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## FIQH REGULATIONS FOR NATURAL DISASTERS: METHODS OF PERFORMING PRAYER IN CRITICAL SITUATIONS

<sup>i,\*</sup>Nurwafa Abdul Mutalib & <sup>i</sup>Zahari Mahad Musa

<sup>i</sup>Faculty of Syariah and Law, Universiti Sains Islam Malaysia (USIM), 71800, Nilai, Negeri Sembilan, Malaysia

\*(Corresponding author) e-mail: [nurwafa69@gmail.com](mailto:nurwafa69@gmail.com)

### ABSTRACT

Natural disasters, occurring in various forms such as earthquakes, hurricanes, floods, and tornadoes, have repeatedly placed people in critical situations, often resulting in loss of life, possessions, and homes. Every natural phenomenon is decreed by Allah SWT to occur within divine wisdom. Despite the struggles faced during such crises, Muslims are obligated to continue performing prayers, as it is a fundamental pillar of Islam. However, Allah SWT, in His mercy, has provided *rukhsah* (concessions) for those experiencing hardship. According to the Islamic Legal Maxim *Al-Masyaqqah Tajlibu Al-Taisir* (“Hardship begets Facility”), difficulty serves as a basis for easing obligations, allowing Shariah to be adapted through leniency and lightening requirements in challenging situations. Islam has therefore established specific regulations and guidelines for performing prayer under duress. This research, in the context of Fiqh Disaster, focuses on the application of *ablution*, *tayammum*, and *al-jabirah*, as well as the practice of combining prayers (*jamak*) under conditions of *masyaqqah* (hardship). This study acknowledges the practical challenges individuals face during natural disasters and explores how Islamic jurisprudence provides accommodations to ensure religious obligations can still be fulfilled. It highlights the adaptability of Islamic teachings to real-life situations, emphasizing compassion and understanding in the face of adversity.

**Keywords:** *Natural disasters, prayer, critical situation, masyaqqah, fiqh disaster*

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## Introduction

Today's world has shown various natural disasters events that occur. Natural disasters have a profound impact on people resulting in displacement, destruction of property and crops, and most serious physical injuries as well as deaths. This phenomenon occurs due to two elements, whether natural factors or human action. Allah SWT mentioned in the Quran:

Translation: "Corruption has spread on land and sea because of what people's hands have done, so that Allah may cause them to taste 'the consequences of' some of their deeds and perhaps they might return to the Right Path".

(Al-Quran. Surah Ar-Rum, 30:41)

It is unpredictable and can happen suddenly. Among the terrible and frequent natural disasters such as tsunamis, landslides, major floods, and others. In term of that, Malaysia also not immune to these disasters. However, we remain in control and on standby to face of any eventuality. In Islam, natural disasters that hit humans are *qadha* from Allah (god's predestination). When such a natural disaster occurs, it will be difficulties in life. Everything that used to be done will change and a lot of things need to be adapted to the situation, which is far from previous life and habits. At that time, there will be various assistance from the authorities and will be provided immediately.

Regarding to this issue, this writing about Fiqh Disaster is devoted to the procedures of performing prayers in the critical situation such as those that afflict in natural disasters. Therefore, prayer is important as it is the responsibility of every Muslims, and it must be performed whatever the circumstances. In the Quran said:

Translation: "Indeed, performing prayers is a duty on the believers at the appointed times".

(Al-Quran. Surah An-Nisa', 4:103)

All steps and guidelines, beginning with purification, performing prayer, and additional considerations, provide essential knowledge for situations arising from natural disasters. Based on the discussion above, Muslims should uphold religious obligations even in critical situations, such as during natural disasters. Therefore, to account for states of necessity, the *fiqh* rules related to worship are based on principles such as "Consideration of Ease and Reduction of Burden," "Hardship Begets Facility," and "Harm Shall Not Be Inflicted or Reciprocated," among others. Furthermore, as Ishak and Ibrahim (2020) note, Islamic law provides *rukhsah* (leniency) for those facing critical situations.

As much as the rules of *Shariah* relate to the acts of *mukallafin* (those who are legally competent and responsible for religious duties), the impact of such disasters is reflected in the actions required of victims, particularly regarding the obligation to fulfill religious practices. Thus, Islam provides comprehensive guidance as a solution to all issues, including fulfilling religious obligations during critical situations.

