

Covid-19 Vaccine in the Study of Islamic Law Philosophy



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ABSTRACT: Corona virus was created by Allah. So that the Muslim community does not hesitate to use vaccines, it is necessary to have a philosophical study of Islamic law. This study includes ontological, epistemological and axiological and their correlations. The purpose of this study was to analyze the use of vaccine from Islamic law philosophy side. The method used in this research is inductive content analysis method with primary data sources from Al-Qur'an related to food and beverages, Hadiths related to food and beverages, Ahkam tafsir book, Sarah-Sarah hadith, Fiqh books and philosophy books. The research findings show that the covid-19 virus is a creature created by Allah. Allah created humans with intelligence to be able to find a vaccine to stop the spread of Covid-19. This is in accordance with Allah's promise that Allah never created disease, except Allah also created medicine. Islamic law philosophy provides recommendations for answers that the use of vaccine must put forward the theory of eliminating fondness, the theory of safety and the theory of the application of Islamic law. These three theories cannot be separated so that he is safe from the Covid-19 virus outbreak and safe in this world and the hereafter.

KEYWORDS: Covid-19, Vaccine, Islamic Law Philosophy, Ontological, Epistemological, Axiological

I. INTRODUCTION

Covid-19 is a concern for all people in the world. All countries make efforts to confront and prevent an increase in pandemic covid-19 (Darko 2021:1-4). One solution to prevent the spread of COVID-19 is a vaccine. Because, it is considered successful in protecting health (Sultana et al 2020:919-936). In many countries the vaccine gives a positive impact. In the United Arab Emirates, BCG booster vaccine is able to stop the deployment Covid-19 (Amirlak et al 2021:1-3). In India, AZD1222 Vaccine is able to reduce the spread of Covid-19 (Ghosh et al 2021:264-270). In fact, almost all countries give encouragement to their citizens to carry out vaccines.

The phenomenon of the COVID-19 vaccine has been studied by many researchers around the world. For example, the Australian public views on covid-19 vaccine-related side effects and the financial (Borriello et al 2021:473-479). In South Africa developing spiritual care as a strategy against the COVID-19 pandemic (Roman et al 2020:1-3). Metadata search results using Harzing's Publish software, in 2020 there were 307 articles on Google Scholar related to the covid-19 vaccine (Harzing.com 2021). The study, which researched is the development, assessment, risks, treatment, vaccine knowledge, effectiveness, efficiency and doubts vaccine. Based on these data, the research novelty this article is to consider covid-19 vaccine from a different perspective, namely Islamic Law Philosophy.

In the study of divine philosophy in the Islamic perspective that Allah is God who created nature and everything in it, and Allah also regulates and makes rules through revelations that were sent down to His messengers, for Muslims. Allah sent a revelation in the form of the Al-Qur'an 'an item that was revealed to the prophet Muhammad as a guide for Muslims so that Muslims are safe from worldly affairs and *ukhrowi* (eternity).

Based on the above background, the problems faced by Muslims who are being affected by the corona virus disaster. The interesting thing in this study is how the law on the use of vaccines is according to Islamic law. Then, the vaccine was analyzed in terms of the philosophy of Islamic law. Because the material for making vaccines comes from God's creation and humans are God's creatures. After learning about vaccines from the point of view of Islamic law, it is hoped that Muslims do not hesitate to use vaccines.

II. RESEARCH METHODS

The method used is inductive content analysis to identify the main themes and areas of influence on the literature covered (Forman & Damschroder 2007:39-62) with primary data sources of verses of the Al-Qur'an related to food and beverages, hadiths related to food and beverages, Ahkam Tafsir books, Sarah-Sarah hadith, Fiqh books, philosophy books. Islamic law, while the

Covid-19 Vaccine in the Study of Islamic Law Philosophy

primary secondary sources in this study are the media and facts in Indonesia related to this research. The theory used in this study is theory of Philosophy of Islamic Law, the theory of application of Islamic law and the theory of salvation. In the study of Islamic law philosophy to discuss the issue of the Covid-19 vaccine and its application, there are three sides to examine the problems faced by Islamic law, namely ontological, epistemological and axiological.

III. DISCUSSION AND RESULTS

A. In terms of ontology

Vaccines are antigenic substances that function as producers of immunity to fight disease. Vaccination is useful for reducing infection caused by disease. Vaccines manufactured from weakened or dead microbes, their toxins, or one of their surface proteins, and they contain compounds that imitate disease-causing germs. The agent induces the immune system to recognize and eliminate the agent as a threat. Vaccines can be used as a preventative measure to avoid or counteract the effects of a future infection by natural or wild diseases. Vaccines can be therapeutic in nature, such as a cancer vaccine (<https://id.wikipedia.org>).

