

Maqashid Quran's critical view on Indonesian Ulema Council's fatwa on Halal certification of COVID-19 vaccine

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This research aims to examine the Indonesian Ulema Council's (MUI) fatwa strategy on COVID-19 vaccination booster, which employed religious narrations and laboratory test evidence to justify its arguments. Religious texts become ideological frames that are legitimate and effective in influencing the human senses. This study uses *maqashid al-Qur'an* as approach. Hence, the use of text of the Qur'an, hadith, and quotations from various ulema's opinions elucidates the vaccination aim under Islamic law. Based on the MUI fatwa, the primary purpose of the vaccinations is for the sake of national benefits, whereas, from the perspective of *maqashid al-Qur'an*, it mainly leads to the preservation of the Indonesian people's life as a whole. The COVID-19 vaccination carried out in Indonesia is for curative purposes; consequently, this programme is classified into the *daruriyah* [urgent] category. The results revealed that religious authority plays a crucial role in persuading its adherents.

Contribution: This research shows that interpreting the Qur'anic verses using the maqashid theory should also be integrated with a scientific approach for the benefit of humanity.

Keywords: COVID-19 vaccine; fatwa; halal certification; Indonesian Ulema Council; *maqashid al-Qur'an*.

Introduction

Religious system inherent to society that is recently prevalent in technology is one of the current objectives in contemporary religious studies. In this area, both religion and science have the power to regulate the social paradigm. Padela stated that modernity, globalisation and technological sophistication now become challenges in religious systems to re-evaluate the existence of traditional doctrines and a code of ethics for modern society (Padela et al. 2014). This code of ethics focuses on describing how religious strategies play their roles in presenting various modern approaches to elaborate religious principles into contemporary issues.

According to Padmawati et al. (2019), the Muslim community's approval or rejection of the vaccination is strongly influenced by the religious authority and community leaders as well as *fatwa* [Islamic law pronouncement] issued by the authoritative religious institution. In Indonesia, the Indonesian Ulema Council (MUI) acts as a decision-maker regarding the *halal* [permissible or lawful in Islam] license of the coronavirus disease 2019 (COVID-19) vaccine usage by issuing fatwa No. 2 in the year 2021 (MUI 2021). Indonesian Ulema Council plays a role in explaining religious principles to support the government's vaccination programme. The fatwa issued compiles the Qur'an verses and hadith narrations dealing with the product's legitimate (*halal*) status, accompanied by explanations of Islamic scholars' [*ulemas*] opinions as well as scientific ones.

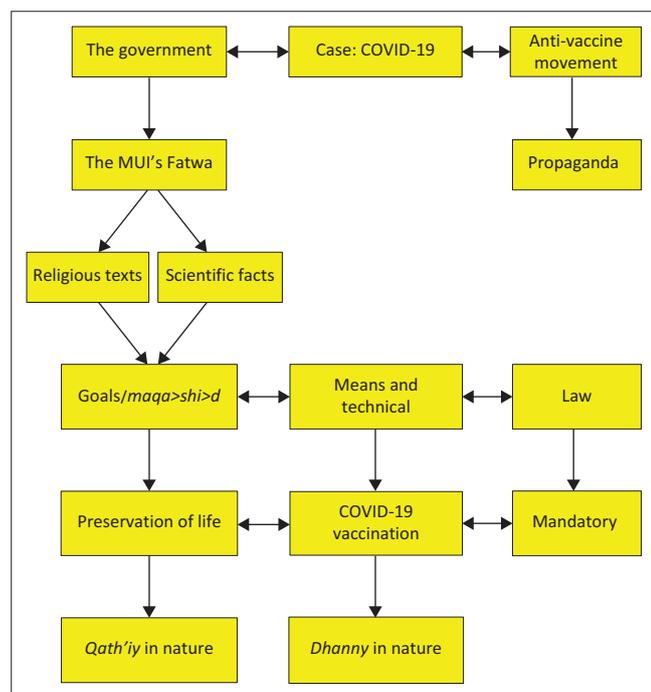
Rosman et al. (2020) stated that polemic on the vaccine's *halal* status depends mainly on the *mufti's* [authoritative religious decision-maker] methodology and approach in explaining the substance of an object *istihalah* [transformation or decomposition] into another form or substance. The Shafi'i school's scholars do not employ the *istihalah* method, so vaccines containing illegitimate substances are prohibited. However, those who follow the Hanafi school use the *istihalah* method, resulting in the product's legitimation substantially lying in its final form (Rosman et al. 2020). This debate has an impact on the standardisation process and the system of stipulating the *halal* status of the COVID-19 vaccine in various Muslim countries.

