

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Series of Questions Addressed to Eminent Scholar Ata Bin Khalil Abu Al-Rashtah,
Ameer of Hizb ut Tahrir through his Facebook Page (Fiqhi)

Answer to Question

Vaccination Fighting Coronavirus

To: Umm Bilal

(Translated)

Question:

Assalam Alaikum Wa Rahamtullah Wa Barakatuh

May Allah (swt) bless you, our Amir, and may Allah (swt) grant you victory and support you with a clear conquest and a Khilafah on the method of prophethood that brings comfort to the believers' hearts

My question is regarding the new vaccine that countries began to give to the people, to fight Coronavirus ... We see a lot of fear among people about taking this vaccine in light of the spread of many rumors on social media about the danger of this vaccine, and that it is a global capitalist conspiracy against the people. We know that the cure is in the hands of Allah (swt) alone, and that every soul has a term, and we, as an Dawah carriers, ask about the truth about this vaccine, and is it an obligation from Shariah to receive it in light of the spread of this epidemic? May Allah bless you.

Answer:

Wa Alaikum Assalam Wa Rahmatullah Wa Barakatuh

As you know, we have already issued answers to questions about medication, and we said in them:

- If the medicine is harmful, then it is forbidden according to the Hadith, «لَا ضَرَرَ وَلَا ضِرَارَ»
“There should be neither harming nor reciprocating harm.”

- But if the medicine is not harmful, but it contains prohibited or impure substances, then the ruling is makrouh, meaning it is not forbidden, rather it is permissible to use it but it is makrouh (disliked), if the patient does not find a mubah (permissible) medicine ...

- But if the medicine is not harmful and does not contain prohibited or impure substances, then it is mandoub (recommended)...

From these answers I will cite parts related to your question:

[First: Answer to Question on 26/1/2011, on the use of the forbidden, impure, and their use as medicine, and it says:

(...3- Medication is excluded from the prohibition, because medication that is forbidden and impure is not forbidden

- Seeking medication with what is forbidden (a substance) is not Haram (forbidden), this is because of the Hadith by Muslim from Anas: «رَخَّصَ رَسُولُ اللَّهِ ﷺ أَوْ رَخَّصَ لِزُبَيْرِ بْنِ الْعَوَّامِ وَعَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ فِي لُبْسِ الْحَرِيرِ لِحِجَّةِ كَانَتْ بِهِمَا». **Allah's Messenger (saw) granted concession, or Zubair b. Awwam and 'Abd Al-Rahman b. Auf were granted concession, for the wearing of silk because of the itch that they both had**". Wearing silk for men is forbidden, but it was permissible for medical treatment.

- As for the medication using najis (impure) substance it is not forbidden, because of the Hadith by Bukhari from Anas (ra): «أَنَّ نَاسًا اجْتَمَعُوا فِي الْمَدِينَةِ فَأَمَرَهُمُ النَّبِيُّ ﷺ أَنْ يَلْحَقُوا بِرَاعِيهِ يَغْنِي الْأَبْلَ» **The climate of Medina did not suit**...».

some people, so the Prophet (ﷺ) ordered them to follow his shepherd, i.e. his camels, and drink their milk and urine (as a medicine). So they followed the shepherd that is the camels and drank their milk and urine...” The word Ijtawu means the food did not suit them, so they became ill, and the Prophet (saw) permitted them to seek medication in urine which is najis (impure)...] End quote.

Second: what was mentioned in the Answer to Question on 19/9/2013 CE:

[The answer is that the usage of alcohol in medicine, as well as the drug containing alcohol, fall under the ruling of permission, though it is undesirable (Makruh), the evidence for it being:

Ibn Majah reported from Tariq Bin Suwaid Al-Khadrami who said: «قُلْتُ يَا رَسُولَ اللَّهِ إِنَّ بَارِضَنَا «I said: "Oh Messenger of Allah, on our land we have grapes which we squeeze and then drink from it". He said: "No." Therefore, I revised by saying: "We use it to cure the ill." He said: "This is not a form of healing, rather it is a disease.»

