



Assembly of Muslim Jurists of America

**FIQH BY EXPERTS**

## **The Ruling On Getting The COVID-19 (Coronavirus) Vaccine**

All Praise be to Allah, and may His Blessings and Peace Be on His Messenger

Before addressing the particulars of this matter, it is warranted to mention some of the universals and maxims that govern it, including:

- The preservation of life is of the highest objectives of Sharia; for it, Allah has permitted, for someone who is compelled, the consumption of carcasses and even the utterance of words of disbelief.
- Trivial things are excused, and we have been forbidden from being overly technical.
- Allah wants ease for His servants, not hardship, and He loves that His servants avail themselves of His concessions; sometimes, using them is preferable or even obligatory. Disease (or fear of it) warrants the making of concessions.
- Using a forbidden substance, other than pure alcoholic beverage, as medicine, is permissible according to the majority, if it is the sole effective treatment. The vast majority of contemporary scholars adopt this position because of the clear benefits in modern medicines that approach certainty at times.
- What is likelier is treated like what is certain, and what is imminent is treated like what is present. This means that that which is likely to happen is given some of the rulings and concessions of that which is present.
- The basis of judgment in the matters of medicine is probability, not certainty, which is unattainable in most cases. There is no blame on physicians and researchers when they base their judgments on the greater likelihood. Al-Mardawy (Allah bestow mercy on him) said, "Where we accept the judgment of the physician, then [acting on] the greater likelihood is sufficient, according to the correct position in the madhhab."
- In general, when conflicting benefits and harms are intermixed, what is warranted is to procure the greater good and repel the greater harm. If some limited side effects are encountered with a particular medicine, they should be overlooked, if the medicine's benefits outweigh the harms.

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Concerning the particular issue of the COVID-19 vaccine, it is a matter of great importance that goes beyond the interests of individuals to communal ones, and the community is represented in this respect by its public health institutions. It is known that the pandemic has, so far, affected over seventy million people worldwide and caused the deaths of more than one and half million of them. There is no way to stop this pandemic except by reaching herd immunity, which requires that around 70% of the people have immunity. This can be achieved through one of two ways:

1. Allowing the infection to spread among the people without curtailing it
2. Vaccinating people against the virus

The first way does not conform with the Sharia, because it risks the lives of people, particularly the weak, which is in direct conflict with the intent of the legislator with regard to preserving all human lives. Its harms go beyond the realm of public health to affect people's worship and livelihood and other aspects of their lives. ("There should be no harm and no reciprocation of harm.")

The second way is through vaccination, which is congruent with the Sharia and reason. The permissibility of taking medicine to repel an existing disease or prevent an expected one is a matter of consensus among the people of knowledge. The point of contention is whether it is obligatory or not, and various fiqh councils have addressed this matter in detail, and one of the cases where taking medicine is obligatory is when the disease may harm others. This may apply to the case of COVID-19, which is extremely contagious.

As for the problems of production, about which some have said that it might be done through cultivating the viruses in fetal or porcine cells (or producing their proteins therefrom), here is the answer to this reservation:

The COVID-19 vaccines produced by Pfizer and Moderna, which will be soon available, do not rely on such technologies, and thus, there is no reason to doubt their permissibility because of this concern.

As for the COVID-19 vaccine produced by AstraZeneca, "the virus is grown in a cell line that has grown in a laboratory for more than 40 years and not directly in fetal tissue." Those cells have come from aborted fetuses in 1972. This vaccine is not currently available. Despite that, the permissibility of using human organs and cells, with certain conditions, is the position of the majority of Muslim scholars and fiqh councils. Of course, it is forbidden to abort fetuses for this purpose, and of course, parental consent must be obtained before using any part of an aborted fetus.

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As for the possibility of cultivating some viruses in porcine cells (if such is in fact taking place), the vaccine would usually have none of the cellular parts, but only cultivated in them. This makes the “najasah” (impurity) here happen only by proximity (mujawarah), in addition to being microscopic, and trivial things of this nature should be excused, particularly when the matter is about the necessity of protecting the people from this disastrous pandemic. If the porcine cells will be directed through mRNA to produce the proteins that resemble those of the virus, then such vaccine should not be used in the presence of alternatives. It is also impermissible, in the presence of alternatives, for Muslim scientists, to use porcine ingredients for such purposes, whether for the cultivation of viruses or production of its proteins.

As for the suggested risks of the vaccines, it must be stressed here that the Resident Fatwa Committee of AMJA is not the entity that should opine on this matter, but rather the experts in the public health agencies. In our assessment, some of those risks are nothing more than unfounded rumors, and some are plausible. However, here are some noteworthy considerations:

The approval of such vaccines is not a decision that is left to one person or company, but is conducted by the Food and Drug Administration (FDA) and similar agencies in other countries, and they follow stringent practices that consider the risk-benefit ratio, which is congruent with the principles of Sharia.

AMJA was also informed by trustworthy Muslim physicians that the Pfizer vaccine that has now been approved by the FDA has been studied on 40,000 participants (20,000 of them received the actual vaccines), and for more than two months, none of them had serious side effects. This surpasses the needed numbers for such trials and for a period that exceeds the period in which serious side effects usually take place. It must be said, though, that such numbers and duration may not be sufficient to rule out the possibility of rare complications, which may happen with any vaccine or medicine. While we should continue to monitor the developments, such possibility should not, for now, and after the approval by great majority, prevent us from availing ourselves of this vaccine. It also seems that the Moderna vaccine is following the same trajectory.

Based on the aforementioned, and because of the nature of the danger the world faces, the postulated risks are not sufficient to make the vaccine impermissible, and the least that could be said is that it is prescribed: either permissible or recommended for the individuals to take. As for the public health authorities, it is incumbent on them to make it available for the people, for their benefit and protection.

And Allah the Exalted knows best.