
DETERMINATION OF VACCINATION RULE BASED ON NAJIS(IMPURITIES) NOTION ACCORDING TO ISLAM AND SCIENCE IN MALAYSIA

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APPRECIATION

The authors express their appreciation for the research project FRGS / 1/2019 / SSI03 / UKM /02/1 funded by the Ministry of Higher Education Malaysia and RH-2020-009.

ABSTRACT

The spread of diseases prompted by dangerous viruses harms all walks of life, regardless of age or gender. The spread of these diseases is more likely to infect children, and it worsens the situation. The level of immunity of children is lower than that of adults due to their immature immune system and is still building resistance and immunity to disease attacks. In an attempt to overcome this problem, global doctors introduced vaccines to strengthen the human body's immunity further to cope with various infectious diseases. Nevertheless, there is a group of anti-vaccines, particularly among Muslims who rejected vaccines because they are derived from *najis* (impurities). The allegation garnered attention from certain groups based on religious beliefs. Hence, this research's objective was to study the *fatwa* determination of vaccine rule derived from *najis* according to Islamic perspective and analyse scientific views more clearly about vaccines. This study adopted a descriptive qualitative method of literature review and document analysis. The research outcomes revealed that, from an Islamic perspective, the use of *najis*-derived vaccines are required, and it is in line with *Maqasid al- Syariah's* requirements. The use of vaccines is categorised in the emergency category, while the production of 100% halal vaccines in the future can be produced and used. The scientific perspective also establishes the need to use this vaccine to control infectious diseases and maintain universal human health.

Keywords: Disease; immune system; vaccine; *najis*; *fatwa*

Introduction

In the book *The Development of New Vaccines*, Gordon L. (1994) mentioned, antibodies signify defence and are the only mechanism given through injection that can prevent and fight disease agents. Thus, it can be understood that one of the factors that this infection occurs is due to a person's immune system, or antibodies are weak and unable to fend off the virus attack itself. However, not all these widespread diseases occur out of control without being able to be prevented from the beginning with initiatives that humans can attempt based on the development of medical science technology in particular.

Along with the progress of the world of medical science technology, primarily through immunological studies, there are various disease prevention methods to secure that the initial shield of a person's antibodies can be strengthened. In this regard, Malaysia also introduced disease prevention methods through immunisation or better known as immunisation or vaccination to prevent society from being exposed to dangerous, life-threatening diseases. Islam necessitates this preventive action very much because it coincides with the *Maqasid Shariah* and the rules of *usul* and *fiqh* such as *sadd al-dhari'ah* (eliminating the source of damage) (Ab Rahman, 2020a).

Nonetheless, in recent years, disease prevention initiatives employing this vaccine becomes increasingly unacceptable, causing the rate of disease that can be prevented from using vaccines that were previously reduced, is now increasing. It is evident based on historical records that took place internationally where as many as 20,000 United Kingdom civilians were involved in anti-vaccination demonstrations in Leicester in 1865 (Salmon, 2006). Various allegations sparked some immunisation controversy by certain parties related to vaccination. Among the issues raised were the association of measles, mumps, rubella and other vaccines with autism (Sohana, 2019). Nevertheless, scientific studies contradicted these allegations with scientific studies that were attended (Sohana, 2019).

There are speculations and allegations from some communities and religious groups that the materials utilised in the manufacture of vaccines have *haram* (forbidden) components (Sohana, 2019). Such allegations and propaganda instil a sense of fear and anxiety (culture of fear) to the general public and become a driver to increase parents who do not vaccinate their children (Mohd Anuar et al., 2019). Parents' rejection of immunisation to their children in Malaysia presents an increasing trend since 2013 (Faridah, 2017). The Ministry of Health report reveals a raise from 637 cases of immunisation rejection in 2013 to 1,603 cases in 2016 (Noor Hisham, 2019). This situation worries many parties, mainly health authorities, who committed various efforts to curb the spread of high-risk infectious diseases through the National Immunisation Program. The key reason for parents' rejection of this program is because they believe that the vaccine given is not *halal* because it contains *syubhah* (doubtful) elements (Faridah, 2017).

