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The COVID-19 Vaccination: Realization on Halal Vaccines for Benefits

M. Asrorun Niam Sholeh

Universitas Islam Negeri Syarif Hidayatullah Jakarta

Muhammad Ishar Helmi

Universitas Islam Negeri Syarif Hidayatullah Jakarta

Email: asrorun.niam@uinjkt.ac.id

Abstract: Vaccination is one of the alternatives that has been found to overcome the COVID-19 outbreak. The long-awaited discovery of its reality remains a debate among the public. Various issues continue to emerge, both health-based and religious-based. The refusal is wrapped by questions related to doubts about treatment with vaccination or the *halalness* of vaccine products. MUI as an institution that is trusted by the public in determining the results of its *ijtihad*, issues a fatwa number 2 of 2021 concerning vaccines. This paper will conduct related studies regarding the permissibility of using the COVID-19 vaccine from the perspective of *fiqh* and applicable laws in Indonesia. This study uses a normative legal research method with a rule of law approach and a doctrinal approach, In addition, the data obtained by library research. The results of this study explain that the vaccines used are of course required to use halal and holy vaccines. However, immunization with *haram* and/or unclean vaccines can be permitted under several conditions, namely when used in an emergency; *halal* and holy vaccine ingredients have not been found, and there is information from competent and trusted medical personnel that there is no *halal* vaccine.

Keywords: Vaccines, COVID-19, Benefits

Abstrak: Vaksinasi merupakan salah satu alternatif yang telah ditemukan untuk mengatasi wabah Covid-19. Penemuan yang telah lama dinantikan ini pada realitasnya tetap menjadi perdebatan di tengah masyarakat. Pelbagai isu penolakan terus bermunculan baik dari penolakan yang berbasis kesehatan maupun yang berkaitan dengan keagamaan. Penolakan yang dibungkus oleh pertanyaan keagamaan berkaitan dengan keraguan atas pengobatan dengan Vaksinasi maupun mengenai kehalalan produk Vaksin.

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MUI sebagai lembaga yang dipercaya masyarakat dalam menentukan hasil ijtihadnya menerbitkan Fatwa Nomor 2 Tahun 2021 tentang Vaksin. Tulisan ini akan melakukan studi mendalam terkait perdebatan mengenai kebolehan penggunaan Vaksin Covid-19 perspektif fikih dan hukum yang berlaku di Indonesia. Penelitian ini menggunakan metode penelitian hukum normatif dengan pendekatan perundang-undangan dan pendekatan doktrinal, selain itu data diperoleh dengan penelitian kepustakaan. Hasil penelitian ini menjelaskan bahwa Vaksin yang digunakan untuk imunisasi tentu wajib menggunakan vaksin yang halal dan suci. Namun Imunisasi dengan vaksin yang haram dan/atau najis dapat diperbolehkan dalam beberapa kondisi yaitu digunakan pada kondisi al-dlarurat atau al-hajat; belum ditemukan bahan vaksin yang halal dan suci; dan adanya keterangan tenaga medis yang kompeten dan dipercaya bahwa tidak ada vaksin yang halal.

Kata Kunci: *Vaksin, Covid-19, Kemaslahatan.*

Introduction

Corona Virus Disease (COVID-19) has become a viral outbreak that shocked people in all countries around the world.¹ Indonesia is the 22nd country in the Asian region to be exposed to the COVID-19 outbreak.² The first case occurred in March 2020 for two Indonesian citizens domiciled in Depok, West Java.³ The growth of the COVID-19 cases since 2020 has experienced a significant increase. The latest data on March 7, 2021, shows that the positive number in Indonesia reached 1.37 million and 37,154 deaths.⁴ A significant increase in cases is certainly a frightening specter for the entire community. The urge to emerge has been launched to the government to provide the best handling in overcoming the COVID-19 outbreak. The best

¹ Corona Virus Disease (Covid-19) first occurred in Wuhan, Hubei Province, China. Quoted via Huang et al, Clinical Features of Patiens Infected eth 2019 Novel Coronavirus in Wuhan, China. The Lancet, 2020. The World Health Organization (WHO) named the new virus Severe acute respiratory syndrome coronavirus-2 (SARS-CoV-2) and the name of the disease as Coronavirus disease 2019 (COVID-19). WHO Director-General's Remarks at the Media Briefing on 2019-nCov on February 11th, 2020.

² Accessed from <https://gisanddata.maps.arcgis.com> Corona virus COVID-19 Global Cases by Johns Hopkins CSSE, on Tuesday, Februari 23rd, 2021.

³ Accessed from <https://www.indonesia.go.id/narasi/indonesia-dalam-angka/ekonomi/kasus-covid-19-pertama-masyarakat-jangan-panik> on Tuesday, Februari 23rd, 2021.

⁴ Accessed from <https://github.com/CSSEGISandData/COVID-19> on March 07th, 2021

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efforts have been made by all components, especially scientists who have now succeeded in finding a vaccine for the COVID-19 outbreak.

