

Practice of Prayer Rukhsah Implementation among Officials of Critical Medicine in Malaysia

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To Link this Article: <http://dx.doi.org/10.6007/IJARBS/v10-i4/7142>

DOI:10.6007/IJARBS/v10-i4/7142

Published Date: 10 April 2020

Abstract

Prayer is a ritual obligated to be performed by every (mukalaf) accountable Muslim regardless of time and situation. Sharia also allocates rukhsah (leniency) to ease the execution of prayer for those who travel, sick and in emergency state. For Muslim medical officials managing sick and critical patients, performing prayer is a great challenge due to limitation of time and energy as they are more needed for more urgent matter (*daruri*) which is rescuing patients' lives. This study aims to analyse practice of prayer rukhsah practised by officials of critical medicine in Malaysia. Methodology of this study is of qualitative approach. Data were obtained from document analysis study by referring to treasure of *turath* fiqh (classical) and recent fatwas. Field observation method was done in selected hospital which was Tuanku Mizan Military Hospital, Kuala Lumpur. Data collected were analysed and elaborated through inductive, deductive and comparative methods to gain results complying with the assigned research objectives. The study found that rukhsah implementation by medical officials is based on aspect of job scope, critical situation and place or department they are assigned. Scopes and situations of duty involving *oncall*, heart, nerve and brain surgery, organ transplant, woman midwifery and caretaking of unstable patients become a reason for implementation of prayer rukhsah. Study also found that medical officials assigned in emergency department, surgery hall, intensive care unit and delivery ward are those who practise prayer rukhsah the most. Among the most famous forms of rukhsah implemented is gathering of prayer when it involves lengthy surgery and continuous resuscitation procedure. There are some of officials who delay prayer and replace it after accomplishment of task mainly involving Subuh prayer. In the case of surgery and procedure occurring beyond period of Jumaat prayer, Muslim officials perform Zuhur prayer as rukhsah. All practices of prayer rukhsah practised by medical officials comply with principles of Maqasid Syariah, fiqh methods related to *masyaqqah* (hardship) and *darar* (harm). The officials keep on preserving their religion by implementing prayer rukhsah besides fulfilling their responsibility of taking care and saving lives of critical patients.

Keywords: Rukhsah, Prayer, Medical, Critical, *Masyaqqah*, Jamak.

Introduction

Prayer is the pillar and symbol of Islam that differentiates the status of a Muslim and a non-Muslim. It is a ritual obligatory of fulfilment by every accountable Muslim according to its obligated period regardless of the situation. Allah s.w.t said:

Translation: Truly the prayer is a decree obligated to the believers, which period is determined.

(al-Quran, 4:103)

Even in the critical situation of fear such as war that involves life and death, obligation of prayer is not dropped but Muslims are even encouraged to perform *khauf* prayer (prayer in fearful situation) as revealed clearly in al-Quran:

Translation: And when you (O Muhammad) are among them (during war), then you perform prayer by (becoming imam of) them, then there should be a group of them standing up (performing prayer) together, and they must bear their respective weapon; then when they prostrate, they must step back (to guard from enemy attack); and then there must be another group (the second) who has not prayed yet (to keep on guard from enemy attack), then they must pray (congregationally) together, and they must take precautions and bear their respective weapon. Infidels do like when you are off guard of your weapon and properties, that through it they can ambush you in numbers instantaneously. And it not sinful for you to put down your weapons, if you are blocked by something due to rainfall and if you fall sick. And you should take precautions. Truly Allah has provided for the infidels a very humiliating torment.

(an-Nisa' 4:102)

Laws of Islam appreciate its people who are in difficulty and hardship that cause inability of performing prayer ritual normally by allocating rukhsah to ease the performance of prayer itself. Those conditions of difficulty and hardship are travel, sickness and emergency state. This allocation of rukhsah is included in a famous fiqh method.

Translation: Difficulty invites leniency (al-Suyuti, 2008:154).

Islamic laws also ease the need in community affairs by allowing its people to work for sustenance and support others' lives.

Medical profession is a critical field in fulfilling the demand of fardu kifayah for Muslim community in aspect of saving life. Despite, in fulfilling the demand of the critical task, Muslim medical officials cannot ignore the demand of prayer performance. In fulfilling the demand for prayer in this desperate condition, Islam does not want to burden its people. Allah s.w.t said:

Translation: It does not make to bear difficulty and hardship in religious affairs.