Some vaccines may contain *najis* such as influenza vaccine and meningococcal meningitis vaccine prescribed by the Saudi Arabian government to avoid contracting the disease among hajj and umrah pilgrims. It is because the ingredients are obtained from bovine (cow), porcine (pig) and avian (duck) (KKM & JAKIM, 2015). These vaccines are not included in the Malaysian government's immunisation program (Amirul et al., 2019).

The process of producing a virus-based vaccine typically involves the use of *najis* (Nurina, 2019). For example, among the *najis* used for the production of influenza vaccine in chicken eggs that are incubated to form a living embryo to be used as a breeding medium for viruses (Trombetta et al., 2019). The embryo that lives in the egg is injected with the virus for reproductive purposes before it can be processed into a vaccine. The embryo injected with the virus eventually dies, and the resulting virus in the embryo will be taken and screened. This method is one of the popular ways to produce vaccines against viral infections such as influenza (Laere et al., 2016). In the mid-90s, a new vaccine production method emerged, using mammalian cells that live outside the body (*in-vitro*) to be used as a host for the reproduction of viruses. This method was introduced because it holds several advantages. Among them is that it can breed viruses faster compared to traditional methods that use eggs. It can also be an alternative to those who are allergic to vaccines produced using eggs (HSA, 2009; Tan et al., 2016). Multiple types of mammalian cells are used as hosts to produce viruses, including the kidney cells of pigs, dogs, monkeys and hamsters (Nurina, 2019). Cells taken from these mammals are developed first by incorporating nutrients such as serum, minerals and sugar. The serum is a protein extract derived from blood fluids. Once these mammalian cells grow, then the virus will be introduced for reproduction in those cells. The

virus will continue to multiply until all the host cells die due to infection and reproduction (Nurina, 2019). The resulting virus is then screened to be processed into a vaccine.

The number of people who reject the vaccine is rising following the anti-vaccine movement that expresses these perceptions through unofficial media such as blogs, and websites (Mohd Anuar et al., 2019). Consequently, the community began to question the *halal* status of the vaccine and eventually became more inclined to surrender to their natural defence system without comprehending the current *fiqh* even Islam outlined specific principles in dealing with such emergencies with the utmost consideration for the benefits humankind. Therefore, this study is an attempt to explain in detail about the vaccine, its importance from a scientific point of view, and how the Islamic view of vaccines derived from *najis*. This study is important to open the eyes of anti-vaccine group who use religion as the main reason for vaccine rejection in Malaysia.

Vaccines, Vaccination and Immunisation

In addressing this issue, it must first be acknowledged that this matter is closely related to immunology, a policy of knowledge that emerges as one of the human endeavours to understand the mechanism of hostility to infectious diseases (Ghazally Ismail, 1988). Therefore, the terms vaccine, vaccination and immunisation are critical components in understanding immunology. Although these terminologies are distinctive in terms of the detail of meaning, these three terms are interrelated and are of the same basis and context of understanding that intends to improve the body's immune system to fight and prevent disease.

The word vaccine comes from the word *vaccinia*, a virus that causes infection in cattle (Geddes, 2006). The *vaccinia* virus was identified in the smallpox vaccine as the first vaccine to be shown to be useful as an immune agent to prevent smallpox (Geddes, 2006). Following *Kamus Dewan* (2007), a vaccine is a preparation of microorganisms such as bacteria or viruses weakened or killed, or proteins from the microorganism to be injected or implanted into the body. It is to produce resistance to certain diseases containing antigens obtained from a part or the entire structure of a virus or bacterium that has been killed or weakened.