The emergence of the COVID-19 vaccine is not easy to accept, as a result, there are some public reactions concerning the vaccine vary, especially among Muslims regarding its halal status. Various contradictory narratives were floated at the same time when the world was starting to feel optimistic about this vaccination. Variants of views that are raised in the community are related to various points of view. The first is from a health scientific point of view. Some people and even some medical scientists still uncertain that vaccines are not credible enough in the context of health disciplines in overcoming problems caused by the COVID-19 outbreak. Although many medical scientists have declared the validity of vaccines as a mechanism for preventing the transmission of certain diseases. The second polemic that raises pros and contras in society is religious-based refusal, the community, in this case, considers that the vaccination process is not necessarily prevented and treats the COVID-19 virus and also the pessimistic attitude towards vaccine products that will be distributed.⁵

Some of the public's doubts regarding vaccine products have been responded to by MUI in the MUI Fatwa Number 21 of 2021 regarding COVID-19 Vaccine Products from Sinovac Life Sciences Co.Ltd China and PT. Bio Farma (Persero) is dated January 11, 2021.⁶ The vaccine products that are registered for *halal* certification are (1) CoronaVac (2) Covid-19 Vaccine and (3) Cov2Bio. Registration of *halal* certification to MUI is carried out by PT. Bio Farma (Persero) with two production facilities, under the name: (1)

⁵ The results of a survey conducted by the Ministry of Religion (Kemenag) from 2,610 respondents in 34 provinces on 22-30 December 2020 with the non-probability accidental sampling method showed the results of 66.13% of respondents refusing to reason with doubts about its safety, 48.39% doubting its *halalness*, and 47.98% of respondents are worried about the side effects. Then 46.37% reasoned effectiveness, 14.52% for other reasons and 9.27% thought it was against religion/belief. Quoted via <https://databoks.katadata.co.id/datapublish/2021/01/14/survei-kemenag-agama-bukan-factor-utama-penolakan-vaccination-corona> on 07 March 2021

⁶ Accessed from <https://mui.or.id/wp-content/uploads/2021/01/Fatwa-MUI-Nomor-2-Tahun-2021-tentang-produk-vaksin-covid-19-dari-Sinovac-Bio-Farma.pdf>. The vaccine products registered for halal certification are (1) CoronaVac (2) Covid-19 Vaccine, and (3) Cov2Bio. Registration of halal certification to MUI is carried out by PT. Bio Farma (Persero) with two production facilities, namely: (1) facilities at Sinovac Biotech Ltd. China, and (2) facilities at PT. Bio Farma (Persero) <http://jurnal.arraniry.ac.id/index.php/samarah>

facilities at Sinovac Biotech Ltd. China, and (2) facilities at PT. Bio Farma (Persero)] The Indonesian Ulama Council (MUI), which is a forum for the deliberation of Muslim scholars, is certainly a competent institution in providing answers to socio-religious problems that continue to arise in society. This paper will explore the debate that occurs in the context of religious-based rejection. Analyze more further related to the COVID-19 vaccine law and the concept of benefits in it.⁷ This study uses a normative legal research method with a rule of law approach and a doctrinal approach, In addition, the data obtained by library research.

Principles of medicine in Islam

Islam is a way of life (*ad-din*) that has been considered a comprehensive (*kaffah*) way of life by its adherents. Following the concept of five missions and religious philosophies to be realized in human life, namely preserving religion, preserving life, preserving reason, maintaining offspring, and maintaining the property or also commonly known as *Al-Mashalih Ad-Daruriyya Al-Khamsah*.⁸ Of the five basic principles, there are at least three categories that are closely related to the concept of health taught in Islam.⁹ Apart from this mission, the concept of health in Islam can be seen from the many texts in the Qur'an that explain the principles of medicine, including in the letter of Yunus verse 57:

يا ايها الناس قد جاءكم موعظة من ربكم وشفاء لما في الصدور وهدى ورحمة للمؤمنين

“O people! There has come to you advice from your Lord, and healing for what is in the hearts, and guidance and mercy for the believers”

The verse explains that the Qur'an was revealed not only as a constitution for Muslims but also to be a cure for diseases and dirty hearts, such as dirty faith and other despicable traits that can pose a risk of mental disorders and physical health problems.¹⁰

⁷ M. Asrorun Niam Sholeh, Towards a Progressive Fatwa: MUI's Response to the Covid-19 Pandemic, *Ahkam: Jurnal Ilmu Syariah* 20, no. 2 (2020), p. 285.

⁸ Hammadi Al-Ubaidi, *As-Syathibi wa Maqasidus Syariah*, Daru Qutaibah, 1996, p. 120.

⁹ Andi Muflih, *Medicine in Islam*, Postgraduate Program at UIN Alauddin Makassar, p. 57.

