

Method Fatwa Assembly of Indonesian Ulama About Covid-19 Vaccination Law: A Maqashid Sharia Analysis

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Abstract: This study aims to find out the *ijtihad* procedure carried out by the MUI in producing fatwa Number 14 of 2021 concerning the covid-19 vaccination law, to find out the legal basis used in establishing the MUI fatwa on the covid-19 vaccination law, and to find out the MUI review in the use of *Maqasyid Syariah* in producing fatwa Number 14 of 2021 concerning covid-19 vaccination. This type of research is library research using secondary data sources in Fatwa document Number 14 of 2021 related to Covid-19 Vaccination. This research uses content analysis techniques (content analysis) to explore the contents or meanings contained in the documents for the *ijtihad* procedure carried out by the Indonesian Ulama Council in issuing legal products in the form of fatwas. From the results of this study, it can be concluded that the foundation of the Indonesian Ulama Council in issuing fatwas related to covid-19 vaccination is to use the term method (benefit analysis), or it can be called *Maslahah al-Mursala*. The legal basis used by the Indonesian Ulama Council in Fatwa Number 14 of 2021 is the Al-Quran, *hadith*, *ijma*, *fiqh* principles, and the opinions of *salaf* scholars. *Maqasyid Syariah*, one of the approach instruments used by MUI, is to adhere to *Dharuriyat Hifz al-din* (safeguarding religion) principles and *Hifz al-nafs* (safeguarding the soul)..

Keywords: *Ijtihad, MUI Fatwa, Vaccination, Covid-19, Maqasyid al-Syariah*

Abstrak: Penelitian ini bertujuan untuk mengetahui prosedur *ijtihad* yang dilakukan MUI dalam menghasilkan fatwa Nomor 14 Tahun 2021 tentang hukum vaksinasi covid-19, Untuk mengetahui dasar hukum yang digunakan dalam menetapkan fatwa MUI tentang hukum vaksinasi covid-19 dan untuk mengetahui tinjauan MUI dalam penggunaan *Maqasyid Syariah* dalam menghasilkan fatwa Nomor 14 Tahun 2021 tentang vaksinasi covid-19. Jenis penelitian ini adalah keputakaan (library reasearch) dengan menggunakan sumber data sekunder berupa dokumen Fatwa Nomor 14 Tahun 2021 terkait dengan Vaksinasi Covid-19. Penelitian ini menggunakan teknik analisis isi (content abalysis) dengan tujuan menggali isi atau makna yang terdapat pada dokumen atas prosedur *ijtihad* yang dilakukan Majelis Ulama Indonesia dalam mengeluarkan produk hukum berupa fatwa. Dari hasil penelitian ini dapat disimpulkan bahwa landasan Majelis Ulama Indonesia dalam mengeluarkan fatwa terkait vaksinasi covid-19 ialah menggunakan metode istilah (analisis kemaslahatan) atau dapat disebut *Maslahah al-Mursala*. Jika melihat dasar hukum yang digunakan oleh Mejlis Ulama Indonesia dalam mengeluarkan Fatwa Nomor 14 Tahun 2021 yakni merujuk pada Alquran sebagai sumber hukum pokok, kemudian *hadis*, *ijma*, kaidah-kaidah *fiqh* dan pendapat-pendapat para ulama yang muktabarah, tinjauan MUI terhadap penggunaan *Maqasyid Syariah* sebagai salah satu instrumen pendekatan yang digunakan ialah dengan memegang prinsip *Dharuriyat Hifz al-din* (menjaga agama), *Hifz al-nafs* (menjaga jiwa).

Kata Kunci: *Ijtihad, Fatwa MUI, Vaksinasi, Covid-19, Maqasyid al-Syariah*

Introduction

Covid-19, occurring in Indonesia, is a virus that causes mild to moderate upper respiratory tract infections, like the flu, and anyone can be infected. However, infants and small children, as people with weak immune systems, are more susceptible to this virus attack. In addition, season conditions are very influential. In addition, people who live in or whose country dominates the Covid-19 virus the most make the country vulnerable, which causes them to be susceptible to the disease—for example, visiting China, especially the city of Wuhan, where it first appeared in December 2019.