In explaining the *istihalah* term, the Qur'anic verses are the key to determining the law regarding the *halal* or *haram* status of the case. Determining the law status is closely related to the method

of interpreting the Qur'anic verses used by scholars. As an open corpus, the Qur'an triggers various meanings. However, the various emerging interpretations of the Qur'an have broad purposes (*maqasid*), which are not concurrently a way of obtaining the public benefit (*maslahah*) (Abu Zayd 2019). Based on the academic problems, this article explores the fatwa strategy of religious authorities in Indonesia, the MUI, which uses religious narratives and scientific evidence to build a discourse on the halalness of the COVID-19 vaccine based on *maqasid al-Qur'an* views.

Methods

This study utilised a descriptive qualitative approach, with the objective of addressing research inquiries through formal and persuasive reasoning (Azwar 2007). The research was labelled as descriptive because of its focus on offering problem-solving approaches based on thorough data analysis and interpretation (Abu & Narbuko 2005). It involved describing and analysing the obtained research data to derive reliable and precise conclusions (Moleong 2007). Hence, this descriptive and analytical research explored primary data in the form of the MUI's fatwa document on halal certification of vaccine products. Subsequently, it explained the interpretation methods of the Qur'anic verses and hadith text as well as the contexts attached to the fatwa-making process. This study uses the theory of *maqashid al-Qur'an* in analysing data. Religious texts become ideological frames that are legitimate and effective in influencing the human senses (Figure 1).



MUI, Indonesian Ulema Council.

FIGURE 1: The most prominent issue escalated by the antivaccine movement is regarding the composition of vaccine, which is suspected to contain pork matters, where pork has categorically (*qat'i*) been stated as illegitimate (*haram*) in the Quran and Hadith texts.

Results and discussion

Controversy on halal certification of COVID-19 vaccine in Indonesia

In the COVID-19 vaccination programme, the Indonesian government collaborated with Sinovac Life Sciences Co. Ltd., a Chinese pharmaceutical company. The vaccine is a new product that has just arrived in Indonesia. Its existence is not entirely approved by society. According to a survey collectively conducted by the World Health Organization (WHO) Indonesia, UNICEF and the Indonesian Ministry of Health, around 65% of respondents said they were willing to receive the COVID-19 vaccine provided by the government. In comparison, 8% of them rejected it, and the rest 27% were in doubt about the government's plan to distribute the COVID-19 vaccine (Ophinni et al. 2020). Despite the significant number of respondents with positive attitudes, those rejecting the programme must be taken into consideration in terms of their influence on the vaccination programme's success. They may reject it and provoke others not to get the vaccine (Rachman & Pramana 2020). This group is commonly known as the antivaccine movement.

The antivaccine movement has become a social movement phenomenon emerging as a reaction to dissatisfaction with the government service system in health issues, thus trying to delegitimise this policy. The movement comes from both individuals, the opposition side and those known to be close to the government side. For instance, the former member of the IX Commission of the House of Representatives of Indonesia from the PDIP faction, Ribka Tjiptaning's standpoint to reject vaccination when invited to a meeting with the Minister of Health of the Republic of Indonesia on 13 January 2021. Socio-politics is the primary obstacle to achieving successful vaccination. The antivaccine groups have escalated irrational theories on COVID-19, regarding global conspiracy theories, chips built in vaccines to spy on and dangerous composition issues to the halal-haram status of the material compositions (Rachman & Pramana 2020). Studies conducted by the Indonesian Ministry of Health confirmed that public distrust of COVID-19 (severe acute respiratory syndrome coronavirus 2 [SARS-CoV-2]) was because of their assumption that the pandemic was merely a product of propaganda, conspiracy, hoaxes and a deliberate attempt to spread fear through social media for profits (The Ministry of Health 2020).

The Indonesian Ministry of Health also realised that the most common public rejection of the COVID-19 vaccine was related to vaccine safety concerns (30%), doubts about its efficacy (22%); distrust in the vaccine (13%), fear of side effects resulted such as fever and pain (12%) and religious reasons (8%) (the Ministry of Health 2020). Even though the latter is in the lowest percentage, the Ministry of Communication and Information Technology of the Republic of Indonesia (Kominfo RI) revealed that hoax issues about COVID-19 dragged religion-related issues into the biggest portion (Rosyid 2020). For example, 'Chinese People Bound

Up Converting to Islam Avoiding Corona Virus', 'Video showing Xi Jinping's Visit, Begging Muslims' Prayers' and 'Chinese Citizens Jostling to Friday Prayers Due to Coronavirus'. Thus, this Kominfo RI's releases portrayed the exploitation of religious issues to create chaos in the handling of COVID-19.

