

## POST COVID-19 RULINGS OF ISLAMIC LAW ON PANDEMICS: AN ANALYTICAL STUDY WITH REFERENCE TO NECESSITY AND JURISTIC CREATIVITY IN MANAGEMENT OF CONSEQUENTIAL ISSUES RELATED TO nCOV-19 VIRUS.

FAZLI DAYAN

International Postdoctoral Fellow at IRI, IIU, Islamabad, Pakistan; PhD, Associate Professor of Law, Faculty of Law, Grand Asian University Sialkot (GAUS), Email: dayansherpao@gmail.com

### **Abstract**

*Certainly, pandemics have been one of the most appalling threats to human life throughout the human history. It is an historical fact that billions of people have died because of contagious ailments. Presently, we are in the 21<sup>st</sup> century which is known for scientific and biomedical advancements. But unfortunately, we also became victims of a precarious pandemic named Covid-19. The most interesting thing is that the contemporary experts have not been able to discover any remedy for this treacherous disease yet. In this situation, the views of Islamic scholars have diversified whether religion has a cure for the pandemics? Being Muslims, we believe that Islam guides us via application of preventive and therapeutic measures for the preservation and protection of life as a primary objective of Islamic law. While responding to Covid-19 Pakistani Muslim population at large were more adherent to the legal edicts and verdicts (fatwās) issued by religious clerics than the state authorities. Hence, they have acknowledged those rules and regulations which were mediated by religious scholars. In this back drop the present study is designed to investigate the post Covid-19 rulings of Islamic law on pandemics to assess whether the NIH and WHO SOPs/guidelines are compatible with Islamic injunctions? Consequently, this research found many examples in Prophetic Seerha (life) to get protection from pandemics and lethal diseases. Correspondingly, in this article, efforts are made to determine the moral, ethical and practical teachings of Islam to cure the pandemics and deadly diseases with special reference to Covid-19. Thus, an analytical approach is adopted with a qualitative research methodology. Resultantly, the researcher observed that Islam has a complete set of ethical code to prevent and protect from pandemics and fatal diseases. Therefore, it is argued that people should adopt the ethical teachings of Islam for infectious diseases keeping in view the contemporary biomedical norms. To combat pandemics in Pakistan, the state departments are required to heed towards religious guidelines while not forgetting the application of medication as suggested by physicians and experts of the field.*



**Keywords:** *Rulings, Disease, Pandemic, Covid-19, Biomedical ethics, Seerah, Islamic law*

## INTRODUCTION

Indeed, pandemics or diseases have an old history and humans have faced its pressure from the past till day. Whereas, the nature, its kinds and harmful effects are concerned it remained different. But, the history reveals that human beings has witnessed numerous pandemics which resulted in manifold casualties, ensuing deaths that brought drastic changes in their livelihood. Although, to overcome the pandemics or diseases, diverse policies have been set to counter the pandemics, which sometimes makes it possible and sometimes fail to work. In the current times, the whole world including Pakistan is facing (and have faced) to combat a lethal disease named Covid-19 that has caused an irreparable loss to every part of the world. The Covid-19 adversely affected (Pakistan's) social, economic, political, educational, religious and cultural activities at large. Interestingly, KSA (Kingdom of Saudi Arabia) along with other countries, while taking precautionary measures, has restricted the entrance of the Pilgrims to holy Mosques and other passengers. All other activities were suspended across the globe to cope with the novel pandemic (Covid-19).

Remarkably, as per the information the virus that has emerged spreading from (Wuhan city, Hubei province of) China-one of the most developed countries in the world-attacked the human respiratory system and thus caused thousands of casualties and deaths till now. It must be worth mentioning while conducting research on a disease; the most important questions are that from where did the disease originate? And how did it start spreading? It is to be clear that most of the viruses are found in animals, but we came to know about these viruses when they are transferred into humans. Accordingly, AIDS was a disease of the monkeys found in the forest of Africa and when it was transferred into humans the experts started researches about it. There is a presumption about the Corona virus that basically it is a disease of animals and has transferred to human respiratory system. WHO on 31<sup>st</sup> December, 2019 informed China about this dangerous virus. At the early stage of Corona; cold, influenza, temperature, cough, and difficulty in breathing were the prime symptoms. But, when Corona completely holds the human body, it causes extreme difficulty in respiration. Ultimately, lungs stop functioning and severely damage the kidneys, hence it causes death.

Factually, the surge of Covid-19 has potently affected the whole world more particularly the Muslim *ummah*. Since, the modern world was unable to find the real treatment to cope with the novel virus. Thus, the views of Islamic scholars have diversified that whether religion (Islam) has cure or not? Nevertheless, the study asserts that Islam has a cure/remedy in the times of pandemics and lethal diseases. As the holy Prophet Muhammad (peace be upon him) suggested treatment for inner and spiritual diseases, in the same way, He also give us instructions concerning outer and physical diseases. While keeping in mind the Prophetic suggestions and instructions; the Muslim physicians/experts not only



materialized new researches in medical and biomedical field but they also discovered new medicines including treatments of many irreconcilable diseases. And thus they have given practical scientific structure to protect human life and health.

Clearly, the classical literature reveals that Islam and Muslims physicians have remained exceptionally serious and sensitive about public health. The problem arises when the traditional and laymen counters the newer biomedical technologies erroneously without considering the broad spectrum of Islam. Conversely, our religion (Islam) is not against the use of modern treatment facilities; rather, it dictates the use of contemporary medical technology along with the application of different tools, techniques and various ways of treatments innovated by the modern-day biomedical technology on the conditions if such remedy not contradicts the Islamic injunctions. In Islam, different ethical codes are there, for example to protect against diseases and pandemics. Such as taking 1) *wudoo* (ablution) at least five times a day; 2) taking bath after sexual intercourse; 3) scratching hair and nails; 4) cleaning mouth and ear; 5) washing hands before and after eating; 6) wearing clean clothes and etc all these are essential part of Islam for thousands of years. Even the rest of Prophets particularly Ibrāhīm (*'alayhi al-salām*) was also ordered to do these things. Similarly, hygiene principles of modern times and medical regime also recommend these ethical codes.

Apart from the cited ethical codes; physical health is also one of the most important aspects of personality. If a person is not healthy, he cannot properly perform any work, and thus Islam has also given great importance to sound health and has prevented humans from those things which are dangerous for their health and life. While taking care of health, food has importance as like a spinal cord for the human body. Thus, Islam asserted that balanced food and moderate diet maintain the human health good, and hence it helps to develop properly and produces the ability to work and worship Allah the almighty.

Looking to the history of epidemics; ultimately it has caused damages to the world. However, question arises how to tackle a pandemic? What are the preventive measures to be safe from an imminent endemic like Corona and other pandemics? Similarly, what are the guideline/teachings of Islam regarding the pandemics? To answer these questions, therefore, this research paper is designed to explain pandemics and diseases along with the modes of prevention specifically Covid-19 in perspective of Islamic law. Additionally, our focus will also be, to assess whether the NIH, Pakistan and WHO SOPs/guidelines are compatible with Islamic injunctions? Since, we are in the 21<sup>st</sup> Century where advancements have been made in field of science and biomedical technology. Thus, it is a need of the day to explore real basis of the post Covid-19 rulings of Islamic law on pandemics primarily in the primary sources of *Shariah*. Likewise an analytical and comparative study of the Islamic teachings i.e. Islamic modes of prevention for such diseases



between NIH and WHO SOPs/guidelines will be center of debate in the impending sections.

### 1. THE CONCEPT OF DISEASES: DEFINITION AND EXPLANATION

Medically, any harmful deviation in humans from the normal structural or functional state of an organism is said to be a disease or ailment or infection. In Islamic law, al-Barūsawī, a *ḥanafī* jurist defined: disease or sickness confronts the body; which deprives its proper moderation, (and thus it) causes defects in actions (and resultantly) leading to death. In other words: disease or sickness is something that appears in the body which deprives its normal or structural functions of an organism leading to distort in actions and causes to death.<sup>1</sup> ‘Allama Jurjānī writes: (disease) is something that causes the body and takes it out from a specific moderation.<sup>2</sup> Similarly, many other *Shariah* scholars and Quran exegeses defined it in the same faction such as al-Qurṭubī, a *mālikī* commentator, maintained: disease is something harmful deviation of a person from the normal structural or functional state of an organism. In other words: disease or sickness is something that takes a person beyond the limits of health due to defect.<sup>3</sup> Likewise al-Baghawī<sup>4</sup> and al-Baydāwī<sup>5</sup> among the *shāfi’īs* adopted the same approach along with al-Shawkānī,<sup>6</sup> a *salafī* jurist, affirmed the same. The synonym of disease used in the holy Quran is (*al-saqīm*): “and he said: I am ill (or indeed I am sick)”.<sup>7</sup> The opposite spoken of *al-saqīm* is “*al ṣaḥīḥ*” (the healthy).<sup>8</sup>

Literally, in medical dictionary, the word “disease” refers to “an interruption, cessation, or disorder of a body, system, or organ structure or function”.<sup>9</sup> Or “an abnormal condition of an organism which interrupts the normal bodily functions that often leads to feeling of pain and weakness, and usually associated with symptoms and signs”.<sup>10</sup> Similarly, it is also known as “a pathologic condition in which the normal functioning of an organism or body is impaired or disrupted resulting in extreme pain, dysfunction, distress, or death”.<sup>11</sup>

Additionally, the word “disease” denotes “a condition marked by subjective complaints, a specific history, clinical signs and symptoms, and laboratory or radiographic findings”.<sup>12</sup> Although, “disease and illness differ in that disease is usually objective and tangible or measurable, whereas illness (and associated pain, suffering, or distress) is subjective and personal”; thus, a person may have a serious but symptom-free disease (such as hypertension) without illness. Conversely, a person may be extremely ill (such as with posttraumatic stress disorder) but have no obvious evidence of disease.<sup>13</sup>

In the holy Quran, the word “disease” has the same meaning for both spiritual and physical ailments. The holy Quran says: “in their hearts there is disease and Allah has increased their disease”.<sup>14</sup> According to Imām al-Jaṣṣās,<sup>15</sup> Imām al-Nasafī,<sup>16</sup> al-Qurṭubī,<sup>17</sup> al-Ṭabarī,<sup>18</sup> Ibn Kathīr<sup>19</sup> including al-Barūsawī,<sup>20</sup> al-Baghawī,<sup>21</sup> al-Baydāwī,<sup>22</sup> and al-Shawkānī<sup>23</sup> maintained that “disease” used in the mentioned verse has a variety of meanings such as religious, spiritual and bodily diseases i.e. hypocrisy, deceit, illness and etc. Similarly, in their view, the word “disease”, in the holy Quran, conveys both connotations i.e. physical and spiritual sickness.<sup>24</sup>



With regard to physical diseases, the word “disease” has been used in various places in the holy Quran. As said: “if any of you is ill (sick), or on a journey, the prescribed number (should be made up) from days later”.<sup>25</sup> It means the word disease is used both for spiritual as well as physical. Keeping in view the preventive measures, safety protocols and security of one’s life and health; we have recommended the inclusion of “*protection/preservation of health and prevention of diseases*” i.e. “*ḥifz al-ṣiḥḥah wa-daf’ al-amrāz*” to the list of five traditional objectives of *Shariah* as identified.<sup>26</sup> Since, various Quranic verses and Prophetic sayings are evident on good health. For example: “no blame is there on the blind, nor is there blame on the lame, nor on ill (if he joins not the war)”.<sup>27</sup> In another place the holy Quran stated: “but if any of you is ill, or on a journey, [then] the prescribed numbers (should be made up) from the days later”.<sup>28</sup> While in other place, it says: “and if any of you is ill, or has an ailment in his scalp, (necessitating shaving), (He should) in compensation either fast, or feed the poor, or offer sacrifice (of sheep)”.<sup>29</sup> Further, the holy Quran said: “if ye are ill, or on a journey, or one of you cometh from offices of nature, or ye have been in contact with women, and ye find no water, then take for yourselves clean sand or earth, and rub therewith your faces and hands”.<sup>30</sup>

Various Prophetic (*aḥādīth*) traditions indicated towards good health, and consider it one of the most prized and generous gift of Allah almighty. Ibn al-Qayyim<sup>31</sup> recorded on the authority of Abū Darda where the Messenger of Allah replied to him, said: “Allah loves healthy one”,<sup>32</sup> i.e. means Allah the almighty loves healthy people, as it is evident of the holy Quran: “Allah hath gifted bodily powers”. Moreover, Ibn al-Qayyim in his book *al-tibb al-nabawī* stated on the authority of Ibn ‘Abbās: “an Arab came and asked Allah’s Messenger (peace be upon him): what should I ask Allah upon concluding each of the five daily prayers? Allah’s Messenger replied: pray for good health. The man further asked: then what? Allah’s Messenger (peace be upon him) reiterated: pray for good health. The man asked again: then what? Allah’s Messenger (saw) replied again: pray for good health and well-being in this world and in the hereafter”.<sup>33</sup> Further Ibn ‘Abbās narrated Prophetic saying: “two blessings which many people squander: good health and free time”.<sup>34</sup> Despite, there are also a number of traditions in the *hadīth* literature regarding good health. Consequently, in our understanding “*protection/preservation of health and prevention of diseases*” is one of the genuine necessities. In view of Ibn ‘Ashūr, “the indispensable interests relating to (*ḍarūrīyāt*) are those whose realization is necessary for the social order of community both individually and collectively. And in case of any defect will result in loss and disintegration of the whole community”.<sup>35</sup>

## 2. THE CONCEPT OF PANDEMICS: MEANING AND DEFINITION

In Arabic dictionaries the word “pandemic” is described as a prevalent or rampant disease that usually affects the environment and targets the human organism or repository system ensuing in multiple deaths. Al-Rāzī al-Ḥanafī, maintained:





“pandemic....is a rampant/extensive disease”.<sup>36</sup> Most of the Ḥanafī jurists asserted that pandemic refers to every general disease, (thus) every plague is an epidemic and not vice versa.<sup>37</sup> While al-Barkatī al-Ḥanafī affirms the same, as he said: “pandemic is plague or every pernicious disease or illness that afflicts (the human body) or when it increases”.<sup>38</sup> Additionally, al-Zabīdī denotes epidemic is an instant cause of death rate among the people.<sup>39</sup> In another place he stated: “pandemic: affects the air (environment) and corrupts the moods/temperament and human bodies”.<sup>40</sup> Whereas Ibn Manẓūr in *Lisān al-‘Arab* defined pandemic: refers to every pervasive disease.<sup>41</sup>

In Urdu dictionary the word “pandemic” is described as a “noun feminine: an instant cause of death(s) due to widespread insidious illness/sickness and prevalent deterioration caused by air or environment. Such as esophagus infection, diarrheal, or any infectious diseases like cholera, *tā’oon* and etc.”<sup>42</sup> similarly, the disease(s) that spreads frequently is said to be a pandemic. Additionally, the word pandemic used in *kināya* sense refers to ordinary or widespread death(s) due to prevalent disease. Sometimes it is used metaphorically which refers to such illness or distress that causes heavily destruction to humans.<sup>43</sup> Thus, we can find various definitions of pandemic(s), in diverse Urdu dictionaries, with slight differences.

### 2.1. TYPES OF PANDEMICS/DISEASES

Categorically, physicians have divided physical diseases into two types namely: I) Pandemic/infectious diseases; and II) Non-pandemic/non-infectious diseases.

- I. Pandemic diseases refer to those ailments in which bacteria, microorganisms, or any kind of infection easily transmit from the infected person to another person. And that is why it spreads far and causes deaths at a large scale. The extremely dangerous form of this disease is the obscurity of viral attack on humans or any living organism resulting in death. Pandemic diseases are also called infectious diseases. In easy and simple words, every disease that spreads fast and is likely to affect one person from another is deemed a pandemic disease.
- II. Non-pandemic or non-infectious diseases are those which are limited to a single human being. Even if the infected person may die of such disease, but it is not dangerous for other humans. In other words, such diseases are called non-infectious diseases as these are not contagious and do not transfer to other living humans by breathing, air, or through shaking hands and etc.

### 2.2. DESCRIPTION OF PANDEMICS//DISEASES

Undoubtedly, not every disease in the world tantamount to pandemic, but few diseases take the form of a pandemic.<sup>44</sup> Thus, a short description of pandemic diseases is prerequisite to understand the description of pandemics or diseases as follow.