## Problem Statement

The problem statement of this study, titled "The Regulations of Fiqh Disaster: The Method of Performing Prayer in Critical Situations," addresses the challenges faced by the modern world, which frequently encounters various forms of disaster, including natural disasters, pandemics, and other catastrophic events that disrupt daily activities. In these challenging times, it is essential for Muslims to uphold their religious practices, especially performing prayers in accordance with the principles of *fiqh* (Islamic jurisprudence). However, there is a lack of information in the literature on *Fiqh Disaster*, and a clear knowledge gap exists regarding the specific rulings for performing prayers in emergency situations. By examining and clarifying the *fiqh* rules related to prayer during disasters, this study aims to bridge this knowledge gap and provide valuable guidance to individuals, academics, and communities facing challenging circumstances.

## Research Objectives

- i. To define the meaning of Fiqh Disaster according to the scholars.
- ii. To explain the Islamic Legal Maxims (*Al-Qawaid Al-Fiqhiyyah*) that related to Fiqh Disaster.
- iii. To analyse the method of performing prayer in the critical situation.

## Methodology

The methodology of this study is based on qualitative research. The researcher employed library research and document analysis to gather data, drawing upon books related to *tafsir* (Quranic exegesis), *sunnah* (Prophetic traditions), classical *fiqh* (Islamic jurisprudence) texts, principles of Islamic jurisprudence (*usul fiqh*), Islamic legal maxims (*qawaid al-fiqhiyyah*), views of Islamic scholars, and relevant observations. This library-based data collection approach provided a foundational basis for exploring the topic in depth.

## Literature Review

The literature review section includes several key references reviewed by the researcher.

First, the researcher reviewed the book *Fiqh Bencana Alam 55 Aplikasi Fiqh Kontemporari* by Basri Ibrahim Al-Azhari, which provides insights into the jurisprudence of natural disasters (*fiqh disaster*) within the context of worship, including prayer, zakat, fasting, and jurisprudence of trade. This book also incorporates evidence from the Qur'an, relevant hadiths, and the opinions of Islamic jurists, offering comprehensive guidance for the public.

Second, a journal article by Muhammad Noor et al. (2018), titled “أحكام العبادات الخاصة بالتمضرين من الفيضانات: دراسة فقهية تحليلية” explores the concept of disaster and examines various aspects of worship for individuals affected by floods, covering practices from *taharah* (purification) to pilgrimage. The article also addresses *rukhsah* (concessions) and Islamic Legal Maxims (*al-qawaid al-fiqhiyyah*) applicable to flood victims, providing Shariah-based guidance on fulfilling religious obligations in difficult circumstances.

Third, Faizal (2016) authored an article titled “Application of Al-Darurah Tuqaddar Biqadariha from Islamic Legal Maxims in Zakat Distribution for Flood Victims,” focusing on the *fiqh* method of *al-darurah tuqaddar biqadariha* (necessity is limited to the extent of the need). This principle is aimed at mitigating hardship (*darurah*) in situations of necessity. The article specifically addresses the floods in Malaysia in December 2014 and examines how zakat serves as financial support to assist flood victims in meeting essential needs.

Fourth, Mohd Noor and Mohd Noor (2018) in their article, “The Determination of the Status of Flood Water from the Fiqh Analysis Perspective,” discuss the status of flood water from a *fiqh* perspective. The article addresses challenges related to limited access to clean water due to disasters, the necessity of using available water without risking health hazards, and the importance of determining the status of flood water for ritual purification practices such as ablution and the obligatory bath, which take precedence over *tayammum* (dry purification).

Fifth, the work of Hanan Ahmad Sukri and Nurul Ilyana Muhd Adnan (2020), titled “The Reason of Jamak Prayer from the Views of Four Schools of Thought,” examines the perspectives of the Hanafi, Maliki, Shafi'i, and Hanbali schools regarding the permissibility of combining prayers (*jamak*) in critical situations.