Whereas the rights of Islamic law according to the *Ushuliyyin* school are *khitabullah* which are related to the actions of *mukalaf* either with provisions or choices or *wadh'i* as conveyed by Sheikh Abdul Karim Ibn Ali Ibn Muhammad Al-Namlah in his book '*Al-Muhadzab fi ilmi al-ushul al-fiqh al-Muqoron (Khithabullah* which is related to the actions of believers with *al-iqtidha* or *al-takhyir* or *al-wadhi*) while according to the school of *fuqoha* (Al-Namlah 1999). *Khithabullah* are all forms of legal arguments, both the Al-Qur'an, *Sunnah* and *Ijma'* and *Qiyas* as a method of exposing the laws of the Al-Quran and *sunnah*. Al-Quran is considered as the word of Allah directly, and the *Sunnah* as the word of Allah indirectly because the Prophet Muhammad did not say anything in the field of law except based on revelation, this is in accordance with the word of Allah in Al-Najm verses 3 and 4: (And it is nothing that he uttered (Al-Quran) according to the will of his lust ... his utterance was nothing but a revealed revelation (to him).

Ushul Fiqh scholars divide the law into 2 parts, namely *taklifi* law and *wadli* law (Al-Zarkashi 2000). *Taklifi* law is *syar'i* law that contains demands (to be done or left by the *mukallaf*) or which contains a choice between being done or abandoned. Then, the fiqh scholars divide the law of *taklifi* into 5 parts which are called *al-ahkam al-khomsah* by fiqh experts, namely: obligatory, *haram*, *mandub (sunnah)*, *makruh*, and *mubah*. *Wadli* law can be interpreted as a law which is related to two things, namely causes caused. For example, a *junub* person who causes himself to take a *junub* bath, a person who has a lot of wealth and has reached the *nisab* which causes him to pay zakat. Thus, *wadli* law is divided into conditions and *Mani'*. 1) Conditions, namely something that exists, there is no law, depend on the presence and absence of something. What is meant by the existence of something is something which according to the rules can affect the existence and absence of law. Condition is also something that is outside the *syar'i* law, but the existence of *syara* 'law depends on it. If the conditions do not exist, then the law does not exist, but the conditions do not require *syara* 'law. 2) *Mani'*. The word *mani'* etymologically means "barrier from something". In terminology, the word *mani'* means Something that is established by the *Shari'a* as an obstacle to the existence of law or a barrier to the functioning of a cause. For example, such as intentional murder and persecution, but it is prevented from doing *qishash*, because the killer is the victim's own father.

From the explanation about vaccines from the ontology side, it can be said that vaccines are antigenic substances used to produce immunity against a disease, while Islamic law is a rule from Allah for humans to be safe in this world and the hereafter manifested through the revelation of the *Al-Qur'an* and the *Hadith* of the Prophet and developed through *ijma'* and *ijtihad* through the *ijtihad* method both agreed upon by the scholars and those not agreed upon.

B. In terms of epistemology

The vaccine development process is closely guarded against the start to production, distribution permits, distribution and implementation of vaccinations so that vaccines are guaranteed safety and effectiveness. According to the Ministry of Health, there are at least four vaccine ingredients, namely antigens, adjuvants, preservatives, and stabilizers. The stabilizers contain ingredients that are prohibited by Islamic law or not allowed to be eaten, drunk or included in the body of a Muslim. This can be traced from Al-Qur'an. An-Nahl verses 114-115 and Al-A'raf verse 157 concerning foods and drinks that are allowed and what is not allowed.

114: Then eat what is clean and good, from the sustenance that Allah has given you; and thank Allah's blessings, if you only worship Him.

115: Verily Allah only forbids on you (eating) carrion, blood, pork and what is slaughtered by mentioning names other than Allah; but Whoever is compelled to eat it without Persecuting nor transgressing, Allah is All-Forgiving, Most Merciful.

157: Those who follow the apostle, the Prophet whose Ummi (name) they find written in the Torah and the Bible that is beside them, who ordered them to do what is wrong and forbid them from doing what is wrong and justify for them all that is good and forbids all that which is bad, and throws away from them the burdens and fetters that they have. So those who believe in him. glorify him, help him and follow the bright light that was revealed to him (Al Quran), they are the lucky ones.