This is a prohibition of the use of impure or prohibited substances "Khamr" as a cure. But the Messenger of Allah (saw) authorized curing with the impure substance of camel's urine. Al-Bukhari reported from Anas (ra): «أَنَّ نَاسًا مِنْ عَرَبِيَّةٍ اجْتَوَوْا الْمَدِينَةَ فَرَخَّصَ لَهُمْ رَسُولُ اللَّهِ ﷺ أَنْ يَأْتُوا إِبِلَ «People from 'Uraina came to Madina, and the Messenger of Allah (saw) authorized them to approach the camels of charity to drink from their milk and urine.» They came to Madina, i.e. its weather did not suit them so they fell ill. Therefore, the Prophet (saw) authorized them to medicate with the camel's urine, which is impure. Also he (saw) authorized medication with Haram, such as the wearing of silk. At-Tirmidhi and Ahmad reported, at-Tirmidhi's articulation by way of Anas (ra): «أَنَّ عَبْدَ الرَّحْمَنِ بْنَ «Abdul Rahman Bin 'Auf and az-Zubair Bin 'Awam complained about rash that had befallen them to the Prophet (saw), and he allowed them shirts made of silk. He said: "I saw them in it." These two Ahadith indicate that the prohibition in the Hadith of Ibn Majah is not absolute, rather that medication through impure and prohibited substances is undesirable (Makruh).

Third: Answer to Question on 18/11/2013 CE on the Reality of Vaccination and the Shari'ah Rule on it

[Vaccination is a medicine, to seek medicine is recommended not obligatory; the evidences for this are:

1. Narrated by Bukhari from Abu Huraira that he said that the Prophet (saw) said: «مَا أَنْزَلَ «Allah has not sent down a disease except that He has also sent down its cure.»

Muslim narrated from Jabir Ibn Abdullah from the Prophet that he said: «لِكُلِّ دَاءٍ دَوَاءٌ، فَإِذَا «Every illness has a cure, and when the proper cure is applied to the disease, it ends it, by the permission of Allah Azza wa Jal.» Narrated by Ahmad in his Musnad from Abdullah Ibn Mas'ood: «مَا أَنْزَلَ اللَّهُ دَاءً، إِلَّا قَدْ أَنْزَلَ لَهُ شِفَاءً، عِلْمَهُ مَنْ عِلِمَهُ، «Allah has not sent down a disease except that He also sent down its cure; whoever knows it (the cure), knows it, and whoever is unaware of it (the cure), he is unaware of it»

These hadeeths contain instructions; for every disease there is medicine that cures it; this is an encouragement to seek medicine that can cure the disease by the permission of Allah (swt); it is an instruction and not an obligation.

2. Ahmad narrated from Anas that the Prophet (saw) said: «إِنَّ اللَّهَ حَيْثُ خَلَقَ الدَّاءَ، خَلَقَ الدَّوَاءَ، «There is no disease that Allah has created except that He also has created its remedy, so seek medicine.» Abu Dawoud narrated from Usama Ibn Shareek that he said: «تَبِثُ النَّبِيُّ ﷺ وَأَصْحَابَهُ كَأَنَّمَا عَلَى رُءُوسِهِمُ الطَّيْرُ، فَسَلَّمْتُ ثُمَّ قَعَدْتُ، فَجَاءَ الْأَعْرَابُ مِنْ هَا هُنَا وَهَا هُنَا، فَقَالُوا: يَا رَسُولَ اللَّهِ، أَنْتَدَاوُوا؟ فَقَالَ: «تَدَاوُوا فَإِنَّ اللَّهَ عَزَّ وَجَلَّ لَمْ يَضَعْ دَاءً إِلَّا وَضَعَ لَهُ دَوَاءً، غَيْرَ دَاءٍ وَاحِدٍ لِهَرَمٍ» أي "إلا الموت".

approached the Prophet (saw) and his companions, they appeared as if they had birds sitting on their heads, I extended my greetings and sat down, then many Bedouins came from here and there and asked: 'O Messenger of Allah, should we seek medicine?' He said: **“Yes, O slaves of Allah, seek medicine, for Allah has not created a disease except that he has also created its cure, except for one illness.”** They said, 'And what is that?' He said, **‘Al-Haram' [death]**” I.e. except for death.