#### 2.2.1. *Tā’oon* (Plague)

Certainly, the history of pandemics reveals that the name of plague comes first as it has greatly affected mankind. Mullah Khisro and Ibn ‘Ābidīn among the Ḥanafī



jurists viewed: there is no doubt that *tā'oon* (plague) is one of the most severe calamities.<sup>45</sup> Obviously in this regard, al-Nasafī a Ḥanafī commentator contended that the word *al-saqīm* used in the holy Quran refers to *tā'oon* (plague).<sup>46</sup> While explaining plague, Ibn al-Qayyim writes: “linguistically, *tā'oon*, the plague, is a type of disease”. In, *tībb*, “medical term; the plague is a fatal, vicious tumor that causes a very strong and painful infection”.<sup>47</sup> In his view the plague quickly turns the effected and infected area into various colors like black, green, blue, red and yellow colors appearing on the soft tissues or parts of body more particularly “under the arms”, “tip of the nose” and “behind the ear” of the humans.<sup>48</sup> In this back drop the plague some time refers to “black plague” which is one of the worst types and there is a little chance of survival to be cured. However, “red and yellow plague” is the least lethal. It must be noted that plague is often caused by septic blood that causes “blood hemorrhaging and pus” where the inflicted part/organ of body sends infected/spoiled blood to heart. Thus, in such case it causes “rapid heartbeat”, “vomiting” and “unconsciousness”.<sup>49</sup> Similarly, it also causes various other infections such as ulcer and malignant growths in body parts. Normally, plague breakout in polluted area because of unhealthy air and environment. Interestingly, pandemics breakout mostly in later part of the summer, mid of winter and sometimes later part of autumn.<sup>50</sup> The reason is obvious, as in these times of the year ‘the air’ is much polluted, since it acute bilious excretions will accumulate in these seasons that cannot be measured. Whereas in the later part of winter and autumn the air is usually cold and warm in nature respectively and thus it causes an immature excretion that normally affects the body resulting in putrid illness for the reason that the human body or its organism is ready to accept such types of aliments, being inactive and abundant of septic materials. That is why Hippocrates said that “autumn carries the worst types of ailments and deadly sickness/diseases, however spring is the best season and has the least occurrence of deaths”.<sup>51</sup> Consequently, the description of plague realizes how painful and contagious this disease is. Although, in view of Ibn al-Qayyim, the word epidemic is more general than the plague as every plague is an epidemic while not every epidemic is plague.<sup>52</sup>

### 2.2.2. Leprosy

Many *ahadith* has discussed *juzām* (*judhām*) or *jīzām* so it would be appropriate to articulate the concept of leprosy for the ease of readers. In Islamic law the word ‘tuberculoid leprosy’ (*jīzām*), or ‘lepomatous leprosy’ (*bars̄*) refers to leprosy as a “malignant”. Looking towards the holy Quran where the term *abraş* refers to leprosy.<sup>53</sup> The word *abraş* literally mean leprous: a person infected with leprosy disease. Many Islamic lexicologists like Ibn Sīdah in *muḥkam*, al- Jawharī in *al-ṣiḥāḥ*, al- Fīrūzābādī in *al- qāmūs*, and Murtaḍā al-Zabīdī in *tāj al- 'arūs* used the term *bars̄* leprosy manifesting it with a white color appearing on the skin.<sup>54</sup> Besides, *abraş*, the word *juzām* (*judhām*) or *jīzām*, describing the skin condition, is another identical word that is frequently used in the *hadith* literature referring to



leprosy. *Jadhāma* or *Juzāma* is the verbal form which means “to cut off, or to amputate” a body part such as an arm or figure and etc. Thus, *juzāma* or *jadhāma* and *majzūm* or *majdhūm* are the two cognates related to leprosy. *Majzūm* or *majdhūm* is the one who is afflicted with *juzām* (*judhām*) or *jīzām*. Resultantly, such disease affects the limbs/appendage causing deterioration and decomposing falling off the flesh or limb i.e. body parts and skin or skin “craking”.<sup>55</sup>

In English dictionary it is said to be a “chronic granulomatous<sup>56</sup> communicable<sup>57</sup> disease occurring in tropical and subtropical regions; characterized by inflamed nodules beneath the skin and wasting of body parts; caused by the bacillus mycobacterium leprae”.<sup>58</sup> Rispler-Chaim asserts “in this disease, patients were isolated and put in proper places called leprosaria”.<sup>59</sup> Similarly, it also refers to “a chronic granulomatous infection caused by mycobacterium leprae. The granulomatous lesions are manifested in the skin, the mucous membranes, and the peripheral nerves”.<sup>60</sup> Accordingly, two types<sup>61</sup> of leprosy are classified as tuberculoid<sup>62</sup> and lepromatous<sup>63</sup>. However, symptoms of both types “are skin lesions and usually a loss of pigmentation from said lesions”<sup>64</sup> identified by experts of the field.

Ibn al-Qayyim, in his famous book *al-tībb al-Nabawī*, described it very systematically. He contended that, in this disease, patient's immune system becomes very weak and many glands are formed on the body due to which germs start spreading. Resultantly, due to its effect on nerves, the patient's face and body-shape and parts (arms' and legs') start getting deformed. Patient suffers from “peripheral neuropathy” and pus increases in the body. Additionally, at the same time, the flesh of the human being starts to break and falling-off along with a severe and nasty smell releases from the body of the leprous patient.<sup>65</sup> Thus, in this sense, leprosy disease is painful for the patient as well as for those who are in the surroundings or associated with patient. Therefore, in many *ahādīths*, a special reference has been made regarding this disease.

Accordingly, the Prophet of Islam often sought refuge in Allah's name from evil and fatal diseases.<sup>66</sup> Similarly, the Prophet also said: “no contagious disease, no infection and no evil, no divination, but good omen pleases me; save yourself (and one should run away) from leper as you flee from the lion”.<sup>67</sup> These golden words suffice the preservation and protection of one's life and health.<sup>68</sup> Hence, in our understanding, in case of leprosy, it is required that patients must be kept away from the healthy members of the family and society. As, commonly there is an apprehension of death behind such disease.<sup>69</sup>

### 2.2.3. Chickenpox

Chickenpox is also on the list of pandemics in the world, which has resulted in many lives loss at the end of the fifteenth century. It must be noted that chickenpox has almost finished and ended across the globe in 1980. Certainly, the first book *al-kullīyāt fī al-ṭibb* on smallpox has been written by Ibn Rushd.<sup>70</sup> Chickenpox normally affects children and it also afflicts the adults. In Urdu





language it is termed as ‘*Cheechak*’ (chickenpox) which is a highly contagious viral infection and hence results in “loss of appetite, anxiety, fatigue, weakness, and a sore throat are early symptoms followed by the onset of fever before red spots appear on the skin or body fill with fluid and become blisters”. Sometimes, “blisters of different sizes appear on the body and even the disease is ended, but their marks remained on the skin/body. Thus, if anyone is afflicted with such disease or any other malady which is likely to transfer to others, he must be kept away from the healthy ones.<sup>71</sup> As, normally, most of the people avoid such patients afflicted with lethal or transmitted infections. Therefore, healthy members of the society, relatives and family members are required to avoid such patients not only to protect his/her health but also to preserve and protect their health which is one of the primary objectives of Islamic law.<sup>72</sup>

### 3. HISTORY OF PANDEMICS/DISEASES

The history of pandemic diseases is very old. The pandemic of plague in the year of 541 to 542 (AD) is considered to be the first major pandemic that spread in Rome and its surroundings. Resultantly, it killed two and a half million people. Similarly, another horrible outbreak of plague spread in the Muslim army in the period of *Fārooq-i-‘Azam* in 640 (AD). Imām al-Shaybānī, al-Sarakhsī, ‘Aynī and many other Ḥanafī jurists have comprehensively discussed the plague (*tā’oon*) of ‘*amwās* in their writings.<sup>73</sup> Additionally, the writing of Ibn Khaldun’s denotes that, in the 18<sup>th</sup> *hijri*, a very dangerous and deadly outbreak of plague spread in Syria’s *qiryya* ‘*amwās*, which resulted in deaths of thousands of companions (*sahabah*). The historians considered it one of the major incidents of *Fārooqī’s* era in Islamic history.<sup>74</sup> Ibn Hajr ‘Asqalānī, a renowned jurist of Islamic law, has written a comprehensive book on the outbreak of plague in which he has explained the circumstances and the incidents in quite detailed manner. Showing Islamic history has faced many dangerous and lethal pandemics for most of the time. Therefore, a short description of these pandemics is given in the next segment.

#### 3.1. DESCRIPTION OF PANDEMICS/DISEASES IN ISLAMIC HISTORY

As stated earlier, that Islamic history has faced many lethal pandemics and diseases which resulted in thousands of people. Therefore, a brief history is given as under.

- 1) In the Prophetic era a plague spread in the *Madina* which caused so many deaths.
- 2) In 18<sup>th</sup> *hijri*, during the era of Caliph ‘Umar (R.A), another dangerous plague known as *ta’oon amwas* appeared in Syria due to which 25 thousand people were killed and the Muslim *ummah* lost many glorious (*jalil al-qadr*) companions.
- 3) In 50<sup>th</sup> *hijri*, a plague (like *tā’oon ‘amwās*) spread in *Kufa* during the era of Abu Musā Ash‘arī.
- 4) In 66<sup>th</sup> *hijri*, one of the dangerous epidemic of plague appeared in Egypt.
- 5) In 85<sup>th</sup> *hijri* (in the year of the death of ‘Umar bin ‘Abdul ‘Aziz) plague was spread.



- 6) In 87<sup>th</sup> *hijri*, plague known as *tā'oon fityat* or *tā'oon ashraf* appeared. Where, more deaths of women were recorded in this plague than men.
- 7) In 100<sup>th</sup> *hijri*, plague known as *tā'oon 'adi bin artaah* appeared. While, the same nature of plague appeared in 107<sup>th</sup> *hijri* and 105<sup>th</sup> *hijri* respectively.
- 8) In 127<sup>th</sup> *hijri*, and 131<sup>st</sup> a plague in *Muslim bin qatibah* took place.
- 9) In 221<sup>st</sup> *hijri* and 406<sup>th</sup> *hijri* a horrible plague spread in *Basra*.
- 10) In 249<sup>th</sup> *hijri*, 301<sup>st</sup> and 346<sup>th</sup> *hijri* a dangerous plague was appeared in *Iraq*.
- 11) In 423<sup>rd</sup> *hijri* a plague devastated India (subcontinent).
- 12) In 438<sup>th</sup> *hijri*, plague spread in *Mosul*, the *Island*, and *Baghdad*,
- 13) In 452<sup>nd</sup> *hijri* in a plague spread in *Hejaz* and *Yemen*.
- 14) In 455<sup>th</sup> *hijri*, a plague appeared in *Egypt*, then in *Azerbaijan*, *Al Ahwaz*, and it is then spread in *Basra* until they had to dig graves and 20 people were put in the same grave. It also spread in *Samarqand* and *Balkh*. Due to which more than 6,000 deaths were happening daily. Where, people used to hire the services of the workers for burial and bathing till-all day long. The same lethal plague spread in *Bukhara* and *Rabat*.
- 15) In 455<sup>th</sup> *hijri*, thousands of people died every day due to the plague in *Egypt*.
- 16) In 469<sup>th</sup> *hijri*, 50 thousand people died in *Damascus* due to a severe plague.
- 17) In 478<sup>th</sup> *hijri*, an outbreak of plague appeared in *Iraq*. While, at that time, the whole world was almost wrapped in the said plague-pandemic.
- 18) In 575<sup>th</sup> *hijri*, the plague wreaked havoc in *Baghdad*.
- 19) In 633<sup>rd</sup> *hijri*, *Egypt* suffered a lot of the dangerous plague.
- 20) In 749<sup>th</sup> *hijri*, plague became common and even the holy *Makkah* was not safe from it.<sup>75</sup>

Consequently, the test of famine and plagues is one of the deadly chapters of Islamic history that could never be forgotten. The said pandemics have left many effects on Islamic history.<sup>76</sup> Nevertheless, in the same way, after the history of Islam, many horrible and lethal plagues appeared in different times across the globe, although prevention and treatment continued till today.

- 21) In the year of 1347<sup>th</sup> to 1351<sup>st</sup> century, plague spread in *Europe*. This took the lives of more than the 7.5 million of people.
- 22) In the late 15<sup>th</sup> century, the outbreak of smallpox spread in *America*, which affected millions of people.
- 23) In 1665<sup>th</sup> to 1666<sup>th</sup> century, bubonic plague occurred in *London* known as “great plague of London” which caused millions of people. It was the same plague which appeared in 1331<sup>st</sup> century in *Central Asia*. The British author Daniel Defoe wrote a book “*a journal of the plague year, 1665*” which is first published in 1722. Where, a detailed discussion was made about the outbreak of plague appeared in *London* and *Holland*. Another interesting fact is that the situation in 1665<sup>th</sup> century was almost similar to the present-age novel disease nCov-19.

Notably, Daniel Defoe stated in his book: “it was about the beginning of September, 1664, that I, among the rest of my neighbors, heard in ordinary discourse that the (horrible and lethal) plague was returned again in *Holland*”.<sup>77</sup>



The author outlined that, despite of the outbreak of plague in London; normally people were showing negligence towards it. Thus, realizing non-serious attitude of the people in life-loss situation, the government issued orders on 1<sup>st</sup> July 1665 regarding precautionary measures of plague, as “the order conceived and published by the lord mayor and alder-man of the city of Landon concerning the infection of the plague”.<sup>78</sup> So, it was more or less the same precautionary measures and guidelines which are issued by NIH and WHO for the Covid-19 pandemic at the end of August 2020. Albert Camus author of “the plague” which appeared at the beginning of 19<sup>th</sup> century (published in 1947) outlined the story of Cholera plague of Oran, Algeria. Due to which Oran city of Algeria was completely destroyed.<sup>79</sup> The demanding aspect is that in the past people have not shown a serious attitude towards the pandemics at the beginning, but gradually when the situation becomes uncontrollable, people started to take precautions and opted precautionary measures. The same attitude is also witnessed during the Covid-19 pandemic.

Historically, from the year of 1915 to 1926 an outbreak of meningitis spread resulting in the deaths of 1.5 million people. Similarly, the Spanish flu pandemic (in the year of 1918 to 1920 which was) originated from Spain and have affected every 4<sup>th</sup> and 5<sup>th</sup> person of the world. Resultantly, the Spanish flue has caused more than one hundred (100) million deaths. Whereas, in the year of 1957 to 1985 an Asian flu spread through the ducks in China which affected the whole world and resultantly two (2) million people were approximately killed. Currently, before the commencement of Covid-19 pandemic, in the same (19<sup>th</sup>) century during the year of 2013 to 2016 an Ebola virus spread in the West Africa turning to a lethal pandemic has caused deaths more than eleven thousand and three hundred (11300) people.

#### 4. THE CASE OF PANDEMICS/DISEASES IN PERSPECTIVE OF ISLAMIC LAW

Notably, it has remained the wisdom of Allah almighty that HE tests the human beings either by giving blessings or sometimes by taking those blessings. It is a divine order that often different tests comes from Allah almighty to check the patience of creatures (humans).<sup>80</sup> This has been described in *surah al-Anbiya* that “every soul [living] shall have a taste of death: and WE test you by evil and by good [through bad and good situations] by way of trial, to Us must ye return”.<sup>81</sup> Study of Quran and *hadith* literature makes it clear that pandemics, whether large or small, is a test from the Allah almighty with dissimilar wisdoms as they are beyond human’s understandings. However, Islam has given a set of rules and teachings to follow in times of pandemics or during the particular tests. These necessary guidelines are present in holy Quran, *Sunnah* and Prophetic biographies. Therefore, brief introductions of those necessary guidelines are given in next section.



#### 4.1. NECESSARY GUIDELINES FOR PANDEMICS/DISEASES IN ISLAMIC LAW

##### 4.1.1. Prerequisite: Turn Towards Allah the Almighty

According to Islamic teachings, the first and foremost guidance, in case of a pandemic, is turning towards Allah almighty. Because all sufferings are the results of human's actions and it is in-fact Allah who removes these sufferings. Therefore, everyone should turn to Him. This kind of wisdom has been described in *surah al-'Arāf* in this faction "and we were testing them with good and bad conditions that they might return".<sup>82</sup> Moreover, humans must concentrate on their sins at the time of pandemic as what affliction falls on them is because of their own hands. Allah says: "whatever misfortune happens to you is because on the things your hands have wrought, and for many (of them) He grants forgiveness".<sup>83</sup> Thus, in this regard, humans are required to repent, to ask forgiveness, and to correct your religious, economic, social, and moral matters, and it is necessary to ask Allah almighty for forgiveness of their sins.

##### 4.1.2. Prerequisite: Faith in Devine Destiny

Keeping in view the Islamic teachings, in times of pandemics, humans (Muslims) are required to adhere to have faith in the divine destiny as they have complete belief and faith in the Oneness of God (Allah almighty).<sup>84</sup> With regard to chapter of medicine in *hadīth* literature: "Allah has not sent down any disease except that He has also sent down the cure for it"; it was narrated by Abu Khuzsimah that the Messenger of Allah was asked: "do you think that the medicines with which we treat ourselves, the *ruqyah* by which we seek healing, and the means of protection that we seek, change the decree of Allah at all?" He said: "they are part of the decree of Allah".<sup>85</sup> Similarly, Abu Khuzaimah said that his father asked God's Messenger, "Tell me whether spells we invoke, medicine we apply and caution we practice can avert anything God has decreed", He replied: "they are a part of God's decree".<sup>86</sup> Resultantly, Muslims are obligated to have faith on the divine destiny, since the *marqyah* from which we blow and the medicines from which we treat and the things that rescue us from harms cannot avert Allah's destiny. But, rather these things are part of the divine destiny.