(al-Quran, 22:78)

Medical officials are a group including nurses, doctors, students of nursing and medicine, dentistry officials, lab officials and others who work in healthcare facilities (Ministry of Health Malaysia, 2012). For Muslim medical officials who always face sick, dying and critical patients, performing prayer is a major challenge due to limitation of time energy which are more needed for a more *daruri* affair which is saving patients' lives. Code of Professional Practice also determines the doctors' ethics which is to provide medical treatment at the best standard by executing quick and appropriate action when a situation needing of medical intervention occurs (Medical Council of Malaysia, 1987:11). On account of that, medical officials cannot leave their job scope and place at their will while managing critical patients even for prayer reason.

This study aims to analyse the practice of prayer rukhsah practised by medical officials in critical situation. The study is more focused towards recognition of two aspects which are the first, situation, scope and place of job for medical professionals which are recognised as critical and second, recent practice of medical officials in the implementation of prayer rukhsah during the critical situation and task.

Writings of fiqh books even though generally explain on the permissibility of prayer rukhsah such as jamak for those who have *masyaqqah* such as sickness and travel, but it is not mentioned clearly any example related to officials of critical medicine. Sabiq (1999, 1:343-346) has listed 5 reasons allowing jamak of prayere which is during *masyair* of Arafah and Muzdalifah, during travel, rainfall, sickness or excuse and due to need. This subject is based on the famous hadis narrated by Ibnu Abbas. However, there are writings that touch clearly on the need of jamak of prayer for medical officials such as *Law for Surgeon Gathering Prayer Due to Surgery* (Office of Federal Territory Mufti, 2017) in column Irsyad Al-Fatwa 207th Series, Contemporary Irsyad Series (Office of Singapore Mufti (2018) and "How should a surgeon pray when the times for prayer are close together in the winter? <https://islamqa.info>, 2019), *Sharia Methods Regarding Medical Issues* (Al-Suaidan (2012), *Law for Prayer for Medical Practitioner Involved with Surgery* (Yusuf, Kamal, Muhamad, & Abdullah (2011), *Q&A Medical fiqh, chapter "Prayer of Patient and Doctor"* (Hehsan, 2015), *Deserted Rukhsah of Prayer Gathering* (Malik, 2007) and *Traveller of Flight and Several of Its Problems* (Firdaus, 2009).

However, all literature review above do not explain technically and specifically on challenges and practices of officials of critical medicine in the implementation of prayer rukhsah. Therefore, his study aims to investigate the status of practice of prayer rukhsah implementation by this group besides giving relevant recommendation on it.

Research Methodology

Methodology of this study is of qualitative approach. Data were collected through document analysis study by referring to *turath* fiqh treasure (classical) and current fatwas. Filed observation method was performed in the selected hospital which was Tuanku Mizan Military Hospital, Kuala Lumpur. Data collected were analysed and elaborated through inductive, deductive and comparative methods to gain appropriate results complying with the assigned research objectives.

Results and Findings of Study

Situation, Scope and Place of Job for Medical Professionals Considered as Critical (*Darurat & Masyaqqah*)

Resulting from interviews and filed observation by the researcher, it is found that rukhsah of prayer implemented by medical officials depends on the aspect of situation, job scope and place of job as follows:

Situation of Critical Patients involving Emergency Related to Life of Patients

- i. Procedure of suddenly declining, critical and dying patient (*collapse, shock & cardiorespiratory arrest*)
- ii. Situation of disaster and mass accident (*Mass Casualty Incident*)
- iii. Patient undergoing emergency and elective surgery
- iv. Unstable patient requiring continuous supervision
- v. Supervision and management of patient in delivery process
- vi. Organ transplant surgery
- vii. Rushing condition due to massive number of patients or severely complicated and serious disease.

