

Islamic Legal Ruling Concerning Delaying the Fajr (Dawn) Salaah Intentionally

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(Rahimahu-llah)

Question:

I am a young man who is attentive to the performance of the prayers, except that I go to sleep late. Hence, I set the alarm clock for seven o'clock in the morning, i.e. after sunrise. Then, I perform the prayer and attend the lectures (at the university). Sometimes, on Thursday or Friday, I awake late, i.e. a little before the noon prayer (*Zuhr*) - an hour or two. I, then, perform the dawn prayer when I wake up.

Keeping in mind that most of the time I perform the prayers in my room at the dormitory, and the Masjid of the university's dormitory is not far from me, one of the brothers brought to my attention that this is not permissible. What is hoped from your Excellency is clarification of the legal ruling concerning this matter. May Allah reward you with all good.

Answer:

Whoever intentionally sets the alarm clock for after sunrise (*Tuloo' ash-Shams*) - so that he will not perform the obligatory prayer of dawn in its time - is considered as one who has intentionally abandoned it. He is a disbeliever due to this, according to a group of scholars. We ask Allah's protection from intentionally abandoning the prayer.

And It is the same (ruling), if he intentionally delays the prayer until nearly the time of the noon prayer (*Zuhr*), and then prays - i.e. the dawn prayer (*Fajr*) - at the time of the noon prayer. As for the one who is overcome by sleep, until he missed the time of the prayer, he is not harmed by (i.e. he is not blamed for) such. However, he must pray when he awakens [without delay]. And there is no objection (harm) if he was overcome by sleep, or if he did not perform the prayer (in its due time) due to forgetfulness.

As for the person who intentionally delays the prayer until after its time (has elapsed), or the one who sets the clock (to awaken him) after the time of the prayer - such that he will not awaken on time, he is considered as one who has intentionally abandoned the prayer. He has committed a hideous act, according to all scholars.

However, [the question is] does he become a disbeliever or not? There is difference of opinion among the scholars concerning this, *if he does not deny that it is obligatory*.

The majority of the scholars hold that he does not fall into major disbelief (*Kufr Akbar*) due to this. Another group of scholars hold the opinion that he falls into major disbelief (*Kufr Akbar*) due to this. And this is what has been transmitted from the *Companions* of the Prophet (may Allah be pleased with them all).

The Prophet (peace and blessings of Allah be upon him) said: ***What is between a person and Kufr (disbelief) and Shirk (associating partners with Allah) is the abandonment of prayer.*** The Prophet (peace and blessings of Allah be upon him) also said: ***The covenant that is between us and them is the prayer. Hence, whoever abandons it has disbelieved.***

Likewise, the abandonment of prayer in *congregation (al-Jamaa'ah)* is a hideous action which is not permissible. It is obligatory for the ***Mukallaf*** (adult, sane person who is responsible to fulfill the obligations of the Islamic law) to perform the prayers *in the Masjid*, due to what has been reported in the Hadith of Ibn Umm Maktoom - and he was a blind man - that he said: O Messenger of Allah! I do not have a guide to take me to the Masjid.

So, he requested from the Messenger of Allah (peace and blessings of Allah be upon him) to allow him to pray in his home. He (peace and blessings of Allah be upon him) allowed him (to do so). Then, when he turned away, he (peace and blessings of Allah be upon him) called him (back) and said to him: ***Do you hear the call to prayer?*** He said: Yes. Then, he (peace and blessings of Allah be upon him) said: ***You must answer (i.e. come to the prayer).***

This is a blind man who does not have a guide to accompany him. Yet, the Prophet (peace and blessings of Allah be upon him) *ordered* him to pray in the Masjid. Hence, the healthy person who has sight is more obligated (to pray in the Masjid).

In summary, the believer is obligated to perform the prayers in the Masjid. It is *not permissible* to take this matter lightly and perform the prayers at home while the Masjid is close.

It has also been reported, concerning this issue, the saying of the Prophet (peace and blessings of Allah be upon him): ***Whoever heard the call (to prayer), and did not come (to the Masjid), then there is no prayer for him, except if he has a (legitimate) excuse.***

Ibn Abbaas (may Allah be pleased with him and his father) was asked about such (legitimate) excuse. He said: It is ***Khawf*** (fear of harm) or ***Mard*** (sickness).

[Translation: Abu Muhammad. September 14, 2002]