¹⁰ Muhammad bin Yusuf Abi Hayyan Al-Andalusi, *Tafsir Al-Bahrul Muhith*, Vol 5, Lebanon: Daru al-Kutub al-Alamiyyah, 2010, p. 169. Furthermore, according to Imam Ibn Hajar al-Asqalani, medicine in Islam can be clearly divided into two types, spiritual medicine <http://jurnal.arraniry.ac.id/index.php/samarah>

In addition to the Qur'an, many hadiths explain medicine in Islam, including the hadith below:¹¹

عَنْ أَبِي الدَّرْدَاءِ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "إِنَّ اللَّهَ أَنْزَلَ الدَّاءَ وَالِدَوَاءَ وَجَعَلَ لِكُلِّ دَاءٍ دَوَاءً فَتَدَاوُوا وَلَا تَدَاوُوا بِحَرَامٍ"

"From Abu Darda', he said: The Messenger of Allah said: Verily Allah has sent down a disease and a cure for every disease, so seek treatment and do not seek treatment with what is forbidden." (HR. Abu Dawud)

This hadith proves that making an effort to cure a disease is legal in Islam, as long as the process and object used as a healing medium is something that is not forbidden to be consumed as well as objects that are forbidden, the legality of healing is something that should no longer be debated. In addition to the hadith above, there are many other words, deeds, and provisions of the Prophet related to health in Islam, both regarding the disease, medication, assistance, and even treatment.¹²

Although there have been many hadiths that explain the concept of medication in Islam, at the theoretical level there are still different opinions among Muslim scientists about the law of treatment itself, where the opinion among the majority (*jumhur*) can be grouped into two; the group of scholars who consider medical treatment as legal, permissible (*jaiz*) and the group of scholars who punishes medical treatment is sunnah (*mustahab/masyru*).¹³ The opinion that says the law of medical treatment is *jaiz* comes from the Malikiyyah, Hanafiyyah, and Hanabilah scholars. While the scholars who

that comes from Allah, and physical medicine that comes from human experimentation and discovery. Only outwardly but also includes inner health. Ibn Hajar Al-Asqalani, *Fathul Bari bi Syarhi Shahih Al-Bukhari*, Vol. 10, Dar-al-Kutub al-Alamiyyah 2010, p. 140. in addition, Imam Badruddin al-Ainy groups health categories in Islam into two parts, namely about science and practice.

¹¹ Ibn Hajar Al-Asqali, *Fathul Bari bi Syarhi Shahih Al-Bukhari*, Vol. 10, p. 141-142.

¹² Nurhayati, *Health and Medicine in Islamic Traditions A study of the Book Sahih Al-Bukhari*, *Ahkam: Jurnal Ilmu Syariah* 16, no. 2 (2016), p. 224 Imam al-Bukhari in his book *Shahih Al-Bukhari* narrates approximately 129 hadiths about diseases, efforts prevention of disease, and the type of medicine. Furthermore, he chose the very diverse hadiths into two types, namely those that discuss medicine, and menstruation which discusses disease.

¹³ Husain bin Audah Al-Uaisyah, *Al-Mausuah Al-Fiqhiyyah Al-Muyassarah fi Fiqhi Al-Kitabi wa As-Sunnati Al-Mutahahirah*, Vol. 4, Daru as-Shadiq (2002), p. 236 <http://jurnal.arraniry.ac.id/index.php/samarah>

state that the law of treatment is sunnah (masyru') are the scholars of the Shafi'iyyah.¹⁴ In contrast to these two opinions, Imam ibn Taymiyyah from among the Hanabilah scholars explained that the law of treatment is necessary if there is a concern for the safety of life or the safety of the organs of the ill person.¹⁵

In contrast to these two opinions, Imam ibn Taymiyyah from among the Hanabilah scholars explained that the law of treatment is necessary regardless of whether the law for medical treatment is jaiz or masyru', the thing that has a level of urgency to be better understood is about the objects used as treatment media. This understanding needs to be studied more further because the legality of doing treatment certainly does not mean that it is permissible to violate the concepts of standard Islamic law, such as the prohibition of consuming haram food or objects. Rasulullah SAW gave guidance about drugs that can be used for treatment in the hadith narrated by Abi Hurairah's best friend if there is a concern for the safety of life or the safety of the organs of the ill person.

نهى رسول الله عن الدواء الخبيث¹⁶

"The Prophet forbade from consuming dirty drugs" (HR. Ahmad, Abu Daud, Tirmidhi, Ibn Majah).

Al-Khabist is an expression in the hadith used by the scholars and is interpreted as haram object or forbidden object such as wine. In other words, the requirements for drugs used in health care efforts must be objects whose materials are halal and good (*thayyib*).¹⁷ To qualify the requirement of a holy and good medication, the sanctity of the medicine is insufficient only in the

¹⁴ Husain bin Audah Al-Uaisyah, *Al-Mausuah Al-Fiqhiyyah...*, p. 238. Extracted by Kamaluddin Jum'ah Bakar, *Ahkamu At-Tadawi wa Ad-Dawa'* al-Kuwait: Daru Ad-Diya' Li An-Nasyri wa At-Tauzi', 2013, pp. 33-35. Still according to Ibn Taymiyyah quoted in the article, the law of medical treatment essentially has five legal dimensions, namely permissible, sunnah, makruh, obligatory, and unlawful. where the law will change according to conditions, media, and treatment methods.