In general, much of the literature related to *fiqh* on natural disasters focuses on flood victims and the application of zakat to support those affected, examining the feasibility and distribution of zakat for disaster relief. However, the broader discourse on *fiqh* concerning disasters provides a useful reference for understanding worship practices under challenging conditions. This research specifically emphasizes methods of prayer in critical situations. Overall, these five literature sources contribute

valuable observations and knowledge that support new ideas and potential regulatory approaches related to this research topic.

### Findings and Discussions

The researcher had included all the data to answer and elaborate the objectives of study, such as:

#### *Definition of Fiqh Disaster*

“*Fiqh*” is an Arabic word meaning “deep understanding” or “full comprehension.” According to Abdul Karim Zaidan (2004) wrote in the book titled *Al-Wajiz Fi Usul Al-Fiqh*, *fiqh* is an Islamic jurisprudence may be defined as a process by means of which jurists derive sets guidelines, rules, and regulations (the *Sharia*) from the principles of the Qur'an and the Sunnah.

Next, (Mufti of Federal Territory’s Office, 2016) define the meaning of *fiqh* according to *syarak* as a field of knowledge related to Sharia rulings which are ‘*amaliyyah* (practical) extracted from the Dalil which are *tafsili* (*juz’i*).

In the book *Risalah Al-Abkari Fi Usul Al-Fiqh*, Ibn Shihab Al-’Abkari (2017) stated:

Translation: And jurisprudence in word: understanding, from their saying: so-and-so is the jurisprudence of my saying, that is: understanding it, and from it the Almighty says: “But do not understand their praise”.

(Al-Quran. Surah Al-Isra’, 17:44)

In *Sharia*: knowledge of the actions of the taxpayers without mentality, such as prohibition, permissibility, scarring, and hatred. Al-Juaini (n.d.), mentioned in *Al-Waraqat*, *fiqh* is to know the legal rulings that are the way of *ijtihad*. Meanwhile, Ibnu ‘Aqil (1999) stated in the book title *Al-Wadhih Fi Usul Al-Fiqh*, *fiqh* is understanding and some knowledge. In Surah Hud verse 91, Allah said:

Translation: “They said ‘Shu’ayb, we do not understand much of what you say to us. Indeed, we see you weak among us.”

(Al-Quran, Surah Hud, 39:91)

Based on research from Dr. Shyma Prasad Mukherjee University, Ranchi, the word "disaster" is derived from the Middle French term “*désastre*,” which itself originates from the Old Italian “*disastro*,” tracing back to the Ancient Greek prefix *dis-* meaning "bad" and *aster* meaning "star." The root of the word “disaster” (literally "bad star" in Greek) reflects an astrological interpretation of calamities as misfortunes caused by the alignment of planets.

Alexander and Fran (2006) define a disaster as a sudden or great misfortune, calamity, or complete failure. Additionally, it is described as a potentially traumatic event that is collectively experienced, has an acute onset, and is time-limited; disasters may result from natural, technological, or human causes. The Asian Disaster Reduction Centre further defines disaster as a serious disruption in the functioning of a community or society, leading to widespread human, material, economic, or environmental losses that exceed the community's capacity to cope with its own resources. According to the Federal Emergency Management Agency (n.d.), "natural disasters" are environmental phenomena with the potential to impact societies and the human environment.

The United States Department of Homeland Security (2023) explains that natural disasters encompass various severe weather events that pose significant threats to human health and safety, property, critical infrastructure, and national security. Natural disasters may occur both seasonally and unexpectedly, leading to frequent periods of insecurity, disruption, and economic loss. These include a range of events such as winter storms, floods, tornadoes, hurricanes, wildfires, earthquakes, or combinations thereof.

Drawing on these definitions, the researcher defines *fiqh disaster* as knowledge related to performing worship (*ibadah*), specifically ablution and prayer, in critical situations caused by natural disasters, in accordance with guidelines set by Islamic jurisprudence.

