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Employee's Right to Prayer According to Islamic Law

Abstract

Prayer means that a Muslim stands before Allah at certain times of the day for the purpose of worship, and his soul enters a state of concentration with Allah. Prayer is the second of the five fundamental principles of Islam, which purifies a person from material and spiritual impurities, provides inner peace, and shows direction. The fact that one of the last recommendations of the Prophet Muhammad on his deathbed was directly related to performing prayer, and that he described prayer as “the light of our eyes,” shows the value of this act of worship in the religion of Islam. Because when the human soul does not establish a relationship with its Creator, it falls to the level of savagery and becomes dissatisfied with everything. For this reason, it is a necessary condition for a person to establish a relationship with his Creator at certain times of the day. This is why Allah has made prayer obligatory.

Prayer, which is one of the worker rights that most employers do not care about, is also a human right. The failure of the employer to take such a right into consideration is a violation of human rights. According to Islamic law, the employee does not have to get permission from the employer to pray during the workday. However, the employee who prays should avoid adding or extending non-obligatory (supererogatory) prayers and should be content with only the obligatory prayers. However, if the employer opposes the employee's right to pray in this way during the workday, the employee should pray during break hours if the prayer time has not expired. If this is not possible, the employee should definitely pray at home after the workday by combining the prayers.

In this research article, the subject of “Employee's Right to Prayer According to Islamic Law” will be examined with evidence.

Keywords: *Islamic law, employee, worker, right to prayer*

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İslam hüququna görə çalışanın namaz haqqı

Xülasə

Namaz, ibadət məqsədi ilə günün müəyyən vaxtlarında müsəlman kişinin Allah-Təalanın hüsurunda durması, ruhunun Allah ilə konsentrasiya halına keçməsi deməkdir. Namaz, insanı maddi və mənəvi kirlərdən təmizləyən, daxili rahatlığa qovuşduran və istiqamət göstərən İslamın beş əsas prinsipindən ikincisidir. Həzrət Peyğəmbərin ölüm döşəyindəki son tövsiyələrindən birinin birbaşa namaz ibadəti ilə bağlı olması və namazı “gözlərimizin nuru” kimi təsvir etməsi bu ibadətin İslam dinindəki dəyərini açıq şəkildə göstərir. Çünki insan ruhu Yaradıcısı ilə əlaqə qurmadıqda vəhşilik səviyyəsinə enir və heç bir şeylə qane olmur. Bu səbəbdəndir ki, günün müəyyən vaxtlarında insanın Yaradıcısı ilə əlaqə qurması zəruri bir haldır. Məhz buna görə Allah namaz ibadətini fərz etmişdir.

Əksər işgötürənlərin əhəmiyyət vermədiyi işçi hüquqlarından biri olan namaz ibadəti, eyni zamanda bir insan hüququdur. İşgötürən tərəfindən belə bir hüququn nəzərə alınmaması insan hüquqlarının pozulması hesab olunur. İslam hüququna görə, işçi iş vaxtı ərzində namaz qılmaq üçün

işəgötürəndən icazə almağa məcbur deyildir. Lakin namaz qılan işçi fərz olmayan, yəni nafilə namazlarla bağlı əlavə və uzatmalardan çəkinməli, yalnız fərz namazlarla kifayətlənməlidir. Əgər işəgötürən iş vaxtı ərzində işçinin bu şəkildə də namaz qılmaq hüququna qarşı çıxarsa, namaz vaxtı çıxmadiğı təqdirdə işçi namazlarını istirahət saatlarında qılmalıdır. Bu da mümkün olmazsa, çalışan şəxs namazlarını mütləq şəkildə işdən sonra evində namazları birləşdirmək yolu ilə qılmalıdır.

Bu məqalədə “İslam Hüququna görə İşçinin Namaz Qılmaq Hüququ” mövzusu dəlilləri ilə birlikdə araşdırılacaqdır.