¹⁵ Extracted by Kamaluddin Jum'ah Bakar, *Ahkamu At-Tadawi...* pp. 33-35.

¹⁶ Abu Daud Sulaiman ibn al-Asy'ats al-Sijistani, *Sunan Abi Daud*, Juz 4, Beirut: Maktabah al-Ashriyah, p. 6.

¹⁷ Ali bin Sulthan Muhammad Al-Qari', *Murqatul Mafatih Syarh Misykatul Mashabih*, Vol. 8, Lebanon: Dar al-Kutub al-Alamiyyah, 2001, p. 365. Halal is an object that does not have a bad impact either in the worldly or in the hereafter, and or something legalized by religious teachings, while the meaning of the word tayyib is an object that is healthy, good and or does not contain najis. Even Imam At-Tirmidhi interprets the word khabist with a dangerous poison.

material alone, but the manufacturing process and additives materials that are mixed in the drug. The fundamental question that must be answered is whether the material used contains elements of unclean and forbidden objects or not. This is because the medicines used are guaranteed purity and if in the process there is contamination with banned substances, the results are not allowed to be consumed. For it had, in effect, fused with another unclean object that resulted in unclean laws of the sacred.¹⁸ However, the contaminated sacred objects can be used later if they have gone through the stage of purification.¹⁹

Consumption of halal products (*thahir and tayyib*) must be applied in the pattern of life of adherents of the Islamic religion. And is not given privilege only to drugs, but also to every food product, cosmetic, and other consumptive objects, where the primary purpose is to support health maintenance itself.²⁰ Furthermore, the importance of clean products is seen as a threat to those who are prone to consume non-halal foods that every meat grows from *haram* things, fire is the most entitled to it. Consequentially, the prohibition of consumptive objects that are consumed by a person can significantly affect not only one's physical health but also have an impact on one's mental health.

Even so, as a *hanif* religion stipulated in medicine with something clean and holy was not a final door to make medical efforts. Incidentally, under one insidious condition, Islam allows its adherents to consume unholy objects on the grounds of weighing expediency and inequality.²¹ But if this phenomenon is viewed through the lens of fiqh, the fact that it is illegal to seek medical treatment is not the final solution among experts in Islamic law. The difference in views could be grouped in two, the scholars 'who approved' are the *shafi'iyyah* and *hanafiyyah*, while the other 'who did not' were the *malikiyyah* and *hanabilah*.²²

¹⁸ Ibn Hajar Al-Haytami, *Tuhfatu Al-Muhtaj bi Syarhi Al-Minhaj*, Vol. 4, Beirut Lebanon: Dar Al-Kutub Al-Alamiyyah, 2013, p. 276.

¹⁹ Ibn Hajar Al-Haytami, *Tuhfatu Al-Muhtaj...*, pp. 103-110. How to purify objects that have been exposed to najis can be done by washing, both objects to be purified in the form of solid or liquid objects..

²⁰ Kamaluddin Jum'ah Bakr, *Ahkamu At-Tadawa...*, p.51.

²¹ Kamaluddin Jum'ah Bakr, *Ahkamu At-Tadawa...*, p.53

²² Kamaluddin Jum'ah Bakr, *Ahkamu At-Tadawa...*, pp. 54-59. Differences of opinion occur due to the difference between each madhhab in understanding the context of the treatment itself, where the ulama' who legalizes treatment with uncleanness is analogous to this legal case with someone who is not finding food so it is legal to use unclean or unclean objects necessity, while the ulama' who did not allow it because they maintained the text of <http://jurnal.arraniry.ac.id/index.php/samarah>

The strafing condition is referred to by the scholars who approved medical treatment with the *haram* products when there is no other *halal* drug that can treat it, as well as that if not made medical efforts cause harm to life or organ health.²³ A person in this emergency position is permitted to use unholy drugs when based on the encouragement of a good and competent physician in his or her field.²⁴

Vaccination is an Effort to Maintain Public Health

Health is the diagnosis, treatment, and prevention of diseases and disorders, physical or mental in humans.²⁵ The relation to protecting health that is *rechtsiide* or ideal of Islamic religious law as described above can be implemented in two different points: the preventive efforts known as *al-tibbu al-wiqa'i* and curative or therapeutic concepts known as *al-tibbu al-ilaji*. *Al-tibbu al-wiqa'i* is a situation where the teachings of Islam teach many things about efforts to prevent disease, whether by increasing immunity of the body or by keeping health in check by performing good and healthful living patterns, whereas *al-tibbu al-ilaji* is the teaching of Islam that explains the ordinances of medicine, the kinds of medicine and even prayers that can be used for healing or known as *at-thibu al-nabawi*.

