

Fatwa of the Indonesian Ulema Council (MUI) and its Contributions to the Halal and Holy Status of COVID-19 Vaccine in Indonesia

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Abstract

This study attempted to examine the Sinovac COVID-19 vaccine from the viewpoints of the fatwa of the MUI and maqasid al-shari'a. Generally, Indonesia has the largest Muslim population in the world. Therefore, the whole food, drink, and drug products are supposed to obtain halal legality. In relation to Covid-19, it is considered as a humanitarian disaster. Thus, scientists and Muslim scholars share the equal responsibility to seek solutions to the pandemic. Both complement each other by working together. Besides, all citizens are obliged to obey the health protocols and invited to be prepared for the vaccination. As for the vaccine of COVID-19, maqasid al-shari'a plays an important role to measure the aspects of maslahah al-mafsadat contained in it. The MUI, through its fatwa, stated that according to maqasid al-shari'a, Sinovac vaccine is halal and holy. This is viewed from either the urgency aspect of 'doruriyyah' to save human lives or the legality aspect of shari'a, which lies within the scope of maslahah mursalah. Due to no clear axiom in the legal source of Islam, it is then allowed for the sake of common interest and goodness. As regards with the standpoint of maqasid al-shari'a on the vaccination, there are three features relevant to this study, including cognition nature, multidimensionality, and purposefulness.

Keywords: Vaccine, Covid-19, MUI Fatwa, and Maqasid al-Shari'a.

INTRODUCTION

Indonesia and other countries in the world have been suffering from the COVID-19 pandemic as a global crisis which leads to fatality and misery to families and colleagues. People around the globe need to be concerned about this global disaster. At the same time, they should embrace optimism in order to collectively fight against COVID-19 by following the health protocols as outlined by health entities and governments. In addition, guidances from the related and competent parties should go along with the religious science that human beings should put something more useful before a mere advantage. In this case, it is linked to the

physical and mental health threatened by the viral infection.

Besides the health protocols, the presence of Sinovac COVID-19 vaccine deserves attention. The discussion regarding Sinovac COVID-19 vaccine as viewed from the fatwa of the MUI and maqasid al-shari'a will result in two primary aspects that need to be considered thoroughly, namely the halal and the usefulness aspects of the vaccine. Indonesia is home to the largest Muslim population in the world. Therefore, these two aspects of Sinovac COVID-19 vaccine turn into an important discourse since they are associated with the religious obedience of Muslims as explained in maqasid al-shari'a.

In line with the fatwa of the MUI, the national halal certification body, *maqasid al-shari'a* serves as the value of Islamic fiqh and has an important role in providing halal certification for a wide variety of products. From the textual axiom viewpoint, *maqasid* is a religious brainstorming of what a literal text implies. As regards with COVID-19, *maqasid* functions as the measurement for the aspects of *maslahah* and *mafasadat* which are contained in the vaccine. This study will highlight the presence of Sinovac COVID-19 vaccine from two perspectives, namely the fatwa of the MUI and *maqasid al-shari'a*, in order to provide a holistic understanding of this matter.

COVID-19 pandemic as a humanitarian disaster

As stated by Professor KH Nasarudin Umar and Professor KH Said Aqil Siradj, COVID-19 is a humanitarian disaster. According to them, scientists and Muslim scholars have the shared responsibility to end the pandemic. Scientists conduct research to comprehend God's creatures, while Muslim scholars try to find out the relationship between God and creatures. Muslim scholars help to give meaning to the deepest part of human emotion so that they can be connected to The Wise (Al Halim) and The Subtle (Al Latif). Scientists, on the other hand, examine anything from the cosmos to tiny matters, including COVID-19. They suggest that COVID-19 can be ruled out through vaccines. Besides, they trust that God will provide safety, as an answer to any efforts made by human beings.

The outbreak of COVID-19 has shifted almost everything. For example, during the pandemic, both the government and private sectors focus on providing alternative public services by implementing the health standards which can cut the chain of virus transmission. This is actually a collective responsibility of all parties, including the government, society, private sectors, religious figures, social leaders and law enforcers, to help one another to prevent the spread of Coronavirus and eventually end this pandemic.

