

CURRENT ISSUES IN LAW, JUSTICE AND SOCIETY:

ESSAYS IN HONOUR OF
HON. JUSTICE BULYMAN D. KAWU O.F.R.;
CHIEF JUDGE OF KWARA STATE



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Olagunju-Ibrahim R.O. (Ph.D)*

Abstract

Covid-19 has been identified as a pandemic. It has been so declared since March, 2020. From the time it was first found in Wuhan, China, in November, 2019, the said Covid-19 pandemic otherwise called Corona virus has dealt a devastating blow to a number of citizens of various countries across the globe, including Nigeria. The lockdown option, which was resorted to as a mini measure during the severe period of attack did bring about a halt in socio-economic activities, movement restrictions and imposition of curfew. The fallout of the lockdown has however brought about sudden rise in the rate of insecurity and crime related activities in various neighbourhoods and societies. In this treatise, Covid-19 is viewed as a pandemic which is seen as a divine infliction of adversity on human race in consequence of their missteps. The tripartite typology of these missteps for which man becomes befallen by divine calamity is in this work discussed. The daily effects of Covid-19 on human life and the Islamic law styled way out are also analyzed. The arm-chair (doctrinal) methodology of writing is employed in this work as same seems most appropriate in the circumstance, given the nature of the treatise as analytical in focus. The overall benefit accruable to mankind from heeding the recommendations in this work is attainment of a society clean from woes of severe pandemics like Covid-19.

Keywords: *Covid-19, Pandemics, Lockdown, Islamic Law.*

1. Introduction

Infectious diseases have for long been identified as one of the major causes of death, threat and mental worry. These diseases have also hindered community development, overall wellbeing of citizenry and public governance across the globe at different periods of occurrence. Covid-19 pandemic, being one of the infectious diseases, has become a serious health burden on human race generally since its outbreak in Wuhan, China, in November, 2019. The pandemic has since dealt a severe blow at a number of affected citizens across the world

thereby causing death of many or otherwise endangering numerous lives.

This paper seeks to discuss the enormity of the pandemic of Covid-19 with a view to bringing up a novel idea on how to tame the disease. This idea of the spiritual therapy of Islamic law considers and treats covid-19 and all other pandemics as a divine infliction of gross adversity on man in consequence of some of his unbecoming attitudes on earth. The paper shall among others discuss a set of tripartite factors behind the usual infliction of divine calamities on mankind. Discourse on the way out of the pandemic, which also features in the treatise, is what is herein above referred to as the spiritual therapy of Islamic law. The paper also discusses an overview of the pandemic and its effects on man's daily life.

2. Overview of Covid-19 Pandemic

Apart from its nature as hindrance and misery to human and community development, infectious diseases have remained a major cause of death and severe threat since antiquity. The covid-19 pandemic which is yet to abate completely throughout the globe is a serious infectious disease that has mounted its presence at almost every corner of the world.

First found in the Wuhan area of China sometimes in March, 2019, the Covid-19 disease, which is caused by corona virus, has in so many cases reached its third wave and about to enter into the fourth wave. It has been responsible for the killing of 3.01 million people out of 141 million affected throughout the globe.¹ Relatively, it is also on record that the Nigerian victims who lost their lives to the virus have so far reached a great proportion within the neighbourhood of 10,000 and above out of the overall number of reported cases (164,000).²

The virus is known as the severe acute respiratory syndrome coronavirus 2 (SARS-Cov-2). The disease it causes is called coronavirus disease 2019 (covid-19).³ In March, 2020, the World Health Organization (W.H.O.) declared the

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¹ Ileyemi M., premiumtimesng.com, 10th Dec, 2021

² Ibid

³ Ibid

Covid-19 outbreak as a pandemic.⁴ Public health groups including the U.S Centre for Disease Control and Prevention (C.D.C) and the World Health Organization (W.H.O.) are monitoring the pandemic up till present moment.

The Covid-19 pandemic has generally induced mass panic and threat across the world, including Nigeria, due to perceived uncertainties and insecurities. All these fallouts keep growing with the continuous growth of the waves of the virus.

