

AN ADVICE REGARDING DIFFERING OVER COVID19

Abu Khadeejah Abdul-Wāhid

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Question:

Some Muslims say that we are obligated to follow the view of a particular scholar (or scholars) in ijtihād concerning a worldly affair connected to science or medicine because it is an important health-related matter even though we know that our scholars (in general) are not specialists in the worldly sciences such as medicine, biochemistry and the likes so they naturally rely upon the views of the experts of their land (just as the rulers do)—and this is an indication of their truthfulness and sincerity. I am a Salafi, alhamdulillah, and I also know that the world scientific community has differed strongly over this matter that I refer to—and there are several expert scientists from Ahlus-Sunnah, some of whom carry doctorates (PhDs), who hold views in this matter that differ with the opinions of other scientists in the non-Muslim lands and elsewhere.

I have heard some people say that it is not allowed to disagree with the ijtihād of a scholar in these matters because it is related to peoples' health matters—even though we know statistically that the recorded survival rate is somewhere in the region of 99.7% of those afflicted by this flu-like disease—which overwhelmingly afflicts the elderly and chronically sick.

Some individuals have even suggested that differing with the ijtihād of the scholar in this worldly matter entails opposition to the Manhaj of Ahlus-Sunnah, opposition to the rulers and undermining of the scholars. This accusation is made even though these scientists, who are from among students of Shar'iah knowledge, have stated (on record) from the outset that the rulers of the Muslim lands must be obeyed and regulations followed in this matter.

These students of knowledge cite the clarification of Imām Muhammad Nāsir ad-Dīn Al-Albāni (rahimahullāh) in the subject, who stated that people should not cease physical contact, shaking hands, touching, etc. with other outwardly healthy people due to fear and suspicion of infections and transmission of diseases unless it is verifiably established that a person is actually sick, because this leads to evil suspicions between Muslims and cutting ties of brotherhood which Allāh has commanded the believers to maintain—and he (rahimahullāh) said that this behaviour amounts to falling prey to “wiswās” (whisperings of Shaytān).

Additionally, from the contemporary scholars, they cite the likes of the Imām Muqbil bin Hādī (rahimahullāh) regarding contagion, toxicity and vaccines, and Imām Muhammad Ibn Sālih Al-Uthaimīn (rahimahullāh) regarding quarantine and the permissibility of exiting lands afflicted with plague so long as they are not intending to flee from the disease, but for another need such as returning home or for trade, etc. Therefore, it is quite apparent that they have great scholars who agree with their stance. So what is your advice concerning this matter?

Response (Abu Khadeejah):

All praise is due to Allāh, the Lord of all creation. May the salutations of Allāh, His peace and blessings be upon our Prophet, his family, his Companions and his true followers until the Last Day—then to proceed:

The one who asserts that it is binding upon everyone to follow the ijtihād he follows in an affair that is differed over is ignorant in this aspect of religion and ignorant of the worldly science. The reasons will become clear to you as you read on, inshā’-Allāh.

[Part 1] Understanding the Ijtihādāt (Scholarly Deductions) of the Scholars in which they Rely on the Opinions of Experts in Worldly Matters

We should know, may Allah bless you, that if the ijtihād of a scholar in a worldly affair is (1) based upon incorrect worldly knowledge or erroneous science, or (2) differed over between specialists in the field—then in the first case, the ijtihād of the scholar is not accepted. And in the second case, it is not binding upon those who disagree if the disagreement is based on their expert knowledge.

This is proven by the saying of the Prophet (salallāhu ‘alaihi wasallam): **“You are more knowledgeable concerning your worldly affairs.”** I will return back to this hadīth later, inshā’-Allāh. And this differing with the ijtihād of a scholar entails no disrespect towards the scholar except in the minds of those who are ignorant in these affairs and impose blind-following upon the people. Alhamdulillah, the scholars themselves don’t impose

taqlīd and ta'assub to a particular view in worldly matters that are differed over—and I have written about this recently on my [website](#). And since there is also the clear saying of Imām Al-Albāni (rahimahullāh) rooted in principles that do not alter over time, then this makes the affair even more evident.

That is why we don't find the 'Ulamā making their ijtihād in such matters binding upon the whole Ummah—instead, they advise and obligate obedience to the Muslim ruler to maintain safety and well-being, and to avert harm and disorder. So, these scholars rely on information from the health authorities in their lands whom they trust—and we do not criticise this approach of the scholars because they are acting upon the saying of the Messenger of Allāh (salallāhu 'alaihi wasallam): **“You are more**

knowledgeable concerning your worldly affairs.” And their conduct is in accordance with the Sunnah.

Thereafter, as we have seen, the scholars issue fatāwā in issues related to the Religion of the people that are impacted by the decisions of those in authority such prayer in jamā'ah, fasting in Ramadān, rulings related to janā'iz, the 'Eid prayer, etc., and I and my brothers among the students of knowledge have translated much of this material which is widely available.

Furthermore, Ahlus-Sunnah wal-Jamā'ah, the Salafis are constantly reminding people to obey the Muslim rulers when they make ijtihād and pass a law for those living in their lands—and we supplicate for them, offer them sincere advice when we see it is appropriate and we do so in line with the Sunnah.

So who should the Muslims obey? The Muslims of Pakistan obey their ruler, the Muslims of Morocco obey their ruler, the Muslims of Kuwait obey their ruler, the Muslims of Saudi Arabia obey their ruler, the Muslims of Egypt obey their ruler and so on. And it may be the case that some rulers have laws and protocols in place different to other rulers based on their view of the particular worldly matter, infectious disease, scientific discovery, etc. Therefore, the Muslim is to obey the ruler of the Muslim land in which he lives even if that entails differing with the ijtihād of his scholar in an affair that is not clearcut among the experts of the worldly sciences (and in which he doesn't oppose the command of Allah).