The roles of the press in this situation are required to deliver information and knowledge to the society related to any updates on the COVID-19 pandemic as to stop the virus transmission, to inform the government's policy and law, and to invite health experts and medical workers to educate the public regarding the efforts to prevent the widespread of COVID-19.

On the other side, religious clerics stand together and call on people to strengthen their faith to God and avoid any forms of worship or prayer which involves many people, such as Jum'ah prayer, religious gathering, and church gathering in order to disrupt the spread of Coronavirus.

Medical health workers are the forefront to deliver healthcare services to people infected by Coronavirus. With their academic and professional competence as well as their professional oath, they fight for the health of people suffering from its infection. A number of medical health workers, doctors, and nurses have died of exhaustion while carrying out their duties to take care of COVID-19 patients. Medical health workers stand up as humanitarian heroes. People subsequently express heartfelt appreciation to them by delivering bunches of flowers to honour all medical health workers who have worked extremely hard to cure and save the lives of Coronavirus patients.

The government rewards doctors and other medical health workers by giving them monthly incentives amounting IDR 15 millions for doctors, IDR 7 to 8 millions for nurses, and compensation for the families of medical health workers who have passed away due to COVID-19. According to Adam Smith, as cited in Sonny Keraf's book entitled "Free Market, Justice, and the Role of Government; Review on a Political Ethic of Adam Smith Economy", to deal with the economic inequality, justice needs to be enforced and expanded to cover the role of government to provide assistance to the most disadvantaged ones, particularly those who suffer not because of their own mistake, willingness, or choice.

Prevention of COVID-19 through health protocols and vaccination

COVID-19 broke out as a collective disaster. Therefore, the prevention of this disaster requires a communal effort. The first step before health protocols and vaccination is to refer to the legal logic or law as a social norm. In this regard, social life is governed by the law, yet human morale, religion, ethic, politeness, and customs, and other norms remain closely interrelated.

Preventing and fighting against COVID-19 can be done by enforcing the law as a social norm. This is not only the duty and responsibility of the government but also the society as a whole, including medical health workers, private sectors, social leaders, religious clerics, mass media, and law enforcers.

The role of society is badly needed as an effort to fight against Covid-19, especially to cut the chain of Coronavirus transmission through social distancing, lockdown, regional quarantine, health protocols and environmental cleanliness, and provision of self-protective outfits. The simplest and most effective ways to reduce the number of cases and cut the spread of COVID-19 are to stay at home, perform physical distancing in public places, avoid crowds, wear masks, wash hands with a soap or hand sanitizer, and have enough rest in order to maintain self-immunity.

Those with good immunity are said not to contract COVID-19. However, although they have a low risk of being infected by the virus, they are prone to carry it around and spread it to others, thus causing infection. Therefore, any individuals should protect themselves from the virus with discipline, by obeying the laws and rules from both the local and central governments, such as complying with the Large-Scale Social Restriction (PSBB).

In addition to the health protocols, the government also provides the society with vaccination by choosing Sinovac out of other vaccines. In this regard, the MUI issued fatwa that this vaccine is halal and holy, apart from

the National Agency of Drug and Food Control (BPOM) having approved it. This is done in accordance with the Islamic teaching that Muslim should always pay attention to whatever enters the body, including food, drink, or medicine. Consequently, there is no reason for the public to refuse the vaccination.

In relation to the previous Islamic teaching, there are two variables which need to be taken into account; what are the substances or materials and how to get them. In Islam, anything to be consumed should be obtained legally. Therefore, Islam is against anything obtained illegally, such as through thievery and corruption. Regarding the substance, food materials should meet two elements, namely halal and thayyib. Halal is viewed from Islamic dogma, and thayyib is seen from the safety of food.

Regarding the Emergency Use Authorization (EUA) of COVID-19 vaccine, the head of BPOM of the Republic of Indonesia stated in an online press conference on Youtube, Monday (11/1), that the vaccine is allowed to be given in emergency situation, and this has been in line with the World Health Organization (WHO). The COVID-19 vaccine is given not only in Indonesia, but also around the globe. There are a number of reasons which underlie the vaccination. First, emergency situation has been stipulated by the government. Second, scientific evidence has proven the efficacy of this vaccine to prevent COVID-19 infection. Third, the vaccine has the standardized quality. Fourth, this vaccine has more benefits than risks. Lastly, there is no alternative medicine available to date. Hence, Sinovac vaccine seems to be the only mean to end the COVID-19 pandemic while continuing the implementation of the existing health protocols.