In Nigeria for instance, the fourth wave of the corona virus pandemic appears to be present earlier than anticipated. The country recorded 754 new infections across eleven states of the federation and the Federal Capital Territory, Abuja as at Thursday December 9th, 2021. These statistics from the National Centre for Disease Control (NCDC), which indicate a sharp increase in the figure of newly confirmed cases, also confirm a single fatality case.⁵ A more recent update on the wave of the infections shows a higher figure than the above.⁶

The last time Nigeria recorded a somewhat high number of cases was October 17 2021, when 35 deaths and 376 fresh cases were announced. Though the country has not yet officially declared a fourth wave of the pandemic, the Lagos State Governor, Babajide Sanwo-Olu, hinted of the possibility not quite long ago. The Governor had noted that the positivity ratio of tests conducted in the state has increased to as much as six percent in the first week of December, 2021 as against 0.1 percent as of the middle of November, 2021.⁷

The NCDC thereafter revealed that Lagos State, the epicenter of the disease, reported more than half of the new infections with a total of 595 cases. While there has been a decrease generally in the number of fatalities, the NCDC noted that Nigeria recorded one additional death reported in Lagos State as a backlog for December 6, 2021.

The fatality toll at a time stood at 2,981, a week since two cases were reported to increase the fatality figure to 2,980. The centre added at that time that the new cases have increased Nigeria's infection toll to 215,918 while the discharged cases to 207,619. It also noted that the FCT reported a backlog of sixteen discharges for December 8, 2021.⁸

⁴ Ibid

⁵ Ileyemi M., premiumtimesng.com, 10th Dec, 2021

⁶ The Nation Newspaper, dated 11/04/2022, p. 8

⁷ Ileyemi M.

⁸ Ibid

Apart from the 595 cases reported in Lagos State, the NCDC data shows that the FCT also recorded 68 cases, with 28 of the cases forming a backlog for December 8, 2021. According to the log, Imo State came third with 49 cases, followed by Oyo State with nine cases and Delta State with a backlog of five cases for December 8, 2021.

As for Katsina State it reported four cases while the trio of Edo, Kano and Plateau States reported three cases each. For Ekiti and Gombe States, they reported two cases each. Rivers State came last on the log with a single case. The NCDC further noted no reported cases as at the time in the three South-western States: Ondo, Ogun and Osun, and Sokoto State in the North-West.⁹

Leaving the shores of Nigeria to the far away India, the latter country, despite the outbreak of the disease thereat in November, 2019 to January, 2020, the latter country had started experiencing a significant number of its positive cases since as early as March, 2020. It is on record that the population most affected were people of ages 11 to 60 while those under 10 years of age were the least affected.¹⁰

During the first wave, India for instance registered quite a low number of Covid-19 positive cases, but the scenario unexpectedly changed in the second wave, when over 400,000 confirmed cases were reported.¹¹ At a time, especially in the third week of November 2021, India was reporting around 7,000 to 9,000 new Covid-19 cases daily. However, glimmer of hope later surfaced that by early 2022, life would return to normal. Acceleration of Covid-19 vaccinations and supply of more vaccines than the demand have fuelled the hope.¹²

But the third wave of the pandemic seems to have changed the game. India now is in the middle of the third wave and the new cases have increased exponentially. On 19th January, 2022, the country reported around 317,000 new Covid-19 cases. Nearly all states of India are showing an upward trend with a rise in test positivity rate (JPR).¹³

⁹ Ibid

¹⁰ Arnab S. et al., Covid-19 Infection in India: A Comparative Analysis of the Second Wave with the First Wave. (Pathogens, 2021) pubmed.ncbi.nlm.nih.gov.

¹¹ Ibid

¹² Ibid

¹³ Ibid

As for the United Kingdom, the virus reached the place in late January, 2020. As at 20th December, 2021, there had been 13.8 million confirmed cases – the most in Europe and fourth highest worldwide. By that date, there had been 159,655 deaths¹⁴ among people who had recently tested positive – the world's seventh – highest death toll and 28th highest death rate by population.¹⁵ This is Europe's second – highest death toll after Russia and 20th highest death rate.¹⁶

3. Causes of Covid-19 Pandemic

The virus that causes Covid-19 spreads easily among people and more continues to be discovered over time about how it spreads. Data has shown that it spreads mainly from person to person among those in close contact (within about six feet or two meters)¹⁷. The virus spreads by respiratory droplets released when someone with the virus coughs, sneezes, breathes, sings or talks. These droplets can be inhaled and can land in mouth, nose or eyes of a person nearby¹⁸.

In some situations, Covid-19 virus can spread by a person being exposed to small droplets or aerosols that stay in the air for several minutes or hours. This is called airborne transmission.¹⁹ It can also spread if a person touches a surface or object with the virus on it and then touches his or her mouth, nose or eyes but the risk from this pattern is low.