Açar sözlər: *İslam hüququ, çalışan, işçi, namaz hüququ*

Introduction

Although, according to the Sufis, there are as many paths to Allah Almighty as there are servants (İz, 1981, s. 149), at the very foundation of Islamic morality lie the principles of showing reverence to the divine commandments—foremost among them prayer (şalât)—and showing compassion toward all of His creations (Çakan, 1981, s. 125; Ergün, 2019, s. 1337).

As is well known, prayer, which means standing in the presence of Allah five times a day at specified times with the intention of worship, is the foremost form of ritual devotion that comes to mind (see Mərginânî, 1410/1990: 1/41–102; Kehlânî, 1379/1960: 1/106–211; Tahtâvî, 1356/1937: 91–346; Akyüz, 1995: 1/81–439; Committee, 2010: 514–515; Committee, 2012, pp. 169–180).

Prayer signifies that the Muslim, for the purpose of worship, stands before Allah at specific times of the day, placing the soul in a state of concentration with its Creator. It is one of the five fundamental pillars of Islam—the second—purifying a person from both material and spiritual impurities, instilling inner peace, and providing moral direction (Tabbara, 1981, s. 260; Ramazanoğlu, 1982: 1/145; Apuhan, 1997, s. 213; Yaşaroğlu, 2006, s. 32/350–357; Committee, 2010, pp. 514–515).

The fact that one of the Prophet's final exhortations on his deathbed was directly concerning the observance of prayer (Çakan, 1981, s. 125; Topaloğlu, 1986, s. 223–224), and his description of prayer as “the comfort of our eyes,” illustrates the value of this act of worship in Islam (Nesâî, 1981: İşretü'n-Nisâ, 1; Ahmed b. Hənbəl, 1982, 3/199; Azzâm, 1985, s. 182; Büyükkörükçü, 1983, s. 68–69).

For when the human soul fails to connect with its Creator, it falls into a state of savagery, never attaining contentment with anything. Hence, it becomes necessary for a person to connect with his Creator at specific intervals during the day. For this very reason, Allah has enjoined prayer as an obligation (see Ankebût 29/45; Mübarek, 1976, s. 159–160; Tabbara, 1981, s. 260).

Prayer removes prior disturbances and negativity, directs subsequent actions, and constitutes a state of spiritual concentration with the Creator (Apuhan, 1997, s. 213). It also represents one's preparation for the stormy day when the reality of death severs worldly ties, and it serves as an effort to protect oneself from divine punishment (Kandehlevî, n.d.: 15).

Because of this significance, matters such as ablution, prayer, and its detailed requirements are found among the Prophet's (peace be upon him) instructions to Enes b. Mâlik (Canan, 1980, s. 139). Moreover, within Islam, among the rights of children is also the “right to learn prayer” (Karaman, 1986, s. 1/335–438).

Research

Prayer is an act that elevates human beings and confers value upon them (see Bakara 2/3; Mü'minûn 23/2; Sibaî, 1979, s. 66; Ramazanoğlu, 1982: 1/145), that partially protects them from the torment of the Hereafter (Müddessir 73/43), and that is performed through both speech and bodily movements (Zebîdî, 1981: 2/869 ff., hədiþ no. 459).

Prayer is also one of the labor rights often disregarded by employers, yet it simultaneously constitutes a human right. The neglect of such a right by the employer thus amounts to a violation of human rights. According to Islamic law, an employee is not required to obtain permission from the employer in order to perform the obligatory prayer during working hours. However, the employee should refrain from supererogatory additions and prolongations, limiting the act to the obligatory components alone. If the employer nevertheless objects to the employee performing prayer in this

form during working hours, then the employee should observe the prayers during rest breaks, provided that the prayer time has not elapsed. If this is not possible, the employee must combine and perform the prayers at home after work hours (Committee, 1986, pp. 55–57).