Critical Job Scope

- viii. *Oncall* task in critical ward and department especially during Subuh and Jumaat prayer period.
- ix. Shift task in red and yellow zone in Department of Emergency and Trauma.
- x. Lengthy elective and emergency surgery which are:
 - a. Heart bypass surgery (*CABG & valve replacement*)
 - b. Spine surgery
 - c. Malignant tumour surgery
 - d. Heart and nerve surgery (*neurosurgery*)
 - e. Hand & vascular microsurgery
 - f. Face and maxillofacial surgery
 - g. Plastic surgery
 - h. Organ transplant surgery
- xi. Caretaking of patients in ICU/CCU/NICU/PICU/HDW or general ward which are massive and continuous
- xii. Management of delivering patient

Critical Job Place

- xiii. Department of Emergency and Trauma
- xiv. Surgery Hall
- xv. Intensive care unit (ICU), Critical care unit of heart (CCU), Neonatal and pediatric intensive care unit (NICU/PICU), High Dependency Ward (HDW)
- xvi. Delivery room and ward
- xvii. Internal patient ward

Recent Practice of Medical Officials in the Implementation of Prayer Rukhsah during Critical Situation and Task

Among the forms of prayer rukhsah practised by medical officials are as follows:

Performing Jamak *taqdim* or *ta'khir*

Jamak *taqdim* is gathering of prayer that should be performed in the second period into the first period such as Asar prayer gathered together with Zohor prayer or Isyak prayer into the period of Maghrib. Jamak *ta'khir* is gathering of prayer that should be performed in the first period into the second period such as Zohor into period of Asar or Maghrib into period of Isyak.

- a. Jamak *taqdim* or *ta'khir* is practised by majority of medical officials especially when involving resuscitation procedure and lengthy surgery.
- b. Jamak *taqdim* is practised in case of lengthy elective surgery and before beginning shift task in red zone for Emergency Department.
- c. Jamak *ta'khir* is performed after unexpected emergency procedure continuing until expiry of Zohor or Maghrib period.

Replacing Jumaat Prayer with Zohor Prayer

Zohor prayer is performed by Muslim male medical officials who have to be on *oncall* duty and perform resuscitation procedure and surgery surpassing Jumaat prayer period. If the procedure and surgery continue until expiry of Zohor period, jamak *ta'khir* of Zohor and Asar is performed.

Pious male Muslim officials usually will attempt to arrange work schedule that they will go beyond Jumaat prayer period. If they have to work in the period, they will ask for help from mereka Muslimah or non-Muslim colleagues to replace them to go out for prayer. If urgent, the task is continued as demanded and then it is replaced with Zohor prayer.

Delaying or Replacing Subuh Prayer

Delaying or replacing Subuh prayer is practised by medical officials who perform resuscitation procedure and surgery before Subuh period which are still not finished even after entry of Syuruk period. Among them are those that involve resuscitation procedure and emergency surgery for patient of motor vehicle accident, stroke, heart attack and delivery which usually end in early morning. Medical officials perform Subuh prayer immediately after end of procedure or surgery.

Delaying, Replacing or Gathering Obligatory Prayer into Other Period

Delaying, replacing or gathering prayer into other period are done in situation of continuing surgery taking long duration surpassing several prayer periods like plastic surgery, *microsurgery* and organ transplant taking 12 until 72 hours. Most of medical officials will perform jamak prayer. There are also those who gather all prayers regardless of the periods to be performed after the surgery. Usually, officials involved with surgery will halt for a while to eat and go to washroom enabling them to perform jamak prayer at that time.

Study found that medical officials assigned in emergency department, surgery hall, intensive care unit and delivery ward are those who implement prayer rukhsah as mentioned above the most.

Discussion

Practice of prayer rukhsah practised by medical officials complies with principles of Maqasid Syariah and fiqh methods related to *masyaqqah* and *darar*.

Gathering of Prayer

As-Sunnah has allocated permissibility of gathering prayer as a leniency for Muslim community although not in travel as long as it is not made a routine. Majority of scholars relate to Rasulullah s.a.w. who had performed jamak prayer even he was not in a travel.

Translation: "Rasulullah s.a.w performed Zohor and Asar as jamak in Madinah, not of fear and not of travel". Said Abu Zubair: "I asked Sa'id why Rasulullah s.a.w did that?". He answered: "I have asked Ibn 'Abbas as what you asked, Ibn Abbas answered: "Because he does not want to burden his people"

(Muslim:705)

al-Qaradhawi (2015) a contemporary Islamic scholar figure allowed medical officials anticipating lengthy surgery or midwifery to gather Zohor with Asar prayer and Maghrib with Isyak, either as *taqdim* or *ta'khir* depending on which is easier based on hadis above.