COVID-19 vaccine from the perspective of MUI fatwa

Indonesian Ulema Council (MUI) and its Fatwa Commission is an ulema institution in Indonesia which is affiliated with the government. MUI is definitely a competent

institution to cope with religious affairs in Indonesia, particularly regarding Islamic fatwa. During this pandemic, the MUI works together with the government to tackle COVID-19 and its impact. In this regard, the MUI issues the fatwa concerning the vaccine, so people have no doubt over its halal aspect.

The Fatwa Commission has several work programmes as the basis of its activities. It holds scientific activities for ulemas to discuss the problem of ummah in line with the dynamic of the people, the needs of the society, and the advance of science and technology. The Fatwa Commission also manages regular and systematic meetings to issue fatwa collectively. A review on Islamic laws useful for the long run in the field of muamalah becomes one of its programmes. In addition, it also publishes ulemas' reviews and gives input for the Islamic courts. Besides, it constantly tries to fulfil the needs of the society by issuing fatwas for particular individuals, private sectors, and the government. The other mission of the Fatwa Commission is to issue fatwas that can be adopted in the national laws.

The main programme of the Fatwa Commission is to act as an agent of change through its fatwas. It is admitted that MUI's fatwas have a significant impact on the thought and activities of Muslims in Indonesia. In the personal standpoint of the author, the MUI has played its role very well, particularly pertaining to COVID-19 pandemic, in terms of intervention, prevention, and impact.

Sinovac vaccine in Indonesia is also under the subjects of the MUI's Fatwa Commission. Before organizing a press conference to issue the fatwa, the MUI conducted a series of actual and peer studies to the vaccine. As published on the MUI's official website, after holding a plenary meeting in Sultan Hotel Jakarta on Friday (08/01), the Fatwa Commission eventually stipulated that the COVID-19 vaccine produced by Sinovac was halal and holy.

For the halal aspect, the chairman of the Fatwa Commission stated that after a long discussion and explanation of the auditor in the meeting,

the Fatwa Commission agreed that the COVID-19 vaccine manufactured by Sinovac Life Sciences Co. Ltd. whose certification was possessed by Bio Farma was halal and holy. Furthermore, the usage of the COVID-19 vaccine produced by Sinovac has been approved by BPOM regarding its safety, quality, and efficacy.

The permission of its usage is associated with the decision of BPOM in relation to the aspects of safety, quality, and efficacy. The fatwa was released after it was declared safe by BPOM. The meeting which was attended exclusively by the chairman and members of the Fatwa Commission was intended to discuss about the appropriateness of the vaccine produced by Sinovac Lifescience Co. Ltd. according to the sharia perspective. It was the only topic discussed in the meeting. There are three registered Sinovac-manufactured vaccines, namely Coronavac, Vaccine Covid-19, and Vac2Bio. The discussion was preceded by an audit by the auditor.

On January 11, the MUI released a fatwa regarding the halal and holy aspect of Sinovac vaccine by considering that fact that COVID-19 poses health risks. Thus, its vaccine should be deemed halal and holy and given halal certification. The MUI too took several Islamic laws into account. Among them are QS Al-Baqarah (2): 173, QS Al-Maidah, a hadith narrated by Abu Hurairah, which reads "There is no disease that Allah has created, except that He also has created its treatment".

Aside from the aforementioned, the MUI connected this vaccine with fiqh principles (i.e. the absence of danger); the opinions of ulema such as Imam al Zuhri who stated that "it is haram to drink human urine due to illness, najis, etc."; MUI Fatwa No. 4 Year 2016 on immunization; MUI Fatwa No. 1 Year 2010 on the use of microbe and product of microbe contained in food products; MUI Fatwa No. 45 Year 2018 on blood plasma for drug materials, reports, and explanations of the audit conducted to Chinese vaccine factories and PT Bio Farma Inc. Ltd by the LPPOM MUI auditor along with the Fatwa Commission; the discussion of the Fatwa Commission on 8 January 2021; and

the decree of BPOM about the approval of Sinovac vaccine. As a result, with such consideration and peer review, the Fatwa Commission stated that Sinovac vaccine is halal and safe to be used as a medical procedure.