The development of COVID-19 cases shows that there has been an increase in cases in the community where confirmed COVID-19 in several major cities in Indonesia are in severe condition. Taking into account the increasing number of people infected with COVID-19 and the high risk for older people and children if infected with COVID-19 becomes unbearable, then for this event the State, through the government issued a policy regarding the need for efforts to provide COVID-19 vaccinations for the community. However, this policy did not immediately respond well in the community. During the first wave of vaccination, it was considered that this could increase individual immunity from exposure to the COVID-19 virus, but instead of reducing the number of exposed individuals, the opposite happened; more and more cases of death occurred, in fact, most of them were experienced by individuals who have received the vaccine.

The public investigates vaccine requests and doubts by assessing intent to vaccinate against COVID-19 and willingness to pay. Some people in Indonesia have a definite intention to receive the COVID-19 vaccine; a higher proportion indicates probable intent. Perceived benefits and barriers to vaccination (i.e., vaccine efficacy and even side effects) from the health belief capital construct are significant predictors of vaccination intentions and societal resistance. A group of people who reject the existence of a vaccination program has

various backgrounds and reasons for health concerns, whereas a group of people has different backgrounds due to concerns about the increasing number of deaths or deaths from vaccines. This rejection arose due to doubts about halal law and the effects of the vaccine.

The community, in general, also experiences psychological problems when dealing with COVID-19, in which the problem of anxiety experienced by the community is the spread of unhealthy information, confusion, leaking of patient identities, and others so that people can experience anxiety, distress, symptoms of obsessive-compulsive or other psychological problems.

In situations and conditions that are completely uncertain for the general public and especially Muslims, the vaccination promoted by the government raises various questions related to the law on its use what are the effects of vaccination, therefore Muslims in Indonesia certainly submit the case to authorities which are considered to have the capacity in establishing law, in this case, the MUI as an institution that is considered capable of answering and providing an explanation of issues related to how the use of vaccinations is viewed from the point of view of Islamic law. Following the main role of the Indonesian Ulema Council, one of which has the function of giving fatwas whether requested or not requested, in such conditions, of course, the Muslim community is in a state of doubt, so in this case, the MUI is an institution that can answer questions of doubt that the people are concerned about the use of the covid-19 vaccine.

Much research related to Covid-19 has been carried out, such as by Rizki Bagus Prasetyo titled "The Covid-19 Pandemic: Perspectives on Emergency Constitutional Law and Protection of Human Rights". The findings in this study are that although Article 12 of the 1945 Constitution provides provisions for constitutional emergencies, Indonesia chooses to use Health Emergencies in Law 6 of 2018 and Non-Natural Disaster Emergencies in Law 24 of 2007. These two emergency statuses do not

involve Article 12 of the 1945 Constitution as the basis of its formation. So that the State of emergency referred to is not a state of emergency as referred to in the study of emergency constitutional law or is only de facto, not de jure. In addition, the two emergency statuses do not contain various conditions that the ICCPR has mandated. Therefore the protection of human rights must still be fulfilled. Even though there are restrictions, this certainly does not apply to basic rights, let alone non-derogable rights.

Based on this fact, although Covid 19 has been studied before, the approach used differs. The novelty in this research is the study of MUI fatwas which are elaborated on with the Maqosidu Syari'ah theory in analyzing the Covid-19 vaccination laws. The results of this study are expected to clear doubts and increase public confidence in implementing vaccinations.

Literature Review

Maqosyid Syariah is the values and goals of syara' which are implied in all or most of its laws. The values of these suggestions are seen as goals (maqasyid) and secrets of the Shari'a, which are determined by the syar'i in every legal provision. According to Al-Imam al-Syatibi, Maqosyid Sharia is the purpose of the Shari'a that pays more attention to the public interest. Maqosyid is divided into two: the first is related to God's intention as the maker of sharia. Moreover secondly, it relates to the intentions of the mukallaf. According to Al-Syatibi and other scientists, the purpose of law enforcement in Islam is inseparable from three main things, as shown in Table 1 below,

Table 1. Levels of Maslahat in Islam

No	Maslahah distribution	Information
1	<i>Al-Daruriyat</i> (Primary)	a fixed price that must be considered for its existence. If there is none, it will result in neglecting the welfare of the servant in this world and the hereafter
2	<i>Al-Hajiyat</i> (Secondary)	the need to achieve the benefit, if it is not attempted, will not cause