The term vaccination comes from the Latin word *vacca*, which means cow. This term replaces the original term for *variolation*, which is a process of prevention against the spread of the Variola virus (Hsu, 2013). The term vaccination is also defined as a process of injecting a vaccine into a person's body as a protective measure to prevent a disease (Dewan Bahasa Pustaka, 2007). Abd Rahman (2013) defined vaccination as a process of activating the human-made immune system to protect humans from infectious diseases.

Nevertheless, there are times when some people are confused between the terms vaccination and immunisation as mentioned by Barbacariu (2014) where these two terms appear to be similar, but they imply contrasting meanings. According to *Kamus Dewan* (2007), immunisation means the act of obtaining or providing protection from a particular disease through injection. Also, immunisation is defined as the process by which a person becomes immune or resistant to infectious diseases, typically through vaccination where the vaccine

will stimulate the body's immune system to protect a person from subsequent infections or any type of disease (WHO,n.d).

These two terms are dissimilar. Vaccination is a process to prepare the human body's resistance to the oncoming disease while immunisation is a process in which a person becomes immune or protected from disease either through vaccination or other processes one can fight the disease naturally.

The Significance of Vaccination from The Science Perspective

Naturally, in every human, antibodies have existed in their respective bodies to fight disease to preserve life, especially their health. However, most of the human body antibodies are weak since birth because their body systems are still building resistance and immunity to disease attacks. Accordingly, this is where vaccination is necessitated, to stimulate the body's immune system to form immunity against specific diseases such as measles, rubella, and polio (PHRMA, 2013).

Oster (2018) maintained that vaccination activity during the childhood phase is imperative for disease prevention because the level of immunity of children is lower than in adulthood. In recent years, due to anti-vaccine propaganda, some vaccine prevention diseases that were previously reduced, are now increasing by affecting children in Malaysia particularly measles, pertussis, and diphtheria 154 times in 2016 compared to with ten years ago (Hazwan Faisal, 2016). Hence, it is clear that the need for vaccine injection as an initial preventive measure for each individual should be implemented as a long-term health benefit. Nevertheless, there are times when certain conditions still require additional immunisation defences even in adulthood. Commonly, this situation will happen with the emergence of a new infectious disease (novel) as it is now, that is the COVID-19. It is declared as one of the diseases in the pandemic group. Based on a study attended, this disease has a high rate of attack on humans, and humans alone do not have an adequate immunisation level to fight the disease (Sinar Harian, 2019). Therefore, in such cases, vaccine injections are needed to prevent disease or be referred to as a prophylactic vaccine. In fact, in such cases, the vaccine also works to treat the disease or known as the therapeutic vaccine (PHRMA, 2013). As reported by the World Health Organization (WHO), in the United States, this immunisation activity successfully reduced mortality, loss of ability, and rate morbidity due to infectious diseases motivated by certain bacteria and viruses (Zulkifli, 2016). Through technological advances, a variety of safer and more competent vaccines were developed. According to the United Nations International Children's Emergency Fund (UNICEF, 2019), each year, it is estimated that up to 3 million children can be saved through vaccination practices. In 2017, 85% of children under the age of one year received the vaccine as protection against diphtheria, tetanus and pertussis.

In addition to its position in dealing with infectious diseases effectively, it also plays a vital role in eradicating certain diseases such as smallpox, polio and rinderpest (Greenwood, 2014). The proof is that in 1980, after 182 years of the smallpox vaccine discovered by Jenner, WHO finally declared that the world was increasingly free from smallpox (Geddes,

2006). Meanwhile, only two countries reported to still have polio in 2018, as UNICEF reported (2019).

Vaccination also plays an indispensable actor in the tourism and employment industries. According to Hassan & Afolaranmi (2015), tourists are an essential element that triggers infectious diseases across international borders. Enforcement of meningococcal vaccine injections among hajj and umrah pilgrims and the community around the Holy Land of Mecca and Medina by the Saudi Arabian government for example successfully reduced the rate of meningitis infection during hajj and umrah is performed yearly (Borrow, 2009).