During the Caliphate period of 'Umar (R.A), an outbreak of deadly plague spread in Syria's *qaria 'amwās*, in which *kebār* (greatest) companions died such as Abu 'Ubaidah bin al-Jarrah (R.A), Mua'ad bin Jabal (R.A), Yazid bin Abi Sufyān (R.A), Harris bin Hishām (R.A), and Sohail bin Hishām (R.A) were also among those greatest companions. While in the same pandemic there was an incident reported by 'Abdullah bin 'Abbās that 'Umar (R.A) was heading towards Syria. When he reached to *Sargh* (a town by the side of *Hijaz* on the way to Syria) it came to his knowledge that a plague has spread over there. Umar (R.A) postponed the program to go there after consulting with the companions. The news when came to the knowledge of Abu 'Ubaida bin al-Jarrah (R.A), he objected and asked why, *amir al-mu'minin* (the Caliph) are running from the fate of Allah? 'Umar (R.A) replied "yes, we are running from one destiny of Allah to another destiny".<sup>87</sup> It means if



spreading of plague is the destiny of Allah, then running from the plague is another destiny for the purpose to take protection and opting precautions. As preservation and protection of life and health is amongst the objectives of *Shariah*.<sup>88</sup> Therefore, all the prescribed guidelines should be followed in true letter and spirit.

#### 4.1.3. Prerequisite: Having Patience

This is the third major and important guideline which is also mentioned in the holy Quran to be patient and have patience. Allah almighty says: “be sure we shall test you with something of fear and hunger, some loss in goods or lives or the fruits (of your toil), but give glad tidings to those who patiently persevere, who say, when afflicted with calamity: to Allah, we belong, and to Him we will return”.<sup>89</sup> Consequently, viewing the aforementioned verses, we are of the opinion that, Covid-19 pandemic was ultimately a test for the whole world and Pakistani nation’s security in terms of “food, health, political, and economic security”. Thus, positive response, patience and participation from all elements of society are vital in this venture. It must be noted that patience (*sabr*) and trust (*tawakkūl*-self-denial) in Allah almighty are tools/believed to be able to increase positive thinking and behavior which in turn may increase immunity and adversity. These two have positive impact on its performers.

Looking to words the lexical interpretation of the cited verses where (*laam takeed and noon-e-saqīla*) prefixes are used. In Arabic grammar, it means something will definitely happen and the stage of testing will necessarily come from Allah almighty. Additionally, the cited verses clearly demonstrate the present-day circumstances of Covid-19 pandemic. As, humans got fear of Covid-19 virus along with the dread of growing unemployment; including risk of loss of life, property, and terror of various other lethal causes. All these multiple divergent trials came at the same time to test the believers. Therefore, patience is an ultimate tool and technique in abnormal circumstance to get Allah’s tidings.

It is narrated by ‘Amir bin Sa‘ad bin Abī Waqās that “he heard Usāma bin Zāid speaking to Sa‘ad, saying, Allah’s Messenger mentioned the plague and said”: “it is a means of punishment with which some nations were punished and some of it has remained, and it appears now and then, so whoever hears that there is an outbreak of plague in some land, he should not go to that land, and if the plague breaks out in the land where one is already present, one should not run away from that land, escaping from the plague”.<sup>90</sup> Similarly, Hazrat ‘Āisha (R.A-wife of the Prophet) narrates: “I asked Allah’s Messenger about the plague, He told me that it was a punishment sent by Allah on whom he wished, and Allah made it a source of mercy for the believers, for if one in the time of an epidemic plague stays in his country (place/house) patiently hoping for Allah’s reward and believing that nothing will befall him except what Allah has written for him, he will get the reward of a martyr”.<sup>91</sup> ‘Aynī al-Ḥanafī, while commenting and explaining the above *hadith* writes: “any person who died out of a natural death during the plague pandemic, and if he stays in his place patiently he will get the reward of





martyr”.<sup>92</sup> The same was affirmed by Ibn ‘Ābidīn al-Ḥanafī.<sup>93</sup> However, Ibn Ḥajar al-‘Asqalānī maintained that “the person who remains in his house due to pandemic, he will get the status of martyr even if he does not die”.<sup>94</sup> In our understanding, the cited *hadith* also emphasizes and denotes to have patience at the times of pandemic; as patience and stead-faith results in the status of martyrdom even without the ensuing death out of plague.

Additionally, it is also reported by Usāma bin Zaid that Allah’s Messenger said: “this calamity or illness was a punishment with which were punished some of the nations before you. Then it was left upon the earth. It goes away once and comes back again. He who heard of its presence in a land should not go towards it, and he who happened to be in a land where it had broken out should not fly from it”.<sup>95</sup> Thus, in view of all the mentioned narrations, plague/pandemic is a penalty/punishment for those (disbelievers) to which Allah almighty reveals/sent it, and for some (true believers) it is a mercy. In such case a true believer, (of Allah) if, tolerantly remains in a place where plague is occurred by seeking Allah’s reward believing that there will be no harm/trouble for him except what is already written/specified for him, such believer gets the reward of martyr even if he does not die, due to a firm faith and patience.<sup>96</sup> Moreover, Allah almighty will compensate such patient with haven/paradise. Anas narrated: I heard the Messenger of Allah saying: “Allah, the Glorious and Exalted said: When I afflict my slave in his two dear things (i.e., his eyes), and he endures patiently, I shall compensate him for them with *Jannah* (haven/paradise)”.<sup>97</sup>

#### 4.1.4. Prerequisite: Courage and Braveness

Islam has taught us the etiquette of visiting a patient (ill-person) during a pandemic or when afflicted with disease. It was narrated from Abu Sa‘īd Al-Khudrī: “some of the Ansār asked the Messenger of Allah (for help) and he gave them (something). Then they asked him and he gave them, then when he had ran out he said”: whatever I have of good, I will never keep it from you, but whoever wants to refrain from asking, Allah, the Mighty and Sublime, will help him to do so, and whoever wants to be patient, Allah will help him to be patient, so, none is ever given anything better and more far-reaching than patience”.<sup>98</sup> Similarly, he also narrated: the Messenger of Allah said: “when one of you visits the ill, then reassure him regarding his lifespan, thus, indeed that will not repel anything, but it will comfort his soul”.<sup>99</sup>

Abu Sa‘īd Khudrī has narrated Prophetic traditions: when you visit a patient, distant his sorrow of death. This does not change destiny but makes the heart of the patient happy.<sup>100</sup> This *hadith* clearly demonstrates to get rid of any disease, patient’s courage, braveness and mental strength is prerequisite. Equally, motivating patient for such traits is also imperative to counter the afflicted disease easily. In this regard, Ibn ‘Abbas (R.A) narrated: “the Prophet paid a visit to a sick ‘*arābī* (Bedouin), and when He visiting a patient used to say: no harm will befall you! May Allah cure you! May Allah cure you! So, the Prophet said to the



Bedouin, no harm will befall you; may Allah cure you! (So after that) the Bedouin said (to the Prophet), you say, may Allah cure me? No, for it is a fever which boils in (the body of) an old man, and will lead him to the grave (without his will), (so at this) the Prophet (peace be upon him) said: yes, then may it be as you say”.<sup>101</sup> Meaning thereby, when the Prophet of Islam visited an ill-person/sick person for seeking his health condition, so normally He used to say (to the patient): don't worry (i.e. there is nothing to worry and no fear from an affliction), since it will be expiation (for your sins), and if God willing (*in-shā-Allah*) you will be (soon) recovered from it.<sup>102</sup>

With regard to courage, bravery and patience a tradition narrated by Abu Hurariah said: “that fever presented itself before the holy Prophet, and said to Him, send me to those people with whom you have a very deep connection, (thus) the Prophet (peace be upon him) sent it to the Ansār; so, fever gripped them for six days and six nights, (and hence) their feverish condition became very serious and the Prophet visited them at their homes, (so) thy complained of fever and the holy Prophet went to each house and prayed for their health; when he was returning, one of their women followed behind him and said: By Him who has sent you with the truth, I am of the Ansār and my father is also one of the Ansār; Just as you have prayed for the Ansār, pray for me too; (so) the Prophet asked her: what is it that you wish? If you wish, I will pray to Allah that He grant you health but if you are patient then paradise is for you; (at this) she said: I will endure (fever) patiently and will not risk (my chance of) admission to paradise”.<sup>103</sup> This (Prophetic) method of encouraging a patient is precisely according to human nature.

#### **4.1.5. Prerequisite: Reliance and Trust in Allah the Almighty**

In times of pandemic, believers are required to have reliance and trust in Allah almighty is also amongst the list of important guidelines to counter pandemics. If any human adopted the cited qualities, he can pass through the test of pandemic very easily. The Prophet of Allah declared diseases, like plague and etc, as a mercy for the Muslim *ummah*. He said: “it is (plague) a punishment which Allah used to send on whom He wished, but Allah made it a blessing for the believers”.<sup>104</sup> Thus, it is (plague) a means of torture which Allah almighty used to send upon those to whom-so-ever He wants but nevertheless, at the same time, Allah almighty made it a source of mercy for the believers.

Certainly, how blessed we (Muslims) are that both the happiness and sorrows are aspects of good-rite for us on the condition if we remain grateful in happiness and patient in grief. Suhaib (R.A) narrated: the Prophet said: “strange are the ways of a believer for there is good in every affair of his and this is not the case with anyone else except in the case of a believer for if he has an occasion to feel delight, he thanks (God), thus there is a good for him in it, and if he gets into trouble and shows resignation (and endures it patiently), there is a good for him in it”.<sup>105</sup> He also said: “when a slave falls ill or travels, then he will get reward



similar to that he gets for good deeds practiced at home when in good health”.<sup>106</sup> The same *ḥadīth* is recorded in *mishkāṭ al-masābīh* maintained that “this refers to his observance of *salat*, etc., cf. the traditions of ‘Abdallah b. ‘Amr and Anas”.<sup>107</sup> Therefore, believers are required to do good works in their daily life and more particularly during free times. Basically, reliance and trust in Allah almighty is the ultimate Islamic philosophy which keeps believers firm-footed, firm-hearted and firm-faithed in times of trouble. Equally, in this regard, when ‘Umar (R.A) found *amīn al-ummah* (the most honest man of the nation-Abu ‘Ubaidah) was in danger of plague pandemic, he wrote a letter contained: on receiving this letter way-back to *Medina* without delay<sup>108</sup> as soon possible, but ‘Ubaidah (R.A), while showing *tawakkūl-‘al-Allah* wrote a beautiful answer to Caliph ‘Umar (R.A); I know that you required me, but I am in the army of Muslims and I have no desire (need) to save myself from what is afflicting and to leave them. Even I do not want (and have an intention) to leave them until Allah’s Will (i.e. until Allah implements His commands about me and them). So, O *amīr al-muminīn*, when this letter reaches you, release (free) me from your command and permit (leave) me to stay on (in the army).<sup>109</sup>

Being a Muslim (believer), we have a firm belief that every good and bad omen/destiny is coming from Allah almighty. And we should be satisfied and pleased with it. Nevertheless, at the same time, we also have a firm belief that Allah almighty has given us wisdom and consciousness to use all the required tools, techniques and precautionary measures to enhance our living standards by struggling, in-questing and trying to wisely handle diseases and pandemics. Moreover, patience (*sabr*) and trust in God (*tawakkūl*) are believed to be able to increase positive thinking and behavior which in turn may increase immunity and adversity. These two have positive impacts on its performers. Therefore, patients are required to be patient and have reliance/trust in Allah almighty.

#### **4.1.6. Prerequisite: Assurance of Quarantine (Not to Enter or Leave the Pandemic Area)**

Islamic teachings also reveal that itinerant to pandemic areas is prohibited. The Prophet of Islam has urged on staying away from pandemic places. He said: “if you hear about it (an outbreak of plague) in a land, do not go to it; but if plague breaks out in a country where you are staying, do not run away from it”.<sup>110</sup> In our understanding, the mentioned *hadith* is very relevant to the mitigation of Covid-19 pandemic by application of smart/complete lockdowns, self-quarantine, self-isolation, staying at home, maintaining social distance, and so on. Similarly, today’s modern medical regime has acknowledged them and applied the same tools sealing the pandemic areas. With this the pandemic can be prevented from spreading to other parts of the country. Therefore, the government is obligated to take keen notice of those cities/areas where pandemic spread; it should be their prime responsibility to cutoff the afflicted city from other cities. Equally, they are required to take precautionary measures by keeping away the healthy people from



the people of afflicted city. Since, there is a possibility that, despite being apparently healthy, the associated germs of pandemic area are hidden in their bodies and their contagious effects may result in spreading the pandemic/infection to other cities/areas of the country.<sup>111</sup>

Looking towards the traditions of Caliph ‘Umar (R.A); he forbade traveling to pandemic areas while doing *ijtihad*.<sup>112</sup> ‘Umar (R.A) then gave an example: if you have a camel and you went to a valley which has two brinks; one is lush and fresh while the other is dry and spoil. So, if you graze your camels on a lush and fresh brink then you graze them from the destiny of Allah. But, when you graze your camels in a dry and spoil brink, then you also graze them from the destiny of Allah.<sup>113</sup> Resultantly, what Caliph ‘Umar (R.A) meant from it is that as there is no blame on the herdsman but his act is appreciable that gives rest to the animals. In the same way, I am the herdsman of my subjects, and take/back them to the country which I found good for them. Thus, this kind of act is not against the divine destiny but rather in accordance with the divine destiny.<sup>114</sup> Consequently, due to safety and precautionary measures mentioned in the above *hadith*, the Caliph ‘Umar (R.A) decided to return from Syria. Indeed, his decision was based on *ijtihad*, which was adopted later and today it is considered as a compulsory protective and preventive measure in contemporary medical ethics.

#### **4.1.7. Prerequisite: Opting Physical Distance (Avoid Contact with Patients & Suspects)**

Knowingly, any disease which is likely to transfer from one to another then, keeping distance from such patients is prerequisite and a sign of inner wisdom. In this regard, ‘Amr bin Sharid “reported on the authority of his father that in the delegation of *thaqif* there was a leper<sup>115</sup>. Allah’s Apostle sent a message to him: “We have accepted your allegiance, so you may go”.<sup>116</sup> This *hadith* clearly demonstrates that the Prophet of Islam while considering precautions accepted the fealty without shaking hands with the leprous person.<sup>117</sup> Similarly, Ibn ‘Abbās narrated Prophetic saying that “do not keep looking at those who have leprosy.”<sup>118</sup> While Abu Hurairah narrated Allah’s Messenger said: “that....one should run away from the leper as one runs away from a lion”.<sup>119</sup> Additionally, Ibn Abī Mulayka recorded: ‘Umar bin al-Khattāb “passed a leprous woman doing *tawāf* of the house (of *Ka‘abah - baitullah*), and he said to her: slave of Allah, do not make people uneasy, better that you stay in your house” (mean sit at home and do not afflict people). So “she did so, (then after that once) “a man passed by her and said: (to her), the one who forbade you has died, so come out (from your house, thus), she replied: I am not going to obey him when he is alive and disobey him when he is dead”.<sup>120</sup> Means that when I obeyed him in his life (at the time when he was alive) so why should I disobey him after death (when he was dead).<sup>121</sup> This clearly shows that she opted given guidelines in true letter and spirit. Moreover, it is narrated by Sa‘īd bin al-Musaiyab that ‘Umar bin al-Khattāb (RA) said: “if any man married a woman and after sleeping with her finds that she is affected with leprosy or



insane, she gets her dowry (if he divorces her) for having intercourse with her, and it is returned to him from the one who has deceived him with her”.<sup>122</sup>

Remarkably, when the plague pandemic intensified in *Syria* and *Basra*, Caliph ‘Umar (R.A) was worried about the people of those areas. After consultation with the companions, he wrote a letter to Abu ‘Ubaida (R.A), and ordered him to move to a place where there is a maximum chances (immunity) to fight the pandemic. He ordered him to take people out of the low and deep area to the top and highest places.<sup>123</sup> It envisages that caliph ‘Umar knew the precautionary tool of altitude that has an affective role to play while countering the pandemics. Since, a deeper area if infected by viral diseases then upper place is comparatively better option to be safe from the ensuing infection. Thereupon Caliph ‘Umar (R.A) asked him to move the troops (army) to a healthier place. Abu ‘Ubaida accordingly moved the troops to *jabiah* (a high place) which was famous for its good climate.

Correspondingly, Ibn Kathīr<sup>124</sup> recorded from Abu Musa that we came to talk to him while he was in his house over there in the *kufa*. When we sat down, he said: do not stay here (in the said house/place) for a long time. Because in this house a person died from an infectious disease, and there is no harm in moving away from this town. Go to the wide and healthy places of your cities till this trouble (pandemic) ends. I am telling to you people what is disliked and can be protected from; since there is a perception about the one who is staying here would die resultantly. Or will get an affliction due to his stay over here (in the infected place). So, in such case, there is an apprehension if he had left the filthy place, he would not have gotten sick and would not have died. Thus, (in view of , Ibn ‘Ābidīn) when a Muslim did not think like that, then there would be no sin on him from moving away and getting out of the infectious area.<sup>125</sup> He (Abu Musa) also said that, I was in *Syria* with Abu ‘Ubaida bin al-Jarrah during the plague of ‘*amwās* (known as *tā’oon ‘amwās*) when the disease got its strength (spread), and the news reached to Caliph ‘Umar, He ordered him (Abu ‘Ubaida) to move from the lower/deeper land to the open wide and top place.<sup>126</sup> Resultantly, these traditions let us to mark that in times of pandemics a sufficient distance must be maintained from the infectious patients and areas as a necessary preventive tool for the safety and security of healthy ones. While countering pandemics and to minimize its effects this preventive measure is widely adopted in contemporary world.