3	<i>Al-Tahsiniyat</i> (Tertiary)	the benefit to be neglected in totality; it will only cause <i>masyaqqah</i> (exhaustion/difficulties). needs that are considered good according to the general view. If you do not make an effort, it will not cause you to lose <i>benefit</i> or experience <i>masyaqqah</i> , but this will only complement the existence of <i>maslahat dharuri</i> or <i>haji</i> . ¹
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Among the three objectives of implementing Islamic law above, the one with the highest level of urgency is al-daruriyat, followed by al-hajiyat and al-tahsiniyat, respectively. Thus, all the laws prescribed to realize and preserve the objectives of enforcing the al-daruriyat law are the most important things than the others, as well as al-hajiyat and al-tahsiniyat. Consequently, legal priority must be given to al-daruriyat, following al-hajiyat and al-tahsiniyat.

The first way is done by analyzing the lafadz of commands or prohibitions in the Qur'an and Hadith before being linked to other problems. The second way is done for illat, which is written and visible or vice versa. Illat, which is clearly written, must be followed because it is a legal goal that must be achieved. As for illat, which is not visible and clearly written, the matter is returned to syar'i or is tawaqquf in nature. The third way of analyzing syar'i (God's) silence is directed to laws not mentioned by syar'i. However, the law provides benefits and avoids harm to human life.

Method

The type of legal research conducted by the author is normative juridical with consideration of the starting point of the MUI fatwa ijtihad with sharia maqosyid analysis of the use of the Covid-19

¹M. Subhan, *Tafsir Maqashid Maqashid Sharia Thematic Studies*, (Kediri: Lirboyo Press, 2013), 3-6.

vaccination which requires an explicit explanation of legal considerations in its use. Because this type of research is normative juridical, the method used is library research. The method used in this research is the juridical-normative method. The point is that the writer will look at relevant legal principles and regulations in the research process. In this case, the author will discuss an overview of "The Ijtihad Fatwa Method of the Indonesian Ulema Council Number 14 of 2021 Concerning the Covid-19 Vaccination Law Maqosyid Sharia Analysis."

Furthermore, the authors describe and relate the legal materials obtained in the study of literature, laws and regulations, MUI fatwas, and materials related to research topics so that they are presented in systematic writing to answer the problems that have been formulated. At the same time, the method of processing legal material is carried out deductively, from general to specific, by concluding a concrete problem.

Result and Discussion

Profile of the Covid-19 Vaccine

The Covid-19 vaccine contains an inactivated virus but not the live attenuated virus. This vaccine also contains aluminum hydroxide (aluminum hydroxide), which enhances the vaccine's ability. After that, there are other ingredients, namely phosphate solution as a stabilizer and sodium chloride salt solution (NaCl) as isotonic to provide comfort in injection. Moreover, it has been confirmed that the salt solution used is table salt that meets pharmaceutical standards.

There are stages in the vaccine production process, including killing Vero Cell (host cell for the virus), virus growth, virus inactivation, purification (purification), formulation, and packaging. Vero cells are diploid cells that are used as virus hosts. These cells were obtained from African Green Monkey kidney cells from research in 1960 and have been proven safe to function as virus hosts and have been approved by WHO.

Vero cells were grown on media prepared from chemicals, bovine blood

serum, and microbial products. The microbial products come from microbes grown on media made from vegetables, chemicals, and mineral materials. In the production of purification, trypsin and several other enzymes are used. This enzyme is a microbial product where microbes are grown on media made from vegetable, chemical, and mineral materials.

Coronavirus, or Covid-19, is a group of viruses that can cause disease in mammals, including humans and birds, poultry (chickens), and fish. Coronavirus can cause respiratory infections in humans. The coronavirus is surrounded by a capsule or shell, a positive single-stranded RNA genome that can splice the mRNA and proteins wrapped in a helically symmetrical nucleocapsid. The viral genome ranges from 2,632 kilobases.

MUI's Ijtihad Procedure in Producing a Fatwa Regarding the Covid-19 Vaccination Law

The Covid-19 pandemic is a new phenomenon caused by the corona virus which has resulted in new habits, in addition to the new habit of having vaccines that increase the body's strength in virus immunity. The phenomenon of the covid-19 vaccine has not been discussed specifically at the time of the Apostles, sahabat, or tabiin. However, scholars are currently required to perform ijtihad to answer or respond to various events that exist in society or to a phenomenon that raises doubts in society. To see the ijtihad method used by the MUI in addressing the law on the Covid-19 vaccine product of AstraZeneca can be seen from the several verses included in the fatwa. These verses include the Word of Allah SWT surah Al-Baqarah verse 168:

"O people, eat what is lawful and good from what is on earth, and do not follow the devil's steps; indeed, the devil is a real enemy to you.