### ***The Islamic Legal Maxims that Related to Fiqh Disaster***

Izzudin & Mustafa (2018) stated the application of the Islamic Legal Maxims or *Qawa'id al-Fiqhiyyah* method is a source of ruling that can explain the condition of the natural disaster's victim. This *fiqh* method is a general formulation of the rulings that have been derived from the Quranic texts and hadiths. There are several *fiqh* methods that have been outlined by scholars that can be the main principle for the determination in the state of emergency and the condition of natural disaster's victims. There are five primary maxims as the main leading that cover various issues of *fiqh*, which is:

- i. Matters are determined according to attention (الأمر بمقاصدها)
- ii. Hardship begets facility (المشقة تجلب التيسير)
- iii. Harm must be eliminated (الضرر يزال)
- iv. Certainty is not overruled by doubt (اليقين لا يزال بالشك)
- v. Custom is a basis for judgement (العادة محكمة)

In term of that, (Siti Fariza, 2016) mention the suitability of a person who is a natural disaster victim in an emergency can be seen in the method necessity permits prohibition (الضرورة تبيح المحظورات). However, it is limited by another method, namely necessity estimated as much. (الضرورة تقدر بقدرها). This is because the rule means a condition of disadvantage that allows and requires the thing to be prevented or prohibited. It is a rule and law of exception in situations of urgency and necessity to require things that are not required. In addition, (Basri, 2022) said the method of *fiqh* hardship begets facility (المشقة تجلب التيسير) is also appropriate in looking at aspects of Islam that provide ease and lightness for them, especially in worship such as fulfilling the obligation of prayer and purification.

On the other side of Islamic laws, there is a term named *rukhsah*, that is given to the people in facing the situation. It is also can determine as a leniency or concession given to an accountable Muslim in performing Allah's commandments during certain situation due to obstacle or any matter permitting exception from general principle. *Rukhsah* is a part of Allah SWT's blessings to His servants would not be burdened by matters unbearable by them. Allah SWT said:

Meaning: "Allah does not charge a soul except (with that within) its capacity. It will have (the consequence of) what (good) it has gained, and it will bear (the consequence of) what (evil) it has earned. Our Lord do not impose blame upon us if we have forgotten or erred. Our Lord and lay not upon us a burden like that which You laid upon those before us. Our Lord, and burden us not with that which we have no ability to bear. And pardon us; and forgive us; and have mercy upon us. You are our protector, so give us victory over the disbelieving people."

(Al-Quran, Surah Al-Baqarah, 2:286)

From the elaboration above, Al-Baidhawi defined *rukhsah* as a law decreed through proof contradicting with other proofs due to existence of excuse. The meaning of excuse itself refers to the existence of *masyaqqah* (discomfort) and *hajah* (necessities) which is the existence of hardship and need such as sickness or need of travel (Sapai & Ibrahim, 2020).

### ***The Methods of Performing Prayer in Critical Situation***

Prayer is one of the five pillars of Islam and is obligatory for all Muslims, even in challenging circumstances caused by natural disasters. To accommodate such situations, Islam provides *rukhsah* (concessions) to allow individuals to pray according to their capacity. By applying the *Qawaid al-Fiqhiyyah* principle "emergency situations permit the forbidden" (*al-darurah tubihu al-mahzurat*), Allah grants leniency for those who face hardship, lifting certain regular obligations in critical conditions. Essential circumstances impacting the ability to pray include severe illness, intense weather conditions like heavy rainfall, urgent situations like rescuing flood victims, extinguishing fires, and similar circumstances.

There are several methods available for Muslims to perform prayer in critical situations, including:

*Performing Ablution: Mutlaq Water as the Source of Ablution*

Ablution, or *wudu*, involves washing specific parts of the body in preparation for prayer and is essential for the validity of prayer. *Mutlaq* water, which retains its natural purity, is the primary source used for ablution. This includes rainwater, snow, dew, seawater, spring water, rivers, and wells. During natural disasters like floods or earthquakes, however, access to *mutlaq* water may be limited. Floodwater, for example, originates from rain and rivers, which are generally considered *mutlaq* water as they are pure and purifying. However, floodwater can become murky due to soil and debris, raising concerns about its purity. Thus, assessing floodwater's status for use in ablution becomes crucial.

Al-Nawawi (1991) clarifies that water which has naturally mixed with substances like clay, moss, or other environmental elements retains its purifying status. He explains that water sourced from the earth remains purifying even if its color, taste, or smell changes due to natural elements, as Allah SWT states in the Quran:

Meaning: "...And We send down from the sky pure water."