Indonesian Ulema Council fatwa on the halalness of the COVID-19 vaccine and state policy in protecting citizens' rights

The COVID-19 vaccination in various Muslim countries, especially in Southeast Asia, is always related to the *halal* guarantee authority for the vaccine given. The halal certification process for the COVID-19 vaccine is a protective regulatory policy in protecting the interests of citizens' religious rights. Muslims may be hesitant to receive vaccines that do not have proper halal certification, as they want to be sure that the vaccines are compliant with their religious beliefs. This certification is typically issued by a recognised Islamic authority or organisation that ensures the vaccine's compliance with halal standards. In Malaysia, the state exists to provide guarantees for security (*masalahah*) and religious rights at the same time. The 10th Special Meeting of the Muzakarah Committee and National Council for Islamic Religious Affairs (MKI) in Malaysia and the first Meeting of the Selangor State Fatwa Authority (MJKFNS) 2021 decided that the law on using the COVID-19 vaccine is mandatory and must be adopted by groups designated by the Malaysian government.

The fatwa proposes three rules: (1) The source of the vaccine must be derived from halal materials and clean, (2) if it is unavoidable, vaccines originating from haram materials are allowed on an emergency basis by the sharia and (3) if there are two choices of vaccines, namely those that are derived from halal materials and those derived from haram materials, it is obligatory to choose vaccines that are from halal materials (Al Bakri 2020; Fatwa Vaksin 2021). The Malaysian government describes the COVID-19 vaccine fatwa decisions from several Muslim countries, including Egypt, the United Arab Emirates and America, in the attachment to the fatwa to justify the argument that vaccination is mandatory.

In the Indonesian context, MUI also provides religious guarantees for Indonesian Muslims regarding the status of the COVID-19 vaccine. In this perspective, Muslims in Indonesia as the majority group receive legitimate official protection from the state. However, several stages must be carried out by the MUI prior to issuing a fatwa. In their consideration, MUI stated:

- That the COVID-19 pandemic remains a threat to public health and among the efforts (ikhtiar) to prevent the spread of the disease is through vaccination
- That attention and assurance must be given to whether or not the medication and vaccine products consumed by Muslim people are pure and halal

- That to ensure the halal status, MUI stipulates the fatwa regarding the halal status of every product that fulfills the requirements
- That there has been a halal certification request from PT. Bio Farma (Persero) towards COVID-19 vaccine product
- That, purposively, the Fatwa Commission of MUI alongside LPPOM MUI underwent an audit, the result of which has been reported in the MUI Fatwa Commission assembly to be legalised
- That, for that reason, the Fatwa Commission of MUI is obliged to stipulate the fatwa regarding the COVID-19 Vaccine from Sinovac Life Sciences Co. Ltd., China, and PT. Bio Farma (Persero) is to be used as a guideline by the government, Muslim people and other parties concerned (MUI 2021).

In addition, some critical points from the results of the MUI fatwa regarding the halal status of the COVID-19 vaccine are as follows:

- It does not employ [*intifa'*] pork or substances contaminated by pork or its breed
- It does not employ parts of human anatomy [*juz' min al-insan*].
- It comes in contact with *najis mutawasithah* [moderate unclean] substances, so it is considered *mutanajjis* but has undergone purification that has fulfilled the *shar'i* requirements of purification [*tathhir syar'i*].
- It employs pure production facilities and is used only to produce COVID-19 vaccine products (MUI 2021).

According to MUI, the preventive measure of vaccination is in line with the life-saving principle in Islam. This is the social benefit that the *maqasid* theory attempts to achieve. The vaccination method is derived from the immunisation model. It is used to boost immunity against attacking viruses. According to British Pharmacopoeia, the vaccine used for humans is a reserved substance that can induce specific and active immunity in the human body towards viruses, toxins or derived antigens (Rosman et al. 2020). It works by providing reserved substances that help to strengthen the body's immunity. For that reason, vaccination is not a medication but a preventive measure.

Even though MUI has stated that vaccination is only preventive, some Muslims are still hesitant to accept it for a dogmatic reason. Here, there is a conflict between public interest and religious belief. Ulema holds total control over the assurance of the mandatory halal status for goods meant for consumption. As quoted by Ali Ahmed, Ulema stands on the following hadith narrated by Abu Dawud from Abu al-Darda' (Dāwud 1999, as cited in Ahmed et al. 2018).

