



Chapter: Leprosy

Sharḥ Ṣaḥīḥ al-Bukhārī of Ibn Baṭṭāl¹

Within it is: [The ḥadīth of] Abu Hurayrah that the Prophet (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ) said: “There is no contagion, no omen (in the overhead flight of birds), no omen in the night-owl, and no omen in the month of Ṣafar [or contagion from stomach disease in animals].” and: “Flee from the leper as you would flee from a lion.”

Ibn Baṭṭāl:

Abu Bakr bin al-Ṭīb said: Al-Jāhīz claimed [citing it from] al-Naẓẓām² that his saying (عَلَيْهِ السَّلَامُ): “Flee from the leper as you would from a lion” clashes with his saying (عَلَيْهِ السَّلَامُ): “There is no contagion.” Ibn al-Ṭīb said: This is ignorance and recklessness on behalf of the one who said it. Because his saying: “There is no contagion” is a specific [statement] and

¹ Note that Ibn al-Baṭṭāl (d. 449H) is a Mālikī and he cites the opinions of the Mālikī jurists on this topic.

² These are two heads of the Muʿtazilah, and they use reason to clash with the authentic Sunnah. Here, they claim contradiction in the Sunnah, but this is from their own presumption.

some things opposed to others are intended by it. Even though the speech appears to be general it cannot be denied that [its] generalisation can be specified through other speech of his, or that an exception [can be made for it]. Thus, his statement: “*There is no contagion*”, what is intended by it is, “except for leprosy (judhām, baraṣ) and scabies.” It is as if he said: “There is no contagion except what I have explained to you that it has contagion and omen.” So there is no contradiction in this if you treat the ḥadīths in the way we have described.³

Al-Ṭabarī said: “The Salaf disagreed on the authenticity of this ḥadīth, some of the denied that he (صلى الله عليه وسلم) ordered [people] to keep away from the ill person, whether [the illness is] leprosy or otherwise. They said: The Messenger of Allāh ate with a leper and sat [the leper] next to himself. His rightly-guided companions did the same thing. Ibn Bashār narrated to us, from ‘Abd al-Raḥmān: Sufyān narrated to us: From ‘Abd al-Raḥmān bin al-Qāsim from his father: “That the delegation of Thaḳīf came to Abu Bakr al-Ṣiddīq. Food was brought and one man stepped back. He said: ‘What is with you?’. He said: ‘A leper.’ So [Abu Bakr] called [the leper] and ate with him. From Salmān and Ibn ‘Umar that they both used to make food for the lepers and would eat with them.

³ This is one of numerous ways that Muslim scholars have taken to address the issue of apparent conflict between the various ḥadīths in this topic. Here, the notion of contagion is restricted to visible diseases involving the skin but negated for what is besides them.

And from ‘Ikrimah that he stepped back from a leper and Ibn ‘Abbās said to him: ‘O he who goes away, perhaps he is better than me and you.’”

From ‘Ā’ishah (رضي الله عنها): That a woman asked whether the Messenger of Allāh used to say regarding the lepers, “*Flee from them as you would flee from a lion*”? So ‘Ā’ishah said: “No, by Allāh, but he would say: ‘There is no contagion, and who infected the first one?’ And I had a freed slave who was afflicted with that disease who would eat out of my bowl, drink from my vessel and sleep in my place.” They said: Allāh and His Messenger falsified contagion.

We have related from him (عليه السلام) that he ate with a leper, opposing the [way of the] people of jāhiliyyah in their practice of not eating with him out of fear of the transmission of his disease. Al-‘Abbās ibn Muḥammad narrated to us: Yūnus bin Muḥammad narrated to us from Mufaḍḍal bin Faḍālah, from Ḥabīb bin al-Shahīd, from Muḥammad bin al-Munkadar, from Jābir: That the Prophet (عليه السلام) took the hand of a leper, sat him next to himself and said: “*Eat, trusting Allāh and in reliance upon him.*”

Others spoke with authenticity of this narration [of fleeing from the leper]. They said: The Prophet ordered fleeing from the leper and to take caution from eating and drinking with him. Hence, it is not permissible for the one who knew his

command regarding that except to flee from the leper. And it is not permissible to look towards them continuously due to his (عَلَيْهِ السَّلَامُ) prohibition from doing that. A mention of those who said that:

Maʿmar related from al-Zuhrī that ʿUmar bin al-Khaṭṭāb said to Muʿayqīb: “Sit away from me the distance of a spear.” And he would have that illness (leprosy), and he was a Badarī. And Abū al-Zinād related from Khārijah bin Zayd who said: “When food was brought to ʿUmar and Muʿayqīb was near him, he would say: ‘Eat from the side nearest to you and by Allāh, [even] if it was someone besides you, he would [not be allowed] to sit closer to me than the length of a spear.’” And Abu Qilābah used to take caution from the leper.