The Significance of Vaccination from The Islamic Perspective

As Islam says as *al-Din*, which is a way of life, it is evident that Islamic rule is not only related to the ritual aspect solely. It is comprehensive and covers all aspects, including aspects of human health. According to scholars, prevention is better than cure. Ultimately, Islamic rule highlights the prevention method as one of the attempts to preserve the welfare of the *ummah* in every case, especially in matters involving medicine following the objectives of Islamic rule (*Maqasid al-Syariah*) which was outlined that is to take care of life (al-Shatibiyy, 2004).

The prevention method through vaccination can be regarded based on its significance and weight in several *fatwas* of international bodies and the decision of the Muzakarah Fatwa Committee of the Islamic National Council of Malaysia. Among them is a *fatwa* issued by the Mufti of Egypt, Ali Jum'ah (2003), which promoted vaccines to prevent disability in children. He viewed that Islam demands vaccination. Therefore, it is obligatory on parents to administer vaccines to their children. *Fatwa* related to vaccines were also issued by the International Academy of Islamic Fiqh under the Organisation of Islamic Cooperation (OIC) and included scholars from 56 Islamic countries. The International Academy of Islamic Fiqh also believes that vaccination is primarily to prevent children's disability (International Islamic Fiqh Academy, 2013).

The Indonesian Ulema Council (MUI, 2016) too issued a *fatwa* regarding immunisation rule. The Indonesian Ulema Council stipulates that immunisation to prevent disease is an option that is required (or deemed compulsory) by the Islamic rule and must use *halal* ingredients. Nonetheless, if there is no alternative, immunisation using *najis* materials is permitted with three conditions, namely:

1. Used in situations where *al-darurah* or *al-hajah*.
2. *Halal* and pure vaccines have not been found; and
3. A competent and reliable physician confirms the absence of a *halal* vaccine.

According to Indonesian Ulema Council (MUI, 2016), immunisation based on *najis* can be mandatory if the life of a person who does not get immunisation can be threatened according to the confirmation of a competent and reliable physician.

Further, the Singapore Fatwa Council Committee likewise issued a *fatwa* related to the use of rotavirus vaccine. The Council determined that the use of rotavirus vaccine even using the

enzyme trypsin taken from the pig's pancreas is required because there has been *al-istihalah* in its production process (Mohamed Fatris, 2013). The process of *al-istihalah* can consider *najisto* become pure because there is an addition of pure material that its portion exceeds multiple times of the *najis* material found in the vaccine. Besides, the *najis* material has been filtered out so that the remaining rate is as little as 0.0001% only (Mohamed Fatris, 2013).

Some decisions were determined by the JAKIM National Fatwa Committee Muzakarah Council regarding vaccines. Among the decisions declared are:

1. The 22nd *Muzakarah* convened on 24 November 1988 decided that the vaccine for Hepatitis B Immunisation produced from yeast is not regarded as *najis* and permitted to be used for that purpose because yeast is a pure substance (JAKIM, 2015).
2. The 53rd *Muzakarah* convened on 27 November 2002 decided that the rule of using Menceococcal Meningitis Mencevax vaccines taken from cattle sources is permitted. At the 105th *muzakarah*, which convened on 3-5 February 2014 also allowed the Monument Meningitis vaccine issued by Sanofi Pasteur because it does not contain dubious elements (JAKIM, 2015).
3. The 81st *Muzakarah* on 31 March 2008 decided that the use of BioThrax and Rotateq vaccines is not allowed because there are alternative ingredients or drugs other than the use of pig elements in the processing of both vaccines and their use is non-emergency (JAKIM, 2015).
4. The 92nd *Muzakarah* which convened on 15-17 December 2010 decided that the intake of Human Papilloma (HPV) vaccine that does not contain the dubious element and does not cause harm is required to prevent cervical cancer among women (JAKIM 2015).
5. *Muzakarah* which convened on 17 July 2013 decided that the rule on using the Menveo Meningitis vaccine is permitted (JAKIM, 2015).
6. The 107th *Muzakarah* sitting on 10-11 February 2015 determined that the use of the Menactra® vaccine is permitted (JAKIM, 2015).