According to the news published on the MUI's official website, the Fatwa Commission has completely audited the Sinovac COVID-19 vaccine, which is produced in China.

The Fatwa Commission stated that the COVID-19 vaccine manufactured by Sinovac and obtained by Bio Farma is halal and holy. This vaccine is seen to have no problem in terms of the fiqh dimension, while the issues pertaining to its safety are under the authorities of BPOM.

Prior to the announcement, the MUI had finished an audit on Sinovac COVID-19 vaccine. This audit was done in both Beijing and Bandung on Tuesday (5/1). The chairman of the MUI's Fatwa and Halal Affairs mentioned that the audit team had completed the audit on Sinovac vaccine in both cities. Around 3 million doses of COVID-19 vaccine from Sinovac were ready to be distributed across Indonesia. "Next week, there will be 15 million doses more in form of raw materials to arrive in Indonesia," President Jokowi said during the handing over of land certificates. Of the 3 millions doses of the vaccine, 700.000 of them had been delivered to other areas across Indonesia.

Jokowi said on the Youtube Channel of the Presidential Secretariat on Tuesday (5/1), "The government has delivered the vaccine to 34 provinces. For the first stage, 700 thousand doses of vaccines have been distributed. We have 3 million doses of the vaccine, and 700 thousand doses of them have been delivered. Another million doses of the vaccine will be sent off next week... Insyaa Allah. Next week, 15 million doses of the vaccine will come in form of raw materials that will be produced by Bio Farma. Vaccination will begin simultaneously in 34 provinces on Wednesday (13/1)." Jokowi also reminded the public to continue sticking to the health protocols, by

wearing masks, maintain social distancing, and washing hands with soap.

COVID-19 vaccine from the perspective of maqasid al-shari'a

COVID-19 vaccine is also viewed from the standpoint of maqasid al-shari'a. Anything which poses goodness constitutes the core of Maqasid. Therefore, as explained earlier by the MUI's fatwa, the use of vaccine to fight against COVID-19 is allowed, following that it is regarded halal and holy, and this is adherent to the Islamic teaching. Maqāsid al-sharī'a consists of two words: 'maqāsid' dan 'al-sharī'a'. The first word means purpose, while the meaning of the second word is the Islamic rules established by Allah SWT for mankind. M.B. Hooker defines shari'a as a place or spring, a place or source of lives, and fulfilment of duty to God.

Terminologically, shari'a is a set of divine norms that regulate the relationships between human beings and Allah, among human beings in their social life, and between human beings and the surrounding environment. Jasser Auda defines shari'a as a revelation received by Prophet Muhammad SAW and practiced in the messages and mission of his life. On the other word, shari'a is Al Quran and Al Sunnah. Al Ashmawi defines shari'a as methods or ways formulated by Allah, consisting of basic values and principles as opposed to fiqh (a compilation of legislation), which is more flexible in terms of following the dynamic of society.

The term maqasid al-shari'a develops from the simplest meaning to the more holistic one. Amongst classical ulemas prior to Al Shatibi, there were no real and comprehensive definitions for maqasid al-shari'a. The definitions tended to follow its literal meaning by mentioning the synonyms. Al Bannani identified it as the wisdom of a law. Al Ashmawi described it as the goals of a law. Al Ghazali, Al Amidi, and Ibn Al Hajib defined it as 'to reach benefit' and 'to refuse mafsadat'. These varying definitions indicate a close relationship between maqasid al-shari'a and

wisdom, illat, goals or intention, and usefulness.

Ahmad al Raysuni Nur al Din al Khadami believed that maqasid al-shari'a has its own meaning after these two words are combined. But they can only be found in the maqasid books written by contemporary ulemas. The explicit definitions of the words cannot be found in the book al muwafaqat al shatibi.

According to Al Shatibi, maqasid al-shari'a is intended for those with good knowledge capacity. Consequently, its etymological and terminological explanations are no longer needed. He explained that the book al muwafaqat was read solely by those who possessed profound knowledge of shari'a including usul or furu', the textual postulate or its logic, did not preserve taqlid, and were not fanatical to any fiqh mazhab.