Although most people with Covid-19 have mild to moderate symptoms, the disease has caused several medical complications and has led to death of so many people.²⁰ Older adults or people with existing medical conditions are of greater risk of becoming seriously ill with Covid-19. Corona viruses are a family of viruses that can cause illnesses such as common cold, severe acute respiratory syndrome (SARS) and Middle East Respiratory Syndrome (MERS). In 2019, a new corona virus was identified as the cause of a disease outbreak that originated in China.²¹

¹⁴ Ritchie et al., Corona virus pandemic (Covid-19) our world in Data. Retrieved 13th February, 2022.

¹⁵ Office for National Statistics, Government of the United Kingdom Archived from the original on 20th January, 2021.

¹⁶ Corona virus (Covid-19) in the United Kingdom, Archived from the UK Government from the original on 24th January, 2021.

¹⁷ <https://www.mayoclinic.org/diseases-conditions/coronavirus/symptoms-causes/syc-20479963#:text=infection%20with%20the%20new%20coronavirus,time%20about%20how%20it%20spreads.>

¹⁸ Ibid

¹⁹ Ibid

²⁰ <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/safety/adverse-events.html>

²¹ <https://www.mayoclinic.org/diseases-conditions/coronavirus/symptoms-causes/syc-20479963#:text=Risk%20factors%20for%20Covid-19,on%20by%20an%20infected%20person.>

On the symptoms of Covid-19, these may appear from 2-14 days after exposure. The time of exposure before having symptoms is called the incubation period. Common symptoms include; fever, cough and tiredness. Early symptoms may include; loss of taste or smell. Other symptoms include; muscle aches, chills, sore throats, runny nose, headache, chest pain, pink eye (conjunctivitis), nausea, vomiting, diarrhea, rash etc.²² The list is not all inclusive. Children have similar symptoms to adults and generally have mild illness. The severity of Covid-19 symptoms can range from very mild to high. Some people have only a few symptoms and some may have no symptoms at all. Some people may experience worsened symptoms such as worsened shortness of breath and pneumonia about a week after symptoms start.

Older people have a higher risk of serious illness from Covid-19 and the risk increases with age. People who have existing medical conditions also may have a higher risk of serious illness. Certain medical conditions that may increase the risk of serious illness from Covid-19 include; serious heart issues such as heart failure, coronary artery disease or cardiomyopathy cancer, chronic obstructive pulmonary diseases (C.O.P.D), type 1 or type 2 diabetes, overweight, obesity or severe obesity, high blood pressure, smoking, chronic kidney disease, sickle cell disease or thalassemia, weakened immune system from solid organ transplant, pregnancy, asthma, chronic lung diseases such as cystic fibrosis or pulmonary fibrosis, liver disease, dementia, down syndrome, weakened immune system from bone marrow transplant, HIV, substance use disorders etc.²³ There could be other ones.

In their own case, emergency Covid-19 symptoms can include; trouble breathing, inability to stay awake, new confusion, pale, gray or blue-colored skin, lips or nail beds depending on skin tone.²⁴

4. Effects of Covid-19 on Daily Life

Nigeria, like other countries of the world, has over the years been experiencing a varying and worsening rise of anti-people social conditions such as insecurity and crime. These have all along been as a result of some occurrences and prevailing situations around us. However, the sudden emergence and

²² Ibid

²³ Ibid

²⁴ Ibid

resultant effects of the Covid-19 pandemic on the citizenry have in the recent time seemed to be of more devastating impacts on them. For instance, Covid-19 has affected day to day life and slowed down the global economy.²⁵ It has also affected thousands of people who have either been sick or lost their lives due to the spread of the disease.

Indeed, the impacts of Covid-19 on daily life have been quite extensive with far reaching consequences which can be divided into various categories²⁶ such as healthcare, economic, social, religious, e.t.c. The pandemic has really affected the sources of supply as there were times when some restriction orders hindered travelling from one country to another. During the few permitted travellings, a number of cases have been identified positive when tested especially when on international tours.²⁷ Healthcare professionals have faced a lot of difficulties in maintaining the quality of health care.