The word of Allah SWT explains that in an emergency, it is permissible to consume what is unlawful: "Indeed, Allah only has forbidden for you carrion, blood, pork and animals that (when slaughtered) are called

(name) other than Allah[108]. However, whoever is forced to (eat) while He does not want it and does not (also) exceed the limit, then there is no sin for Him. Verily, Allah forgives, Most Merciful. "

In the fatwa on the covid-19 vaccine, the Qur'anic verse clearly explains that Allah SWT forbids carrion, blood, pork, and animals that do not mention Allah's name when slaughtered. Then what is meant by this carcass is an animal that is not slaughtered according to the Shari'a. The pork in verse is called the part of the pig, the most important, and the others bind it. Majelis Ulama Indonesia gave legal ijthid for the covid-19 vaccine product from AstraZeneca based on the arguments in the Koran as well as the opinions of the scholars who explained that in determining the legal fatwa for covid-19, AstraZeneca products had several methods and approaches in making ijthid, three approaches namely nash qath'i, qauli, and Manhaji. This effort will be sufficiently successful by taking the right approaches. In determining the fatwa, the Indonesian Ulama Council uses the manhaji approach.

The method of developing Islamic law is based on sharia maqosyid, as the author has described in Chapter II. From the elaboration of the legal arguments regarding the fatwa of the Indonesian Ulama Council Number 14 of 2021, the Indonesian Ulama Council has established a method of ijthid that has been determined and consistent. This can be seen from the many arguments in the texts of qath'i (Qur'an and Hadith) and the ijthid method using the term. The Fatwa of the Indonesian Ulama Council Number 14 of 2021 brings benefits and rejects harm. Moreover, this fatwa also brings public benefit, not individuals.

Furthermore, in discovering Islamic law from its sources, the effort will be sufficiently successful by taking the right ways and methods. In determining fatwas, the Indonesian Ulama Council uses the term method; this method is a method of developing Islamic law based on sharia maqashid. The need for dharuriyah at the level of benefit is based on the five basic

principles of maqasyid sharia, namely the protection of religion (hifz din), life (hifz nafs), reason (hifz aql), offspring (hifz nasab) and property (hifz mal).

The ultimate goal of maqashid sharia is to create benefit and avoid all harm in this world and hereafter. The achievement of maqasyid sharia's goal is realized by maintaining needs by paying attention to their level; the highest level is called dharuriyat, which means that primary needs must be considered for their existence. Secondary needs will not affect their existence at the second level, namely hajiyyat. Then the third, tahsiniyat, means tertiary needs which, if not pursued, will not cause benefit to be lost.

In this case, the ijthid fatwa of the Indonesian Ulama Council Number 14 of 2021, by prioritizing the priority of these benefits, is included in primary needs (daruriyat). The priority in protecting life is every person's right to live and maintain a healthy body. Therefore, the process of ijthid includes daruriyat needs that must exist for the sake of human life.

MUI Review of the Use of Maqosyid Syariah in Producing the Covid-19 Vaccination Fatwa

According to the Indonesian Ulama Council, the law on the co-19 vaccination of Astrazeneca products is legally unlawful. Of course, this prohibition is based on the findings of the MUI's LPPOM (Institute for the Study of Food, Drugs, and Cosmetics), which states that in the process of making vaccines, there is the use of pork elements, namely trypsin which comes from the pig pancreas. Even though it is legally forbidden, the MUI still allows the use of the co-19 vaccine by AstraZeneca products. Of course, the permissibility of using the AstraZeneca Covid-19 vaccine is based on an urgent need that has reached the dharuriyyah level. The vaccine's availability is limited t

When viewed in terms of the level of life needs humans to need, the Covid-19 vaccine is one of the dahruriyyat (primary) needs, namely the necessities of life that humans must meet. The Covid-19 vaccine is a form of the five dharuriyyat needs, namely hifz nafs

or keeping the soul from perishing, because as is known, Covid-19 is a disease that spreads very quickly, which is dangerous and can cause death for sufferers, so prevention is needed by creating herd immunity with the covid-19 vaccination program.