Besides, Zulkifli Mohamad al-Bakri (2019) as the Mufti of the Federal Territory at that time, in his latest fatwa decided that the National Immunisation Program implemented by the government is following the principles of *maqasid syariah*. He said that taking the vaccine as prescribed is mandatory for parents. Parents and guardians who neglect this duty are sinful when their children are infected with preventable infectious diseases. If the disease causes harm to others due to the parents or guardians' negligence, they get another sin. However, he suggested that the National Immunisation schedule be reviewed continuously from time to time to ensure its effectiveness, content, and impact on its economic capabilities.

There is evidence from the Qur'an related to preventive measures. Among them, the words of Allah SWT in Surah Al-Baqarah, verse 195, which means:

“do not let your own hands throw you into destruction.”

Although this verse of the Qur'an does not explain directly and specifically about preventive measures, this general recommendation must be followed to ensure that human beings do not intentionally expose themselves to things that can destroy them directly or indirectly (Irwan, 2004).

There are even hadiths that discuss the need for preventive measures. From Usamah bin Zayd that the Prophet Muhammad PBUH said which means:

“So, when it (plague) is in the land, and you are there, do not get out of it, and if (this news reaches you) that is has broken out in a land, then do not enter therein(al-Bukhari, 1992).

The details of prevention, according to Islam, are not only limited to apparent things but also include things that are invisible and unseelements like magic. It shows that Islam emphasises prevention and encourages the attitude of always cautious, even of small things. It can be seen through a hadith from Sa'di bin Abi Waqas. The Prophet Muhammad PBUH said which means:

“He who eats seven ‘Ajwa dates every morning, will not be affected by poison or magic on the day he eats them.” (al-Bukhari, 1992).

According to history, al-Tahawiyy (1994) in the writing of his book mentions the hadith of Usamah bin Zayd about the year of Saidina Umar bin al-Khattab that one day when Saidina Umar went to Syria on a matter. He was told that the country of Syria was suffering from the plague. After discussions, Umar took the stand not to allow his delegation to enter Syria to save their lives as a precautionary measure because cholera is a deadly infectious disease. A similar circumstance is also observed in consideration of the *fatwa* of the Fatwa Committee of the Malaysian Islamic National Council where the policy is in line with the method of prevention in Islamic rule based on *qiyas*' method through the hadith (JAKIM, 2015).

Each vaccine produced holds its functional weight for each disease so that the immunisation measures produced are more effective and pragmatic. It indicates that the purpose of vaccination is in line with the Prophet Muhammad PBUH practice that is to carry out each treatment by looking at the cause of the disease and its suitability with medicine. The words of the Prophet Muhammad PBUH from Jabir RA, which means:

“There is a cure for every disease. If the cure for a disease is met, the person will be saved from that disease with the permission of Allah.” (Muslim, 1991).

Furthermore, the importance of this vaccine's need is further strengthened by several *fiqh* methods that were formulated by scholars. Among the methods of *fiqh* seen in parallel with the implementation of this vaccine are:

ولا ضرار لا ضرر

Meaning: Can not hurt and can not respond to injury with injury (al-Suyuti, 1990).

This method emphasises not harming oneself and harming others with other harms (al-Suyuti, 1990). Thus, this method shows that Islam encourages people to stay away from all things that can cause harm and injury to humans, including diseases that can be prevented by this vaccine (Mohd Anuar et al., 2019). Along with implementing this method, vaccination is the key to preventing anything harmful and detrimental to all human beings due to these diseases' infection.