#### **4.1.8. Prerequisite: To Evade Disappointment**

Assertively, the sentiment of disappointment amongst patients resultantly spread any disease faster in a living-organism than the affliction of pandemic itself. In such situations avoiding distress becomes an inevitable tool while confronting diseases. The holy Quran stated: “say: O my servants who have transgressed against their souls! Despair not of the Mercy of Allah: for Allah forgives all sins: for He is oft-forgiving, most merciful, (so) turn ye to our Lord (in repentance) and bow to His (Will), before the penalty comes on you: after that ye shall not be helped”.<sup>127</sup> While Jabir bin ‘Abdullah narrated: “the Messenger of Allah took the





hand of leper (who was suffering from tubercular leprosy); put it along with his own hand in the *qas'ah* (dish) and then said: Eat with confidence in Allah and trust in Him”<sup>128</sup>, or “Eat in Allah’s name, trusting in Allah and relying upon Him”.<sup>129</sup> Knowingly that leprosy is contagious disease, and a leprosy patient direly needs to get rid of pain and frustrated sentiments while fighting the disease. Therefore, a high level of encouragement is utmost imperative in such situation. So, the Prophet of Islam showed this act to guide the *ummah* that envisages the significance of patient’s encouragement.

#### **4.1.9. Prerequisite: Application of Medical Treatment**

Certainly, getting medical treatment is necessary as one’s obligations.<sup>130</sup> Injunctions of the holy Quran and Sunnah clearly demonstrate application of medical treatment.<sup>131</sup> Many legal edicts resolved “medication is a religious issue and concern”<sup>132</sup> on the basis of Prophetic tradition: “make use of medical treatment, for Allah has not made a disease without appointing a remedy for it”.<sup>133</sup> Similarly the Prophet said: “Allah has not sent down any disease, except he sent down its cure”.<sup>134</sup> This tradition conveys the meaning that proper treatment and medication is necessary in Islam, as Usāma bin Shareek reported: when Bedouins came to the Messenger of Allah and then asked: “can we use medical treatment i.e. medication?” he (the Prophet) said: “yes, oh servants of Allah”, “you can get medical treatment”, because; “Allah Almighty does not create an illness without a cure for it-except for one disease”, they (the Bedouins) asked, what is that ‘O’ Messenger of Allah?, he (the Prophet) said that: an “old age”.<sup>135</sup> Additionally, the Prophet also said: “for every illness there is a cure, and when it is properly applied to a disease; (means that when a disease gets medical treatment), it cured (with) Allah almighty’s willing”.<sup>136</sup> Commenting on the application of medical treatment al-Dhahabī maintained “Muslim physicians have to pay special attention to Prophetic medicine and to his therapeutic instructions, as it is a key towards good health”.<sup>137</sup> Similarly, Prophetic traditions reveal clearly advised application of treatment to humans as well as animals. As, Abu Hurairah reported “the Prophet said: “the cattle suffering from a disease should not be mixed up with healthy cattle”, or said: “do not put a patient with a healthy person as a precaution”.<sup>138</sup> He also reported: Allah’s Messenger said: “the cattle (sheep, cows, camels, etc.) suffering from a disease should not be mixed up with healthy cattle, (or said: do not put a patient with a healthy person”) (as a precaution).<sup>139</sup> In this connection Abu Sa’īd Khudrī said to me (S’asa’a) “I notice that you like sheep and you keep them; so take care of them and their food, for I have heard Allah’s Messenger saying: a time will come upon the people when the best of a Muslim’s property will be sheep, which he will take to the tops of mountains and to the places of rain-falls to run away with his religion in order to save it from afflictions”.<sup>140</sup>



#### 4.1.10. Prerequisite: Performing Worships at Home

Islam is a divine religion that directs ease and relaxation in difficult situations.<sup>141</sup> As, hardship begets facility is a golden rule in Islamic law.<sup>142</sup> The Prophet of Islam also made it easy for his *ummah* to perform worship in their homes in certain situations i.e. abnormal conditions.<sup>143</sup> Ibn ‘Umar called the *adhān* for prayer on a cold, windy night, (and) then added, “Pray in your dwellings”, then he said: when it was a cold, rainy night, God’s Messenger used to command the *mu’adhdhin* to say: “pray in your dwellings”.<sup>144</sup> Various other traditions testify the same as Ibn ‘Umar (R.A) made a call for prayer on a cold night, in which he said: ‘O people! Pray in your own homes”, and said that the Prophet ordered the *muazzin* (the one who calls for prayer in mosque-at the time) when the night was cold and rainy, told the people to pray at their homes.<sup>145</sup> Meaning thereby, people has to offer prayers at their homes instead of mosque due to abnormal situation. ‘Abdullah bin ‘Abbās reported that “he said to the *mu’adhdhin* on a rainy day, when you have announced, I testify that there is no god but Allah; I testify that Muhammad is the Messenger of Allah do not say: Come to the prayer, but make this announcement: say prayer in your houses. He (the narrator) said that the people disapproved of it. Ibn ‘Abbās said: Are you astonished at it? He (the holy Prophet), who is better than I, did it. *Jumu’a* (Friday) prayer is no doubt obligatory, but I do not like that I should (force you) to come out and walk in mud and slippery ground.<sup>146</sup> Similarly, Muhammad bin Sirin said: “Ibn ‘Abbās said to his *mu’adhdhin* on a rainy day: when you utter the words ‘I testify that Muhammad is the Messenger of Allah’, do not say: come to prayer, but (rather) say: pray at your homes, (so) by this (announcement) the people were surprised. He said: One who was better than me has done it. The Friday prayer is an obligatory duty. But I disliked to-put you to hardship so that you might walk in mud and rain”.<sup>147</sup> ‘Abdullah bin Hāris narrates “once it (the earth) was mudded due to rain, Ibn Abbās sermonized and said to *muazzin* after the call for prayer, “tell them to pray in their own homes”. After hearing this, people started looking at each other and considered it bad. Ibn ‘Abbās said “it seems that you considered it bad, indeed, it has been done by Him (the Prophet) who was better than me”.<sup>148</sup> Then he said: Muslims (male adults) are under obligation to come to the mosque after (listening) the call for prayer is made, but I did not consider it appropriate to put you in trouble (due to abnormal situations).<sup>149</sup> Similarly, in the state of fear and illness the Prophet Muhammad (peace be upon him) has exempted Muslims to offer prayer in the mosques. ‘Abdullah bin ‘Abbās (R.A) says the Prophet Muhammad (peace be upon him) said: “the person who heard the call for prayer and did not come to mosque, his prayer will not be accepted except there is an excuse”.<sup>150</sup> In another tradition the people asked: “What is excuse? The Prophet replied: Fear or illness (is an excuse and without it) his prayer will not be accepted”.<sup>151</sup> Resultantly, in these *ahādīth*, the main cause (*illat*) is described as fear and illness. Thus, assertively, on the basis of analogy and analogical reasoning we may extend the same rule (*hukum*) to Covid-19 with certain conditions. Since, the traditions envisages while it is raining, the



*muazzin* (the one who calls for prayer) is directed not to say in the calls of prayer (come for the prayer, come for the success) but rather say prayer should be performed in (your) homes, in your places.<sup>152</sup>

#### 4.1.11. ***Prerequisite: Inducing Charity and Supplication***

Islamic law provides that charity and supplication (*dua*) both are easy tools to get rid of the difficult times. The same was recommended by the Prophet of Islam to his *ummah*. He said: “treat your patients through charity” or in other words “treat your sick ones with charity”.<sup>153</sup> Likewise, Anas bin Mālik narrated Prophetic saying: “charity extinguishes (appeases) the anger of Allah and removes (averts) evil death”.<sup>154</sup> In this regard Quranic verses stated: “you can never attain virtuousness (righteousness) until you spend (give freely) something (in the way of Allah) that is your favorite and whatever you spend; indeed Allah is (knowing and) not unaware of it”.<sup>155</sup> Looking towards the *ḥadīth* literature regarding supplications, ‘Ubadah bin As-Sāmit (R.A) narrates: “the Messenger of Allah said: whenever a Muslim supplicates Allah, He accepts his supplication or averts any similar kind of trouble from him until he prays for something sinful or something that may break the ties of kinship, (so) upon this someone of the Companions said (that) then we shall supplicate plenty, (thus the) the Messenger of Allah said: Allah is more plentiful (in responding)”.<sup>156</sup> While ‘Āisha (R.A) reported: “when Allah's Messenger came to visit any sick he supplicated for him and said: Lord of the people, remove the malady, cure him for Thou art a great Curer. There is no cure but through Thine healing Power which leaves no trouble”.<sup>157</sup> Likewise Abu Sa‘īd al-Khudrī (R.A) reported: “Jibril (Gabriel) came to the Prophet and said: O Muhammad! Do you feel sick? He (the Prophet) said: Yes, (so) Jibril supplicated thus (i.e., he performed Ruqyah): [With the name of Allah, I recite over you (to cleanse you) from all that troubles you, and from every harmful mischief and from the evil of the eyes of an envier. Allah will cure you; and with the Name of Allah, I recite over you]”.<sup>158</sup> Additionally, ‘Ali (R.A) reported Allah’s Messenger (peace be upon him) as saying: “Give the *sadaqa* (charity) without delay, for it stands in the way of calamity”.<sup>159</sup>

The above *ahadiths* made it clear that charity and supplication both are simple methods to counter the difficult times and easy way of evading pandemics. It is worth mentioning that the Prophetic advice was adopted and applied in America and other European countries. Interestingly, with regard to “preserving prayer, supplication, and pleading with a lack and refraction of God almighty; in a tweet to US president (Donald Trump), he said: it is a great honor for me to announce on Sunday, March 15<sup>th</sup>, 2020, the national day of prayer in America!”. Similarly, “the pope of the Vatican said: we pray that God will remove this epidemic from the people of the earth”. Additionally, he said: “I unite with the bishops and the believers in these difficult times to live by faith, love and trust in the supremacy of God, that we pray for those who suffer from the corona epidemic and for those who support them”.<sup>160</sup>



#### 4.1.12. ***Prerequisite: Execution of Hygiene (Keeping Yourselves, Homes and Surroundings Clean)***

Assertively Islam has constantly stressed on cleanliness and purification. Such examples do not exist anywhere else. The holy Quran says: “indeed, Allah loves those who turn to Him constantly and He loves those who keep themselves pure and clean”.<sup>161</sup> With regard to purity and cleanliness, Sālih bin Abī Hassan reported I heard Sa‘īd bin al-Musayyib (R.A) saying: “verily, Allah is pure and He loves purity; He is clean and He loves cleanliness; He is generous and He loves generosity; He is magnanimous and He loves magnanimity”,<sup>162</sup> (so you people must keep yourself neat and clean).<sup>163</sup> Consequently, personal i.e. body cleanliness is not only required in Islam, but rather Islamic law stresses to clean your surroundings also. These, commands have been repeatedly emphasized in the holy Quran and Prophetic Sunnah. The same was widely adopted by the present day medical regime countering any disease.

#### 4.1.13. ***Prerequisite: Eat Pure and Healthy Food***

Obviously, a moderate and balanced diet maintains a good health. Thus, by doing so human’s body gets proper development and also enhances the ability to work. The holy Quran has wrapped the secrets of ancient and modern medicine simply in three words namely “eat, drink, and do not exceed the limit”.<sup>164</sup> These three are indubitable principles to which no one can disagreed in-Toto. Since, drinking and eating are the basic needs/necessitates of life, and without them, a man cannot survive for a long time and may not be able to render the assigned duties properly. Thus, Islam requires from humans to opt *halāl*, pure and healthy food, and execute moderation in their eating’s. Similarly, Islam emphasized not only to eat/consume *harām* (forbidden) and bad food as it makes the human body sick, but rather, at the same time, Islam also stresses not to overeat pure and beyond the limits. As immodest eating puts more burden on the stomach than its actual capacity. Resultantly, these tendencies often cause stomach disorder which is the ultimate root of all the diseases.

Notably, Abu Hurairah reported: the God’s Messenger said: “the stomach is the tank (pool) of the body and the veins go down to it. When the stomach is healthy the veins come back in a healthy condition, but when it is in a bad condition they return diseased.<sup>165</sup> Meaning thereby that, stomach is a pool for the body and the veins are connected to it from different body parts towards it, when the stomach is working in a right condition, it provides the right blood to all body parts, but when the stomach becomes sick, it makes all the body sick through the veins.<sup>166</sup>

Certainly, contemporary medical ethics has also given special instructions regarding stomach maintenance to opt a balanced diet. As, stomach accuracy is considered to be a sign of good health. Moreover, hygiene is also mandatory both in medical and Islamic code of ethics. However, Islamic medical ethics is very interesting to quote as Jabir bin ‘Abdullah reported: I heard Allah’s Messenger saying: “cover the vessels (pots) and tie the (mouth of) water-skin, for there is a



night in a year when pestilence (pandemic) descends, and it does not pass an uncovered vessel (pot) or an untied water-skin but some of that pestilence (pandemic) descending into it”.<sup>167</sup> Similarly, “this *ḥadīth* is also reported on the authority of Laith bin Sa‘ad with the same chain of transmitters, but with a slight variation in wording (and that is that) he (the holy Prophet) said”: “there is a day in a year when descends the pestilence (pandemic); at the end of the *ḥadīth* Laith said that the non-Arabs save themselves from it in *kanun al-awwal* (and this is the month of December).<sup>168</sup> Likewise, ‘Umar bin al-Khattāb said: “do not wash in water which has been exposed to the sun, for it produces leprosy.”<sup>169</sup> Apart from these traditions, there is an urge to cover the vessels (pots) and it is in accordance with the principles of hygiene both in Islamic and contemporary medical ethics. There are various other Islamic guidelines as Miqdām bin Ma’dīkarib said: “I heard the Messenger of Allah (peace be upon him) saying: the human does not fill any container that is worse than his stomach, it is sufficient for the son of Adam to eat what will support his back, if this is not possible, then a third for food, a third for drink, and third for his breath”.<sup>170</sup> It means humans shall not excessively fill its stomach, so it is sufficient for him to eat a few mouthfuls/morsels to keep his spine-straight or back-upright. But, if a human wanted do so, then (he should keep), one-third for foodstuff, one-third for drink (liquid), and one-third for air (breathing).<sup>171</sup> Therefore, the principle of balanced diet along with the pure and healthy food is prerequisite while combating pandemics and diseases.<sup>172</sup>

##### 5. THE CORONA VIRUS (COVID-19) PANDEMIC: ITS AFTERMATH

According to the WHO, the corona virus was first introduced in 1960 and up till now thirteen (13) types of it have been discovered. Corona virus is a new virus named SARS virus-2 and MERS virus. And the resulted disease termed as Covid-19 due to the fact that it is originated from Wuhan city of China at the end of December 2019.<sup>173</sup> Certainly, within a week the novel virus named corona rapidly reached to others parts of China. While, in couple of months, it spread swiftly across the globe and termed corona virus pandemic. Resultantly, the global village went for complete lockdown thinking to reduce increasing number of patients and ensuing deaths ratio. Consequently, it has badly affected the world’s economy including social life and etc. Since, across the globe, due to health issues all activities have been physically suspended. Same is the case of Pakistan; as a poor nation not fully equipped with the modern technology, widely affected and suffered a lot.

While countering the novel disease NIH (national institute of health), Pakistan established NCOC (national command & operation center) to manage core pandemic across the country. Thus, NIMs (national immunization management system) is efficiently functional under NCOC of NIH, Pakistan. With regard to Covid-19 pandemic; NCOC thought-out the novel pandemic actively involved in analytical decision-making by implementing smart and complete lockdown as and when required. Additionally, it issued various guidelines/SOPs<sup>174</sup> regarding Covid-





19 keeping in view the WHO guidelines/SOPs. Resultantly, Pakistan stands 3<sup>rd</sup> amongst the rest of world-countries that managed and handled the Covid-19 pandemic effectively.

Being a Muslim, a question arises that whether religion has a cure for such pandemic(s) or not? As we know that while responding to Covid-19 pandemic Pakistani Muslim population at large were more adherent to the *fatwās* (legal edicts and verdicts) issued by the Religious clerics than the state authorities. Since, we (Pakistani Muslims) believe that Religion (Islam) guides us via application of preventive and protective measures with a complete code of ethics in this regard. Consequently, most of the Pakistani people have acknowledged those rules/regulations and SOPs/guidelines which are mediated by religious scholars. Such as the issue of “social distancing”, “washing stands”, “cautions at the time of sneezing and cough”, “temporary closure of mosques for prayers” and a-like SOPs/guidelines were then accepted in-Toto when these are arbitrated and recognized by Islamic scholars. Therefore, the present study is designed to investigate the post Covid-19 rulings of pandemics in Islamic law to assess whether the NIH, Pakistan and WHO SOPs are compatible with the injunctions of Islamic law? Whether Islamic law has offers a complete code of ethics to get protection from pandemics/Covid-19 and alike lethal diseases? Thus, rulings/legal edicts regarding various issues will be extensively debated in the coming section of “post Covid-19 rulings of Islamic law on pandemics: cautions of nCov-19 viz. a viz. compatibility with Islamic teachings” for ease of the readers.