However, if *dalil* about health is deeply fathomed, then we will find the essence in the concept of health in Islam more espousing preventive measures than therapeutic efforts.²⁶ Among these are the encouragement to keep your hands clean, to keep your teeth clean, to keep your body clean, and to keep the food clean.²⁷ This agrees with the code that says:

the hadith in which the Prophet Muhammad SAW. said that "Allah did not create my servant's medicines from something that is unlawful" (HR. Ibn Hibban), and also based on the Aqly (rational) argument with the logic that something that is unlawful is forbidden because it is dangerous so that there is no medicine in it.

²³ Jamaluddin Abdirrahim Al-Asawi, *Al-Muhimmat fi Syarhi Ar-Raudhoti wa Ar-Rafi'i*, Vol. 9, Daru Ibn Hazm 2009, p. 70.

²⁴ Sulaiman Muhammad bin Umar Al-Bujairimi, *Bujairami Ala Al-Khatib*, vol. 5. Daru Al-Kutub Al-Alamiyyah, 2013, p. 533.

²⁵ Sali Setiatin, Wahyu Trimasuti, Santy Cristinawati, Implementation of Disease Prevention through Health Counseling in Sapan Hamlet to reduce morbidity, *Journal of Community Empowerment 1*, No. 2, (2019), p. 432.

²⁶ Andi Muflih, *Medicine in Islam*, Postgraduate Program at UIN Alauddin Makassar, p. 25.

²⁷ Mahir Hamid Al-Hauli, *At-Thib Al-Wiqa'I fi Al-Islam fi Al-Amrad Al-Waba'iyah Mualajah Tibbiyyah Syar'iyah*, pp. 6-8. Examples are the recommendation to wash your hands when you want to eat, the recommendation for siwak, the recommendation and the <http://jurnal.arraniry.ac.id/index.php/samarah>

الدفع اولى من الرفع

"Prevention is better than eliminating".

Preventive efforts on every matter that interferes with human health are included in efforts to realize the fundamental value of Islam to protect the physical and spiritual health of each human. In connection with efforts to protect the health of the scholars, ibn Hajar is well aware that preserving health, which is the primary task of medical personnel, must be carried out not only to the point of treatment but also to the prevention of diseases that might attack.

The importance of preventive measures in health is also expressed by al-Bukhari who takes a serious collection of hadiths relating to health concepts. Imam Al-Bukhari in his monumental work Sahih Bukhari collected many hadiths related to health, such as maintaining oral hygiene (bersiwak), the recommendation to do exercise (riyadhah), routine body hygiene (both obligatory and sunnah bathing), and also the recommendation to maintain cleanliness in any place inhabited by Muslims.²⁸ However, while al-Bukhari understood the importance of preventive measures in health, he did not make the concept of prevention in a single chapter.

Following the prevention of disease, the world is now amid a deadly and infectious plague called the COVID-19, however, in such conditions, Muslims are required to implement religious teachings to make a defense against health effort, where to maintain health must have a reflection of the treatment taught by the Prophet. With historical context relating to the scourge, the phenomenon of this plague is not new to the history of human life, for since the prophetic times there has been lepra plague and in the days of Khalifah Umar bin Khattab in 638-639 there was also an Amwas outbreak that occurred, deadly and killed many Arab soldiers.²⁹ In dealing with the plague at that time, the prophet had commissioned a mandate to do the preventive measure of the plague as depicted in the hadith.³⁰

sunnah of bathing, and the recommendation to consume halal and thayyib food (no harmful side effects).

²⁸ Nurhayati, Health and Medicine in Islamic Traditions Study of Sahih Al-Bukhari, *Ahkam Journal* 16, no. 2 (2016), p. 226

²⁹ Siti Samsuduha, Maslahal Policies for the Prevention of the Covid-19 Pandemic in Islam, *al-Tafaqquh Journal of Islamic Law UMI* 1, no. 2 (2020). p. 121

³⁰ Syamsyuddin Muhammad bin Yusuf al-Kirmani, *al-Kawakibu ad-Darary fi Syarhi Shahih Al-Bukhari*, Vol. 10, Dar al-Kutub al-Alamiyyah, p. 224.