The Importance of Prayer

The following findings demonstrate the significance of worship, and thus of prayer:

- When a prisoner is unable to find clean water for ablution (wudū') or soil for dry ablution (tayammum), according to İmâm Ebû Hânîfe (d. 700/767) and İmâm Muḥammed (d. 749/805), he may postpone his prayer. However, according to İmâm Ebû Yûsuf (d. 731/798), he should stand as though praying without reciting anything from the Qur'ân, performing the bowing (rukû') and prostrations (sûcûd) to give the impression of prayer. Upon release from prison, he is then obliged to make up (kaza) the missed prayers in full (Bilmen, 1984: 102). This jurisprudential ruling is reinforced by the verses: *"What has landed you in Hellfire?" They will say, "We were not of those who prayed"* (Müddessir 74/41–42), and *"Why should I not worship the One who created me? To Him you will all be returned"* (Yâsîn 36/22), which illustrate the importance of prayer.

- Allah Almighty did not create humankind as irresponsible or aimless: *"Does man think that he will be left neglected?"* (Kıyâmet 75/36). Man has a duty of servitude, and without fulfilling this duty he cannot attain true happiness. The human soul continuously reproaches itself, saying: *"You are a deserter of duty! You have failed to grasp the purpose of your creation! You are one who defies the commands of Allah!"* Unless a person properly fulfills the obligations of servitude, he will never find peace or contentment (Gülal, n.d.: 40). Since prayer stands at the forefront of these obligations (Tirmizî, 1981: Şalât, 188), it is indispensable.

- Just as a bride does not leave her father's house empty-handed but departs with a dowry even for her temporary worldly life, so too it is inconceivable for a human being—the traveler toward eternal life—to depart from this world empty-handed. The provisions for the Hereafter are acts of worship, foremost among them prayer (Kırkinci, 1979, s. 206).

- Selmân-ı Fârisî (d. 36/656 [?]) warned: *"If a servant obeys Allah and submits to Him, Allah does not place him in difficulty. The world continually serves those who worship Allah"* (Ramazanoğlu, 1982: 1/145).

- Beyazîd-i Bisṭâmî (d. 234/848 [?]) said: *"If you see someone flying in the air while displaying miracles, do not be deceived by this. But if you witness that he fulfills Allah's commands and refrains from His prohibitions, only then may you believe in him"* (İz, 1981, s. 121).

- When the human soul fails to connect with its Creator, it sinks to the level of savagery, never finding satisfaction. Even if confined to specific times during the day, it is essential for the human soul to maintain this connection with its Creator. For this reason, Allah has prescribed prayer (Tabbara, 1981, s. 260).

- Human beings will never attain peace until they are freed from their desires. Unless they establish a relationship with a Being beyond material existence, they cannot rid themselves of these desires. That Being is none other than Almighty Allah (Mübarek, 1976, s. 159–160).

- A devout and observant person always discovers within himself an inexhaustible source of energy and perceives an additional vitality in life (Balaban, n.d., 36–37).

- Arnold Toynbee (1889–1975) stated: *"It is my conviction that the modern world will sooner or later discover that life cannot be lived without drawing nearer to God"* (Balaban, n.d., 53). Prayer is the most effective way of drawing closer to Allah (Alak 96/19).

- According to Prof. Dr. Alexis Carrel (1873–1944), just as man is dependent on water and oxygen, he is likewise in need of God (Balaban, n.d., 39). When life lacks discipline and purpose, it naturally degenerates into the swamp of frivolous amusement. Nothing is more meaningless than a life spent entirely in entertainment. If life consists solely of dancing, reckless driving, cinema-going, or listening to the radio, then what is the purpose of living? (Gülal, n.d., 36).

For Carrel, the greatest mistake made concerning human beings is the neglect of their spiritual and moral dimensions (Kutup, 1979, s. 46–47).

- According to Prof. Dr. Mazhar Osman (1884–1951), *“A person with a moderate, strong faith and piety protects his nerves with a solid armor”* (Öner, 1985, s. 14).
- Voltaire (1694–1778) confessed: *“To my Turkish brother I will say: your religion appears to me as a most venerable religion. You worship only one God”* (Topaloğlu, 1985, s. 28).
- Likewise, Massignon (1883–1962) admitted: *“We have distorted and destroyed everything belonging to Muslims. We managed to portray learning about Islam, performing prayer, and studying the Qur’ān as criminal and reactionary acts”* (Sevinç, 2007, s. 9).

