

Briefing: How UK fatwas on Covid-19 vaccines missed making Islam more relevant and meaningful

www.beingbritishmuslims.com | Dr Mamnun Khan | 17 Dec 2020

What is a fatwa? A fatwa (a legal edict) is a formal ruling or interpretation on a point of Islamic law, based on evidence from Islamic sources, given by a qualified scholar (*mufti*) or group of scholars. Believers are obligated (*wajib*) to seek fatwas/advice on matters for which they do not know what the theological guidance is.

What is the problem here?

- The recent availability of the Pfizer/BioNTech vaccine together with the imminent regulatory sign-off of Moderna and Oxford/AstraZeneca vaccines, has prompted the question of whether these vaccines are “permissible” (*halal*) to take under Islamic law.
- Islamic scholars have deliberated and offered answers, which have mainly focussed on the Pfizer/BioNTech vaccine as it is the first one being actively rolled out in the UK, at least for now.
- All of the fatwa’s/guidance issued have deemed the vaccine “permissible” (*halal*), meaning from a theological perspective there is no constraint on their use provided that the medical guidance is followed. However, **overall, these fatwas have missed the opportunity to provide greater depth of guidance and leadership by demonstrating how God’s revelation can be applied to inform health-protective behaviours and public policy.**

Issued by (date)	Link to fatwa / guidance	Permissible?	Encourage take-up	Consequences of inaction	Dharurah considered
1 Islamicportal.co.uk (5 Dec 2020)	https://islamicportal.co.uk/is-the-pfzier-biontech-covid-19-vaccine-halal/	Yes	-	-	-
2 BIMA (6 Dec 2020)	https://britishima.org/pfizer-biontech-covid19-vaccine/	Yes	Yes	-	-
3 Wifaqul Ulama (7 Dec 2020)	https://www.wifaqululama.co.uk/wifaq-pfizer/	Yes	-	-	-
4 British Fatwah Council (7 Dec 2020)	https://www.britishfatwacouncil.org/2020/12/can-we-take-the-pfizer-biontech-covid-19-vaccine/	Yes	Yes	-	-

*Note, many other fatwa councils such as the BBSI, ECFR etc. have not provided any guidance of their own at the time of this publication.

What is missing with these fatwas / guidance?

Missing aspect in fatwa	Comment
Fatwas 1 and 3 do not explicitly encourage take-up of the vaccine and, unwittingly, reduce the matter of solving a major public health emergency to a private matter of choice as a relevant religious concern.	Fatwas 1 and 3 take a passive approach to encouraging take-up of the vaccine, which belies the fact that ethnic minorities (who happened to be Muslim) are among the most disproportionately affected communities. Use of the vaccine isn’t therefore simply a matter of permissible (<i>mubah</i>) act, but in the context of the pandemic’s health and economic impact, it should have been deemed, at the very least, recommended (<i>mustahab</i>), or more appropriately conditionally obligatory (<i>wajib</i>). This passive attitude is a fodder for disinformation, rumours and conspiracy theories, which is endemic among ethnic minorities, see: https://www.bbc.co.uk/news/education-55332321
Fatwa 4 does not explicitly mitigate the context of the UK’s ethnocentric approach to <i>halal</i> and <i>haram</i> food categorisation which accords “permissibility” exclusively by compliance to ritual and chemical composition/ derivation/safety, and does not incorporate wider considerations like <i>dharurah</i> (necessity), environmental protection, animal welfare, cyclical economy standards etc.	Providing religious guidance requires a competent understanding and deliberation of the context in which their guidance will be received and applied. In relation to the Covid-19 vaccine, fatwa 4 failed to educate Muslims that permissibility on grounds of chemical composition are not the only relevant factors, and should have explicitly stated the <i>dharurah</i> (necessity) of solving the public health emergency through take-up of the vaccine.
Fatwas 1 and 3 fail to mention the nature of the public health emergency and the role of revelation in helping shape the response.	No comment on believers adopting responsible behaviours for the pandemic and how taking the vaccine is simply an extension of the repertoire of behaviours we need to adopt.
The BIMA guidance recommends taking the vaccine on the basis of safety and regulatory approval but does not consider the <i>shari’</i> basis for public benefit (<i>maqasid / maslaha mursala</i>), yet explicitly sets out to guide “Muslims.”	BIMA seems to have adopted an ethnocentric (as opposed to God-centred) approach to speaking of “Muslim” in the public sphere and failed to conclude the matter through approval by muftis and similar to fatwas 1 and 3 failed to articulate the arguments using <i>maqasid</i> (objectives of law) / <i>maslaha mursalah</i> (public benefit) / <i>qawaid</i> (legal maxims) for removing hardship / eliminating harm etc. BIMA should also focus on issuing material to counter vaccine disinformation, rumours and conspiracy theories.
None of the fatwas/guidance highlight the consequences of inaction i.e. they do not make the link between the impact of prolonging the pandemic and people’s wellbeing, including Muslims, and Islam will continue to weaken as a meaningful and relevant point of guidance in the public domain.	For example, it is highly likely that the longer the pandemic remains the more Muslim children will miss out on Islamic education, the fewer will attend mosques, and the finances of Islamic institutes will weaken. The longer the pandemic runs, the less will be the investment in faith institutes as businesses owned by Muslims like retail shops/takeaways/restaurants/ taxi firms etc. (major sources of income) struggle to sustain.

What should Muslims do?

If you are asked by your GP or NHS to take the vaccine, do so.

If you are in the age / vulnerable categories prioritised, ensure that you are not left out

Encourage elderly family members to take the vaccine

Don’t promote or entertain conspiracy theories, rumours or fake news, & report them to social media companies

For more information visit: <https://www.nhs.uk/conditions/coronavirus-covid-19/coronavirus-vaccination/coronavirus-vaccine/>