As for the lands of the non-Muslims, then the Muslims living there follow what they are obligated with in that which doesn't entail disobedience to Allāh to avoid prosecution, legal action and even persecution.

A person cannot assert that Muslim minorities in non-Muslim lands are obligated with the restrictions of his preferred Muslim country to the exclusion of others (who do not have the same level of restrictions). And he cannot mandate Muslim minorities to follow the ijtihād of his chosen country or his selected scholar in a worldly matter (or science) in which he himself is ignorant of, and concerning which he has no ability to speak with knowledge.

A person who has no comprehension of the subject-matter he is entering into, nor able distinguish between the various views of the scientific community and how information is collated, interpreted, accepted, rejected

and disseminated can only make taqlīd—and that is his level, and there is no problem with that. **However, he is not permitted to assume that just because he is ignorant, therefore, every other Salafi must also be ignorant** so must join him in making taqlīd—and then to announce that he is with the scholars and those who differ with him are not with scholars and are following conspiracy theories, wallāhul-musta’ān.

In non-Muslim countries, where some of the people of insight and specialisation in science have researched the affairs, then they are well within their rights to contact and advise those in positions of authority when they enforce draconian laws which cannot be justified by valid and credible research. For this reason, in many Western nations, court cases are now being filed by some world-renowned experts to uncover what they see as faulty science (and corrupt non-scientific methods) which are behind many of the extreme and restrictive measures in-force in their countries. And many people with political standing also agree with them.

Again, this highlights the clear differences within the scientific community. It is not harām for a qualified Muslim scientist, moreover one who is also a student of Shar’iah knowledge, to investigate the veracity of the science behind these measures and to make his opinion known so long as it doesn't oppose the Book and Sunnah, and is in line with the view of a body of scholars of Sunnah (as is the case here).

These Salafis should not be vilified or warned against—rather they are to be thanked for their diligence

in these matters—and their differing with other scientists in this field does not harm them; not in their honour nor their Salafiyyah—and we do not exalt anyone above Allāh.

Furthermore, it is not prohibited for a Salafi student of Shari’ah knowledge (a recognised tālibul-‘ilm) to research, translate and truthfully convey the position of the scholars who held views that may oppose what others are accustomed to. So, he translates the speech of the early Salaf and later scholars with honesty making clear their position with respect to contagion and other matters.

Ultimately, a Muslim should follow the proofs in every affair as much as he is able. The worldly sciences such as the field of medicine, engineering, biochemistry, physics and even innovative farming methods are not the protected realm of a particular scholar or ruler to the exclusion of everyone else. Therefore, an ignorant layman or an uninformed student has no right to say that a bonafide Muslim scientist (who is also a student of knowledge) has no right to speak, even in his own field of expertise—and then assert that the scientists who visited one particular scholar are right (and trustworthy) and all those who differ with them are wrong and not trustworthy—that only their scientific view is right—and all opposing scientific views are nothing but conspiracy theories without basis!

Neither the scholars nor the rulers speak with such exaggeration in these matters—and that is why you find in many, many Muslim countries (and all praise is for Allāh) that the experts and specialists in various fields of worldly knowledge obey the laws and they are free to hold and

express their expert opinions that are published in journals, blogs and in the press. They are not condemned by the scholars nor the rulers.

[Part 2] A Fine Example from the Life of Our Noble Prophet (salallāhu ‘alaihi wasallam)

Look here at the conduct of the best of all of mankind (salallāhu ‘alaihi wasallam) and compare it to those who make binding upon the people (in fact upon the Ummah) that which the scholars, the scientific community and leaders differ over, wallāhul-musta’ān.

Mūsā bin Talhah narrated that his father said: I was with the Prophet (salallāhu ‘alaihi wasallam) and he passed by some date-palm trees of Madinah, and he saw some people at the top of the trees who were pollinating them. He said: **“What are these people doing?”** Talhah (radiyallāhu ‘anhu) said: **“They’re taking pollen from the male and putting it in the female to fertilise it.”**

The Messenger (salallāhu ‘alaihi wasallam) said: **“I do not think this will help in any way.”** The news of that reached them, so they stopped doing it and came down from the trees—and the trees did not bear any fruit that year as a result.

When the news reached the Prophet (salallāhu ‘alaihi wasallam), he said: **“It was only a suggestion that I had. If it helps in any way, then do it. I am a human just like you, and views may be right or wrong. But if I tell you that Allah (the Mighty and Majestic) said something, then I will never say anything untruthful about**

Allah.” (Reported in the Musnad of Imām Ahmad nos. 1399, 1400) See also Sahīh Muslim (no. 2361) who reported the incident and that the Prophet (salallāhu ‘alaihi wasallam) said: **“You are more knowledgeable concerning your worldly affairs.”**

So let us be humble (bārakallāhu feekum), understand the manners of differing, not make the ijtiḥād or deduction of a scholar equal to the command of Allāh, let us learn from each other and not invite to taqlīd or ta’assub, let us invite to seeking the truth and show respect to those who differ with us when they have legitimate proofs.

Muslims who do not know science (or the Shar’īah principles) should withhold from imposing the rules of one land upon another, or the ijtiḥād of one scholar upon the Ummah in affairs where differing between Ahlus-Sunnah is tolerated—and then proceed to bully, shame and vilify anyone who disagrees with him in a field of worldly science—and try to elicit refutations against those who differ with him, which (alḥamdulillāh) the ‘ulamā will not do because they know the Shariah and the principles of ijtiḥād.

And all praise is for Allāh—He is the One who grants success and guides whom He wills—and may the salutations of Allāh, His peace and blessings be upon our Prophet, his family, his Companions and his true followers.

Abu Khadeejah Abdul-Wāhid.