Tahir ibn Ashur defined maqasid al-shari'a as the meaning and wisdom preserved by Allah in the entire shari'a laws, either small or big, and not in the specified ones. Jaser Auda explained that maqasid covers wisdom behind the laws, i.e. increasing people's prosperity as the wisdom of zakat, increasing the awareness of the existence of Allah SWT as the wisdom behind fasting, and many others.

Maqasid is also the goal of Islamic laws to be achieved by opening ways to the goodness and closing ways to the evil. Thus, maqasid maintains human mind and soul, and explains prohibition in Islam on alcoholic and other mind-losing drinks. In addition, maqasid is also defined as a set of divine morale concepts underlying Islamic laws, such as justice, dignity, free will, generosity, easiness, and social cooperation. Maqasid represents the relationship between Islamic laws and contemporary ideas such as human rights, development, and courtesy.

Some of the definitions of maqasid al-shari'a offered by several figures are as follows. Allal al Fasi defined maqasid al-shari'a as the goals and secret hidden by Allah on a law, while Ahmad al Raisuni classified it as the goals demanded by Allah to understand the concern of the creatures. According to Muhammad al

Yubi, maqasid al-shari'a is the meanings and wisdom specified by Allah within shari'a, either specifically or generally, in order to realize the interest of the creatures. Wahbah al Zuhayli described maqasid al-shari'a as the meaning and goals maintained by shara' in all or most of its laws, or the final objectives or secrets of shara' in each law.

Maqasid al-shari'a, or the goals and targets of a law, is clear. This topic is important, but slightly neglected from shari'a. Abd Wahab Khallaf, an expert of usul fiqh, argued that shari'a texts cannot be understood well, except by those who understand maqasid al-shari'a (the goals of a law).

Wahbah Zuhayli implied that mujtahid mutlaq or mustaqil was not present after the emergence of fiqh mazhab. What is left in every era is mujtahid mutajazzi. Experts of Islamic laws are capable of stipulating istinbath to some of the legal problems or a particular field of a law. This mujtahid meets the need for ijtihad in every era and refers to usul fiqh.

Jamal al din Atiyyah agreed on the view of Zuhayli. Nevertheless, he emphasised the significance of serious preparation of a specialized mujtahid by giving a basic specialization of shari'a and a specialization of a particular field as a subject to make ijtihad. Mujtahid has to gain two specializations at the same time, namely shari'a and another particular field, i.e. medicine, economics, or other subjects. Shari'a should be reviewed comprehensively along with the preferred field in a specialized educational institution and carried out in a detailed and systematic manner.

The goals of shari'a are merely for the goodness of human beings in the world and the hereafter. The dispute arises over why shari'a is categorized as kalam science. Al Razi stated that divine laws have no illat at all, as what he does. In contrast, Mu'tazilah implied that divine laws have reasons to maintain the interest of the creatures. Contemporary ulemas of fiqh agreed on this thought. In usul fiqh, it is compulsory to stipulate legal reasoning for shari'a laws. This is because illat means a noticeable sign of a particular law.

Experts of maqasid comply with the goals behind every shari'a law. Although they have different opinions on how to elaborate the definition of maqasid al-shari'a, they all head to the same direction; to archive goodness and to get away from evil. Then, a question arises from how to understand maqasid al-shari'a or what methodology should be used to stipulate it from the shari'a stipulation.

Regarding this statement, maqasid experts generally suggest that maqasid al-shari'a can be determined through four media; namely affirmation in Al-Quran, affirmation in Al-Hadith, inductive research or review, and logic. No one feels doubtful about Al-Quran and Al-Hadith, which are frequently seen as the law itself. On the other hand, legal reasoning or objectives are left obscured or have never been mentioned. It is the consensus of ulemas that every law has good objectives. Therefore, illat and goals must be sought through peer study and review in order to be usable as a reference to stipulate laws.