In the first hadeeth, he (saw) commanded to seek medication, and in this hadeeth his answer to the Bedouins was to seek medicine for Allah did not send a disease except that He sends the cure. The speech in both hadeeths came in the command format which means a general order and not an obligation; unless the subject is regarding a definite issue. The definite command requires a Qareena (an indication) to its presence. In both hadeeth there are no Qareena present that indicates the obligation. In addition there has been narrations of hadeeths that indicates the permissibility of not seeking medicine, which negates the indication of the obligation from both hadeeths. Muslim narrated from Imran Ibn Haseen that the Prophet (saw) said: **«هُمُ الَّذِينَ لَا يَدْخُلُ الْجَنَّةَ مِنْ أُمَّتِي سَبْعُونَ أَلْفًا بِغَيْرِ حِسَابٍ»**, قَالُوا: وَمَنْ هُمْ يَا رَسُولَ اللَّهِ؟ قَالَ: **«هُمْ الَّذِينَ لَا يَكْتُونُونَ وَلَا يَسْتَرْفُونَ، وَعَلَى رَبِّهِمْ يَتَوَكَّلُونَ»** **“Seventy thousand from my Ummah shall enter Jannah without any reckoning”** They said who are they O Allah's Messenger? He said: **“They are the ones who do not get themselves branded (cauterized) nor they treat themselves with Ruqqya, and they trust in Allah.”** Ruqqya and cauterization is a form of medicine. Bukhari narrated from Ibn Abbas that he said: **«إِن شِئْتَ صَبَرْتَ وَلَكَ الْجَنَّةُ، وَإِنْ شِئْتَ دَعَوْتَ اللَّهَ أَنْ يُعَافِكَ»** فَقَالَتْ: أَصْبِرُ، فَقَالَتْ: إِنِّي أَتَكَشَّفُ، فَادْعُ أَتَكَشَّفُ، فَادْعُ اللَّهَ لِي، قَالَ: **«إِن شِئْتَ صَبَرْتَ وَلَكَ الْجَنَّةُ، وَإِنْ شِئْتَ دَعَوْتَ اللَّهَ أَنْ يُعَافِكَ»** فَقَالَتْ: أَصْبِرُ، فَقَالَتْ: إِنِّي أَتَكَشَّفُ، فَادْعُ اللَّهَ لِي أَنْ لَا أَتَكَشَّفُ، «فَدَعَا لَهَا...» **“This black woman came to the Prophet (saw) and said: "I have (epileptic) seizures, and I get exposed, so supplicate to Allah for me." He (saw) said: “If you wish, be patient and you will attain Jannah; or if you wish, I will ask Allah to cure you.”** She replied, "I will be patient! But my body gets exposed (because of the fall), so supplicate to Allah for me that I do not become exposed." **and he (saw) made supplication for her.”** These two hadeeths indicate the permissibility of not seeking medication.

This explains all of the issue: "تداووا", "تداووا", to **“seek medicine”** is not an obligation, therefore it is either permissible or recommended. The extent of encouragement by the Prophet (saw) to seek medication makes the command of seeking medicine that is mentioned in the hadeeth recommended.

Therefore, the ruling on vaccination is that it is recommended, because vaccination is a medicine; to seek the cure is recommended. Except in the case when it is proven that a specific type of vaccine is harmful, e.g. its ingredients are expired or is harmful for some reason, then vaccination in this situation it is prohibited according to the principle of harm that was mentioned in the hadeeth of the Prophet (saw) that was extracted by Ahmad in his Musnad from Ibn Abbas that the Prophet (saw) said: **«لَا ضَرَرَ وَلَا ضِرَارَ»** **“There should be neither harming, nor reciprocating harm.”** Other than that, these cases are rare.