### 5.1. THE CONCEPT OF COVID-19

Remarkably, a question arises why the Covid-19 virus called/termed as corona? Factually, the associated virus named corona due to its shape and structure. Interestingly, during the clinical examination through microscope, it has been noticed by the experts that edges of the virus are semi-round looks like a crown. While in Latin, the word crown is referred to corona, so as the particular virus referred as corona virus.<sup>175</sup>

### 5.2. EFFECTS OF COVID-19 ON HUMAN BODY

The corona virus is transmitted through respiration to the human body and first of all, it affects human cells that are present in the lungs, respiratory tract, and throat. That is why corona patients have trouble in breathing. Till now, no vaccine has been prepared, but the experiments have proved that it is an infectious disease that rapidly transmits from one to another. Certainly, the clinical literature shows that MERS-CoV (Middle East respiratory corona-virus syndrome) was identified by the experts in 2012 as “a causative agent of acute respiratory distress in renal failure”, so as the “corona-virus is considered a source of in MERS of camels hump for humans repository system. Actually, CoVs (corona-viruses) are an extensive family of those viruses which causes various diseases ranging from common cold to more severe sicknesses including MERS-CoV and SARS-CoV (severe



acute respiratory syndrome). The nCoV (novel corona-virus) is altogether a newly strain formerly unidentified in humans. However, CoVs are considered animal vectors easily transmitted between humans and animals.<sup>176</sup> Thus, camels are host reservoir for MERS-CoV along with human to human transmission.<sup>177</sup> While, in China SARS-CoV emerged in 2003. Although, it is confirmed that the genome sequences of nCov-19 are more corresponds to “corona bat viruses” than the SARS sequence.<sup>178</sup> Whereas, the signs and symptoms of nCov-19 appears 2 to 14 days after the virus exposure to human respiratory system causing “fever, weakness, and dry-hack, chest-tightness, dry/unproductive-cough”.<sup>179</sup> Normally, few patients may also feel pain and aches with common indications like nasal-clog, cold, sore-throat or bowels-looseness. However, some patients are tainted without any indications and some are convalesce without the application of proper treatment. Additionally, diverse forms of clinical issues are reported in Covid-19 infected patients such as hypertension, neurological attributes and cardiovascular cases along with decrease in platelets and rise/increase of CRP (C-receptive protein), PCT in blood routine including coagulation in liver and myocardial enzyme have been observed.<sup>180</sup>

## 6. POST COVID-19 RULINGS OF ISLAMIC LAW ON PANDEMICS: CAUTIONS OF nCOV-19 VIZ. A VIZ. COMPATIBILITY WITH ISLAMIC TEACHINGS

Certainly, with the beginning of nCovid-19 pandemic across the globe and more particularly in Pakistan, whether the precautionary measures issued by NIH, NCOC, Pakistan and WHO SOPs/guidelines are in accordance/compatible with the injunctions of Islamic law? Assertively, the present study found many examples in Prophetic traditions to get protection from pandemics and alike lethal diseases. Correspondingly, in this research, a comprehensive section is designated to “necessary guidelines for pandemic in Islamic law” to determine the moral, ethical and practical teachings of Islam to cure the pandemics and deadly diseases with special reference to Covid-19. Thus, the ensuing section articulated the post Covid-19 rulings of Islamic law on pandemics with the contention that Islam has a complete set of ethical code to prevent and protect from pandemics and fatal diseases. Similarly, it also debated on the NIH, NCOC, Pakistan and WHO SOPs/guidelines are accordance with the moral and ethical teachings of Islam keeping in view the contemporary biomedical norms.

Notably, various normative *fatwās* (verdicts/legal edicts) have been issued by the Muslim scholars across the globe while replying to the issues/questions egressed after the start of Covid-19 pandemic. Since, after the spread of epidemic particularly in Muslim world the available literature (rulings-legal edicts) clearly demonstrates that nCov-19 virus touched every aspect of peoples (Muslims) lives. Thus, resultantly, these legal edicts include different types of issues concerned with the areas Muslims majority including others in connection of public policy/guidelines and SOPs issued by NIH, Pakistan and WHO. The reason for choosing these two (NIH, Pakistan and WHO SOPs/guidelines) is obvious as both



mostly covers those issues/questions that have been tackled in post Covid-19 rulings of Islamic law on pandemics. Since, both the institutions tend to issue multiple guidelines for the rest of the world including majority of Muslims population. Therefore, this research discussed both the preventive and therapeutic measures including interrelated matters/issues that have triggered the ordinary lives of believers (Muslims) and others in ensuing segments.

### 6.1.THE PRINCIPLE OF PATIENT’S ENCOURAGEMENT DURING PANDEMIC

Notably, patient’s mental strength and vigor is prerequisite while countering any (lethal) disease. Thus, patient’s encouragement is an indubitable principle in this regard. If anyone encourages the patient instead of making him scared of the disease, he will swiftly recover from the disease. This strategy is adopted by the Prophet of Islam as Anīsa narrates from his father (Zaid ibn Arqam)<sup>181</sup> that the Prophet visited him who became ill, so the Prophet said: “you shall not have any fear of this disease” (because you will be cured of this soon-if Allah willing).<sup>182</sup> In this backdrop patient’s encouragement is prerequisite fighting against any disease as the scholars of Islamic law “suggested that patience is the best option, since the *ḥadīth* indicates, in which the Prophet said to a lady, that she may be patient towards her illness”. So, Muslims are required to be patient with their illness as Allah almighty expiates and remove their sins because of illness.<sup>183</sup>

### 6.2.THE PREMISE OF SOCIAL DISTANCING DURING PANDEMIC

One of the most resonant phrases heard during the Covid-19 pandemic was the call of “social distancing”. While countering the novel pandemic Pakistani government imposed various types of smart and complete lockdowns in different parts of the country. Thus, in this regard, the premise of social distancing during Covid-19 was not an attractive call for the people (traditional Muslim believers). Thinking that this is the conspiracy of *dajjāl* (false Messiah), that is why some Muslims did not opt this kind of instructions. Equally, they were of the opinion that Covid-19 pandemic is not a natural disease rather than artificially designed in biomedical laboratory by the enemies of Islam. But, they were unaware of the fact that the imperative principle of “social distancing” is devised by the Prophet of Islam for specific abnormal situations.

Notably, Ibn ‘Abbās narrated from the Prophet (peace be upon him) said: “do not keep looking at those who have leprosy.”<sup>184</sup> While, ‘Alī ibn Abī Tālib narrates: the Prophet said: “do not look at leprosy patients for a long time and when you talk with him, there should be a distance of one javelin (*neza*) between you and the patient”.<sup>185</sup> Literally, the distance of a javelin is about six and half feet approximately, while NIH and WHO issued instructions to keep distance of six feet from the corona infected patients. Resultantly, the SOP which the Prophet of Islam (Muhammad-peace be upon him) has conveyed to His *ummah* was more effective than the guideline issued by NIH, Pakistan and WHO.



### 6.3.THE RULE OF HYGIENE: WASHING HANDS WITH WATER AND SOAP

Notably, a great care for hygiene by washing hands with water and detergent, and caring for body hygiene, clothes, and others repeatedly is the top of the guidelines issued by NIH, Pakistan and WHO. We also observed that a constant instruction was given by PTV (Pakistan Television) including print, electronic and social media regularly reminding the people to wash their hands with soap and detergents to be safe from the corona virus.

Correspondingly, Abu Hurairah narrated that I heard Allah’s Messenger saying: “if there was a river at the door of anyone of you and he took a bath in it five times a day would you notice any dirt on him?” They said: Not a trace of dirt would be left, (so) the Prophet added: that is the example of the five prayers with which Allah blots out (annuls) evil deeds”.<sup>186</sup> Hazrat ‘Āisha (R.A) narrates whenever Prophet intended to sleep in the state of *jinābat* he used to do *wudoo* (ablution), but if he intended to eat and drink, he used to wash both hands and then eat food.<sup>187</sup> Literally, if we opt these two *aḥādīth* in its true letter in spirit then NIH and WHO guidelines of washing hands will be automatically followed. Similarly, the Prophet of Islam has instructed us regarding taking bath (*ghusl*) and using *miswāk*, as these also protect humans from an affliction. Thus, Islamic teachings and guidelines about purification (*tahāra*) are very relevant in present-day to combat the novel pandemic. It is strongly recommended that the Islamic teachings regarding purification if coupled with the commitment to comply with Covid-19 health protocols, it will become more beneficial for any nation fighting against it and other pandemics. How elegant it would have been if the Muslim world and particularly Pakistani nation had set role models mitigating the spread of Covid-19 virus. Since, in our assertion, one of the biggest challenges in handling Covid-19 pandemic was that some Muslims were trapped in traditional and conservative attitude while understanding the relationship between Islamic teachings and Covid-19 health protocols. Consequently, we (the Muslims) are required to broaden our intellectual and analogical deduction as Islam itself is a very dynamic religion that encompasses each and every facet of life.

### 6.4.THE SUBJECT OF PRECAUTIONS AT THE TIME OF SNEEZING AND COUGHING

Clearly, contemporary medical research shows that corona virus easily transfer to others through mouth, nose, and ear. Thus, patients should be careful at the time of sneezing and coughing. In this regard the Prophet of Islam taught his *ummah* the etiquette of sneezing and coughing fourteen hundred (1400) years ago. Abu Hurairah reported: “when the Messenger of Allah (peace be upon him) sneezed, he placed his hand or a garment (cloth) on his mouth, and lessened (low) the noise”.<sup>188</sup> Additionally, Abu Hurairah narrated: “the Messenger of Allah saying: Allah likes sneezing but dislikes yawning, so when one of you yawns, he should restrain it as much as possible, and should not say Ha, Ha, for that is from the devil who laughs at him”.<sup>189</sup> Resultantly, this therapeutic method is widely



adopted by the contemporary world obligating the usage of masks during Covid-19 pandemic.

#### 6.5. THE POLICY OF TEMPORARY CLOSURE OF MOSQUES

Traditionally, some Muslims believe that closing of the mosques during Covid-19 pandemic is a form of *fitna-e-dajjāl* (the false Messiah conspiracy). They are of the opinion that we are suspicious about the nCov-19 virus is not a natural but rather an artificial disease, since the (Zionists and Communists) enemies of Islam and Muslims designed this virus in a biomedical laboratory with the idea to destroy the divine order of Islam and Islamic law. That is why they have totally rejected the idea/guideline of closing mosques in Covid-19. The reason is obvious, as in their view the resulting numbers of deaths effected patients in Covid-19 pandemic is not that much to categorized such disease as *tā'oon* (plague) mentioned in the Prophetic traditions. Therefore, they should still carry-out their congregational (Friday) prayers in mosques with its full zeal. They often based their arguments on a variety of verses in the holy Quran. For example Allah says: “and who is more unjust than he who forbids (prevents-praying in the mosques of Allah so) that (his name be not mentioned in them) in places for the worship of Allah, Allah’s name should be celebrated?-whose zeal is (in fact) to ruin them? It was not fitting that such should themselves enter them except in fear. For them there is nothing but disgrace in this world, and in the world to come, an exceeding torment”.<sup>190</sup> Similarly, a Prophetic tradition is also a center of debate for these traditional Muslims during their arguments with regard to the closer of mosques. “Verily, if Allah sends disease from heaven to the inhabitants of the earth, Allah will keep the disease away from those who enliven the mosque”.<sup>191</sup> However, some of the Islamic scholars are of the opinion to opt the formula of social distancing even in the mosques during prayers. They believed in alternative methods in cases where the lives of public at large were endangered. Thus, in their view the numbers of worshippers during congregational (Friday) prayers should be reduced in order to avoid the spread of Covid-19 virus. While few of the Islamic scholars asserted that in abnormal situations of fear and diseases even the mandatory *jumm‘ah* (Friday) prayer may be replaced with *dhuhur* (noon prayer) at homes.

The ministry of religious affairs of KSA suspended *hajj* (pilgrimage to the holy Mecca) where millions of worshippers would gather. Believing that if performance of *hajj* and alike congregational gatherings endanger human lives, then alternative methods should be opted otherwise it has to be suspended. They were of the opinion that Prophet Muhammad (peace be upon him) suspended the congregational prayers at mosques due to heavy rains or cold weather. Thereby instructed the *muazzin* (the one who give calls for prayer) to say “pray at your homes” in *adhān* (call to prayer). Thus, the rule of this tradition may analogically be extended to Covid-19 pandemic. As it is much more serious situation than the heavy rain or cold weather. Resultantly, prayers including congregational prayers must be performed in houses. With regard to *hajj* suspension; they were of the view that historically *hajj* has been suspended forty times throughout the Islamic





history due to abnormal situations including plagues and wars.<sup>192</sup> Similarly, mosques closer formula is implemented everywhere across the globe and more particularly in Muslim countries like Pakistan, Iran, Bangladesh, Tajikistan, Bahrain, Egypt, Malaysia, Morocco, and other Muslims minority countries like India, Singapore, and etc. In March 2020, the Council of Senior *'ulamā* in Egypt and Grand Imām of al-Azhar issued legal edict/verdict permitting the temporary closer of mosques and temporary suspension of congregational prayers in order to avoid the spread of Covid-19 virus.<sup>193</sup> While in response to the legal edicts issued by these noteworthy authorities at Egypt, the President of Pakistan tweeted on 25<sup>th</sup> March, 2020, thanking them for entertaining his request and issuance of guidance regarding temporary closer of mosques and suspension of congregational prayers.<sup>194</sup>

Likewise, the “British Board of Scholars and Imams” (BBSI) in their statement suspended the prayers during the Covid-19 pandemic at mosques, open areas or in community centers throughout the Britain. They also issued various guidelines for Eid and other congregational prayers including religious gatherings and others to avoid the spread of Covid-19 virus.<sup>195</sup> Additionally, a *fatwā* (legal edict) has been issued by the “Australian *Fatwa* Council” keeping in view the Islamic traditions along with the contemporary biomedical ethics and norms; suspended the daily prayers at mosques and ordered to pray at homes.<sup>196</sup> The IIFA (international Islamic *fiqh* academy) Jeddah, KSA based of the OIC organization hold its 2<sup>nd</sup> annual Islamic legal medical symposium<sup>197</sup> on 16<sup>th</sup> April, 2020 regarding Covid-19 pandemic.<sup>198</sup> The IIFA unanimously recommended that opting precautionary measures is necessary to avoid the spread of Covid-19 virus. Thus, the closer of mosques for prayers and others including the performance of *hajj* and *'umrah* should be suspended<sup>199</sup> on the basis of the holy Quran as Allah almighty said: “O you, who have believed, take your precaution”.<sup>200</sup>

#### 6.6.THE PROBLEM OF FASTING DURING THE HOLY MONTH OF RAMADAN

Interestingly, another question arose during the Covid-19 pandemic whether Muslims should observe fasting of Ramadan or not? Because some believed that there is an instant fear of decrease of immunity due to fasting which may resultant in incapability of fighting against the disease. Since, feeble immunity can cause an increase in the susceptibility of contracting the nCovid-19 virus. In this regard, ILRC (Islamic legal research committee) under the IRC (Islamic research council) of Al-Azhar hold a meeting in Cairo on 7<sup>th</sup> April 2020 with various SMOs (senior medical officers) and diverse medical specialists including medical experts from WHO. The sole purpose of the meeting was to take expert opinion on the cited issue whether fasting decreases human immunity? The committee which was comprised of different experts of the field reached to the conclusion, after threadbare discussions and debates, that till to date no medical research evidently established a linkage between fasting and contracting nCovid-19 virus. The committee, therefore, recommended that Muslims are obligated to observe fasting



in the holy month of Ramadan.<sup>201</sup> Furthermore, on 16<sup>th</sup> April, 2020 IIFA issued a legal verdict based the committee's recommendations and available evidence that fasting does not affect human health and immunity in general. Since, renowned physicians, medical specialists and various experts of the field already recommended the same as "fasting does not increase susceptibility to the nCovid-19 virus, as till to date there is no scientific evidence available which testify the connotation of dry mouth reduces human's immunity to virus. Therefore, IIFA categorically declared that it is the duty of Muslims to observe fasting in the holy of Ramadan as per Islamic rules and principles. Moreover, the IIFA resolved that, it is not permissible for any Muslim to drop fasting merely on the pretext of corona, thus every Muslim if able, *mukallaf* (accountable), not-ailing, non-traveler and healthy was under obligation to observe the fasting. However, as for the nCovid-19 infected patients or those who are suspected to such virus they are on the disposal of Muslim expert and reliable physicians keeping in view their heath conditions whether such patients or suspected should keep fasting or otherwise. Moreover, the health practitioners, while attending and treating the patients, if suffering from weakness and fatigues may drop fasting on the basis of doctrine/principle of necessity. The IIFA also resolved that those practitioners who are fully engaged at the time of *suhoor* (pre-dawn meal) and *iftār* (breaking of the fast) might drop their fasting if feeling extreme necessity.<sup>202</sup>

#### 6.7.THE ISSUE OF BURIAL OF COVID-19 PATIENTS

Indeed, in Islam, burial of a dead (Muslim) is obligatory and collective obligation (*fard-e-kifāya*) on the associated Muslims. In Islamic law, certain rules/rituals are laid down before the burial of a (Muslim) dead body. These rituals includes namely: (1) *ghusl* (mandatory bath or ritual washing); (2) *kafan*, (shrouding), and (3) *salāt al-janāzah* (funeral prayer). Keeping in view these three mandatory rituals; a question arises where ensuing death was resultant of Covid-19 virus, then whether these rituals may be performed in case of an imminent threat of virus spreading or which is likely to transfer to others (human beings)? To answer this question normally, scholars of the Islamic law looking towards the objectives of Islamic law<sup>203</sup> and more particularly to the protection and preservation of one's life (*hifz al-nafs*). Thus, Islamic burial must be performed as mandatory upon the Muslims on the conditions that the lives of others (i.e. body handlers and rest of associated people/community) should not be endangered.<sup>204</sup> Equally, emotions of the deceased relatives and dignity of dead body should be respected except in extraordinary situations such as wars, pandemics, natural disasters or other calamities.