The demand for shari'a resides in the nurture of maqasid on creatures. This maqasid does not cover three divisions, namely daruriyah, hajjah, and tahsiniyah. In general, Imam Abu Ishaq al Shatibi in his book *al muwafaqat* divides *maslahah* from the priority of the fulfilment into three categories, as follow:

Daruriyah is *maslahah* which is closely correlated with the goodness of religion and the world. The stability of the goodness of religion depends on the realization of *maslahah daruriyah*. If it is not realized, the goodness of the world will not be well-nurtured. This will cause damages and loss of lives. In addition, human beings will be in a complete harm and lose their success and blessings.

The goodness in this sense covers five basic universal principles of sharia; namely maintaining the realization of religion (*hifz al din*), protecting the soul (*hifz al nafs*), protecting the mind (*hifz al aql*), nurturing the descendents (*hifz al nasl*), and protecting the wealth (*hifz al mal*).

COVID-19 vaccine is categorized as *daruriyah* since the provision of vaccination is expected

to achieve common goodness. It appears to be a solution in addition to obeying the health protocols. The aspect of life protection in maqasid exists in *daruriyah*, and it must be realized in order to achieve goodness and evade danger. Vaccination should adhere to the rules set out by the government, either through MUI or BPOM. In other words, it is allowed to be given to all citizens by following medical and religious rules. Besides, it acts as the embodiment of a joint effort to accomplish the shared goals of the government, private sectors, and society, by keeping the implementation of health protocols. Thus, vaccination serves as a reliable means to end the pandemic as explained by scientists and strengthened by religious scholars. This vaccine is hoped to realize the nurture of religion, soul, mind, descendents, and wealth.

Basically, all types of praying are based on *hifz al din*, as reflected in the pillars of faith (*shahadah*, *salat*, *zakat*, *fasting*, and *hajj*) and others. The area of *adab* is rooted from *hifz al nafs*, i.e., how to obtain food, drinks, clothes, and houses. To save human lives, vaccination becomes a medical effort which is in accordance with Islamic teaching since it enables people to perform the order of religion (*hifz al din*) and other aspects.

As quoted by Zuhayli from Shatibi, Amidi, Ghazali, and Shaukani, Islamic shari'a stands upright as the other shari'a *samawiyah*, which nurtures five elements known as *kulliah al khams* or *al daruriyah al khams*, including religion, soul, descendents, mind, and wealth. It further includes three levels which are all regarded important. According to ulemas, those three levels consist of *daruriyah*, *hajjah*, and *tahsiniyah*.

As suggested by Shatibi, Zuhayli also explained that *daruriyah* is goodness in line with human lives, which is related to the religion or world. If this goodness disappears, the world will be chaotic, blessings will fade away, and torment will appear in the doom. In Islam, *maslahah daruriyah* has two purposes; to achieve goodness and to nurture it.

The realization of religion is by carrying out five principles of Islam. The first way is by mujahadah or critical thinking of those wishing to ruin the religion. It is done to prevent disaster in the religion. Another way is by punishing the apostates or those who publicly declare their apostasy or those who hide their hostility toward the religion, such as Zindiq or atheists. This is because religion relates to a spiritual matter anchored inside the soul and serves as a sign of nobility in human beings. As regards with Covid-19, the provision of vaccination is meant to allow people to carry out religious orders without feeling worried by closely sticking to the health protocols. This is what is so called the nurture of religion.

The realization of religion is actually the effort of people to fulfil the need for the principle in order to achieve goodness in the world and the hereafter. Janib al wujud (positive side) is the term frequently used by Muslim scholars to describe this. On the other hand, the damages of mental, mind, descendents, and wealth are called janib al adam (negative side). Vaccination is conducted as an attempt to prevent the widespread of COVID-19. Because of that, people can perform the religious praying by following to the health protocols. Thus, vaccination can be taken as a preventive action to nurture the existence of soul, mind, descendents, and wealth.

Great eagerness for being taqwa becomes pivotal to respect social norms. Indeed, religion strengthens the heart and feeling of humans over their deen. In the meantime, appetite for food and decision to hold a wedding party are determined by humans themselves.

The nurture of maslahah stipulation is done by inflicting punishment to killers. It is called qisas or death penalty. In this regard, the right to live is a holy right. Violating the right to live means abolishing the humanitarian right. This will result in blood and dispute. The prime purpose of vaccination is to save or protect lives.