Religiously, Muslims in particular have been seriously affected as yearly pilgrimage to Mecca and Madinah in Saudi Arabia was globally cancelled in 2020 possibly for the first time after so many years of its annual practice. The authorities of Saudi-Arabia issued and announced the cancellation order as a necessary step to forestall further spread of the deadly and highly communicable disease which could have been possible if hajj rites performance had not been cancelled that year. And even as we write, (July, 2022), the hajj rite performance quota allowed for this year is still restrictive. The 1 million figure peg given by the relevant authorities of Saudi-Arabia government as those allowed for the religious exercise this year²⁸ is still quite distant from the earlier open blanket access. Though in a way better than the trend in the last two years, the number allowed this year (2022) is ridiculous compared to the huge figures of the pre-Covid-19 era. But Muslim worshippers seem to have no choice than contentment with what is obtainable currently as same is a fallout of the effect of Covid-19 problem which is yet to abate completely.

Another adverse effect of this pandemic on the populace falls in the area of sudden surge in crime incidence. This is particularly a fallout of the lockdown order issued by governments of many nations as one of the few instant measures

²⁵ Haleem A. et al., Effects of Covid-19 on Daily Life at www.nobi.nlm.nih.gov.

²⁶ Ibid

²⁷ Ibid

²⁸ The Nation Newspaper dated 9/4/2022

adopted during the emergency period to slow down the quick spread of the pandemic. Nigeria, like other countries of the world, also took to this preventive measure as a national response championed by the Presidential Task force in compliance with global efforts. Though the lockdown restriction policy was very effective on temporary containment of the disease at the time, it brought about a lot of fear of insecurity and spike in crime occurrence with lots of socio-economic consequences on Nigerian residents.

The crimes which went up on spike at the period include: property crime, commercial burglary, car theft, some pockets of looting gang violence, rape and sexual assault. Others are vicious weapon attack, domestic violence, vehicle vandalism brutality by law enforcement agents, extra-judicial killings²⁹ among others.

5. Spike of Property Crime as a Case Study

Over the course of just a few weeks during the first few months of year 2020, the covid-19 pandemic radically changed the nature of social interaction and economic activity in all regions across the world. By the first week of April, 2020, 3.9 billion people-more than half of the global population – were under some form of lock down.³⁰ In the months that followed, countries enforced a broad spectrum of restrictions,³¹ adjusting and readjusting their response in accordance with the course of the pandemic. The ongoing changes at the time kept affecting all aspects of life, with crime not being an exception. As for homicide, robbery, theft and burglary among others, they all went down on decrease lane.³²

Homicide underwent a short-term decline of 25 percent or more in some countries. In others, there was no visible change or the variability in the number of victims remained within its pre pandemic range. However, the economic downturn caused by the pandemic seemed to have increased property crime.³³ Changes in recorded property crimes were more homogenous and more marked. However, these changes are more difficult to interpret because they reflect changes in the

²⁹ Effect of the Covid-19 Pandemic and Related Restrictions on Homicide and Property Crime. <https://www.unodc.org/covid>

³⁰ Ibid

³¹ Ibid

³² Ibid

³³ Ibid

crime itself as well as in reporting capacity and the accessibility of criminal justice institutions, which have most likely been affected by the pandemic.

The observations in the medium to long term later on showed that the declining trend in reported robbery, theft and burglary may become reversed as a consequence of the economic down turn.³⁴ As observed in the past, economic crises increase unemployment and have a greater impact on vulnerable groups, thus putting additional stressors on people and limiting their opportunities for financial stability, which may in turn trigger a spike in property crime in the later stages of the covid-19 pandemic.³⁵

In the longer-term, the closure of business and subsequent unemployment and loss of income may affect crime, especially acquisitive and profit-oriented crime, where economic and social safety nets are not sufficient to ensure livelihoods. Furthermore, looting and rioting are a risk in areas where the population is economically impacted and dissatisfied with the government's response.

The short and long-term impact on crime can be viewed in the context of criminological theories known as "opportunity theory" and "strain theory".³⁷ These theories predict two diverging trends for crime. Opportunity theory posits that lockdown measures can potentially reduce the possibility of criminal offences being perpetrated because of the restrictions imposed on mobility and social interaction.³⁸ As for strain theory, it argues that socio-economic strains that affect a large stratum of the population, especially the most vulnerable groups, have the potential to create an atmosphere of pressure that drives individual to commit crime.³⁹

6. The Spiritual Therapy of Islamic Law

From the various submissions and expositions in the preceding pages, description of Covid-19 as a serious and deadly disease is lucid and categorical.