Notably, in our understanding, any legal edict or verdict in this regard must be based on the available medical and forensic evidence. While determining any legal stance as per Islamic law sufficient medical evidence is direly needed on the performance of the mentioned three rituals for the dead body resulting from the Covid-19 virus. So, in such case if any evidence is recorded, proved, and the same



is likely to put the lives of others endangered or at risk, then as per Islamic legal maxim “harm must be removed”<sup>205</sup> rationally invoke suspension of these rituals as and when required. Additionally, the available legal edicts (*fatwās*) and manuals for handling the dead bodies out of nCovid-19 virus clearly demonstrates that such cases may be examined on medical and forensic evidences. However, quite interestingly, till to date no scientific i.e. medical and forensic evidence is recorded in connection of the burial of dead body resulting from Covid-19 virus. Moreover, the guidance which is provided by Islamic and health authorities across the globe on these three mandatory rituals of burial in Islamic perspective is thoroughly discussed in the following section for ease of the readers.

#### **6.7.1. The Matter of Ritual Washing (*ghusl*) of Covid-19 Patients**

Certainly, with regard to ritual washing, diverse position is witnessed across the globe particularly in both Muslims majority and minority countries. Thus normal ritual washing (*ghusl*) has been administered, to the dead out of Covid-19, in many countries including Egypt, UK and Canada opting necessary protective measures. It includes wearing of PPE (personal protective equipments such as medically recommended gloves, gown, a waterproof apron, face shield and goggles and a mask). Similarly, the body handlers are required to avoid direct contact with the dead body’s blood or any associated samples. In this regard, MMAC (Muslim medical association of Canada) and CCI (Canadian council of Imams) issued a detailed procedure and guidelines for the burial of Muslim victims out of Covid-19.<sup>206</sup> Similarly, GEFC (global electronic *fatwa* center) of Al-Azhar also issued Islamic guidelines.<sup>207</sup> The same was resolved by the Jordanian Board<sup>208</sup> along with the Ministry of Health, Morocco and the AMJA “Assembly of Muslim Jurists of America Resident *Fatwa* Committee”.<sup>209</sup> On the other hand, if none of the above is permitted by the health authorities due to instant fear of virus spreading; then Islamic scholars of Algeria, France and Tunisia agreed that such dead body should be buried without the ritual washing (*ghusl*) and sand/dry purification (*tayammum*).<sup>210</sup> There argument is basically based on the Islamic rulings issued by pre-modern Muslim jurists has permitted the novel burials without performing ritual washing (*ghusl*) especially in cases where high number of bodies resulting from epidemic would make it impossible.<sup>211</sup>

#### **6.7.2. The Question of Shrouding (*kafan*) of Covid-19 Patients**

Certainly, the question of shrouding (*kafan*) is also one of those issues which are highly debated parallel with the matter of ritual washing (*ghusl*). Since, we know that shrouding (*kafan*) is another right of the diseased on its relatives or upon the Muslims community. It must be known that the same approach is adopted for the cited question as taken up for the matter of ritual washing. The present literature in shape of the legal edicts clearly demonstrates that will be done with the condition if there is no risk of virus infection is involved to those who administered it to the dead body out of Covid-19 virus. In this regard Islamic guidelines and



other manuals related to the burial of those died because of Covid-19 pandemic evidently denotes opting precautionary and protective measures. While the GEFC (global electronic *fatwa* center) of Al-Azhar suggested that for such cases a specialized team fully equipped with necessary and protective tools is mandatory in order to avoid the possibility of transfer of virus infection to others/healthy people.<sup>212</sup>

### 6.7.3. *The Case of Funeral Prayer (salāt al-janāzah) of Covid-19 Patients*

Definitely, *salāt al-janāzah* (funeral prayer) upon the deceased is ultimately required as *fard-e-kifāya* (collective obligation) in Islam over Muslims community. The case of funeral prayer is thoroughly debated across the globe and more particularly in Muslim countries. Since, funeral prayers normally performed at graveyard or any specified and designated area in a way of congregation. Similarly, *salāt alghā'ib* (funeral prayer in absentia) is also performed congregationally as per Islam and Islamic law. To avoid transfer of virus to others or to minimize its spread in most of the countries closed the mosques for *fard-e-'ain* (obligatory) prayer. And same precautionary measures and necessary guidelines also advised/recommended for *salāt al-janāzah* (funeral prayer). Additionally, it was recommended that Muslims are required to offer funeral prayer in open areas keeping in view the formula of social distancing of six feet at least. Similarly, it is also suggested that the number of the performers should be reduced for the purpose to minimize an imminent threat of virus spread.<sup>213</sup> The legal edicts and Islamic manuals also stressed the Muslims to ensure burials of the Covid-19 victims on the same day of their deaths.<sup>214</sup>

## 6.8. THE MANDATORY USE OF VACCINES AND INTERRELATED ISSUES

Obviously, the available literature related to post Covid-19 rulings of Islamic law on pandemics clearly observed that Covid-19 vaccines do not contain any sources of pigs or human derivatives. Since, clinically during its production; a variety of chemical reactions and transformation process occurs. Thus, all of its components and the resulting process of making the nCovid-19 vaccines falls within the *Shariah* (Islamic law) rulings regarding metamorphosis in Islamic jurisprudence. Consequently, the AFC (Australian *fatwa* council) concluded that “based on the (available) medical description of the current vaccines, their use for vaccination against (the novel disease named) Covid-19 is permissible according to *Sharia(h)* law (Islamic law)”.<sup>215</sup> Moreover, in their view and assertion it does not contain any prohibited substance as per Islamic law and similarly no harm is known that attributed to humans. Thus, “vaccination becomes mandatory if the government obligates it, because the government’s rulings are commended by upholding public interests”. At the last, the AFC maintained that “on this basis (mentioned above), this symposium calls on Muslims around the world to comply with the instructions issued by the governments of their countries and by the competent health authorities in their communities, in order to implement the *Shariah* (Islamic law)



objective of the preservation of life, which is one of the necessary purposes (objective of *Shariah*) in Islamic law”.<sup>216</sup> The same was resolved by IIFA, Jeddah, KSA as concluded that no known religious harm is attributed to Covid-19 vaccine. Thus, use of vaccine is highly recommended as necessary. Because it is religious obligation preserve and protect our lives.<sup>217</sup>


### CONCLUSION

Finally, after thorough analysis of the post Covid-19 rulings (legal edicts) of Islamic law on pandemics, it is concluded that the primary sources of *Shariah* offer us a complete code of ethics. The study found many examples in Prophetic traditions to get protection from Covid-19 and lethal diseases. The present article has evidently proved a linkage between the resulting issues of Covid-19 and teachings of Islam while countering pandemics. Equally, NIH Pakistan and WHO SOPs / guidelines are found compatible with Islamic injunctions especially to Prophetic *Seerah* (life). The guidelines given by the Prophet of Islam to His *ummah* fourteen (14) centuries ago were totally affirmed by the current medical and scientific regime. It is realistic to adopt these teachings along with the existing biomedical norms within *Shariah* rubric. People (Muslims) must be conscious about modern medial, forensic and clinical instructions, based on the scientific evidences and proofs within *Shariah* constrain, should be followed in all aspects related to Covid-19 patients, suspects and ensuing deaths. While managing the relating Covid-19 issues; both the scholars of Islamic law and (Muslims) biomedical experts are required to fully observe the limitation of the doctrine of necessity and its flexibility as enshrined in *Shariah*. The research found worldwide juristic creativity based on the legal methods and methodologies have contributed a lot to mitigate the effects and spread of nCovid-19 virus. The notion “harm has to be addressed” of Islamic law is widely adopted by the contemporary Muslim scholars in their legal edicts together with interdisciplinary approaches in *Shariah* perspective. The resulting literature and post Covid-19 rulings of Islamic law on pandemics have divesting effects in mitigation of novel virus both in sphere of preventive and therapeutic measures. In consequence, to combat pandemics and interrelated issues in Pakistan, the state departments and institutes are obligated to heed towards religious (Islamic) norms and guidelines viewing recent scientific instructions alongside the application of medication / vaccination as suggested by (Muslims) physicians and experts of the field.

### FINDINGS AND RECOMMENDATIONS

- (1) Preservation and protection of life and health is one of the primary purposes of Islamic law (*maqāsid al-Shari‘ah*). Thus, legally application of precautionary measures is mandatory on all to save humanity.
- (2) The human history reveals that mankind has faced various problems. The concept of pandemics and diseases is not a new phenomenon.



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- (3) Religion (Islam) has given a special attention to pandemics and diseases. The Prophetic traditions and era of Caliph ‘Umar (R.A) regarding plague and the subsequent pandemics are the best examples for humanity.
  - (4) Most of the viruses are found in animals; however the required information is obtained when it is transmitted to humans.
  - (5) Corona (nCovid-19 virus) presumed to be animal’s oriented virus transmitted to humans.
  - (6) Islam and Islamic law believes that no disease is contagious however some can be transferred from one person to another, so it is ordained to be careful and take precautions.
  - (7) Religion (Islam) has not rejected application of medical treatment. Rather the Prophetic sayings denote that Islam has much serious and sensitive about public health.
  - (8) Islamic law obligates humans and especially the Muslim physicians opting modern medical treatment and precautionary measures. *Shariah* (Islamic) law orders to get benefited from the modern medical treatments. The Prophet Muhammad (peace be upon him) said: “knowledge and wisdom are the lost legacies of the believer, try to use them to get benefit of it wherever he found it”.
  - (9) Islamic teachings suggested numerous solutions including spiritual and inner methods while countering pandemics and diseases. People are required to apply both (i.e. spiritual and physical) methods of treatment as it increases immunity.
  - (10) Religion (Islam) necessitates that (Muslim) world may develop as much as it can, but they cannot deviate from the standards except otherwise provided (in case of necessity which renders the prohibited as permissible).
  - (11) The notion of self-denial, (*tawakkūl*) or trusting and believing in Allah is correct to be applied at the time of pandemic, but the teachings of Islam suggested the believers to be careful of the pandemics and diseases by applying preventive and therapeutic measures.
  - (12) Islamic laws stipulate to avoid contact with both the patients and suspects. The Prophetic traditions offered us a complete code of ethics in this regard which is widely adopted by the existing medical regime.
  - (13) Precautionary measures and SOPs like keeping social distance and etc are compatible with the sayings of Prophet Muhammad (peace be upon him).
  - (14) The premise not to spread disappointments in time of troubles, but rather Islamic law requisite high morale and courage is the important principles which are widely adopted by the psychologists and medical specialists.
  - (15) Application of treatment and opting necessary precautions are mandatory. Hence, in abnormal situations offering prayers and worships at home is preferable as per religious laws.
  - (16) Banning patients and suspects from mosques and other congregational gatherings by the government and civil administration is requisite as Caliph ‘Umar (R.A) had prevented a leprous lady from *tawāf-e-Ka‘aba* (i.e. pilgrimage)



- (17) The rule of hygiene including balanced, moderate, and pure diet is necessary for human's health, as it increases the ability to work and performance of rituals.
- (18) Religion (Islam) demands the human's entire life should be neat and clean in all aspects. The premise of home and environmental cleanliness plays an important role while fighting the pandemics and diseases.
- (19) The NIH, Pakistan and WHO SOPs/ Guidelines are compatible with the injections of Islam and Islamic law.
- (20) In Islam, *salāt al-janāzah* (funeral prayer) upon the deceased is *fard-e-kifāya* (collective obligation) over Muslims community. Although, precautionary measures and necessary guidelines should be followed in true letter in spirit.
- (21) Contemporary jurists stressed on the normal ritual washing (*ghusl*) and shrouding (*kafan*) to the dead as a matter of right of the diseased on its relatives or Muslims community. Both rituals should be administered to the dead out of Covid-19 if there is no scientific evidence of virus spread to others.
- (22) Juristically, in Islamic law, the dead body should be administered sand/dry purification or ablution (*tayammum*) if there is sufficient evidence/scientific proof of virus transfer to others.
- (23) Legally, in case of imminent threat to others, the dead body should be buried without the ritual washing (*ghusl*) and sand/dry purification (*tayammum*). As pre-modern Muslim jurists has permitted the novel burials without performing ritual washing (*ghusl*) especially in cases where high number of bodies resulting from epidemic would make it impossible.
- (24) The Covid-19 vaccine does not contain any sources of pigs or human derivatives. The use of it is permissible as per *Shariah* law.
- (25) The Covid-19 vaccination becomes mandatory upon the people if the government obligates it, as per Islamic legal maxim, the governments rulings are commended by upholding the public interests.

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<sup>40</sup> Al-Zabīdī, (op. cite. note 39) vol. 35, at, p. 354

<sup>41</sup> Ibn Manẓūr, (op. cite. note 8) at, p. 189

<sup>42</sup> See, Dehlavī, Syed Ahmad, *Farhang-e- Āsifā*, al-Faisal, Nashirān-e-Kutub Lahore-Pakistan, 1902, vol. 4

<sup>43</sup> Rizvī, Farhat Fātima, *Urdu Lughat*, Urdu Lughat Board Karachi, 1977, vol. 22, p. 236

<sup>44</sup> See, (op. cite. note 37)

<sup>45</sup> Mullah Khisro, (Muḥammad bin Farāmarz bin ‘Alī al-Mullah Khisro al-Ḥanafī, died. 885. H), *Durar al-ḥūk’ām Sharḥ’ Ghurar al-Aḥkā’m*, Dār al-lhy ā’ al-Kutub al-‘Arabīyah, Beirut, 2010, vol. 1, p. 5; Ibn ‘Ābidīn, (op. cite. note 37) at, p. 211

<sup>46</sup> Al-Nasafī, (op. cite. note 16) vol. 3, at, p. 128

<sup>47</sup> Ibn al-Qayyim, (op. cite. note 33) at, pp. 47-48

<sup>48</sup> (op. cite. note 33) at, p. 48

<sup>49</sup> (op. cite. note 33) at, p. 48

<sup>50</sup> (op. cite. note 33) at, p. 48; see also, Ibn Sīnā, (al-Ḥusayn bin ‘Abd Allāh bin Sīnā Abu ‘Alī known as Ibn Sīnā), *Al-Qānūn fī al-ṭibb*, Dār al-Fikr, Beirut, 1994, vol. 1, p. 125

<sup>51</sup> (op. cite. note 33) Ibn al-Qayyim, at, p. 54

<sup>52</sup> (op. cite. note 33) at, p. 50

<sup>53</sup> Al Quran, chapter no. 3, verse no. 49; and chapter no. 5, verse no. 110

<sup>54</sup> Matthew L. Long, “*Leprosy in Early Islam*”, In “*Disability in Judaism, Christianity, and Islam Sacred Texts, Historical Traditions, and Social Analysis*”, (edited: Darla Schumm and Michael Stoltzfus), Palgrave Macmillan, Martin’s Press -LLC, New York, US, 2011, pp. 43-62

<sup>55</sup> Matthew L. Long (op. cite. note 54)

<sup>56</sup> Relating to or characterized by granulomas or granuloma: A tumor composed of granulation tissue resulting from injury, inflammation or infection

<sup>57</sup> Any disease capable of being transmitted by infection

<sup>58</sup> See, WordWeb English dictionary.

<sup>59</sup> Vardit Rispler-Chaim, “*Islam and bioethics*”, Ankara, 2012, p. 29 (in Anatolia, Turkish people also knew small pox and practiced variolization since ancient times).