The mind is given to human beings so that they can maintain it by doing things which are unharmed for their mind. It is forbidden to

spoil the mind or to weaken it by consuming alcoholic drinks or any potentially dangerous things. It is caused by the fact that mind functions as the source of goodness and advantage for mankind, including the protection toward lives. The objective of vaccination is to protect the mind as it is integral to human lives.

Then, nasl is incorporated into Shari'a to be employed well. Take the way we treat our wives for example. The nurture of nasl means to set out punishment over adultery as many as one hundred bindings for other than muhsan adultery, to stipulate qadaf punishment as many as eighty bindings, etc. This is because the safety of nasl and the maintenance of nobility make people strong, clean, harmonious, and non-violent or revengeful. In addition, there will be no hostility in their neighbourhood. Vaccination can also become the best solution in this context, as to avoid the extinction of mankind.

Wealth is subject to shari'a to realize as an effort to look for fortune and to do good deeds among human beings. To maintain it, punishment is incurred over stealing by cutting hands according to the prevailing laws. It is haram or forbidden to steal, to take someone's property without permission, and to practice riba'. Someone must take responsibility if s/he loses or breaks one's property because wealth is the basis of life and the source of individual strength. In this sense, vaccination is expected to recover, stabilize or even increase the economy. COVID-19 gives human beings a lesson to share with one another in order to make their wealth blessed. Maintaining the wealth also has something to do with the environmental management as a potential source in the economic development.

Hajiyah is maslahah that becomes a human need to avoid hardship. If it cannot be achieved, someone will endure hardship without suffering from perishing. In al shatibi terminology, this maslahah hajiyah can be categorized as adah mu'amalah and jinayah.

In shari'a, Allah also makes tolerance (rukhsah) for particular worshipping if humans suffer

from an illness or are on a long trip. For those who are fasting in the month of Ramadhan, they are allowed to break the fast if they are sick. According to 'adah, animal hunting is allowed by shari'a for a good and halal food. In Islam, people can also wear proper clothings and possess houses and cars as long as it does not violate Islamic laws.

Tahsiniyah is maslahah that makes humans superior in terms of attitudes and customs and takes humans away from despicable behaviour. What needs to underline is that the absence of maslahah tahsiniyah will not create any destruction of life order and pose a hardship. Maslahah hajiyyah tahsiniyah is included in adah muamalah and jinayah.

Cleaning najis (taharah), covering aurah, being well-groomed, getting close to Allah by making donations are also the examples of worshipping. In term of 'adah, it is sunnah to eat and drink according to the accepted manner, to avoid najis food, to keep away from disgusting food, and to eat and drink sufficiently or otherwise. In term of muamalah, selling or buying najis stuff is prohibited. In term of jiniyah, it is forbidden to kill children and the elderly during warfare.

In addition to what has been mentioned above, there are three kinds of maslahah in terms of its appropriateness or legality of shara', namely maslahah mu'tabarrah, maslahah mulghah, and maslahah mursalah, as explained below.

The first one is maslahah mu'tabarrah. Shari' (the authority holder of syari'at of Allah and the prophet) admits and legalizes the appropriateness as illat in stipulating laws. It is sourced from shari'a laws, particularly cases that refer to al munasib. In general, all sharia laws are applied to maintain the purpose of syari'at (maqasid al-shari'a al kulliyah) which covers five big agendas; namely the existence of religion (hifs al din), spiritual protection (hifs al nafs), mind protection (hifs al aql), offspring or descendant protection (hifs al nasl), and wealth protection (hifs al mal). On the other hand, Zaidan divides it into five points. The difference resides in the nurture of

religion, spirituality, mind, dignity (ird), and wealth.

Jihad and fighting the apostate are subject to shari'a since they aim to maintain the existence of religion. Qisash is also the subject of shari'a because it strives for protecting the right to live and providing security. Alcoholic drinks are haram, and the purpose of punishing those who consume such beverages is to protect human mind. Adultery is haram, and the objective of punishment over those who commit it is to protect offsprings. Stealing is haram, and the goal of punishing the doers and the imposition of compensation over possession is to guarantee the right to wealth. As the concept of rukhsah (tolerance), Muslims are allowed not to fast when they are sick or on a trip. They are also permitted to do qasar and jama' for praying. Both aim to reduce or avoid difficulties. This factor is, no doubt, eligible as a variable to stipulate 'illat. This is because the survey reveals that shara' laws aim to accommodate maslahah and reduce mafsadah (destruction).