³⁴ Ibid

³⁵ Ibid

³⁶ Euronews, "coronavirus: Half of Humanity now on Lockdown as 90 countries call for confinement". April, 2020. Available at www.euronews.com/2020/04/02/coronavirus-in-Europe-and-spain-s-death-toll-hits

³⁷ Ibid

³⁸ Ibid

³⁹ Ibid

The glorious Qur'an is the grundnorm of Islamic legal system and thus a comprehensive compendium covering all fields in detail. Allah the Almighty alludes to this when He refers to the Qur'an as a compendium that addresses all known affairs of man either expressly or impliedly.⁴⁰

Covid-19 as a pandemic disease is not in any way different from the cluster of serious diseases and calamities which Allah has caused to descend on humanity from time to time. The need to locate the spiritual option of Islamic law on how to curb the deadly pandemic of Covid-19 or contain same becomes worthwhile on the basis of same being an additional set of way out from the challenges of Covid-19 apart from the practical solution tips for the same menace. The fact of seeing Covid-19 pandemic in this paper as one among many divine calamities has compelled writers to undertake a voyage at this juncture into various causes of these calamities.

Thus, the design is to discuss the discernible causes of divine calamity alongside solution formulae that can operate as way out therefrom. This aspect of solution to the divine calamities, among which the writers tag Covid-19, is what the paper at hand refers to as the spiritual therapy of Islamic law on Covid-19. It is spiritual because the said solutions, as they shall soon unfold, do not really follow the path of practical prescription tips that usually emanate from hospitals. Instead, this option is more of engaging in direct and constant communion with the ultimate being (Allah) through mystic-like exercises that can help to better one's relationship with God and thereby free one from destructive afflictions.

Having said this, the paper identifies three factors among others as direct causes of the various calamities which mankind has passed through in the course of history. The first is the typology of worldly punishments by Allah in consequence of man's acts of disobedience to divine instructions. Unacceptable exhibitions of man such as injustice, tyranny, oppression, inequality etc also come for mention as additional causes of this particular type of calamity. A practical example of the point at hand was the destruction of the tribe of *Thamud* (Prophet Salihu's community) with terrible storm of thunder and lightning when they denied the messerage of Allah and thereby belied the divine warning that disaster would strike them. In the same vein, the tribe of '*Ad*' (the people of

⁴⁰ Q6:38

Prophet *Hud*) met similar waterloo when they committed the same offence. In their own case, their consequential destruction (a form of calamity) followed the pattern of furious wind which God let loose against them repeatedly for some days and nights. The Qur'an is expressive of these two cases and few others when it states:

The tribes of *Thamud* and '*Ad* denied that disaster would strike them; the *Thamud* were destroyed by a terrible storm of thunder and lightning; and the '*Ad* were destroyed by a furious wind which God let loose against them for seven nights and eight days unremittingly, so that you could have seen its people lying prostrate as though they were the hollow trunks of palm-trees which had fallen down. Do you see any vestige left of them now? Pharaoh and those before him and the inhabitants of the overthrown cities (*Mu'tafikat* i.e., *Sub'ah*, *Sa'arah*, '*Umrah*, *Dūma* and *Sadūm*) persistently committed grave sins. They defied their Lord's messenger, so He seized them with an ever-tightening grip. But we bore you away in the Ark, when the waters rose high, so that we might make it a reminder for you and so that attentive ears might retain it.⁴¹

From these quoted Qur'anic verses and the preceding analysis, it is not uncertain that denial of God messengers and divine instructions by the aforementioned tribes caused their tragic end. The writers' designed schedule for this work as earlier indicated is to discuss both the cause and solution of each of the three calamities of man proposed for discussion. In view of this, what seems to be the solution to the particular worldly punishment (i.e. the first type of man's calamity) is to return to God in full obedience to His commandments. Once this is followed religiously, assurance exists that sigh of relief from worldly punishment will be heaved. This point is discernible from the concluding part of the Qur'anic injunctions quoted above.⁴²

⁴¹ Q69:5-13

⁴² Q 69:13

The second type of calamity is the one which man invites patently and directly by himself. Somebody who harbours excessive envy or uncurtailed antipathy against another for no genuine reason may be inviting a calamity to himself unconsciously and unrealizingly. For instance, the position of exalted honour⁴³ which prophet Muhammad (May Allah be pleased with him) accorded Caliph Ali on one instance happened to anger a new entrant⁴⁴ into the fold of Islam a great deal. Perhaps the fellow was not prepared to see Ali enjoying such a high tower position of recognition (for any reason best known to him), he rather demanded from God to forthwith send on him heavy downpour of thorny stones or painful torment instead of living to see that Ali's recognition was on in that beautiful manner. God heard his call and caused him to be befallen by ruin and destruction.⁴⁵