Covid-19 Vaccine in the Study of Islamic Law Philosophy

Muhamad Ali Al-shobuni in the book *shofwatu al-tafaasir* said that eat from the blessings of Allah's blessings that are permitted and in *halal* and *thoyyibah* conditions. Allah does not forbid humans except carcasses, blood, pork and what is slaughtered by mentioning names other than Allah. But whoever is in a *dhorurat* condition or is forced to be in a condition that does not exceed the limit of need and not because of carrying out enmity, it is permissible to eat what is not lawful and not *thoyyibah* because Allah is very knowledgeable in his forgiveness and great mercy (Al-Sabouni 2011).

Halal in An-Nahl verse 114 according to the interpretation of Abdurahman bin Muhammad in the book *al-Hawii fi tafsir al-Qur'an* is what is allowed by Islamic law, while *thayyibah* is something that is liked by humans to be eaten and is useful for human strength. Then he interpreted the *dharurot* that the *dharurat* about prohibited food in An-Nahl verse 115 is anything that is not found to eat what is halal then if you do not eat food that is not halal then it will not be strong for life then Allah SWT gives *rukshoh* (relief) to press it on condition that it is in accordance with the limits in order to survive, not to exceed the limit of needs only.

Tafsir Munir fi aqidah wa syari'ah wa almanhaj interprets An-Nahl verses 114-115 in terms of life Fiqh or the laws that from these verses can be issued several laws including 1) allowed halal food and *thayyibah* not *dharurot* and it is forbidden to eat bad food which contains disease and is dangerous; 2) what is prohibited by rights in Islamic law is that there are four, namely carcasses, blood, pigs and those slaughtered without mentioning the name of Allah; 3) it is permissible to eat The four types of food are prohibited if it is in a *dharurot* condition with a level according to the limit of need so that it is not in a condition of destruction; 4) reminds believers not to resemble unbelievers in terms of *halal* and *haram*, they do not use the evidence stated by Allah they do not get the fortunes of the hereafter; 5) lawful and *haram* from Allah (Zuhayli 1991).

In the cut of verse 157 of the letter al-A'raf: (prohibits everything that is bad) in Al-Thobary's interpretation that the purpose of haram them is pork, usury and everything that is haram to eat is *haram lidzatihi* (haram because of goods those who eat are encouraged by Allah such as pork and *khamr*) as well as *haram lilhukim* such as eating usury property, sprinkle results and so on (Al-Qurtubi & Al-Ansari 1964).

Epistemologically, An-Nahl verses 114-115 and Al-A'raf verse 157 are related to what is eaten by humans in general and believers, that Allah has made rules regarding food, which ones can be eaten and which ones should not be spoiled because philosophically Allah SWT created man and Allah also created food that is suitable for human physical needs and which is not suitable for human health even so if it is in a bad condition. To find food that is *halal* and good, Allah allows eating food that is prohibited by but limited to necessity. If you do not eat, you will die, the purpose of Allah is to make this rule to be safe in the hereafter. verses 114-115 of *An-Nahl* and verse 157 of surah al-A'raf, how do they relate to the injection of the Covid-19 vaccine. The interpretations of the commentators, it can be said that if the covid-19 vaccine the composition of the ingredients not contain these elements. Elements that are prohibited, then the law is permissible to be injected into Muslims. The covid-19 vaccine contains prohibited elements then the law is not allowed, but if there is, no more vaccines except vaccines whose composition contains ingredients that are prohibited then if not given the vaccine will die, so the law is allowed on the grounds of *dharurot*. The following table 1 is a *hadith* that supports this opinion.

Table 1. Hadiths related to vaccine.

Hadith narrated by	Description
Imam Bukhari from Abu Hurairoh <i>Rodhiyallah anhu</i> from the Prophet	Allah does not bring down disease unless it sends him down medicine (Al-Buhkari 2001)
Imam Muslim from Jabir from the Prophet	Every disease has a cure. If the medicine matches the disease, it will be cured with the permission of Allah <i>Aza Wajallah</i> (Al-Nisii 2001)
Imam Ahmad from Jabir from the Prophet	Every disease has a cure. If you have a disease there is a cure, it will be cured with the permission of Allah Ta'ala (Al-Syaibani 2001)
Hadith narrated by Abu Daud from Abu Darda from Abi al-Darda	Verily Allah sent down disease and its cure and made for every disease there is a cure. Seek treatment, and do not seek treatment with what is <i>haram</i> (Ishaq 2009)
Ibn Hibban from Usamah Ibn Sharik from Usamah Ibn Sharik	Get Rid of it So Allah does not bring down one disease unless it is also revealed for him medicine except death and old disease (Abu & Al-Butami 1993)