Even though, as stated in the hadith of Abu Dawud, the Prophet (PBUH) firmly prohibits the use of medication containing matters of haram substances, in reality, the idealism cannot completely be implemented. Not all products available in public have clear halal-haram status. For that reason, the public is advised to consume certified and labelled

halal products by an authoritative institution. Halal certification is carried out to give assurance on the product as well as to create a sense of safety and peace of mind for the consumer (Mujaddidyn 2015; Rustam 2017). Here, two criteria are required to obtain halal status: the means of its procurement and the product composition (Rosman et al. 2020).

The halal status of COVID-19 vaccine from *maqashid al-Qur'an* perspectives

Regardless of how a vaccine is obtained, it will still prove highly effective in saving lives. This neither means that the ethical issues around vaccine controversy should be dismissed nor should those troubled by vaccines cease to advocate for alternatives. However, it leaves no room for rejecting the legitimacy of making effective vaccines available as widely as possible. Such vaccines are considered ethical, even for those who object to their origin or association with harm. The text acknowledges the origin of the vaccines and emphasises the strict separation between their origin and contemporary use (Jones 2022).

According to Sulaiman, Allah's law recognises the need to prevent various diseases by all available means. He indicates that the Qur'an uses the concept of prevention in many ways to demonstrate the importance of taking precautions against all diseases and dangers, such as prayers to avoid going to hellfire or punishment (Surah al-Baqarah verse 201; Surah Ali Imran verse 16), preventing from evil deeds (Surah al-Ahqaf verse 9) and prevent from harm or injury (Surah al-Nahl verse 81) (Sulaiman 2014). To further account for the importance of vaccines as a means of prevention, Islamic scholars state that it is permissible under sharia law to cure oneself or others. They argue that Sharia teachings encourage believers to vaccinate against diseases to survive. For this reason, vaccination as a preventive mechanism is permissible in Islam based on the teachings of the Qur'an and Hadith (Kinanthi & Dodi 2022; Thinane 2021). It is based on a basic Shariah rule forbidding harming oneself or others. Furthermore, these scholars believe that various Sharia teachings encourage adherents to seek treatment and explore all efforts to maintain human health. Thus, vaccination is believed to fulfill the objectives of sharia in many respects. In addition, the Grand Mufti of Al Azhar University in Egypt indicated that between 1992 and 2005, respectively, when the Islamic council in Cairo was faced with a question about vaccination, he decided that vaccination was in line with Islamic decisions because it protects life (Sulaiman 2014).

From the Indonesian context, the vaccination policy is seen by the honorary board member of MUI and vice president of the Republic of Indonesia, Ma'ruf Amin, as an effort to achieve one of the Islamic teachings, namely the preservation of life [*hifzh al-nafs*]. Furthermore, he stated that in the pandemic situation, preserving lives is a priority in Islamic teaching. There is no alternative for the preservation of life, and it cannot be substituted with anything else. This form of benefits is indeed the one that the vaccination policy is trying

to achieve. *hifzh al-nafs* [preservation of life] is one of the pillars of *maqashid al-shari'ah*, including *hifzh al-din* [preservation of religion], *hifzh al-aql* [preservation of mind], *hifzh al-nafs* [preservation of life], *hifzh al-mal* [preservation of property] and *hifzh al-nasl* [preservation of heredity] (Al-Syathibi 2013).

There are two approaches to vaccination: curative and preventive. In the curative approach, medication is mandatory if an infection occurs. Meanwhile, the preventive stage is taken to avoid unwanted situations from occurring in the future (Hafidzi 2020). In the case of the COVID-19 vaccination, the Indonesian government uses a curative approach because the pandemic has infected many people. Consequently, all citizens must participate in vaccination to stop the infection of COVID-19 and preserve human life. The spirit of preserving life [*hifzh al-nafs*] is a category of *maslahat daruriyah* [urgent benefits]. The legal stipulation based on *maslahah mursalah* can only be made to issues that are *daruri* [primary] and *hajjiyah* [secondary] in nature (Hafidzi 2020).

As vaccination is an obligation to all citizens, it must be assured of its halal status and safety. This assurance is essential considering the psychological condition of Indonesian citizens, the majority of whom are Muslims. Therefore, the *halal* labelling and certification of a product have become an urgent necessity to give peace of mind to people in their religious life. In terms of essence, Islamic teaching has descended to bringing benefits to all humankind. These benefits of halal products can be attained from *maqashid al-shari'ah* and *maqashid al-Qur'an*.