Hence, the Ministry of Health Malaysia's provision of vaccines to prevent infectious disease is in line with the implementation of this method. It is because rubella, hepatitis B, measles, tuberculosis, whooping cough, diphtheria, tetanus, polio, meningococcal meningitis, anthrax and human papillomavirus (HPV) are infectious and can be fatal if not given preventive medicine (vaccine). Next, the importance of this vaccine can also be seen based on the following methods (al-Suyuti, 1990):

الضرر يُزال

Maksud: Harm needs to be eliminated.

According to sharia, the harm that needs to be eliminated or ended through various means. Hence, through the implementation of vaccination, indirect harm can be avoided in advance before it appears. Thus, the intake of vaccines is also seen as included to eliminate harm from an individual. Vaccination of the disease coincides with the above *fiqh* method. The following method of *fiqh* is:

درء المفسد مقدم على جلب المصالح

Meaning: Eliminating damage is more critical than bringing benefits (al-Suyuti 1990).

This *fiqh* method emphasises that getting rid of all forms of harm is more important than doing anything that can bring benefits (al-Zarqa', 1989). In the issue of vaccine, although the main benefit is to ensure that human food is clean and does not contain *najis*, the harm caused by infectious diseases is more significant and should be given priority. Therefore, this vaccine's administration is given more priority to save lives than to ignore it just because they want to keep human food clean.

There are other methods of *fiqh* related to safeguarding the public interest, i.e. (al-Zuhayli, 2006):

يتحمل الضرر الخاص لدفع الضرر العام

Meaning: Specific harm must be borne to eliminate general harm.

Based on this method of *fiqh*, it can be seen that the existence of this vaccine can guarantee the welfare of society more than the welfare of individuals. This method is seen based on some people who rejected the vaccine based on *syubhah* to its *halal* status. To some extent, the voice of this minority somewhat threatens the implementation of this vaccine on

the whole society. Ultimately, vaccination not only takes care of the individual who accepts the vaccine, but it can also take care of the health of the whole society. Therefore, it prevents the onset of infectious diseases (Mohd Anuar et al., 2019). Although the level of effectiveness of the prevention can not be entirely ascertained, based on the study conducted, at least the level of suspicion of the spread of an epidemic can be minimised to ensure the benefit of the general public security.

Holistically, the gravity of vaccine is not merely an assumption without clear data support, but it implies robust support from a medical perspective and a religious point of view. This statement is as clear as the Ministry of Health Malaysia's action, which always seeks legal views from the Department of Islamic Development Malaysia (JAKIM) before introducing any vaccine to the people in general.

Original Principles of Material Use in Vaccines

Islamic rule proposes numerous wisdom either in terms of orders or prohibitions. In the context of Islamic medicine, in particular, Muslims are required to take *halal* and pure medicines and do not contain elements that are harmful to the health of the body and the human mind. The words of Allah SWT in surah al-A'raf verse 157 which means:

“Permits for them what is lawful and forbids to them what is impure.”

Even the Prophet Muhammad PBUH also stated the same description. His words mean:

“Allah has sent down both the disease and the cure, and He has appointed a cure for every disease, so treat yourselves medically, but use nothing unlawful.” (Abu Daud, 2009).

Based on the above Islamic law, it is explained that *haram* substances or *najis* cannot be used as medicine. Therefore, every material that is originally *halal* and clean will experience change on the usage rule into *haram* if there are elements of *najis* in it or when the processing is done (Kashim et al., 2018). Comprehension and appreciation of this aspect are critical because it will influence the patient's physical aspect and the regard of religious of the patient (Irwan 2016). The implication is, if a person, especially Muslims, eats or uses *haram* or *najis*-based medicine, then his worship will not be accepted by Allah SWT as mentioned in the words of the Prophet Muhammad PBUH which means:

“Every flesh nourished by *haram* deserves fire” (al-Tabrani 2000).