Covid-19 Vaccine in the Study of Islamic Law Philosophy

Still, many Imams who narrated hadiths convey hadiths related to diseases and their remedies with the same intention, there are those who have the same text and some are different, such as Imam Al-Baihaqi, Imam Nasa'i, Imam Hakim. From these *hadiths*, there are some keywords that need to be explained epistemologically.

First, Allah SWT sent down the disease and Allah also sent down the cure, in the hadiths the name of the disease is not explained and how to find a cure because naturally and the science of medicine plays a very important role in giving the name of the disease and finding the cure and giving the name of the medicine so that it is clear that there is no confusion between the names of so many diseases and the names of so many drugs. *Imam Nawawi* in the *Syarah Al-Nawawi shahih Muslim* book that this hadith (Every disease has a cure. If you have a disease there is a cure then it will be cured with the permission of Allah) is part of the science of religion, world science and health science medicine and provide clarity that doctors say that disease is a deviation from the body's normal state and treatment is a response to disease (Al-Nawawi 1972)

Second, Get treated, you guys, the keyword to seek treatment, of course, you have to find the cure first, if you haven't found the cure, what will you treat it with? Of course, here it directs the very important role of religious science, natural science and medical science to conduct research to find a cure for a disease. Nowadays, from a medical perspective, it seems that a disease with a name that already has a cure has been found. Viewed from the point of view of the science of *ushul fiqh*, it shows that the command to seek treatment means that the law is obligatory for people who have a disease and must use drugs that are not haram.

Third, it is prohibited to seek treatment with what is *haram*, because logically belief is that Allah SWT created this universe and Allah also made the rules so that if Allah allows something to be good for the health of the body and if Allah forbids something then it is not good for physical health, it means something. that which is *haram* cannot be used as medicine and then cannot heal because it is not *thoyyibah* but *khobitsa* Opinions of the fuqaha

Fourth, With the permission of Allah, it will be healed, this shows that logically the faith that after the cure is found it will be healed because the medicine found is God's creation.

Fifth, Allah did not send a cure for old and dead diseases. because epistemologically death and old age have become natural laws or *sunatullah*, in the history of human life it is not certain that people die at different times, as well as the problem of ageing, there is no one who does not age. From several hadiths and *syarah hadiths* regarding diseases and their cures as well as laws related to medicinal ingredients and medical treatment laws related to the outbreak of the covid-19 virus, that the covid-19 virus is a disease created by Allah, now the vaccine has been found and will be used in Indonesia the synoptic vaccine The ingredients for the vaccine are the creation of Allah and use the legal synoptic vaccine because it protects the body from the dangers of the Covid-19 virus, of course, you still have to pay attention to the requirements for whether the Sinovac vaccine contains elements that are forbidden in essence and legally or enter the *dharurot* area.

Abu Muhammad Mahmud Ibn Musa Ibn Ahmad Ibn Husain al-Ghitabi Al-Hanafi in his book *Al-Banayah Syarah Al-Hidayah* is of the opinion that it is permissible to drink urine, blood and carcasses for treatment if Muslim doctors give the news that they can cure diseases provided there is no medicine which is permissible and if Muslim doctors provide information on critical conditions should be treated immediately? then it is permissible to seek treatment with haram items but when it is cured, you cannot drink it again and cannot be forever (Al-Hanafi 2000).

Abu Zakariyah Muhyiddin Yahya Ibn syarf Al-Nawawi in our *Al-Majmu 'Syarah Al-Muhadzab* that treatment with unclean goods other than khamr is permissible according to some schools as well as all najis which are not intoxicating based on the *hadiths* are allowed to drink camel urine. The hadith was narrated by Imam Bukhori which made it permissible for him to seek treatment with unclean goods: The Holy Prophet ordered them to vaccinate by drinking from camel thin water and camel milk (Al-Nawawi 1970). According to the explanation of Imam Syamsuddin Al-Ramli in the book *Nihayatulmuhtaj ila syarh Al-Manhaj* that the Prophet ordered the Urainah tribe to drink camel urine is for treatment (Al-Ramli 1984).