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عن حبيب بن أبي ثابت قال سمعت إبراهيم بن سعد قال سمعت أسامة بن زيد يحدث سعدا عن النبي صلى الله عليه وسلم قال : إِذَا سَمِعْتُمْ بِالطَّاعُونَ بِأَرْضٍ فَلَا تَدْخُلُوهَا وَإِذَا وَقَعَ بِأَرْضٍ وَأَنْتُمْ بِهَا فَلَا تَخْرُجُوا مِنْهَا" (رواه البخاري)³¹

Narrated from Habib bin Abi Thabit he said: I heard Ibrahim bin Sa'd say, I heard Osama bin Zaid tell Sa'd from the Prophet SAW: "When you hear the thaun plague in a region, you shall not enter into that area, and if it takes place in an area where you are in that area you shall not go out of it (HR. Bukhari)

Characteristically, the Covid-19 outbreak which has become a disaster for mankind today has the similarity of 'illat with thaun's disease as in the hadith above, namely as an epidemic that can easily spread and kill. Abu Bakr ibn al-Arabi explains that thaun's disease is rapidly deadly spread widely. Ibn al-Walid al-Baji explains that the plague is a pestilence that strikes down all human beings from all over the world.³² This wajhu is that not only medical efforts are made but also important to implement are prevention efforts to prevent the widespread of disease that would endanger even more human social life (hayatu al-mujtama'). The preventive measure contained in the hadith is about a call to stay away from infectious areas to prevent contagion and to quarantine or insulate by staying out of the pandemic area.

The prevention of disease has been taught by the Prophet and applied to modern living in a different frame, this can be seen from several religious policies set out in the fatwa of the Indonesian Ulama Council (MUI) as an organization of ulama' tasked with guiding Muslims in Indonesia, one of which is stated in fatwa Number 04 of 2016 concerning Immunization. It explained in the edict that immunization is a process to increase the immune system to certain diseases by administering vaccines.³³ This edict explains that the law of immunization is legal when it uses holy and harmless vaccines.

Substances match the purpose of vaccination with the COVID-19 vaccinations, where both are performed to protect the body against illnesses that are likely to attack from the outside, the conception of performing immunization and vaccinating can become mandatory under certain conditions and the need for administering the vaccine as if not immunized

³¹ Muhammad ibn Ismail al-Bukhari, *Sunan al-Bukhari*, Juz 7, Dar Thuq al-Najah, First Printing, 1421 H, p. 130

³² Ibn Hajar Al-Asqalani, *Fathu Al-Bari bi Syarhi Shahih Al-Bukhari*, Vol. 17, Ar-Risalah Al-Alamiyyah, p. 508.

³³ Indonesian Ulama Council Fatwa No. 04 of 2016 regarding Immunization, accessed from the official website <http://www.halalmui.org/mui14/> on February 27th 2021. <http://jurnal.arraniry.ac.id/index.php/samarah>

would lead to death, illness and or permanent disability. Following the code of *fiqh*, which means "to command something is also to command an intermediary", it must be understood from the code that the teaching of Islam that seeks protection and protection against life is impossible to achieve when no countermeasure of threat to life itself is not done. However, a man's life must be kept in existence as is the obligation to consume food and drink to survive.³⁴

But problems later arise when some Muslims are having inappropriate assumptions concerning disease management efforts and countermeasures, such as the assumption that countermeasures are a sign of a servant's unsteady belief in the power of his God (no *tawakkal*) and the assumption of invalidity of the drug used. Some of these assumptions arise because of some of the factors which are thought patterns or even less detailed understanding of the concept of medicine in Islam itself, and so to straighten out these assumptions we need to know together that the term *tawakkal* is derived from the word "*tawakkal*" which means hang.

While the definition of *tawakkal* according to *syara'* the Sufis give very diverse meanings, among them Imam Ahmad explains that *tawakkal* is a work of the heart that cannot be known by speech or action, is not a science, and is not a thing that can be captured by the five senses, Imam Abu Said al-Kharaz defines that *tawakkal* is movement without silence, and silence without movement,³⁵ while Hujjatu Al-Islam Al-Ghazali explains that *tawakkal* is a condition in which a servant is fully aware that there is no essence that can do anything except Allah SWT. Everything good in the form of sustenance, gifts, obstacles, death, life, riches, poverty, all happens under the power of Allah.³⁶

From the several definitions expressed by the scholars above, the essence can be narrowed down to one conclusion that *tawakkal* is a complex condition in which a servant appreciates the nature and power of Allah, His superiority, and only assigns the cause and effect only to Him.³⁷ From the definitions mentioned by the scholars regarding *tawakkal*, we can at least conclude that the concept of not *tawakkal* has no real correlation with the concept of implementing disease prevention in the form of immunization, vaccination, or other disease prevention. *Tawakkal* is the work of the heart and is only related

³⁴ Muhammad bin Ahmad As-Syirbini, *Al-Iqna' fi Hilli Alfadzi Abi Syuja'*, Vol. 2, Dar al-Kutub al-Alamiyyah, 2011, p. 224

³⁵ Abdul Hamid Kasykak, *Fi Rihabi At-Tafasiri*, Vol 22, Maktaba al-Mishry al-Hadis, p. 4236

³⁶ Al-Ghazali, , *Ihya' Ulumuddin*, Vol. 4, Al-Haramin, p. 232.

³⁷ Al-Ghazali, , *Ihya' Ulumuddin*, p. 4237

to the stability of the oneness of Allah in all its aspects, while vaccination or immunization is a real action taken to maintain health or immunity.