Findings

Our findings regarding the issue of the employee’s right to prayer are as follows:

- In Turkish positive law, “Although freedom of worship is counted among the fundamental rights in constitutions and international documents, there is no legal regulation in our country (Turkey) regarding the worker’s right to worship. This situation leads to debates as to how the worker can exercise his right to worship when it coincides with working hours... Disputes regarding the employee’s performance of prayer are currently resolved on the basis of reciprocal obligations and general provisions. However, enacting legal regulations could protect this fundamental right of the worker more effectively” (Aykanat – Uslu 2018, s. 468).
- In Islamic law, the employee’s right to prayer is a right protected under the category of “freedom of religion and conscience” (Committee, 1986, pp. 55–57; Armağan, 2001, s. 116–123; Erdem, 2019, s. 29–35). This right has been granted directly by Allah to the individual and legally safeguarded, as emphasized in the verse: *“[Men] whom neither trade nor sale distracts from the remembrance of Allah, from performing prayer, and from giving alms; they fear a Day when hearts and eyes will be overturned”* (Nûr 24/37).
- Prayer enables a fatigued worker to recover and regain energy. This in turn increases productivity and thereby benefits the employer economically (cf. Committee, 1986, p. 55; İzmirli, 1981, s. 15–71; Balaban, n.d.: 36–37, 43–48, 53; Mübarek, 1976: 159–160; Gülal, n.d.: 36; Kutup, 1979, s. 46–47; Öner, 1985, s. 14; Topaloğlu, 1985, s. 28; Sevinç, 2007, s. 9). The truths expressed in the statements, *“Verily, in the remembrance of Allah do hearts find rest”* (Ra’d 13/28), *“True happiness lies in the remembrance of Allah”* (İzmirli, 1981: 15–71), and *“Indeed, Allah does not look at your appearances or your possessions, but He looks at your deeds and your hearts”* (Müslim, 1981: Birr, 34; İbn Mâce, 1981: Zühd, 9), directly demonstrate this reality.
- One of the rights of the employee over the employer is the right to perform prayer. The employer’s disregard of this right constitutes a violation of human rights. According to Islamic law, the employee is not required to obtain the employer’s permission to perform prayer during working hours. However, the employee should refrain from supererogatory additions and limit himself to the obligatory prayers. If the employer nevertheless objects to the employee performing prayer in this manner during working hours, the employee should observe his prayers during breaks or rest times, provided that the time has not elapsed. If this is not possible, the employee must perform the prayers after work by combining them at home (cf. Committee, 1986, pp. 55–57; Diyanet High Council, *What should an employee or civil servant do if not permitted to perform prayer at the workplace?*, accessed June 11, 2025; DİB Ministry of Religious Affairs High Council, 2018, s. 229 ff.).
- The employer, due to work intensity, has the right not to permit the employee to perform the daily prayers in congregation. However, this ruling does not apply to the Friday and Eid prayers, which cannot be fulfilled individually (Committee, 1986, p. 403).
- The employee is not obliged to comply with illegitimate orders of the employer such as: *“Do not pray! Work is also worship...”* (cf. Döndüren, 2010, s. 657; Committee, 1986, p. 404). For the Qur’ān states: *“On the Day their faces are turned about in the Fire, they will say: ‘If only we had obeyed Allah and obeyed the Messenger.’ They will say: ‘Our Lord, we obeyed our leaders and our great ones, and they misled us from the path. Our Lord, give them double the punishment and curse them with a great curse’”* (Aḥzâb 33/66–68). Likewise, the prophetic maxim declares: *“There is no obedience to a created being in disobedience to the Creator. Obedience is only in what is lawful”* (Buhârî, 1981: İcâre, 14). This principle is one of the key foundations of Islam.