According to the Islamic school of Madzab Hanbali Abul Mundzir mahmud Ibn Muhammad Ibn Mushthafa in his book *Tahqiqu Al-Muthalib bi syarhi*. The argument of Al-Talib that treatment with unclean items is not allowed (Mushthafa 2011). According to Abu Muhammad Izzuddin Ibn Abd Al-Salam in the book *Qawa'id Al-Ahkam fi Mashalih Al-Anam* that it is permissible to seek treatment with unclean objects if you have not found a holy object that can replace it, because the *mashlahat* of health and safety takes precedence over *mashlahat* away from unclean objects (Al-Salam 1991).

Support for the opinion above is strengthened by the rules of fiqh. The following tabl 2 are Fiqh rules regarding vaccines.

Table 2. Fiqh rules related to vaccine

Books	Fiqh Rules
<i>Al-wajüz fi Idhohi qowaid al-fiqh al-kuliah</i> (Muhammad 1996)	Urgent conditions (urgent needs) can occupy an emergency condition that threatens emergency health in general or specifically.
<i>Majmauah AL-Fawaid Al-Bahiyah ala Mandzuamti Al-Qowaid Al-Fqihiyah.</i> (Al-Subki 1991)	The state of emergency allows something to be prohibited.
<i>Majmauah AL-Fawaid Al-Bahiyah ala Mandzuamti Al-Qowaid Al-Fqihiyah</i> (Al-Qohthoni 2000).	Emergency situations are carried out according to their needs/levels

Covid-19 Vaccine in the Study of Islamic Law Philosophy

<i>Ghazaiyun Al-Bashoirun fi Syarh Al-Asybah wa Al-Nadzair</i> (Maki 1985)	The burden of specific dangers is carried in order to prevent general dangers
<i>Syarah Al-Qowaid Al-Fiqhiyah</i> (Al-Zarqon, A.I.M., 1989)	The greater danger is removed even if it results in a less severe danger
Ghayah Al-wushul fi Syarhi Lubi Al-Ushul (Al-Anshori)	Leaving damage takes precedence over gaining benefit
<i>Al-qawaid Al-Fiqhiyah wa Tathbiqaha fi Al-Madzab Al-Arba'ah</i> (Al-Zuhaili 2006).	The danger must be eliminated

From the epistemological study of the opinions of the jurists and the rules of *Fiqhiyah* in the problem of the Covid-19 virus outbreak, it can be said that the coronavirus outbreak must be destroyed, why must it be destroyed even though Allah's creature? because it endangers the survival of humans as beings who are honored by Allah SWT in the world, it is also imperative to seek drugs for the destruction of the Covid-19 virus or antidotes or virus-fighting vaccines using *halal* drugs.

If the Covid-19 Virus Outbreak is analyzed using the *Fiqhiyah* principle that the danger must be eliminated, the Covid-19 virus must be destroyed, as well as according to the safety theory analysis that the safety and health of human life in the world must be saved from the Covid-19 virus outbreak, which of course scientists in general, also the government. According to this safety theory, scientists are obliged to look for and find a cure, for the government after an antidote to the covid-19 virus is discovered by scientists, it is obligatory to think about how to produce it and how to distribute.

C. In terms of Axiology

This covid-19 virus is the creation of Allah SWT and Allah is almighty to create whatever creature He wants even though it endangers humans. Humans must have devotion to Allah SWT because whenever Allah is almighty to create His creatures even though they endanger humans. Allah SWT glorifies humans even though Allah creates disease for humans but Allah creates the medicinal ingredients in this world.

Allah created humans with intelligence so that scientists could find a vaccine for the covid-19. Vaccines can prevent the spread of covid 19. The problem of vaccination in accordance with the theory of eliminating maternity, the theory of human safety from the covid-19 virus outbreak and the theory of applying Islamic law.

CONCLUSIONS

Covid-19 is a creation of Allah. Allah created humans with intelligence to be able to find a vaccine to stop the spread of Covid-19. This is in accordance with Allah's promise that Allah never created disease, except Allah also created medicine. The problem of using vaccines based on the philosophy of Islamic law is to provide recommendations on the use of vaccines. The use of vaccines must put forward the theory of eliminating fondness, the theory of safety and the theory of the application of Islamic law. These three theories cannot be separated so that he is safe from the Covid-19 virus outbreak and safe in this world and the hereafter.

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Covid-19 Vaccine in the Study of Islamic Law Philosophy

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