AstraZeneca products utilize pigs in the manufacturing process, whether included in the realm of emergency or not. Then an analysis is carried out by measuring whether the conditions that allow the use of unlawful vaccines follow the dharurat category in Islamic law or not. First, it is known that an emergency has occurred and is already there, not an unclear hope. Covid-19 is an infectious disease that can cause respiratory infections in humans, characterized by coughing, flu, Middle East Respiratory Syndrome (MERS), and Severe Acute Respiratory Syndrome (SARS). The spread of the Covid-19 virus was very fast to various corners of the world, which caused its status to become a pandemic. Data compiled from the Ministry of Health of the Republic of Indonesia shows that as of March 8, 2021, there were 1,386,556 positive cases of Covid-19 in Indonesia, with 1,203 people recovering. 381, and the number of deaths due to Covid-19 was 37,547 people.

The data above shows that there has been a large number of cases of Covid-19 in Indonesia, and the spread of Covid-19 has occurred in Indonesia and throughout the world. Covid-19 disease is included in the category of easily spread and contagious diseases, so a covid-19 vaccination is urgently needed to create herd immunity which can reduce the spread of the increasingly widespread covid-19 virus, so efforts to prevent the spread of covid-19 with covid-19 vaccinations can be categorized with emergency conditions.

Second, the situation is forced to have no other way but to do what is unlawful, and there must be an expert's opinion stating that there is no medicine other than illicit medicine. In a fatwa commission meeting discussing the MUI fatwa regarding the law on using the AstraZeneca co-19 vaccine, the health minister said that the co-19 vaccination program had used two vaccine

brands, namely the Sinovac and AstraZeneca vaccines. The Sinovac vaccine has legally been declared holy and halal. Therefore, its use is permissible. Even though a halal and holy vaccine is available, the availability of the vaccine cannot reach the target for creating herd immunity. The government is targeting the 2021 vaccination program, with as many as 426 million doses to be injected to accelerate herd immunity. To achieve the 2021 Covid-19 vaccination target, the government continues to work on obtaining vaccine doses.

In the report of the Minister of Health during a meeting with the MUI fatwa commission, Biofarma said that only 122.5 million doses of the Sinovac vaccine could be produced until the end of 2021 (28% of the total target of the 2021 Covid-19 vaccination program). The government strives to meet the target doses needed in the 2021 co-19 vaccination program by procuring 113 million doses of the AstraZeneca vaccine (33% of the total target for the 2021 co-19 vaccination program). Based on the results of the ITAGI (Indonesia Technical Advisory Group in Immunization) study stated that, at the global level, the dose of the Covid-19 vaccine in 2021 was 5.4 billion doses, while the global vaccine production capacity until June 2021 was only 1.8 billion doses. This is exacerbated by the restrictive policies of countries that produce the Covid-19 vaccine, making it difficult to supply vaccines to countries globally.

Then the next dharurah category is not violating the principles of Islamic law, choosing a lower level of dharurah, and one day and one night have passed. The use of the Covid-19 vaccine by AstraZeneca products, which uses pork in manufacturing, does not conflict with Islamic law principles because Allah SWT makes it easy for his people to consume or use pork if they are forced to. The basis for the permissibility of consuming or using pork under forced circumstances is based on the word of Allah SWT in QS Al-Baqarah verse 173. From this verse, it can be understood that the use of the Covid-19 vaccine by AstraZeneca products is a form of effort in an emergency

that can be easily carried out because if you only rely on the halal Covid-19 vaccine, of course, in terms of availability it cannot meet the target. Meanwhile, if the COVID-19 vaccination program cannot reach the herd immunity target, it will impact a wider spread and increase the number of victims who die from COVID-19.

Based on the explanations that the authors wrote in this study, the authors conclude that both in terms of necessity and the dharurat category in Islam, it is permissible to use the covid-19 vaccine by Astrazeneca products in the fatwa of the Indonesian Ulama Council Number 14 of 2021 concerning ijtihad conducted by the Indonesian Ulama Council against the use of the covid-19 vaccination of Astrazeneca products is following the dharurah in Islamic law.