Al-Ṭabarī said: “That which is correct in our view is what is authentically reported from him (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) that he said: ‘*There is no contagion*’ and that nothing will afflict a soul except what has been written for it. As for the sick person coming close to the healthy person, then it does not necessitate ailment and sickness for the healthy person. Save that it is not desirable for a person of health to be close to the leper and to [one with] an illness which the people dislike. Not because it is unlawful (ḥarām), but out of the precaution that a healthy person might think—in the case that he later got the disease—that his mixing with the [sick person] was the cause of what afflicted him. This would then lead him to

enter into what he (عليه السلام) prohibited and what he falsified from the affair of jāhiliyyah with respect to contagion. And in his (عليه السلام) command to flee from the leper there is no opposition to his [act of] eating with him, because he would order with a command from the angle of recommendation sometimes and from the angle of permissibility at other times. Then he would leave the action himself [i.e. not abide by the command] so that it would be known that his command was not from the angle of obligation (ilzām). He would prohibit something from the angle of dislike (takarruh, tanazzuh) sometimes and from the angle of discipline (ta'dīb) at other times, but then he would do it himself for it to be known that his prohibition was not from the angle of taḥrīm (something being made unlawful).”

Others said: Some of the scholars have said: This ḥadīth indicates that a leper is to be separated from his wife if he gets leprosy and if it is in a place of harm, unless she is happy to remain with him. Ibn al-Qāsim said: “He is to be prevented from having intercourse with his companion when it involves harm”. Saḥnūn said: “He is not to be prevented from having intercourse with his slave-girl, and they did not have any difference regarding [intercourse] with his wife.” Likewise, the leper can be prevented from the mosque and from entering and mixing with people as has been related from ‘Umar. He passed by a woman leper who was making ṭawāf

around the House (Ka‘bah). He said to her: “O female slave of Allāh. Sit in your house and do not cause harm to people.”

Muṭarrāf and Ibn al-Mājishūn said with respect to the sick, when they are only a modest number: “They are not to leave the town, or capital city, or the market town. If they increase in number, we hold that they should take up a place of residence for themselves as was done with the sick of Makkah near to Tanīm, wherein is their gathering. And I do not hold that they should be prevented from the markets for their trade, or from looking and asking [for assistance in food, supplies] when a just ruler is not found to provide for them. Nor are they to be prevented from the Jumu‘ah prayer, but they are prevented from other prayers.”

Aṣḅagh said: “The sick are not made to leave the cities and go to a specific area [for isolation] through a judgement made upon them, but if the ruler suffices them with supplies and makes provisions reach them, they are to be prevented from mixing with people.” Ibn Ḥabīb said: “The ruling for their isolation when they increase in number is more to my liking and it is what the people are upon.”

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Sharḥ Ṣaḥīḥ al-Bukhārī of Ibn Baṭṭāl (Maktabat al-Rushd), 9/409-412.

Notes:

1. The Muʿtazilah—who are enemies of the Sunnah and its people—cast doubt about the ḥadīths related to the subject of contagion.

2. There are numerous views among the scholars regarding how to reconcile the ḥadīths in this topic. One of those views is expressed by Abū Bakr al-Bāqillānī and supported by Ibn Baṭṭāl and it states that there is no such thing as contagion except in what relates to particular diseases of the skin.

3. The Companions took two approaches, that of tawakkul, reliance, wherein some of them would mix and eat with lepers, such as Abū Bakr (رضي الله عنه) and that of caution, wherein some of them avoided contact with lepers, such as ʿUmar (رضي الله عنه), in what has been related.

4. The guidance from the Prophet in this regard is not one of absolute prohibition (of mixing with the leper). Rather it is one of commendation.

5. The Mālikī jurists discuss some of the rulings pertaining to lepers and their relationships with their wives.

6. The wisdom behind the prohibition of mixing according to al-Ṭabarī and many others is to prevent belief in contagion taking root in the hearts of people. They might mix with a sick person and fall ill some time afterwards. They may then wrongly attribute the illness to the mixing, when the mixing played no role at all. Rather Allāh brought all the factors of illness to that person, just as He brought it to others. But that

person would wrongly think it was because of mixing, and start to affirm contagion. Hence, the Prophet cut off the avenues of such a belief from taking root among Muslims by advising them against such mixing. Not because of disease, but because of concern for their creed.

7. The isolation and quarantine is for sick people. If they grow in number, they should remain in their cities, perhaps in a specific location. If the ruler meets their provisional needs, they should not be allowed to mix with others. Otherwise, they are allowed to pursue their needs through trade and seeking aid. They should not be prevented from Jumū'ah prayers. The views of Mālikī jurists in this regard are cited.