Ultimately, the rule of vaccination is based on the source of materials used in producing the vaccine (Zulkifli, 2016; Norhidayah, 2017). Therefore, if the ingredients used are *halal*, then the vaccine is *halal*, and if the ingredients used are *haram*, then the vaccine is *haram*. In discussing this, several sections were mentioned by scholars regarding the use of vaccines (Zulkifli, 2016):

First: Vaccines that contain permitted content that should be used and have a beneficial effect and do not contain *haram* substances (Zulkifli, 2016; Mohd Izhar Ariff, 2016). Vaccines containing this substance are permitted to use as it contributes significantly to reducing the various epidemics that are spreading.

Second: Vaccines that contain permitted content that should be used. However, it can cause more harm to the body than its benefits, or it is not beneficial at the beginning (Zulkifli, 2016). Vaccines containing this substance should not be used because it can be harmful to the human body's health.

Third: Vaccines that contain substances that are *haram* or *najis* initially, but have been treated with chemicals or mixed with other substances and then changed to new ingredients are permitted to be used (Zulkifli, 2016). This process is called *istihalah* (a process of change into *halal* status) and has beneficial effects. This vaccine is permitted because the transformation process has led to its new name and characteristics. It is no longer exhibiting similar initial name and characteristics. Consequently, the status changed from *haram* into *halal*. Still, some scholars disagree on the acceptance of *halal* status using this *istihalah* process.

Exceptions: The Use of *Haram* Materials' Principles in Vaccines

To complete life care, Islam forbids human beings from eating *najis* that poses a risk of disease on their body. Allah SWT's words in surah al-Ma'idah verse 3, which mean:

“Forbidden to you are carrion, blood, and swine; what is slaughtered in the name of any other than Allah; what is killed by strangling, beating, a fall, or by being gored to death; what is partly eaten by a predator unless you slaughter it”

Nevertheless, in desperate circumstances, and at the risk of loss of life, Islam allows *najis* to be eaten (Kashim et al., 2020). Allah SWT's words in surah al-Ma'idah verse 3, which mean:

“But whoever is compelled by extreme hunger—not intending to sin—then surely Allah is All-Forgiving, Most Merciful.”

Zulkifli (2016) mentioned that based on considerations from the scholars' views related to the use of this vaccine, several conditions (*dawabit*) were concluded, including:

1. It has been tested and received a good result response.
2. Avoid impure substances unless in a forced state.
3. The nature as control from disease is already proven.
4. No greater side effects and harm occur to those vaccinated with the vaccine.

Jumhur fuqaha from the Hanafi school, Maliki, the Syafi'i and Hanbali sects' authentic view believed that medicine with *najis* like alcohol is *haram* and should not be permitted (al-

Zuhaily, 2007). Even, Wahbah al-Zuhayli (2007) also assumed that basically, it is *haram* for Muslims to treat diseases with an element that contains *najis* or *haram*. Nevertheless, in discussing this issue, it should be understood that when there are certain situations where there are no other alternatives that can be used as *halal* medicine, then the rule is to take drugs that are sourced from *haram* or *najis* (Zulkifli, 2016). This exception is based on the words of Allah SWT in surah al-An'am verse 119, which means:

“He has already explained to you what He has forbidden to you—except when compelled by necessity.”

The above arguments explain that Islam provides relief and flexibility to using drugs sourced from *haram* substances and *najis* in an emergency. It is because *maslahah daruriyyah* is the first stage in the position of *maslahah*, which must be given priority compared to *maslahah hajiyyah* and *maslahah tahsiniyyah* (Norhidayah, 2017). The absence of vaccine initiatives to prevent the spread of infectious diseases will expose the community to more significant harm in health such as brain damage, hearing loss, learning disabilities and death.

As a result of this discussion, it can be concluded that the exceptions allowed by Islamic rule in the use of *haram* substances and *najis* as medicine must meet some of the conditions or principles of its use as follows:

1. There is unavailability or difficulty in obtaining *halal* sourced material to treat related diseases.
2. Taking drugs from *haram* substances should be taken as needed.
3. Use of the material should be with the instructions and advice of a doctor.

