise a degree of flexibility since the matter is an issue of valid ijihad. A critical factor in this regard is unity, what leads to it and to remove any form of fitnah.

Magrib time:

Magrib time starts after the sunset and ends when the twilight disappears according numerous prophetic traditions. This conclusion is what the scholars have agreed upon unanimously. We have mentioned earlier that scholars differ on the end of the visibility of twilight. As a result we can conclude that they differ on the Maghrib prayer. According to some scholars and astronomers Maghrib time ends just before midnight as twilight disappears at that time. Moreover, can some one say that Magrib time ends before Fajr time or even after Fajr since twilight ends at that time? The answer is off course no since it is against the meaning of the time allocated for Magrib, it will lead to changing the order of prayers and it will lead to combining Magrib, Isha and Fajr which is completely unacceptable. So when shall we pray Magrib in these situations?

The answer is very simple and can be extracted from the hadith narrated by al-Tirmidhi through Ibn Abbas that the angel Jibreel led the prophet (SAW) to teach him the prayer times. On the first day he prayed all the prayers at the beginning of their respective times and on the second day he delayed the prayers until just before the end of their times for all prayers except Magrib where he instead prayed it on both days at the same time. This hadith explains the other hadith that shows that the Magrib time continues until the disappearance of twilight and it is a clear indication that the time of Magrib is very limited. That is why the Hanafi school of thought normally prays Magrib immediately after sunset. Moreover, a deep reflection upon Quaranic verses and prophetic traditions shows us that the daily prayers are distributed over five different times in normal situations and three times in abnormal situations.

As a result we should pray Magrib just after the sunset and should not delay it for more than an hour after sunset. Other guidelines provided earlier should be applied here as well.

Conclusion:

We have explored the main opinions about performing Isha, Fajr and Maghrib prayers in countries located in extreme latitudes. We have seen that all of these opinions are justified by valid proofs and at the same time they are not free from valid criticism. Consequently, this existent difference of opinions which is supported by authentic evidences places this matter into the realm of valid ijthad. In consideration of this fact, Muslims facing this situation should apply a certain degree of flexibility when dealing with other Muslims who hold different opinions as a result of valid ijthad in this regard especially when dealing in an inappropriate manner may lead to fitnah, a split, disunity or extreme hardship.

I also advise Muslims to pray on time whenever possible. In situations of extreme hardship or invisibility of the legal signs for the start of any prayer, they should join the congregation in their localities unless they are excused from doing so such as the elderly or sick men, women, young children or very remote individuals. In this case they should strive to perform their prayers in a way very similar to the aim of the Shari'a in distributing the five prayers throughout the day and night.