The Qur'an narrates this thus;

A doubter once demanded that punishment be immediately meted out to those who denied the truth. No power can hinder God from punishing them. He is the Lord of the Ascending stairway, by which the Angels and the Spirit will ascend to Him in one Day which will last for fifty thousand years.⁴⁶

Although going through the above verses may seem to reveal that the demand for immediate worldly punishment was made by one person against the disbelievers and not against the maker himself, a painstaking reading of the exegetic work of Al-Qurtubi on the quoted verses under reference explains the solution better. The torment demanded by the maker is said to be compared to the punishment due to disbelievers. However, the comparison does not follow the usual literary path of simili. Rather, it employs the figurative expression of metaphor in Arabic rhetoric which is better and richer in diction. So, in actual fact,

⁴³ This honour stems from prophet Muhammad's equation of Ali to himself when he said "Ali is also a master to whomever accepts me as true master"

⁴⁴ His name according to some group of scholars was Al-harith Ibn Nu'man Al-fihry. But other scholars such as Ibn Abbass and Mujahid mentioned An-Nadr Ibn Al-harith as the person concerned. They said he met his waterloo at the battle of Badr where he and 'Uqbah Ibn 'Abi Mu'ayt were mercilessly killed among others. This was in Allah's answer to his (An-Nadr's) demand for torment.

⁴⁵ Al-Qurtubi M.A., *Tafsir Al-Jami' Li ahkam al-Qur'an wal-Mubayyin Limaa Tadammanahu Min as-Sunnah wa Aayi al-Furqan* (1st ed., Vol. 17, 2008, Dar at-Taqwah Publishers, Cairo, Egypt) p.208

⁴⁶ Q70:1-5

the maker, Al-Harith Ibn Nu'man or An-Nadr Ibn al-Harith really demanded that the punishment be meted on himself. His words for the demand were said⁴⁷ to be replica of what is reported in another Qur'anic verse which reads thus;

They also said; God, if this really is the truth from You, then rain down upon us stones from heaven, or send us some other painful punishment.⁴⁸

Having clarified the point above, the next work schedule is the issue of workable solution to the kind of calamity of painful torment which, as demanded, was caused to descend on the maker of the demand. On this, the writers recommend shunning of evils (As-sabr 'an al-ma'asiyah) and true worship of God (As-sabr fi Tā 'atillahi) as useful tips. Al-Qurtubi writes that combination of these two (which can interchangeably be called *Jihad* and *'Ibadah* respectively) can grant one the fortitude to always eschew envy and find pleasure with God's destiny in favour of another person.⁴⁹ It will be recalled that the demand by the maker for the divine punishment on himself was as a result of his displeasure with another person's honour. This thus informs the writers' suggestion of the twin suggestions of evil avoidance and God worship or faithfulness (which are both elements of patience and endurance).

On the third identified pattern of man's calamity, what is in mind here is God's willful subjection of man to certain conditions that may be seen as uncomplimentary and painful such as; fear, famine, drought, sudden death etc. As hinted in the Qur'an, these conditions are posed on people as a means of testing their level of faith, devotion, steadfastness, patience and religiousness. On this, God the Almighty says in the Qur'an,

We shall certainly test you with fear and hunger and loss of property, lives and crops. Give good news to those who endure with fortitude. Those who say, when afflicted with a calamity, 'we belong to God and to Him we shall return'. They are the ones who will have blessings and mercy from their Lord: it is they who are on the right path!⁵⁰

⁴⁷ Op.cit, p.208

⁴⁸ Q8:32

⁴⁹ Al-Qurtubi M.A., Vol.1, p.140

⁵⁰ Q2: 155-157

Al-Qurtubi interpretes loss of lives in the Qur'anic quotation above as meaning loss of lives occasioned by cataclysm (Jaihah) and pandemic (Tā'un)⁵¹. To the writers, this third category of calamities seems to be where Covid-19 can best be subsumed for being a deadly disease. And as for our suggestion on its solution, this is already clear from the concluding portion of the first verse therein. This is where Allah says '...Give good news to those who endure with fortitude.'⁵²