It is by the words of Allah SWT in surah al-Baqarah verse 173, which means:

“Then, whoever is compelled by necessity, neither seeking pleasure nor transgressing, there is no sin on him. Verily, Allah is Most-Forgiving, Very-Merciful.”

Considerations on the rule of utilising *haram* substance in an emergency should address some fiqh methods that can be used as the basis. Among them are:

The first method: An emergency allows the forbidden substance to be permitted.

Based on this fiqh method, then the state of infectious epidemics that can threaten human life is an emergency. Thus, in a situation like this even though the material used is *haram*, it is permitted to ensure no greater harm occurs.

The second method: Emergencies should be limited accordingly.

Based on this method, every use of *haram* substances can only be taken just for the current needs. So, it is apparent in the extent of its permissible, Islam still insists that every use of *haram* substances is only allowed according to the required level.

Third method:: When two *mafsadah* collide, then lighter *mafsadah* is preferred.

Although there is a sentiment of side effects from the use of vaccines, they are only small cases and occur in the minority (Ab Rahman et al., 2020b). Therefore, this method explains that when the clash of these two *mafsadah* occurs, one should eliminate the larger *mafsadah*. Following this purpose, the use of vaccines containing small amounts of *najis* is intended to reduce the harm of diseases that imposes death risk.

Besides, the use of vaccines is in line to take care of life as recommended by Islam because it has been proven to control infections that have the risk of death and disability (Ab Rahman et al., 2020a). Its use is permissible even though it contains elements of *najis* if there is no alternative to other pure substances. It is because the prohibition of *najis* is at the level of *tahsiniyyat* (complement) to the care of life-based on the statement of al-Shatibiyy (2004), which means:

“Every level’s priority is distinguished with its status of *sunnah* and *fard*... Eating and drinking that does not contain *najis*, not owned by others and has no right to *zakat* compared to living life, it is like a matter of *sunnah*.”

Prohibition of *najis* is intended to keep people away from dangerous diseases (Kashim et al., 2018). It is because, *najis* matter, usually becomes the habitat of microorganisms that carry the disease. However, if the situation has become so desperate that it can pose a threat to human life, the intake of *najis* is allowed (Kashim et al., 2017). Based on the report on the effectiveness of the vaccine, its use can be considered at a level of *hajiyyat* (need), and its absence can lead to diseases that have a risk of contagious death in humans.

Ultimately, Islam accepts a need for a change of rule based on the circumstances. It should be done to preserve the benefits while fulfilling the requirements of the sharia. In the steadfastness of Islam distinguishing between the *haram* from the *halal*, during the state of emergency, Islam upholds its principle but can still deliver flexibility.

CONCLUSION

Ergo, the administration of vaccines is an obligation that must be implemented to ensure the welfare of the community is secured, which is in line with the requirements of *Maqasid Syariah* in preserving lives. The vaccine’s content holds the antigenic value that can help individuals strengthen the body’s immunity, especially against the spread of infectious diseases. This preventive measure should be appreciated without any negative perspicacity or controversies that eventually cause more significant harm. This attitude is vehemently opposed both from the point of view of science and Islam itself. One should understand that although almost all scientific technology studies worked in ensuring that vaccine content is produced from *halal* materials, there are times when there is an urgent circumstance that requires the production of vaccines from *haram* sources. Hence, Islam serves as a comprehensive religion without denying the change of rule, following time changes. Nevertheless, the flexibility taken in line with the principle outlined by Islamic rule is the use of prohibited substances only at the required level. Therefore, this research works as the basis for a discussion on the necessity of using vaccines that may contain non-*halal* ingredients

such as *najisin* protecting individuals and communities from serious infection. The production of vaccines needs to be considered in Islamic rule, to give Muslim consumers confidence in administrating the vaccine.

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