<sup>60</sup> “*Bubonic Plague: A Medical Dictionary, Bibliography, and Annotated Research Guide to Internet References*”, (editors: James N. Parker and Philip M. Parker), Publisher, Health Care, USA, 2003, p. 94

<sup>61</sup> Alfica Sehgal, *Leprosy: Deadly Diseases and Epidemics*, Chelsea House Publisher, USA, 2006, p. 27



<sup>62</sup> In tuberculoid leprosy, “skin lesions appear as light red or purplish spots”, whereas patient(s) “usually have one or a few (normally fewer than five) hypopigmented lesions with well-defined borders”. It must be noted that “tuberculoid leprosy is the more benign type, even though the nerves are affected, which leads to numbness (usually of the extremities)”, which “affects the peripheral nerves and, sometimes, the surrounding skin, on the face, arms, legs, and buttocks”. Similarly, “sensory loss is frequently observed around the lesions, thus tuberculoid leprosy is also known as paucibacillary leprosy” where “the nerve architecture is destroyed and there can be formation of granulomas in nerves”. Additionally, “granulomas (inflamed nodules caused by the infection) are visible at the clinical level, as asymmetric nerve enlargement near the skin lesion”. See, Alfica Sehgal, (op. cite. note 61) at, pp. 27-28

<sup>63</sup> In lepromatous leprosy, “the skin lesions appear as yellow or brown nodules (protuberances), which are penetrated by many blood vessels”. “Usually, there are multiple, poorly defined, hypopigmented areas that affect the mucous membranes of the eyes, nose, and throat. Multiple papules (nodular elevations on the skin) can appear”. Thus, “these are usually symmetrically distributed and tend to infiltrate (penetrate) the skin”, however, “there is a general thickening of the skin, especially on the face and ears”, whereas the “patient(s) with an advanced form of this disease may lose eyelashes or eyebrows”. Resultantly, “when someone suffers from disfiguring facial features, this condition is known as leonine facies”. Additionally, “lepromatous leprosy, also called multibacillary leprosy, is the more easily spread of the two forms of leprosy”. So, “this more severe form produces large disfiguring nodules”, along with “the peripheral neuropathy (diseased state of the nerves) observed in lepromatous leprosy, causes muscle weakness and atrophy and has been associated with claw hands and foot drops”. However, “in this form, the nerve structure is not destroyed much, but the nodules present in the neural areas have numerous bacteria”. See, Alfica Sehgal, (op. cite. note 61) at, p. 28-29

<sup>64</sup> Matthew L. Long, (op. cite. note 54)

<sup>65</sup> Rafiq, Muhammad Ghos, “*Practice of Medicine*”, Maktabah Dāniāl Lahore, 2013, p. 590

<sup>66</sup> The Prophet (peace be upon him) used to say: “O Allah, I seek refuge in you from; leprosy, insanity, elephantiasis, and evil diseases”. Abū Dāwūd, *Sunan Abī Dāwūd*, book no. 8, chapter no. 518, ḥadīth no. 139; Al-Nasā’ī, *Sunan an-Nasa’i*, book no. 50, chapter no. 36, ḥadīth no. 66

<sup>67</sup> Al-Bukhārī, book no. 76, chapter no. 19, ḥadīth no. 27, see also, Al-Muslim, *Ṣaḥīḥ Muslim*, book no. 39, chapter no. 34, ḥadīth no. 152

<sup>68</sup> Fazli Dayan, (op. cite. note 26) at, pp. 364-365

<sup>69</sup> Ibn Ḥajar al-‘Asqalānī, (Aḥmad bin ‘Alī bin Ḥajar Abū al-Fazal al-‘Asqalānī, al-Shāfi‘ī, died. 852. H), *Fath al-Bārī sharḥ Ṣaḥīḥ al-Bukhārī*, Dār al-Mā‘rifā, Beirut, 1379, vol. 10, pp. 163-164; in case of leprosy, it is required that patients must be kept away from the healthy members of the society.

<sup>70</sup> Ibn Rushd, *al-kullīyāt fī al-ṭibb*, Dār al-Kutub al-Islāmīyah, Beirut, Lebanon, 1971

<sup>71</sup> Ibn Ḥajar (op. cite. note 69)

<sup>72</sup> See, (op. cite. note 69); see also, Fazli Dayan, (op. cite. note 26) at, pp. 364-366

<sup>73</sup> Al-Shaybānī, (Imām Muḥammad bin al-Ḥasan al-Shaybānī al-Ḥanafī, died. 189.H), *Al-‘Asal*, Dār Ibn Ḥazm, Beirut, Lebanon, 2012, vol. 3, p. 92; see also, Al-Sarakhsī, (Muḥammad bin Aḥmad bin Abī Sahl Abū Bakr al-Sarakhsī, al-Ḥanafī, Died: 483-490. H), *Al-Mabsūt*, Dār al-Mā‘rifā, Beirut, 1993, vol. 10, p. 166; and ‘Aynī, (op. cite. note 37) vol. 24, at, pp. 119-120

<sup>74</sup> Ibn Khaldūn, (‘Abu Rahmān bin Muḥammad bin Muḥammad, Ibn Khaldūn Abu Zaid died: 808.H), *Tārīkh Ibn Khaldūn: (“Kitab al-‘Ibar wa Diwān al-Mubtada’ wa al-khabar fī Ayyām al-‘Arab wa al-‘Ajam wa al-Barbar wa min ‘Āṣarahum min dhawī al-Sulṭān al-Akbar”)*, Dār al-Fikr, Beirut, 1988, vol. 3, p. 4

<sup>75</sup> Ibn Ḥajar (op. cite. note 69) at, pp. 361-370





- <sup>76</sup> Al-Shaybānī, and Al-Sarakhsī (op. cite. note 73); see also, ‘Aynī, (op. cite. note 37) vol. 24, at, pp. 119-120
- <sup>77</sup> Daniel Defoe, “A Journal of the Plague Year”, E. Nutt London, 1722, p. 183
- <sup>78</sup> See, (op. cite. note 77) at, p. 198
- <sup>79</sup> Albert Camus, “The Plague” (translated by Stuart Gilbert), Hamish Hamilton, London, 1948, p. 18
- <sup>80</sup> Fazli, Dayan “The Concept of Medical Treatment and Guidelines for Physicians in Islamic Perspective” International Research Journal on Islamic Studies Vol. No. 1, Issue No. 2 (January 1, 2019) Pages (1-19) available at: <https://www.islamicjournals.com/the-concept-of-medical-treatment-and-guidelines-for-physicians-in-islamic-perspective/>
- <sup>81</sup> Al Quran, chapter no. 21, verse no. 35
- <sup>82</sup> Al Quran, chapter no. 7, verse no. 168
- <sup>83</sup> Al Quran, chapter no. 42, verse no. 30
- <sup>84</sup> At-Tirmidhī, *Jāmi‘at-Tirmidhī*, vol. 2, ḥadīth no. 21, No‘mānī Kutub Khāna Lahore 2000, p. 187
- <sup>85</sup> Ibn Mājah, *Sunan Ibn Mājah*, In book reference: book no. 31, chapter no. 31(1), ḥadīth no. 2
- <sup>86</sup> *Mishkāt al-Masābīh* 9, book no. 1, chapter no. 4(b), ḥadīth no. 91
- <sup>87</sup> Al-Muslim, *Ṣaḥīḥ Muslim*, book no. 39, chapter no. 32, ḥadīth no. 2219 a/136; see, *Riyād al-Sālihīn* 9, book no. 17, chapter no. 361, ḥadīth no. 281; see, (op. cite. note 73); see also, Baghdādī, (Muhammad Ibn Saa‘d), *Tabqāti Ibn Saa‘d*, Dārul Ishā‘it-Urdu Bāzār, Karachi-Pakistan, 2000, vol. 2, p. 85
- <sup>88</sup> Fazli Dayan, (op. cite. note 26) at, pp. 182-197; see also, (op. cite. note 80)
- <sup>89</sup> Al Quran, chapter no. 2, verse no. 155-156
- <sup>90</sup> Al-Bukhārī, book no. 13, chapter no. 90, ḥadīth no. 21
- <sup>91</sup> Al-Bukhārī, book no. 60, chapter no. 54, ḥadīth no. 141; see, *Mishkāt al-Masābīh* 9, book no. 5, chapter no. 1(a), ḥadīth no. 25
- <sup>92</sup> ‘Aynī (op. cite. note 37) vol. 21, at, p. 261
- <sup>93</sup> Ibn ‘Ābidīn (op. cite. note 37) at, p. 252
- <sup>94</sup> See, (op. cite. note 69 & 80)
- <sup>95</sup> Al-Muslim, book no. 39, chapter no. 32, ḥadīth no. 129
- <sup>96</sup> Al-Bukhārī, Markazī Jamiat Ahi-e-ḥadīth, Hind, 2004, vol. 2, ḥadīth no. 732, p. 217
- <sup>97</sup> *Riyād al-Sālihīn* 34, book no. Intro, chapter no. 3, ḥadīth no. 34; *Mishkāt al-Masābīh* 1549, book no. 5, chapter no. 1(a), ḥadīth no. 1549
- <sup>98</sup> Al-Nasāī, book no. 23, chapter no. 85, ḥadīth no. 154
- <sup>99</sup> At-Tirmidhī, book no. 28, chapter no. 35, ḥadīth no. 52
- <sup>100</sup> At-Tirmidhī, vol. 2, ḥadīth no. 2186, p. 212
- <sup>101</sup> Al-Bukhārī, book no. 61, chapter no. 25, ḥadīth no. 123
- <sup>102</sup> Al-Bukhārī, vol. 3, ḥadīth no. 2363, p. 175; and book no. 75, chapter no. 10, ḥadīth no. 16
- <sup>103</sup> *Al-Adab al-Mufrad*, book no. 29, chapter no. 228, ḥadīth no. 12
- <sup>104</sup> Al-Bukhārī, book no. 76, 82 & 60, chapter no. 31, 15 & 54, ḥadīth no. 49, 25 & 141; *Riyād al-Sālihīn* 33, book no. Intro, chapter no. 3, ḥadīth no. 33; *Mishkāt al-Masābīh* 1547, book no. 5, chapter no. 1(a), ḥadīth no. 25
- <sup>105</sup> Al-Muslim, book no. 55, chapter no. 13, ḥadīth no. 82; *Riyād al-Sālihīn* 27, book no. Intro, chapter no. 3, ḥadīth no. 27
- <sup>106</sup> Al-Bukhārī, book no. 56, chapter no. 134, ḥadīth no. 205; *Riyād al-Sālihīn* 133, book no. Intro, chapter no. 13, ḥadīth no. 133
- <sup>107</sup> *Mishkāt al-Masābīh* 1544, book no. 5, chapter no. 1(a), ḥadīth no. 22
- <sup>108</sup> “If the letter reached him in the morning, then he was to leave by night and if it reached him by night then he had to set out before morning”.



- <sup>109</sup> Muhammad Hussain Hikāl, *Sydinā ‘Umar Fārooq Ā‘zam*, Islāmī Kutub Khāna, Lahore, p. 400; Al-Muslim, book no. 39, chapter no. 32, ḥadīth no. 2219 a/136; *Riyād al-Sālihīn* 9, book no. 17, chapter no. 361, ḥadīth no. 281
- <sup>110</sup> Al-Bukhārī, book no. 76, chapter no. 30, ḥadīth no. 44 & 45; Al-Muslim, book no. 39, chapter no. 32, ḥadīth no. 139; Abū Dāwūd, book no. 21, chapter no. 1139, ḥadīth no. 15, *Riyād al-Sālihīn* 1791, book no. 17, chapter no. 361, ḥadīth no. 281
- <sup>111</sup> See, (op. cite. note 109) at, p. 423
- <sup>112</sup> Al-Muslim, book no. 39, chapter no. 32, ḥadīth no. 2219 a/136; *Riyād al-Sālihīn* 9, chapter no. 361, ḥadīth no. 281
- <sup>113</sup> See, (op. cite. note 112)
- <sup>114</sup> Al-Muslim, ḥadīth no. 2784
- <sup>115</sup> It refers to tubercular leprosy. See, *Mishkāt al-Masābīh* 4581, book no. 23, chapter no. 2(a), ḥadīth no. 65
- <sup>116</sup> Al-Muslim, book no. 39, chapter no. 36, ḥadīth no. 174
- <sup>117</sup> See, (op. cite. note 174); see also, Al-Nasāī, book no. 39, chapter no. 19, ḥadīth no. 34; Ibn Mājah, book no. 31, chapter no. 44, ḥadīth no. 109; *Mishkāt al-Masābīh* 4581, book no. 23, chapter no. 2(a), ḥadīth no. 65
- <sup>118</sup> Ibn Mājah, book no. 31, chapter no. 44, ḥadīth no. 108; Ahmad bin Hambal, *Musnad Ahmad*, Maktabah Rahmānīah, Lahore-Pakistan, 2000, vol. 4, ḥadīth no. 7763, p. 90
- <sup>119</sup> Al-Bukhārī, book no. 76, chapter no. 19, ḥadīth no. 27 (Note: “the majority of scholars interpret this to mean that these things in and of themselves do not transmit or cause harm through supernatural or hidden means but that Allah is ultimately in control and any fearful superstition around these is false”).
- <sup>120</sup> Mālik bin Anas, *Al-Muwattā*, book no. 20, ḥadīth no. 259; Al-Shaybānī, *Al-Muwattā*, *li-Imām Mālik bi-Riwāyat Muḥammad bin al-Ḥasan al-Shaybānī al-Ḥanafī*, Maktabah Rahmānīah, Lahore-Pakistan, 2000, ḥadīth no. 475, p. 94
- <sup>121</sup> See, (op. cite. note 120)
- <sup>122</sup> *Bulūgh al-Marām*, book no. 8, ḥadīth no. 1012
- <sup>123</sup> Muhammad ‘Alī al-Salābī, *Sydinā ‘Umar bin Khattāb*, al-Furqān Trust, (MuzafarGhar-Kashmir) Pakistan, p. 400
- <sup>124</sup> Ibn Kathīr, *Al-Bidāyah wa al-Nihāyah*, Nafees Academy Karachi, 1989, vol. 7, p. 111
- <sup>125</sup> See, (op. cite. note 124); Ibn ‘Ābidīn (op. cite. note 37) vol. 6, at, p. 757
- <sup>126</sup> Ibn Kathīr (op. cite. note 124)
- <sup>127</sup> Al Quran, chapter no. 39, verse no. 53-54
- <sup>128</sup> Abū Dāwūd, book no. 30, chapter no. 1482, ḥadīth no. 22; *Mishkāt al-Masābīh* 4577, book no. 23, chapter no. 2(b), ḥadīth no. 69
- <sup>129</sup> At-Tirmidhī, book no. 25, chapter no. 19, ḥadīth no. 31; Ibn Mājah, book no. 31, chapter no. 44, ḥadīth no. 107
- <sup>130</sup> ‘Aynī, *Nukhbu al-Afkār fī Tanqīḥ Mabānī al-Akḥbār fī Sharḥ Ma’ānī al-Āthār*, Wizārat al-Awqāf wa-Shūwoon al-Islāmīyah, Qatar, 2008, vol. 14, p. 167 & 173; Dayan, F, et al, *The Application of Necessity in Medical Treatment: An Islamic Biomedical Perspective*. Bangladesh Journal of Medical Science. 2021;20(1):24-32. <https://doi.org/10.3329/bjms.v20i1.50341>
- <sup>131</sup> See, (op. cite. note 130 & 80)
- <sup>132</sup> “*Coronavirus (COVID-19) Vaccine Fatwa (Islamic Verdict)*”, Australian Fatwa Council, 13 February 2021, pp. 1-5
- <sup>133</sup> See, (op. cite. note 132); Al-Bukhārī, vol. 3, ḥadīth no. 656, p. 217
- <sup>134</sup> Al-Bukhārī, book no. 76, chapter no. 1, ḥadīth no. 1; Ibn Mājah, book no. 31, ḥadīth no. 3565; Al-Dhahabī, (Muḥammad bin Aḥmad bin ‘Usmān bin Qayyīm Abū ‘Abdallāh Shams al-Dīn al-Dhahabī al-Shāfi‘ī, died. 1348.H), *Al-Tibb al-Nabawī*. ed. (Shayyīd Jamālī), Cairo, p. 156
- <sup>135</sup> *Ṣaḥīḥ al-Bānī*, book no. 14, ḥadīth no. 291