With this, it is clear that the first spiritual therapy tip for Covid-19 as an Islamic law antidote is patience, perseverance and endurance by the victims. The essence of endurance, which is part of the healing powers indicated in the Qur'an,⁵³ is to show that the victim has cultivated deep faith in the creator being the source of ailments and hope for recovery. However, it should be noted that the writers do not wish to be understood as restricting Covid-19 cure only to this spiritual recommendation of endurance. Though Islamic medicine is in some respects spiritually inclined,⁵⁴ it also vets and even commands application of medical knowledge, treatment, research, training and other medicine related activities. In fact, failure to appreciate all these is said to devalue knowledge in Islam.⁵⁵

A saying of the Prophet (May Allah be pleased with him) that "there are two gifts of which many cheat themselves" is believed to be in support of the above submission as it stresses that Muslims, aside spiritual concerns,⁵⁶ must take good physical care of their health and strive to remain healthy. This understanding, among others, must have influenced Al-Razi⁵⁷, one of the greatest of the early Muslim physicians, who was also known as "Galen of Arabs", to conceptualize medicine as "the art concerning the preservation of healthy bodies, combating diseases and restoring health to the sick."⁵⁸

⁵¹ Op.cit

⁵² Ibid., verse 155

⁵³ Q17:82

⁵⁴ Robson J., *Magic cures in Popular Islam* (The Muslim world, 24th ed., 1934). p.37

⁵⁵ Nurdeng D., p.16

⁵⁶ This aspect is completely missing in the modern orthodox medicine as W.H.O only defines health as a state of complete physical, mental and social well-being. Spiritual medicine is neglected in modern medicine as it does not take into consideration the issue of life after death.

⁵⁷ His full name was Abu Bakr Muhammad Ibn Zakariyya al-Razi (d.313/925). He introduced, for the first time, mercury compounds as a purgative. Al-Biruni wrote a compendium of Al-Razi's books which were said to be more than two hundred in number on various subjects including medicine, the natural sciences, logic, mathematics, astronomy and alchemy.

⁵⁸ Al-Razi A.M. *Kitab al-Mansuri* (The Book of al-Mansur) edited by Colin G. and Renaud HPJ (Rabat: n.p.

The above notwithstanding, readers are not expected to anticipate coming in contact with Islamic law line of practical treatment devices for Covid-19 disease in this work. Confinement of the paper at hand to the colouration of spirituality of cure tips raises bar against such anticipation. Going further on the list of spiritual solutions to calamities (one of which is Covid-19), piety/fear of God (taqwah) comes to mind as another effective healing option in the circumstance. Inclusion of this is a fall out of what is discernible from the content of the Qur'an wherein Allah says;

...this is an admonishment for those who believe in God and the last Day. To one who fears God, He will grant a way out (of his difficulties).

The need to fear Allah (piety) as a spiritual recommendation for recovery from Covid-19 is arrived at because of the writers' understanding that the disease is one of the difficulties of the sick out of which Allah pledges to give a way to whomever fears Him. Further, sickness is believed to be one of the divine tests to which man will be subjected in order to discover his level of faith. However, this paper does not negate possibility of human suffering from ordinary diseases which are unconnected to the divine factor of faith test. This is alluded to also in the Qur'an. The relevant portion thereof reads thus;

And when I fall sick, Allah it is who Heals me.⁶⁰

The Qur'an is expressive of this where it reports the creator as saying,

Do people think that once they say; 'we believe', they will be left alone and not be put to the test? We certainly tried those who have gone before them, so God will certainly distinguish between those who are truthful and those who are lying.⁶¹

59 Q 65:2

60 Q 26:80

61 Q 19:2-3

Though the quoted Qur'anic verses were revealed as a sort of consolation to some early Muslims in Makkah⁶² for the untold persecutions they went through in the hands of the disbelievers among the Quraysh, the verses were interpreted by Ibn Atiyyah as continuous basis for calamities (such as serious diseases) which mankind can still go through till the last day.⁶³ The spiritual recommendation of piety being one of the antidotes against the deadly Covid-19 disease is indeed a sure way to tame the tide of the disease and possible similar others. And because the creator is ever benevolent towards us, He has acquainted mankind that whatever adversity coming their way is by the know-how and will of Allah. This privileged information is no doubt thought to be capable of creating in man the convenience of holding strongly to the cord of piety. Allah says;

No misfortune can affect the earth or your own selves without its first having been recorded in a book, before we bring it into being. That is easy for God to do; so that you may not grieve on what has escaped you, nor be exultant over what you have gained. God loves not the conceited nor the boastful.⁶⁴