The legal bases MUI uses as the fatwa legality regarding the halal status of vaccines are Surah al-Baqarah verse 173, Surah al-Maidah verse 3, Surah al-An'am verse 145 and a few hadith from the Prophet (PBUH) as quoted here. The citation of the aforementioned sources does not imply the vaccine's halal status, but it is revealed through *qiyas* [analogy]. The citation is used to assert the discourse of the *halal* status of the COVID-19 vaccine because it does not contain any matter of swine. From the perspective of *maqashid al-Qur'an*, the above-mentioned verses allude to the haram status of swine for consumption. To find the *maqashid al-Qur'an* from those three verses, the content of each verse is preliminary elaborated, and then the relation between verses is discussed thematically [*munasabah al-ayat al-maudu'iyah*] to find its purposes [*maqashid*] (Fuqohak 2020).

Surah al-Baqarah verse 173 asserts three things: (1) prohibited foods, (2) prohibited actions and (3) the completion of Islamic religious duty with Hajj. Meanwhile, the haram foods mentioned in verse are carrion, blood, swine meat and the meat of animals slaughtered in the name of other than Allah. The haram status of these four food categories is also asserted in Surah al-Maidah verse 3 and Surah al-An'am verse 145 (Arifin 2014). Citing al-Razi's argument, in *Mafatih al-Gaib*, interpreting the word '*rijsun*', which supports the word *lahm al-hinzir* [pork meat] means *najis*, not dirty (al-Razi 1981). The

fact that pork meat is *najis* implies that it is unsuitable for consumption.

Although they firmly declare that the four forbidden items are haram, the Qur'an still allows tolerance [*rukhsah*] for an emergency [*darurat*] situation. The permission to give tolerance is limited to its level of emergencies or constraints (al-Suyuti 1990). In other words, tolerance cannot excessively be given. However, in the context of Islam in Indonesia, MUI stipulates fatwa based on the Shafi'i school, in which ulema who follow the school teaching does not accept the use of *istihalah* [state change] method. Therefore, anything containing haram substances is still prohibited for use (Rosman et al. 2020).

Citing Ibn Ashur's (2004) argument, the concept of *maqashid al-Qur'an* is generally oriented to the effort to realise benefits for the continuity of all humankind in this world and hereafter (Fawaid 2017). Therefore, the purpose of the MUI's fatwa issue with its various argumentative foundations regarding the halal status of COVID-19 vaccine implies the following: Firstly, the preservation of life is one of the purposes of Islamic teachings [*maqashid al-shari'ah*], as stated in Surah Al-Maidah verse 32. Secondly, Prophet Muhammad (PBUH) commanded the use of medical treatments, as illustrated in the hadith narrated by Abu Dawud, which explains that Allah does not create a disease without providing its remedy. Thirdly, as Muslims, we are instructed to always consult with experts before making decisions beyond our competencies, as alluded to in Surah al-Anbiya verse 7. Fourthly, spreading inaccurate information, including vaccination conspiracy theory, is strictly forbidden in Islam, as stated in Surah al-Isra' verse 36.

Based on the discussion, MUI stated that preserving life [*hifzh al-nafs*] is urgently important [*dharuri*] and definitive [*qati'i*]. Because of its essential nature, following the vaccination is mandatory. The vaccination programme in preventing the COVID-19 context is an effort to protect oneself, but it is not the only way to avoid COVID-19. The Indonesian government continues to emphasise implementing health protocols that include wearing masks, washing hands and maintaining social distancing; thus, vaccination is speculative [*dhamni*].

Conclusion

The COVID-19 vaccination strategy used by the government was quite effective in collaborating with religious authorities represented by the MUI through the issuance of fatwa No. 2 in the year 2021 regarding the halal status of the COVID-19 vaccine. The fatwa contains two credible principles: religious texts and laboratory test results. In Indonesia, MUI builds Muslims' trust in the vaccination programme by combining two arguments based on religious texts and scientific evidence. The main purpose of vaccination narrated by the MUI fatwa is to achieve national benefits from the perspective of *maqashid al-Qur'an* by preserving the life of the Indonesian people. In line, this revealed result was also supported by

maqashid al-shari'ah. The COVID-19 vaccination carried out in Indonesia is for curative purposes; consequently, this programme is classified into the *daruriyah* [urgent] category. Thus, the method of understanding *maqashid al-Qur'an* in the case of COVID-19 vaccination is by integrating it with scientific findings. Therefore, the fatwa issuer, MUI, needs to cooperate with vaccine experts in formulating their fatwa to create public benefits [*maslahah*].

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Competing interests

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Authors' contributions

A.A. and M.R.M., contributed to the collection of data, data documenting and analysis and manuscript preparation. All authors have critically reviewed and approved the final draft and are responsible for the content and similarity index of the manuscript.

Ethical considerations

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Data availability

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