(Al-Quran. Surah Al-Furqan, 53:48)

*Tayammum and Al-Jabirah*

In some cases, individuals may suffer from conditions that prevent them from washing certain body parts with water. Additionally, wounds may be covered with *jabirah* (bandages) that should not be removed. For such cases, Islam offers *tayammum* (dry ablution) as a substitute for ablution and the mandatory bath. *Tayammum* is performed by using clean earth, such as sand or dust, to cleanse oneself when water is unavailable or unsuitable due to medical conditions. Allah says in the Quran:

Meaning: "But if you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and do not find water, then seek clean earth and wipe over your faces and hands with it. Allah does not intend to make difficulty for you, but He intends to purify you and complete His favour upon you that you may be grateful." (Al-Quran, Surah Al-Maidah, 5:6)

For individuals performing *wudhu al-jabirah* (ablution over a bandage), two key points should be noted:

- i. If it is possible to remove the bandage and wash the wound without harm, normal ablution should be performed. If removing the bandage is not feasible, one may wipe over it with a wet hand.
- ii. If a wound is unbandaged and can be washed safely, normal ablution should be performed. If washing the wound is not possible, one may wash around the wound and, if necessary, cover it with a cloth before wiping over it.

*Performing Prayer as Jamak*

*Jamak* refers to combining two prayers, such as Zuhr and Asr or Maghrib and Isha, into a single time period. This can be done either earlier (*taqdim*) or later (*ta'khir*) than the scheduled time of the prayers. According to Ishak & Ibrahim (2020), certain conditions permit *jamak* for Muslims, such as during heavy rainfall, illness, or other pressing needs. Imam Al-Syafie and Imam Ahmad bin Hanbal extended this permissibility to include harsh conditions like snow, storms, muddy paths, and extreme cold. Imam Malik, however, allows *jamak* only for rainfall, while Imam Abu Hanifah limits *jamak* to specific pilgrimage situations at Arafah and Muzdalifah.

In Malaysia, two practices are commonly observed in critical situations: praying at a single time during emergencies or, in some cases, skipping and later substituting the missed prayer. The option to combine two prayers as *jamak* is widely accepted by scholars and is supported by *al-Sunnah*, allowing Muslims to fulfill their religious obligations without missing prayers unnecessarily. This approach is seen as more in line with Shariah and eliminates the need to skip or replace prayers (Ishak & Basri, 2020).

## Conclusion

In conclusion, natural disasters are devastating events that impact communities, ecosystems, and economies worldwide. In Islam, natural disasters are viewed as trials from Allah SWT, serving to purify believers, test their faith, and encourage acts of patience, perseverance, and compassion. During such events, Muslims are encouraged to turn to prayer, seek refuge in Allah, increase worship, repent, and seek forgiveness. As stated in the Quran, Chapter 3, Verse 200, believers are reminded to remain vigilant and patient in the face of potential danger:

Translation: O you who have believed, be patient, and endure, and remain stationed and fear Allah that you may be successful.

(Al-Quran. Surah Ali Imran, 3:200)

In critical situations, Islamic guidelines for prayer emphasize flexibility, adaptation, and the prioritization of safety, providing a framework for Muslims to uphold religious duties while navigating challenges. Muslims are also encouraged to seek guidance from knowledgeable scholars who can offer tailored advice based on specific circumstances. Being aware of *Fiqh Disaster* principles is essential for Muslims as a preparatory step for navigating such critical situations. Above all, the preservation of life is a primary objective in Islam.

It is recommended that JAKIM, as the main Islamic authority in Malaysia responsible for Islamic administration and development, consider promoting *Fiqh Disaster* knowledge by publishing a simple, accessible official e-book or providing detailed information on their website. Ultimately, in the face of natural disasters, the well-being and safety of individuals take precedence over strict adherence to ritual practices, yet Islam encourages believers to maintain their connection with Allah, even in challenging times.