In a nutshell, it can be understood that a person who undertakes treatment efforts is a form of human endeavor to maintain the existence of his health and life, and a person who makes efforts to prevent disease cannot be claimed as a person who has exceeded the limits of *tawakkal* as long as that person is sure that the cause of illness and recovery is Allah alone is not a medicine, vaccine, and or other medical personnel.³⁸

Realizing Halal Vaccines as a Form of Benefit

Various debates about vaccines have emerged in the community. One of the rejection arguments stated is a religious-based view. Various pessimistic attitudes about vaccines continue to be polemic and raise questions, namely how vaccines are given to the public while vaccination is not necessarily a healthy drug and prevents the transmission of the COVID-19 outbreak. Another religious-based refusal is related to public doubts about this rejection. This rejection has been answered by MUI in Fatwa Number 2 of 2021 regarding the COVID-19 vaccine product, in the fatwa, it is explained that based on the results of an audit of the object and process of making the vaccine, it is sacred and halal.³⁹ This fatwa is of course the result of theoretical *ijtihad* and the reality of production which is reviewed directly by the MUI fatwa Team.⁴⁰

The results of the MUI fatwa declaring sacred and halal must be understood comprehensively by the public. The disparity of the two terms is a point of contact that must be explained so that there is no deficit in understanding *fiqh* by ordinary people. The sacred language in *fiqh* is related to the essence of material and production, where holy alone is not enough to determine a ready-to-use product. Suppose there is something that is *fiqh*

³⁸ Ibn Hajar al-Asqalani, *Fath al-Bari bi Syarhi Shahih al-Bukhari*, Vol. 17, ar-Risalah al-Alamiyya 2013, p. 415

³⁹ The legal provisions in Fatwa No. 2 of 2021 regarding Covid-19 Vaccine products in more detail are: (1) Covid-19 Vaccine produced by Sinovac Life Sciences Co. Ltd. China and PT. Bio Farma (Persero) law is holy and halal. (2) Covid-19 vaccine produced by Sinovac Life Sciences Co. Ltd. China and PT. Bio Farma (Persero) as number 1 may be used for Muslims as long as its safety is guaranteed According to credible and competent experts

⁴⁰ MUI Fatwa for Sinovac Covid-19 Vaccine: Sacred and Halal, <https://www.cnnindonesia.com/nasional/20210111171524-20-592287/fatwa-mui-untuk-vaksin-covid-19-sinovac-suci-dan-halal>.
<http://jurnal.arraniry.ac.id/index.php/samarah>

sacred but forbidden to use, such as the use of human organs.⁴¹ So here holy is not enough to be a benchmark in determining the results of the fatwa. Then it must be equipped with halal, holy and halal so that they become two complementary things.

The holy and lawful form of medicine is, of course, a fundamental thing for Muslims. In some cases, however, there are interpretations in the use of unclean items, such as pigs and other *haram* materials. Then here is an issue that must be answered no longer in the context of whether the object can be *tathir* (sanctified) or not but switches to the *intifa'* or the use. Making use of unclean objects that are strictly forbidden by Islamic law, but when several things are to be taken into consideration. *Rukhshah* uses medicine with something that has been determined to be *haram* according to Dr. Yusuf al-Qardhawi must fulfill several important aspects. The first is the danger that threatens the survival of human life. Then there is no other medicine that reaches *halal* standardization. Third, there is concrete evidence in the form of a statement from a Muslim doctor who has high integrity in the examination and in good faith. When the analysis of these 3 things has been carried out and concludes that their absence will be very dangerous and threaten the life condition that has reached the point of *dhorurat*.⁴² So the use of the *haram* vaccine is possible be allowed. In line with the opinion of Imam Al-'Izz ibn 'Abd Al-Salam in the book "*Qawa'id Al-Ahkam*":

جَازَ التَّدَاوِي بِالنَّجَاسَاتِ إِذَا لَمْ يَجِدْ طَاهِرًا مَقَامَهَا ، لِأَنَّ مَصْلَحَةَ الْعَافِيَةِ وَالسَّلَامَةَ أَكْمَلُ مِنْ مَصْلَحَةِ اجْتِنَابِ النَّجَاسَةِ⁴³

"You may seek treatment with unclean objects if you have not found a sacred object that can replace them, because the benefit of health and safety takes precedence over the benefit of staying away from unclean objects."

⁴¹ A comparison can be made with the MUI Fatwa NO. 2/2000 concerning the Use of Body Organs, Ari-Ari, and Human Urine for the Purpose of Medicines and Cosmetics. The fatwa states that the use of drugs containing or derived from human organs (*juz'ul insan*) is unlawful.