Replacing Jumaat Prayer with Zohor Prayer

Classical fiqh books and fatwa by contemporary Islamic scholars determine that those who work on Friday should perform Jumaat prayer than their job. This is constant with Quranic verse explaining on the obligation of performing Jumaat prayer:

Translation: O you who believe! When azan (bang) is called to perform prayer on Friday, then should you make haste going (to mosque) to remember Allah (by performing Jumaat prayer) and leave transaction (at that time); that is good for you, if you know (the exact truth).

(al-Quran, 62:9)

al-Syarbini (2014:245-248) explained seven conditions related to obligation of performing Jumaat prayer which are Muslim, pubescent, sane, free, male, healthy and settling. Male medical officials are included into the category of those obligated to perform Jumaat prayer. There is a warning from Hadis of Rasulullah s.a.w on the bad effect of skipping Jumaat prayer without any strong reason:

Translation: Whoever skips Jumaat prayer, for three times without emergency, Allah will shut his heart.

(an-Nasa'i:1657; Ibn Majah:1126; Ahmad:14559)

However, for medical officials who have to be on duty on Friday under for emergency reason and need of saving patients' lives, hadis of Rasulullah s.a.w explains on the subject. It has happened during the time of Rasulullah s.a.w after war of Badar.

Translation: Ibn Umar r.a was told to him, Said bin Zaid bin `Amr bin Nufail, a member of Badar fell sick on Friday. (Ibn Umar) had rode heading to him (Said's place) after midday. Period of Jumaat prayer, at that time had arrived, he skipped Jumaat prayer.

(al-Bukhari:3990)

According to IbnTaimiyyah (n.d., 2:31) hadis narrated by Muslim, number 705, brought upon before this is a proof of permissibility for gathering prayer due to difficulty and rushing. According to Qadhi Abu Ya'la, if rushing exists permitting the skipping of Jumaat and congregational prayer, at that time it is permissible to perform jamak prayer. As-Syarbini (2014:250) also stated that if a person in above misses Jumaat prayer, he should perform Zohor prayer.

Contemporary fatwa also touches a lot on Muslims' condition who are rushing of work leading to miss of Jumaat prayer. Fatwa from Mufti of Singapore (Mufti of Singapore Office, 2018:21-23), Mufti of Federal Territory (Mufti of Federal Territory Office, 2017) and Mufti of Brunei Kingdom (<http://fatwairsyadbrunei.blogspot.com>, 2015) advised that involved worker should try to arrange work schedule and discuss with the employer to get chance of performing Jumaat prayer. If unable, they must look for female or non-Muslim colleagues to cover them for a while to perform prayer. Work schedule arranged must avoid them from skipping Jumaat prayer for three times. Should they are incapable due to urgent task demand, they should perform Zohor prayer. Decision by National Council of Islamic Affairs (Department of Islamic Development Malaysia, 2016:38) on the issue of Jumaat prayer for cop and armies, it is allowed for these two groups to skip Jumaat prayer as they are considered to be in religious excuse situation as they have to perform security task. This decision is applicable to officials of critical medicine as they are also involved in the same situation.

Delaying or Replacing Subuh Prayer

Medical officials who could not manage to perform Subuh prayer due to involvement with continuous surgery operation and resuscitation should perform Subuh prayer as soon as the tasks are accomplished even though the period has expired and the sun has risen. This incident occurred when Rasulullah s.a.w with Bilal r.a came back from expedition of Khaybar war, Prophet s.a.w and companions fell asleep and only woke up when the sun rose. They performed Subuh prayer as soon as they woke up. Prophet said:

Tranaslation: Whoever forgets to pray, he should perform it when he remembers, as Allah s.w.t said 'Perform prayer to remember Me.

(Muslim, no. 680 and Abu Daud, no. 435)

According to al-Nawawi (1398H:5:183) hadis above explains that replacement of prayer expired of its period is obligatory either it is skipped intentionally or unintentionally due to an excuse allowed by laws such as by falling asleep or forgetting. If it is obligatory for a person who forgets or falls asleep to replace prayer, then the obligation of replacing prayer is more stressed for a person who intentionally skips prayer.

The above issue is also related to person who could not utilise water or tayammum until expiry of prayer period due to disallowing condition. It is also known as *faqid al-tahurain*. Person being in the above situation does not need to perform prayer according to one of opinions by scholars of al-Syafi'i sect. For all scholars of Maliki sect, obligation of prayer is dropped from those who are involved and it is not obligatory to replace it after water or dust is found. For imam al-Asbagh from among scholars of Maliki sect, even though it is not obligatory to perform prayer in the situation mentioned above, it is obligatory to replace the prayer after that (*al-Mawsu'ah al-Fiqhiyyah al-Kuwaityiyah*, 1995.32:193).

