

RELOCATION AND THE QASR SALAH

Q: 6- Family 'A' (father, mother and 2 major married sons) had lived permanently in Durban. The members of the family were born in Durban. They had grown up in Durban and had always regarded Durban as their permanent home. About 8 years ago, family 'A' moved to Ladysmith, a town about 150 miles away from Durban. They settled in Ladysmith primarily for business reasons - they had relocated their manufacturing plant from Durban to Ladysmith in order to take advantage of certain Government benefits and concessions arising out of such relocation of their business. The family still owns a home and other property in Durban and still runs an Office in Durban. The third son is residing in Durban with his family and the brothers and sisters of the parents and their respective family units all reside permanently in Durban. Family 'A' wants to know:

- a) Whether or not Family 'A' should perform QASR SALAH or full salah in Durban;
- b) Whether or not family A' should perform full salah or QASR SALAH in Ladysmith. (MS. Omar, Durban)

A: If the family 'A' has gone to Ladysmith with the intention to settle there for good and has no intention to come back to Durban as its permanent residing place, its wattan has shifted from Durban to Ladysmith and he will perform the full Salah in Ladysmith while he will enjoy the concession of Qasr Salah whenever he travels to Durban for less than 14 days. If he has left one of his sons living in Durban with his family, it makes no difference in this case, nor can permanent residing of his uncles or nephews in Durban disturb this position. However, if the family 'A' has gone to Ladysmith only to carry on its business with no intention to settle there forever, then his wattan has not shifted from Durban and all the family members will have to perform full salah in Durban whenever they go there. One can also have two wattans simultaneously but it is a situation where one has some of his dependent family members in one place and some of them in another, and in both the places he has his own house to live and holds each of the two places as his permanent residing place, living in each of them alternatively. In this situation both the places are his wattan and he has to perform full salah in each of the two places. But in the situation mentioned in your question, if family 'A' has settled in Ladysmith for ever with all its dependent family members, this principle will not be applicable, because they have not left any of their dependent members in Durban. The son who is residing in Durban with his family is not a dependent member of this family; therefore it does not make any difference.

Contmporary fatawaa