7. Non-Muslims and the Practicability of Piety

Although what usually comes to mind whenever the term 'taqwah' i.e. piety is mentioned is that of an affair which is restricted to the Muslims only. This may not be quite true as piety seems to be a condition of human soul which Muslims in most cases are required to attain. This notwithstanding, the Qur'an, while giving a descriptive analysis of what acts will qualify one as pious, mentions some preoccupations which in practice are not exclusive preserves of the Muslims. Apart from the obligations to perform daily prayers, Zakah and to maintain belief in the Qur'an and in the ultimate being (Allah), none of which non-Muslims do espouse, almost all the remaining deeds in the said Qur'anic descriptive analysis by Allah are also being practised by non-Muslims. The

⁶² Such as; Salmah Ibn Hisham, Ayyash Ibn Abi Rabi'ah, Walid Ibn Al-walid, Ammar Ibn Yasir and father and Ammar's mother (Sumayyah) and quite a number of others from the tribe of Makhzum and other tribes.

⁶³ Al-Qurtubi M.A. Vol. 13, p.246

⁶⁴ Q 57:22-23

Qur'an reads:

Virtue does not consist in whether you face towards the East or the West (in prayer); virtue means believing in God, the last Day, the angels, the Book and the prophets, the virtuous are those who, despite their love for it, give away their wealth to relatives and orphans and the very poor, and to travelers and those who ask (for charity), and to set slaves free, and who attend to their prayers and pay alms, and who keep their pledges when they make them, and show patience in hardship and adversity, and in times of distress. Such are the true believers; and such are the God-fearing.⁶⁵

The myriad of good deeds which make up a pious Muslim in the quotation above are about fifteen in number. If nine out of the list can be engaged in by non-muslims, especially Christians as earlier pointed out, it may not be too much if they are also seen as God-fearers (though in their own retrieve way), and not in the holistic form as requires by Allah. This explanation makes the writers' recommendation of piety as an antidote to Covid-19 a spiritual therapy which non-muslims can also find practically possible. As a result, they too may achieve recovery or at least relief from the disease by so doing. This is more so that the benefit of recovery, which is expected to be achieved as a result of God-fearing, is a worldly benefit the possibility of which a prophetic hadith has established even for non-muslims. The hadith⁶⁶ goes thus;

Verily, Allah will not cheat a Muslim faithful of the reward of a good deed by him; he would taste of it on earth and be given full reward for same in the hereafter. But in the case of a disbeliever, he would be made to reap all the fruit of his good deeds right here on earth in such a way that nothing will be left for him again as reward in the hereafter.⁶⁷

⁶⁵ Q 2: 177

⁶⁶ The hadith is narrated by Anas Ibn Malik from whom the chain of transmission got to Qatadah, and therefrom to Hammam Ibn Yahya, to Zayd Ibn Harun, to Zuhair Ibn Harb and Abubakr Ibn Abi Sharbah.

⁶⁷ Sahih Muslim (2808) narrated by Anas Ibn Malik

The above so far is a manifestation of some spiritual aspects of Covid-19 antidotes under Islamic law. All the highlighted recommendations are suitable and effective as both preventive and curative measures. The only exception to this generalization is perhaps the calamity informed by the divine will to test one's faith. In this, it is beyond ambiguity that no amount of piety by man can make him/her a no-go area for passing through God's trying times. What is rather likely here is possibility of achieving quicker recovery by one who possesses high level of piety. To this extent, the suggestion of piety in the circumstance may only be practicable as curative, and not as preventive measure.

8. Conclusion

In the main, the paper discusses the spiritual aspect of the treatment of Covid-19 disease in the perspective of Islamic law. The work sees Covid-19, a highly destructive ailment, as a divine calamity which the ultimate being, Allah, causes to descend on mankind from time to time in consequence of his transgression and disobedience to divine limits and instructions respectively. Some examples of previous divine calamities which descended on early people were considered alongside exposition of the way out of the problem which still remains in the Qur'an and the Sunnah. The need to be and remain sincerely pious or God fearing features prominently in the annals of the divine recommendations in the paper for solutions to the challenge of Covid-19 disease. To some extent, the paper establishes competency of non-muslims (especially Christians) to benefit from this spiritual largesse of Islamic law on the treatment of Covid-19. This, as analyzed in the body of the work, is hinged on the authority of a prophetic saying in favour of entitlement of non-muslims to reap worldly benefit of his good deeds while still living on the surface of the earth.