Replacing Expired Obligatory Prayer Mengqadak solat-solat fardu yang luput waktu

When medical officials have to focus on surgery that takes long time until expiry of several prayer periods, they replace the expired prayers when the task is finished. This subject from an aspect is not contradicting with hadis of Rasulullah s.a.w, as it never happened to Rasulullah s.a.w and companions r.a during war of Khandak.

Translation: We were prevented on day of Khandak war from performing prayer until after Maghrib period reaching coldness of night, until we won. Allah said 'And Allah saved the believers from disaster of facing the war. And (remember) that Allah is Almighty, the Most Omnipotent.' (al-Ahzab:25) Prophet called Bilal r.a (to call for prayer). Then performing of iqamah for Zohor prayer and then they prayed and the best of their prayer was as they prayed for the real Zohor prayer. Then Prophet commanded him (to do azan and iqamah again) then Asar prayer was performed and the best of their prayer was as they prayed in the real Asar period. Then Prophet commanded him (to do azan and iqamah again) then Maghrib prayer was performed as usual. The incident happened before revelation of Khauf prayer.

(an-Nasa'i:661; Ahmad:11465)

Scholars agree that replacement or qadak of skipped prayers is an obligation for those who skip it even of forgetfulness or sleep (Sabiq: 327). This is as Rasulullah s.a.w said:

Translation: Whoever forgets to perform prayer or falls asleep, he must pray when he remembers.

(al-Tirmizi:177, an-Nasa'i:615; Ibn Majah:698)

The above issue is also related to person who cannot utilise water or tayammum until expiry of prayer period as the condition is disallowing as explained previously. Person being in the situation does not need to perform prayer based on one of the opinions by scholars of al-Syafi'i sect. For all scholars of Maliki sect, obligation of prayer is dropped from those who are involved and it is not obligatory to replace it after water or dust is found. For imam al-Asbagh from among scholars of Maliki sect, even though it is not obligatory to perform prayer in the situation mentioned above, it is obligatory to replace the prayer after that (*al-Mawsu'ah al-Fiqhiyyah al-Kuwaitiyyah*, 1995.32:193).

Conclusion

In fulfilment of responsibility to secure the critical patients' lives, medical officials in Malaysia always observe their prayer according to capability through implementation of prayer rukhsah such as jamak. For those who have to skip Jumaat prayer, they replace it with Zohor prayer. For those who skip several prayers, they replace the prayers after their period. There is no one among them who do not replace prayer after accomplishment of task. The above practices are still included within the scope of views and ijtihad by some scholars from the four sects. They also comply with fiqh methods:

Translation: Obligatory subject which is hard to perform, its obligation of performance is not dropped due to existence of easier aspect that can be channelled through it (al-Subki, 1991:155).

It also aligns with a hadis from Rasulullah s.a.w:

Translation: Truly Allah s.w.t forgives my people for things that they did mistakenly, forgetfully and forcedly.

(IbnMajah:2123)

However, it is suggested that prayer rukhsah available in Islam are exposed to medical officials on duty more intensively and seriously. Guidelines on the implementation of prayer while facing critical situation should be built through cooperation of religious authority or any Islamic scholars that understand the tasks of those medical experts. Medical officials should be exposed with execution of *syiddah khauf* prayer (prayer in extremely fearful condition) permitting an official of performing prayer as his capability and using only signals, that the prayer does not merely expire as that. This approach is better compared to mere skipping of prayer and replacement in other period.

Practices and guidelines should be provided by authority to this group for the sake of their religious benefit who have sacrificed to take care of critical patients' lives. Hospital administrative also should scrutinise work schedule of Muslim medical officials that they are friendlier with the prayer period besides providing many facilities which are close for them to perform prayer.

This writing and study is of preliminary form in which the researcher only conducted qualitative study involving document analysis, interviews and field observation. Therefore, a more specific study of quantitative form should be performed to examine data, challenges, and practices by medical officials in the implementation of prayer rukhsah.

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Acknowledgement

Special thanks to the Majlis Agama Islam Dan Adat Istiadat Melayu Perlis for funding the research under Jamalullail Professorial Chair, Universiti Islam Malaysia.

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