- <sup>136</sup> Al-Muslim, book no. 39, chapter no. 26, ḥadīth no. 95; Bonnie Steinbock; (*edits*), “*the oxford handbook of bioethics*”, p. 18 (oxford university press, 2007). The first caliph has a similar view, “when he was asked that if he wanted to see a physician”, he replied; “the physician has already seen me, (he was then asked that), what did he say?, he (the caliph) said; (and recited a verse no. 16, chapter no. 85, of the holy Quran’; ‘Allah has the performer of what he desires”); Al-Ghazālī, *Ihyā’ ‘Ulūm al-Dīn*, vol. 4, p. 212 (Cairo, 1986)
- <sup>137</sup> Al-Dhahabī (op. cite. note 134), at, pp. 51-53
- <sup>138</sup> Al-Bukhārī, book no. 76, chapter no. 54, ḥadīth no. 87
- <sup>139</sup> Al-Bukhārī, book no. 76, chapter no. 53, ḥadīth no. 85; Al-Muslim, book no. 39, chapter no. 33, ḥadīth no. 144; Ibn Mājah, book no. 31, chapter no. 43, ḥadīth no. 106
- <sup>140</sup> Al-Bukhārī, book no. 61, chapter no. 25, ḥadīth no. 108
- <sup>141</sup> Fazli Dayan, (op. cite. note 26) at, pp. 121-123 & 203-247
- <sup>142</sup> See, (op. cite. note 26) at, pp. 286-289
- <sup>143</sup> Al-Muslim, book no. 6, chapter no. 3, ḥadīth no. 31; Al-Nasāī, book no. 7, chapter no. 17, ḥadīth no. 29, Abū Dāwūd, book no. 2, chapter no. 365, ḥadīth no. 674
- <sup>144</sup> *Mishkāt al-Masābīh* 1055, book no. 4, chapter no. 24(a), ḥadīth no. 473; See also, (op. cite. note 143)
- <sup>145</sup> Al-Bukhārī, vol. 1, ḥadīth no. 639, p. 165
- <sup>146</sup> Al-Muslim, book no. 6, chapter no. 3, ḥadīth no. 35
- <sup>147</sup> Abū Dāwūd, book no. 2, chapter no. 365, ḥadīth no. 677
- <sup>148</sup> See, (op. cite. note 147)
- <sup>149</sup> Al-Bukhārī, vol. 1, ḥadīth no. 682, p. 236
- <sup>150</sup> Ibn Mājah, vol. 3, ḥadīth no. 793
- <sup>151</sup> Abū Dāwūd, vol. 1, ḥadīth no. 552, p. 92
- <sup>152</sup> Al-Bukhārī, vol. 1, ḥadīth no. 632, 666
- <sup>153</sup> Al-Bukhārī, ḥadīth no. 3358
- <sup>154</sup> *Mishkāt al-Masābīh* 1909, book no. 6, chapter no. 7(b), ḥadīth no. 135
- <sup>155</sup> Al Quran, chapter no. 3, verse no. 92
- <sup>156</sup> *Riyād al-Sālihīn* 1501, book no. 16, chapter no. 252, ḥadīth no. 1501
- <sup>157</sup> Al-Muslim, book no. 39, chapter no. 19, ḥadīth no. 64
- <sup>158</sup> *Riyād al-Sālihīn* 908, book no. 6, chapter no. 145, ḥadīth no. 908
- <sup>159</sup> *Mishkāt al-Masābīh* 1887, book no. 6, chapter no. 6(c), ḥadīth no. 114
- <sup>160</sup> For details see his Tweet.
- <sup>161</sup> Al Quran, chapter no. 2, verse no. 222
- <sup>162</sup> At-Tirmidhī, book no. 43, chapter no. 41, ḥadīth no. 72; *Mishkāt al-Masābīh* 4487, book no. 22, chapter no. 4(c), ḥadīth no. 174
- <sup>163</sup> See, (op. cite. note 162); see also, At-Tirmidhī, vol. 2, ḥadīth no. 1503, p. 231
- <sup>164</sup> Al Quran, chapter no. 7, verse no. 31
- <sup>165</sup> *Mishkāt al-Masābīh* 4566, book no. 23, chapter no. 1(c), ḥadīth no. 51
- <sup>166</sup> Al-Ṭabarānī, (Sulimān bin Aḥmad bin Ayūb bin Matīr al-Shāmī Abū al-Qāsīm al-Ṭabarānī, died. 360. H), *Al-Mu‘jam al-Awsaṭ*, Dār al-Ḥaramayn, Cairo, 1994, vol. 4, p. 329
- <sup>167</sup> Al-Muslim, book no. 36, chapter no. 12, ḥadīth no. 129; *Mishkāt al-Masābīh* 4294-4298, book no. 21, chapter no. 6(a), ḥadīth no. 130
- <sup>168</sup> Al-Muslim, book no. 36, chapter no. 12, ḥadīth no. 130
- <sup>169</sup> *Mishkāt al-Masābīh* 9, book no. 3, chapter no. 8(c), ḥadīth no. 190
- <sup>170</sup> At-Tirmidhī, book no. 36, chapter no. 47, ḥadīth no. 77; Ibn Mājah, book no. 29, chapter no. 50, ḥadīth no. 99
- <sup>171</sup> *Riyād al-Sālihīn* 515, book no. Intro, chapter no. 56, ḥadīth no. 515; *Bulūgh al-Marām*, book no. 16, ḥadīth no. 1476
- <sup>172</sup> See, (op. cite. note 171 & 130)



<sup>173</sup> Nuhu A. Sanas, “*The Correlation between Covid-19 Confirmed and Recovered Cases in China: Simple Regression Linear Model Evidence*”, “*Electronic Research Journal of Social Sciences and Humanities*”, 2020, 2(1): 12106-129

<sup>174</sup> Visit NIH, Pakistan official website for details.

<sup>175</sup> See, “*Clinical Virology*”, (editors: Douglas D. Richman, Richard J. Whitley, and Frederick G. Hayden), 4<sup>th</sup> Edition, ASM Press, Washington, 2016

<sup>176</sup> Michael Letko, et al. “*Functional Assessment of Cell Entry and Receptor Usage for SARS-CoV-2 and Other Lineage B Betacoronaviruses*”, *Nature Microbiology*, 2020, 5(4):562-569

<sup>177</sup> Ali. M. Zaki, et al. “*Isolation of a Novel Coronavirus from a Man with Pneumonia in Saudi Arabia*”, “*the New England Journal of Medicine*”, 2012, 367(19):1814-1820; Bart L Haagmans, et al. “*Middle East Respiratory Syndrome Coronavirus in Dromedary Camels: An Outbreak Investigation*”, “*the Lancet Infectious Diseases*”, 2014, 14(2):140-145; Ben Hu, et al. “*Discovery of a Rich Gene Pool of Bat SARS-Related Coronaviruses Provides New Insights into the Origin of SARS Coronavirus*”, *PLoS Pathogens*, 2017, 13(11):e1006698

<sup>178</sup> Robert N. Kirchdoerfer, and Andrew B. Ward, “*Structure of the SARS-CoV Nsp12 Polymerase Bound to Nsp7 and Nsp8 Co-Factors*”, *Nature Communications*, 2019, 10(1):2342

<sup>179</sup> Fan Wu, et al. “*A New Coronavirus Associated with Human Respiratory Disease in China*”, “*Nature*”, 2020, 579:265-269

<sup>180</sup> Ying-Hui Jin, et al. “*A Rapid Advice Guideline for the Diagnosis and Treatment of 2019 Novel Coronavirus (2019-NCoV) Infected Pneumonia (Standard Version)*”, “*Military Medical Research*”, 2020, 7(1):4

<sup>181</sup> It is narrated by Zaid ibn Arqam that “the Messenger of Allah (peace be upon him) visited me while I was suffering from pain in my eyes”. See, *Mishkāt al-Masābīh* 3102, book no. 21, chapter no. 1138, ḥadīth no. 14

<sup>182</sup> *Mishkāt al-Masābīh*, Maktabah Muhammadīa, Ghaznī street, Lahore-Pakistan, 2005, vol. 5, ḥadīth no. 527, p. 78

<sup>183</sup> Fazli, Dayan (op. cite. note 80)

<sup>184</sup> Ibn Mājah, book no. 31, chapter no. 44, ḥadīth no. 108

<sup>185</sup> Ahmad bin Hambal (op. cite. note 118) vol. no. 7, ḥadīth no. 7764, at, p.

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<sup>186</sup> Al-Bukhārī, book no. 9, chapter no. 6, ḥadīth no. 7; Al-Nasāī, book no. 5, chapter no. 7, ḥadīth no. 15; At-Tirmidhī, book no. 44, chapter no. 80, ḥadīth no. 10

<sup>187</sup> Al-Nasāī, Maktabah al-‘Ilm Urdu Bāzār, Lahore-Pakistan, 2004, vol. 1, ḥadīth no. 260, p. 87

<sup>188</sup> Abū Dāwūd, book no. 98, chapter no. 43, ḥadīth no. 257

<sup>189</sup> Abū Dāwūd, book no. 97, chapter no. 43, ḥadīth no. 256

<sup>190</sup> Al Quran, chapter no. 2, verse no. 114

<sup>191</sup> Ibn ‘Asākir (‘Alī bin al-Ḥasan bin Hibat Allāh bin ‘Abd Allāh, Hūssain, known as Ibn ‘Asākir al-Dimashqī al-Shāfi‘ī al-Ash‘arī, died: 571AH/1176), vol 17, p. 11; and Ibn ‘Adī, vol. 3, p. 232

<sup>192</sup> Visit Pl. [www.darah.org.sa/index.php/st-and-rep/darah-events/101-22-10-2018](http://www.darah.org.sa/index.php/st-and-rep/darah-events/101-22-10-2018); See also, [www.siasat.com](http://www.siasat.com) “*hajj has been cancelled 40 times in history*”; For example, due to “the outbreak of hostilities, worshippers from different parts of the Muslim world could not perform *hajj*; such was the case for the Iraqis in 983 (AD) and for the Egyptians, Iraqis and Syrians in 1030 (AD), similarly *hajj* was suspended due to cholera outbreaks in 1837 (AD) and 1846 (AD)”. See, “*Epidemics, war have impacted Muslim worship throughout history*”, by Usaid Siddiqui, Aljazeera, News-Religion, 13th May, 2020 available at:<https://www.aljazeera.com/news/2020/5/13/epidemics-war-have-impacted-muslim-worship-throughout-history>

<sup>193</sup> M. Sābrī, *Fātāwā al-‘Ulamā Ḥawla Fayrūs Kūrūnā*, Dār al-Bashīr, Cairo, 2020, pp. 13-15; [www.facebook.com/AIRCAzhar/posts/2526762810916585](https://www.facebook.com/AIRCAzhar/posts/2526762810916585)





<sup>194</sup> See, The Tweet of Dr. Arif ‘Alvī, President of Islamic Republic of Pakistan.

<sup>195</sup> See, “BBSI Guidelines for the Eid Prayer and Practices during the Coronavirus Pandemic”, 18<sup>th</sup> May, 2020 available at: [www.bbsi.org.uk/wp-content/uploads/2020/05/BBSI0G8-Guidance-for-Eid.pdf](http://www.bbsi.org.uk/wp-content/uploads/2020/05/BBSI0G8-Guidance-for-Eid.pdf)

<sup>196</sup> See, AFC, “Important Notice & Fatwa: Coronavirus Update”, 18<sup>th</sup> May, 2020, available at: [www.anic.org.au/wp-content/uploads/2020/04/Important-notice-Coronavirus-Update-Fatwa.pdf](http://www.anic.org.au/wp-content/uploads/2020/04/Important-notice-Coronavirus-Update-Fatwa.pdf)

<sup>197</sup> See, OIC, “2020 Second Medical Fiqh Symposium Recommendations the Novel Coronavirus (Covid-19): Medical Treatments and Shariah Rulings”, 20<sup>th</sup> April, 2020 available at: [https://www.oic-oci.org/topic/?t\\_id=23480&t\\_ref=13985&lan=en](https://www.oic-oci.org/topic/?t_id=23480&t_ref=13985&lan=en)

<sup>198</sup> For details see, [www.oic-oci.org/page/?p\\_id=64&p\\_ref=33&lan=en#FIQH](http://www.oic-oci.org/page/?p_id=64&p_ref=33&lan=en#FIQH)

<sup>199</sup> See, (op. cite. note 197)

<sup>200</sup> Al Quran, chapter no. 4, verse no. 71

<sup>201</sup> The fatwa is available at: [www.facebook.com/OfficialAzharEg/posts/3382271245120278](http://www.facebook.com/OfficialAzharEg/posts/3382271245120278)

<sup>202</sup> See, (op. cite. note 197)

<sup>203</sup> Fazli Dayan, (op. cite. note 26) at, pp. 184-194

<sup>204</sup> Felicitas Opwis, *Maqāsid al-Shari‘ah*, in “Routledge Handbook of Islamic Law” (edits: “Khaled Abou El Fadl, Ahmad Atif Ahmad, Said Fares Hassan”), Routledge: London-New York, 2019, pp. 195-207; see also, (op. cite. note 26) at, pp. 184-204

<sup>205</sup> See, (op. cite. note 204) and (op. cite. note 26) at, pp. 253-256

<sup>206</sup> See, “Ghusl, Janazah & Burial during the Covid-19 Pandemic”, Guidance Document by CCI And MMAC, 22<sup>nd</sup> March, 2020, available at: [https://web.colby.edu/coronaguidance/files/2020/04/CCI\\_MMAC\\_Ghusl-and-Burial-Guidance.pdf](https://web.colby.edu/coronaguidance/files/2020/04/CCI_MMAC_Ghusl-and-Burial-Guidance.pdf)

<sup>207</sup> “Al-Dalīl al-Shar‘ī lil-Ta‘āmul ma‘a Virus Kūrūnā al-Mustajidah (Covid-19)”, Al-Azhar, “Global Electronic Fatwa Center”, Cairo, 2020, pp. 12, 42 & 47 available at: <https://drive.google.com/file/d/1-cDQrZnjUvumkNiy33jbgTleCcgUHZWH/view>

<sup>208</sup> It is also resolved that if normal *ghusl* which includes scrubbing the deceased’s body could lead to an infection due to insufficient resources or lack of facilities; then merely pouring or spraying water onto the body conveys the meaning of *ghusl* (ritual washing). See, Jordanian Board Resolution no. 283, issued on 19<sup>th</sup> March, 2020 available at: <https://www.aliftaa.jo/Decision.aspx?DecisionId=636#.XoEXn0xuLwq>. Abū Nu‘aym Al-Aṣbahānī in his book *al-ṭibb al-Nabawī* also recorded a story of a person who afflicted with a contagious disease. After death his relatives merely poured or sprayed water onto the body without touching the corpus. See, Al-Aṣbahānī (Abū Nu‘aym Ahmad bin ‘Abd Allāh bin Ahmad bin Ishāq bin Musā bin Mehrān al-Aṣbahānī, died: 430.H), *Al-ṭibb al-Nabawī*, Dār Ibn Ḥazm, Beirut, 2006, vol. 2, p. 205. Read also the “instruction regarding handling of dead bodies of conformed or potential Covid-19 victims”, Ministry of Health, Morocco, original text is available at: <https://www.sante.gov.ma/Documents/2020/coronavirus/corona%2003/PROCEDURE%20GESTION%20DECES%20DELM.pdf>

<sup>209</sup> See, “The Rights on the Muslim Community of the Muslims who Die with COVID-19 on the Muslim Community”, by “AMJA Resident Fatwa Committee”, Fatwa no. 87734, dated: 23<sup>rd</sup> March, 2020, available at: <https://www.amjaonline.org/fatwa/en/87734/the-rights-on-the-muslim-community-of-the-muslims-who-die-with-Covid-19-on-the-muslim-community>; (in the case of the presence of contagious diseases, the water can be poured on top of the cloth (that is not water repellent”). See, (op. cite. note 208) (Even if spraying of water could also lead to infection, then most Muslim jurists advocate that *tayammum* (dry purification) should be performed”. See, (op. cite. note 208)

<sup>210</sup> Ibid, visit also: <https://www.sistani.org/arabic/archive/26406/>

<sup>211</sup> Ibn Najm al-Khallal, “*lqḍ al-Jawāhir al-Thamīnah fī madhhab ‘ālim al-Madīnah*”, Dār al-Kutub al-‘Ilmīyah, Beirut, 2010, pp. 236-237

<sup>212</sup> See, (op. cite. note 207)





<sup>213</sup> See, (op. cite. note 208)

<sup>214</sup> See, “COVID-19 Muslim Burial Resources”, by MCB (“Muslim Council of Britain”, 9<sup>th</sup> April, 2020 available at: <https://mcb.org.uk/Covid-19-muslim-burial-resources/>

<sup>215</sup> See, “Corona-virus (Covid-19) Vaccine Fatwa (Islamic Verdict)”, Australian Fatwa Council, dated: 13<sup>th</sup> February, 2021, pp. 1-5; see also (op. cite. note 214).

<sup>216</sup> “The Australian Fatwa Council consulted with Muslim doctors and medical experts who specialize in the field of vaccines and viruses seeking clarity on the composition of the Corona-virus (Covid-19) vaccine and its effects, (thus) the following was the outcome: the Muslim doctors and medical experts scientifically confirmed that the vaccines (specifically: Pfizer and AstraZeneca) do not contain any prohibited substances or ingredients and that they have met the clinical standards of the TGA (at this stage Pfizer vaccine only, Astra Zeneca TGA application for approval is in progress and is also expected to be approved by the TGA quite soon), deeming them safe”. See (op. cite. note 216)

<sup>217</sup> “Based on what was conveyed by the trusted Muslim doctors and medical experts, the vaccine for the Corona-virus (Covid-19) is permissible according to the Islamic law as there is no known religious harm attributed to being vaccinated nor does it contain any forbidden substances, (hence) the vaccine will be considered necessary if there is any possible risk of harm to other humans due to non-vaccination, so there is a religious obligation to preserve human life that has been honored by Allah almighty”. See, “Medical *fiqh* Symposium: *Shariah* rulings regarding the use of Covid-19 vaccines”, IIFA, Jeddah, KSA, videoconference, 22<sup>nd</sup> February, 2021, pp. 1-9; see also, “Statement on Vaccination Rules & Issues”, by CCI, 16<sup>th</sup> September, 2021 available at: <https://canadiancouncilofimams.com/2021/09/18/statement-on-vaccination-rules-issues/>