## References

- Al-Quran.
- Al-'Abkari, A. 'A. Al-H. Bin S. Bin A.-H. (1438H/2017). *Risalah Al-'Abkari fi Usul Al-Fiqh*. Al-Azhari, & Ibrahim, B. (2022). *Fiqh Bencana Alam*. PTS Publishing House.
- Al-Juaini, A. A.-M. (n.d.). *Al-Waraqat*.
- Al-Nawawi, A. Z. M. Y. Bin S. (1411H/1991). *Raudah At-Tholibin wa 'Umdah Al-Muftin*.
- Al-Zuhaili, W. (2004). *Al-Fiqh al-Islami wa Adillatuh* (Vol. 1).
- Ashaari Sapai, A. H., & Ibrahim, B. (2020). Rukhsah of prayer for officials of flood victims. *International Journal of Academic Research in Business and Social Sciences*.
- Awang, K., & Zainal Abidin, M. Z. H. Qawaid Fiqhiyyah applications in environmental management.
- Bibi, H. (2021). Assignment purification through Tayammum and conditions for its validity in the light of Bidayat Al-Mujtahid by Ibn Rushd. *Islamic Studies Bachelor V*.
- Department of Homeland Security. (2023). Natural disaster. *United States Department of Homeland Security*. Retrieved from <https://www.dhs.gov/natural-disasters>
- Department of Homeland Security. (n.d.). Natural hazards. *United States Department of Homeland Security*. Retrieved from <https://hazards.fema.gov/nri/natural-hazards>
- Faizal, S. F. (2016). Application of Al-Darurah Tuqaddar Biqadariha from Islamic legal maxims in zakat distribution for flood victims. January.
- Ibn 'Aqil, A. A.-W. 'A. Bin M. Bin A.-A. Al-Baghdadi Al-Zhofri. (1420H/1999). *Al-Wadhih fi Usul Al-Fiqh*.
- Ishak, M. I., & Ibrahim, B. (2020). Form of Rukhsah for prayer in critical situations. *International Journal of Academic Research in Business and Social Sciences*.
- Iskandar, M. (2018). Fiqh anticipation: Mitigation concept based on Islamic law.
- McFarlane, A. C., & Norris, F. H. (n.d.). Definitions and concepts in disaster research.
- Mohd Noor, M. I., & Mohd Noor, F. N. (2018). The determination of the status of flood water from the Fiqh analysis perspective. *Jurnal Syariah*, 14, October.
- Mohd Noor, M. I., & Shamsuddin, M. M. J. (2018). أحكام العبادات الخاصة بالتمضرين من الفيضانات: دراسة فقهية تحليلية. *IIUM Fiqh Journal*.

- Mufti of Federal Territory's Office. (2016). *Irsyad Usul Al-Fiqh Series 5: Differences between Fiqh and Usul Fiqh*. *Mufti of Federal Territory's Office*. Retrieved from <https://muftiwp.gov.my/en/artikel/irsyad-usul-fiqh/1404-irsyad-usul-al-fiqh-series-5-differences-between-fiqh-and-usul-al-fiqh>
- Oryan, M. H. (2023). The religion of Islam and disasters. Purification according to Islam. (n.d.). Retrieved from <https://salamcenter.org/wp-content/uploads/2020/09/Purification.pdf>
- Rizvi, S. M. (n.d.). *The Ritual & Spiritual Purity*.
- Saiti, B., & Abdullah, A. (2016). The legal maxims of Islamic law (excluding five leading legal maxims) and their applications in Islamic finance.
- Shettima, M., Biu, H. A., & Deribe, M. A. (2016). The relevance of Islamic legal maxims in determining some contemporary legal issues. *IIUM Law Journal*, 24.
- Subri, I. M., Razali, W. M. F. A. W., Said, W. M., Ahmad, N. M., Shaharuddin, A., Abdul Aziz, M. A., Residi, M. A. I., Rasdi, M. N. A., Shukor, S. A., & Jailani, B. (2016). Fiqh issues at flood relief centers: An exploratory study in Temerloh District, Pahang. *Jurnal INFAD*, 8, June.
- Sukri, H. A., & Muhd Adnan, N. I. (2020). The reason of Jamak prayer from the views of four schools of thought. *Al-Qanatir International Journal of Islamic Studies*, 17, January.
- Wahid, H. A., & Ramli, M. A. (2016). Penggunaan air untuk bersuci ketika bencana banjir menurut perspektif Maqasid al-Shariah.