⁴² Yusuf al-Qardhawi, *al-Halal wa al-Haram fi Al- Islam*, Halal and Haram in Islam, translated by Muammal Hamidy, Surabaya: PT. Bina Ilmu, Surabaya, 1993, p. 40

⁴³ Al-'Izz ibn 'Abd al-Salam, *Qawa'id al-Ahkam fi Masalih al-An'am*, Kairo: Maktabat al-Kulliyat al-Azhariyyah, 1994.

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Maslahat considerations are very often conveyed by *fiqh* scientists in every issue of Islamic law. Even the urgency of *maslahat* has become a concept of public interest which is marked by almost all of the books of *ushul fiqh*, although the portion between scholars is certainly different.⁴⁴ This provides evidence that the concept of *maslahat* does constitute one essential background in Islamic law. The concept must return to God's purpose in establishing a *sharia* for the man (*qashdu al-shari 'fi wadh 'i al-shari'ah*). It leads to *jalb al-mashalih wa dar 'u al-mafasid*, which is to gain entry and refuse to damage. In this case, Imam al-Syathibi confirmed the previous scholars' opinion by dividing the benefit into three levels. First is *dharuriyyat*, second *hajiyyat*, and third *tahsiniyyat*.⁴⁵

The concept of *maslahat* in the primary or *dharuriyyat* is one of the arguments that always appears in MUI fatwa, especially in a fatwa relating to human health products. Some MUI fatwa has been published a lot regarding medical products. Some are fatwa Number 30/2013 concerning drugs and treatment, fatwa number 4/2016 on immunization, fatwa number 33/2013 on meningitis, fatwa number 33/2018 on the use of a MR vaccine, and so on. The "measures" that mention the treatment of *dharuriyyat* conditions become what makes some conception or exception. Some requirements are that the vaccine should be used in emergency conditions or *al-hajat*; a Clean and holy vaccine has not been found, And it is believed that there is no kosher vaccine.⁴⁶ So it is not absolute, but in the condition that no sacred object can be replaced. It is presented by Muhammad al-Khatib al-Sharbaini in the book *Mughni al-Muhtaj* which explains the ability to use unclean or pickled objects for medicine when no sacred object can replace them:

وَالْتَدَاوِي بِالنَّجَسِ جَائِزٌ عِنْدَ فَقْدِ الطَّاهِرِ الَّذِي يَقُومُ مَقَامَهُ⁴⁷

"To seek an unclean object is permissible before any sacred object can take its place."

The extent of tolerance of the matter is thought to be something all elements must endeavor to do. A whole collaboration of elements would be a

⁴⁴ Sri Lum'atus Sa'adah, *Progressive Fiqh Thought Map*, Yogyakarta: Pustaka Pelajar, 2012, p. 21-22.

⁴⁵ Abu Ishaq Al-Syatibi, *al-Muwafaqat fi Ushul al-Syariah*, Jld.1, Beirut: Dar al-Ma'rifah, 1996, p. 324

⁴⁶ See also These 5 Basic MUI Give Permission to Use AstraZeneca Vaccine, <https://www.cnbcindonesia.com/tech/20210319185929-37-231535/ini-5-dasar-mui-berikan-izin-penggunaan-vaksin-astrazeneca>.

⁴⁷ Muhammad al-Khatib al-Syarbaini, *Mughni al-Muhtaj*, Juz. I, Beirut: Dar al-Fikr, t.th, p. 79

<http://jurnal.arraniry.ac.id/index.php/samarah>

pathway to the restoration of the frenzy of the world today. Medical professionals have conducted every experiment to produce the best treatment available. The scholars' have provided the results of *ijtihad* in the form of religious fatwas. Society has become a vital pillar that independently protects each individual and the family. On the other hand, the government has to work toward a path that will shed light on the pandemic. One of them is trying to provide vaccines to the public that are guaranteed to be halal. The provision of Halal Vaccines is one of the strategic steps to accelerate the immunization program. This is because the use of halal consumption, including drugs, is a religious requirement that is a citizen's right and is protected by the constitution. So the clean absence of the vaccine became the social sin of scientists. Therefore, scientists and scholars must carry out *ijtihad* and scientific *jihad* to find a *halal* vaccine. The emergence of MUI Fatwa Number 21 of 2021 concerning the COVID-19 Vaccine products from Sinovac Life Sciences Co.Ltd, China and PT. Bio Farma (Persero) dated January 11, 2021, would be one of Ulama's efforts to ensure the *halalness* of vaccine products circulating in Indonesia.

Conclusion

Treatment in the form of immunization is an endeavor to achieve immunity (immunity) and prevent the occurrence of certain diseases. Vaccines used for immunization are of course required to use halal and holy vaccines. However, immunization with haram and/or unclean vaccines may be allowed under several conditions, namely when used in an emergency condition or *al-hajat*; *halal* and holy vaccine ingredients have not been found, and there is information from competent and trusted medical personnel that there is no *halal* vaccine. Moreover, if someone who is not immunized will cause death, serious illness, or permanent life-threatening disability, based on the judgment of a competent and trusted expert, then legal immunization is mandatory.

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