The second kind is maslahah mulghah; shara' which deals with it by refusing its presence as a variable in stipulating a law (illat). This indicates that this variable is not counted in the law. The example of this is kaffarat for those who break their fast upon doing sexual intercourse, which has ever been imposed by ulemas to a number of government officials who committed it. Kaffarat of this violation is to free slaves or to fast for consecutive 2 months or to feed 60 poor people. One of them must be fulfilled respectively according to the ability of the violators. Even for the rich, it can be understood that the punishment can make a deterrent effect and it is maslahah.

However, shara' does not accommodate this maslahah and freeing slaves is required. This stems from the fact that it has been stipulated by sunnah or the concept of kaffarat is dogmatic, which functions to merely test the level of obedience. Or, shara' even requires it merely for the creation of maslahah through deterrent effect (al -zajr) without taking other maslahah into account. It is no doubt that

masalah mulgha cannot be used as illat because it is against shara'.

The third and last kind of masalah is masalah mursalah; shara' does not clearly deal with it by refusing or recognising its presence. According to ulema usul, it is called masalah due to the presence of masalah element and the purpose to avoid danger. Mursalah cannot be found in shari'a as recognition or refusal. COVID-19 vaccine is included in masalah marsalah as it is not explained in the primary source of Islamic laws. Nonetheless, because of its benefit to human lives, it should be provided to avoid danger. This is in line with the fatwa issued by the MUI.

Ulemas have different views in naming the term for masalah. Al Ghazali named it istislah. Experts of usul fiqh called it al munasib al mursal al mulaim. Some ulemas identified it as al istidlal al mursal, while Imam al Haramain and Ibnu al sam'ani used the term istidlal.

This vaccination is associated with a theory of maqasid by Jasser Auda through his system approach. There are three features appearing in his concept of maqasid relevant to COVID-19 vaccine; namely the cognition nature, the multidimensionality, and the purposefulness. In this study, the remaining three features, namely the wholeness, openness, and interrelated hierarchy, are not associated directly with COVID-19 vaccine.

As regards with the purposefulness, the vaccination comes out as common goodness where it is expected that human lives can be well-protected. The association of the cognition nature with the vaccination is that it is included in the fiqh domain of pandemic to achieve safety and health, following that it is related to the management of COVID-19 prevention. The relation between the multidimensionality and the vaccination lies in the rise of debates over the vaccine. For example, it is made of non-halal and non-holy materials. However, it can save human lives. In this case, vaccination can be done by prioritising the bigger aspect of masalah. Since Sinovac vaccine has been studied comprehensively by the MUI, it is regarded halal and holy. It should no longer be

disputed over, considering that the aim is to come up with an ideal solution for mankind and to achieve everlasting goodness.

Conclusion

The presence of COVID-19 Sinovac vaccine comes out as an interesting topic to discuss. From the perspectives of the fatwa of the MUI and maqasid al-shari'a, the discussion concerning the vaccine will ultimately lead to two main aspects for further consideration, namely the halal and the usefulness aspects of the vaccine. This clearly becomes an important discourse in Indonesia with the largest Muslim population in the world.

As said by Professor KH Nasarudin Umar and Professor KH Said Aqil Siradj, COVID-19 broke out as a humanitarian disaster. According to them, scientists and Muslim scholars are equally responsible for seeking solutions to the pandemic. Both complement each other by working together. In addition, all citizens are obligated to adhere to the health protocols and asked to be prepared for the vaccination.

Based on the fatwa issued by the MUI, Sinovac vaccine is halal and holy. This is also in line with maqasid al-shari'a in terms of the urgency aspect of durriyah to save human lives and the legality aspect of Shari'a. Shari'a itself lies within the scope of masalah mursalah. Because there is no clear axiom in the legal source of Islam, it is then allowed for the sake of common interest and goodness. If the vaccination is viewed from maqasid al-shari'a, there are three features relevant to this study, including the cognition nature, the multidimensionality, and the purposefulness of the vaccine.

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