As for the Khilafah "Caliphate" State, there will be vaccinations against diseases available as is required, for instance, the contagious diseases and so on. The medicine would be free from any impurities. Allah (swt) is Ash-Shafi (grants the cure), **﴿وَإِذَا مَرِضْتُ فَهُوَ﴾** **“And when I am ill, it is He who gives me the cure”** [Ash-Shu'ara: 80] What is known from the Shariah is that health care is an obligation on the Khaleefah in his role of looking after the affairs of the people, and according to the saying of the Prophet (saw): **«الإمامُ رَاعٍ وَهُوَ وَمَسْئُولٌ عَنْ رَعِيَّتِهِ»** **“The Imam is a Shepherd and he is responsible for those under his care.”** Extracted by Bukhari from Abdullah Ibn Umar; it is a general text regarding the responsibility of the state to show that health and medical care are the obligation of the state in its role to look after the affairs of the people.

There is also specific evidence regarding health and medical care: Muslim extracted from Jaber that he said: **«بَعَثَ رَسُولُ اللَّهِ ﷺ إِلَى أَبِي بِنِ كَعْبِ طَبِيبًا فَقَطَعَ مِنْهُ عِرْقًا ثُمَّ كَوَاهُ عَلَيْهِ»** **“The Prophet (saw) sent a physician to Ubai Ibn Ka'b, he cut one vein from him then he cauterized over it.”** Al-Hakim extracted in Al Mustadrak from Zaid Ibn Aslam from his father he

said: «مَرَضْتُ فِي زَمَانِ عُمَرَ بْنِ الْخَطَّابِ مَرَضاً شَدِيداً فَدَعَا لِي عُمَرُ طَبِيباً فَحَمَانِي حَتَّى كُنْتُ أَمُصُّ النَّوَاةَ مِنْ شِدَّةِ الْجَمِيَّةِ» “I suffered a severe illness during the time of Umar Ibn Alkhatib, he sent me a physician who gave me a strict diet, I used to suck on the date stone.”

The Prophet (saw) in his capacity as a leader sent a doctor to Ubai and Umar (ra) the second rightly guided Khaleefah also sent a doctor to Aslam to provide him with medication. They are both evidences that health and medical care are from the basic needs of welfare that the state is obliged to provide for free to those under its care] End of quoting from the Answers.

Conclusion:

1- The ruling of vaccination is that it is mandoub (recommended) meaning that it is a mandoub and not fardh (an obligation).

2- If it contains harmful ingredients then it is Haram (forbidden).

3 - If it does not contain any harm but includes impure or forbidden substances, then it is permissible but is disliked, meaning it is makrouh (disliked) and not forbidden.

4- Based on that, the Muslim who is ill initially searches for permissible medicine, and if he cannot find it, then it is permissible for him to use the makrouh (disliked) medicine.

5- Therefore the answer to your question will be, in light of the above as follows:

Vaccination with vaccines that contain prohibited or impure substances is permissible but makrouh (disliked), because vaccination comes under medication, and seeking treatment with forbidden and impure substances, as shown above, is permissible but is makrouh (disliked) ... unless it is found that it is harmful, then it is not permissible.

Until now I have not reached a definitive opinion about the harm from this medicine, and therefore I leave the matter to the members (Shabab and Shabbat), men and women, according to what they are assured of (if it is harmful or not), in the light of the aforementioned, and we ask Allah (swt), to protect us and all Muslims from every disease, for Allah is As-Samee' Al-Mujeeb (The All-Hearing The Best Responder to all affairs).

Wa Alaikum Assalam Wa Rahmatullah Wa Barakatuh

Your Brother,

Ata Bin Khalil Abu Al-Rashtah

9 Jumada Al-Akhar 1442 AH

22/1/2021 CE

The link to the answer from the Ameer's Facebook page:

<https://web.facebook.com/HT.AtaabuAlrashtah/posts/2847395992173073>