- The practice of prayer is an important instrument that positively contributes to the development of professional ethics. A believing and worshipful person possesses a sense of rights and justice and is also open to moral growth (cf. Ankebût 29/45; Demirci, 2013, s. 256). Indeed, the Qur'ānic verses, *"Verily, prayer restrains from indecency and wrongdoing"* (Ankebût 29/45) and *"O mankind! Worship your Lord, who created you and those before you, that you may become righteous"* (Bakara 2/21), also indicate this reality.

- Prayer is expressed in the Quran with the concept of "salat". "Salat" means supplication and supplication. In religious literature, prayer is "an act of worship performed with the heart, tongue, and body, performed in the manner practiced by our Prophet." To maintain a sound and healthy faith, develop a spiritual life, achieve happiness in this world and the hereafter, and ultimately achieve peace, a believer needs to establish and maintain a spiritual bond with Almighty God. Because only by knowing and worshipping God can one attain complete peace. Otherwise, one always experiences distress in the soul. Just as humans must satisfy certain biological needs, such as eating, drinking, and sleeping, to maintain a healthy physical existence, they must also worship to maintain the vitality and liveliness of their souls and develop their spiritual faculties. Worship is not merely a matter of forms and external appearances. The essence of worship is sincerity and sincerity. Worship performed without sincerity is completely empty. A sincere believer considers whether every action and behavior is in accordance with God's will. If they act in this way, every legitimate act becomes a form of worship. Prayer is the pillar of religion. It is what constantly keeps a Muslim's connection with the Creator alive. Therefore, laziness in prayer is not necessary. However, prayer should not be limited to mere form; it should be transformed into a pleasure. According to Islamic belief, the Almighty Creator is free from all imperfections. Everything depends on Him. He is independent of anything. His existence is self-existent. Yet, the existence of all beings other than Him depends on Him. Thus, humans need to worship God to maintain their connection with the Creator who created them. Accordingly, prayer is not a burden that a person with free will, intellect, emotion, and, consequently, faith must perform reluctantly. On the contrary, it is an act of worship that one desires to perform with great desire, just as a lover yearns to express their feelings to their beloved. This is the meaning of worship in its perfect sense. A Muslim who prays should achieve the level of ihsan in their worship; the goal of worshipping as if they see God. A person should strive to achieve this goal in the prayers they offer throughout their lives. A person who turns to God in this way and loves Him with all their being will do their utmost to live in accordance with God's will and will absolutely refrain from casting a shadow over His love. Almighty God has held all people responsible for the practice of prayer, starting with the first man and prophet Adam, and all prophets have commanded their communities to pray. In light of all this, according to Islamic law, workers have the right to pray. No employer can ignore this right. This right and responsibility are granted to workers by Almighty God. Legally, prayer is a right considered part of an individual's freedom of religion and conscience. Therefore, employers must respect this right and provide their employees with opportunities to do so.

Conclusion

Employers, driven by the ambition and desire for greater profit, often seek to make their employees work incessantly, as if they were tireless machines. However, alongside human beings' material and physical needs—such as eating, drinking, using the restroom, and resting—there also exist spiritual and psychological needs, such as "worship and devotion," which provide satisfaction and tranquility to the soul. It is self-evident that when a person's material needs are not met, their capacity for work and productivity will decline. Even automatic machines require periodic halts, regular maintenance, fuel, and energy. In this sense, employees also feel the necessity to fulfill their spiritual needs. What is expected from an employer who respects human rights is not only to address the bodily needs of employees, but also to safeguard their right to perform prayer as a matter of "freedom of religion, conscience, and worship." This right is one highly valued and emphasized both in Islamic law and in universal legal frameworks. However, in our country, since this right has not yet been legally secured through statutory regulations, it often becomes a source of dispute between

employees and employers. The desired state of affairs is for this right to be guaranteed through constitutional and statutory measures, rather than being left merely to “mutual obligations and general provisions.” The practices of modern and civilized countries also align with this approach.

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