In conditions of dharurah, Allah SWT allows his people to do something that is unlawful or leaves an obligation, but this ability has limitations to do so. Limits permissible to do what is unlawful in conditions of emergency contained in the word of Allah SWT Al-Baqarah verse 173. In the fiqh rules, some rules discuss the limits of the permissibility of using dharurah; these rules are (something that is allowed because it is an emergency, it is determined by the degree) the meaning of this rule is permissible because it is dharurah, then doing what is permissible is only done in moderation, namely the level sufficient to eliminate the dharurah and may not do more than that condition. The above rule is then perfected with another rule, namely: (Something that is allowed because of an excuse, then it is null and void with the loss of the excuse) The rule explains that it is permissible to do something because of an excuse, but if the excuse is gone then it is not permissible to do it again.

AstraZeneca covid-19 vaccine is permissible according to the fatwa of the Indonesian Ulama Council Number 14 of 2021, considering the dharurah conditions. Therefore limits must be set on the permissibility of using the Astarzenenca covid-19 vaccine. As explained above, it is

permissible in an emergency to do what is unlawful, but it can only be done moderately and cannot exceed the limit. If the cause of the emergency has disappeared, then the permissibility of its use is no longer permissible. The reason for the emergency use of the AstraZeneca vaccine is that the COVID-19 pandemic has spread widely, and the limited availability of the COVID-19 vaccine has been restored utilizing herd immunity through the COVID-19 vaccination program and COVID-19 vaccine stocks.

Analysis of MUI Procedures in Producing Fatwa Number 24 of 2021

The Indonesian Ulama Council is an institution that has authority and is given authority to respond to problems that occur in society by issuing a fatwa as an answer to all kinds of special questions for Muslims. The author sees that several decisions have quite close relevance related to the AstraZeneca vaccine product issued by the Fatwa of the Indonesian Ulama Council, one of which is the Decision of the Indonesian Ulama Council Fatwa Number 30 of 2013 concerning Drugs and Treatment. This decision explains that medicine in Islamic law must use holy and lawful materials. It is haram if it is unclean or unclean. Materials for using drugs that are unclean or unlawful can be used or permitted if in a condition there is compulsion or emergency.

Quite a lot of forms of treatment use vaccines as a form of prevention or treatment of disease. Some of them have ingredients that are haram, but due to their emergency/compulsion status or, in other words, there are no other vaccines with halal ingredients, the use of these drugs or vaccines is permissible by issuing fatwa decisions explaining the law on such use. Below, the author briefly describes some of the fatwa decisions of the Indonesian Ulama Council regarding proper vaccinations, as shown in Table 2 below.

Table 2. MUI Decision on Vaccination

NO.	DECISION	ABOUT
1.	Number 16 of 2005	Polio Vaccine Use
2.	Number 05 of 2009	Use of Meningitis Vaccination for Hajj or Umrah Pilgrims
3.	Number 04 of 2006	Immunization
4.	Number 14 of 2017	Influenza Vaccine Products from Hualan Biological Bacterin CO.LTD Xinxing China
5.	Number 14 of 2021	Law on the Use of the AstraZeneca Product Covid-19 Vaccine

Vaccination is proven to protect and prevent easily transmitted, dangerous, or even deadly diseases. Not a few people consider vaccination as less important. It is unlikely that the effectiveness of a vaccine against a disease will protect the body. However, with vaccination, the body's immunity becomes strong, and with strong immunity, humans are not susceptible to disease. Even if you get a disease, it will not have serious effects because a vaccine protects it.

Indonesia has 18 vaccinations that are believed to protect and prevent disease, including Dengue Fever, Typhus Fever, Diphtheria, Hepatitis A and B, Hib, HPV, Influenza, Measles, Meningococcus, Mumps, Pertussis, Pneumococcus, Polio, Rotavirus, Rubella, Tetanus, Chicken Pox, Vaccine is a very effective, safer and easier way. Help provide or form immunity from infancy to prevent exposure to diseases that impact death. A vaccine can narrow the spread of infectious diseases when it is in season or becomes a health problem in the community.

According to the author, the Covid-19 vaccine is a form of endeavor by Muslims to deal with a pandemic outbreak for which there is no cure. Therefore, health experts recommend vaccination as a form of effort to prevent the spread of this virus. One of the circulating vaccines includes AstraZeneca, which the MUI has traced regarding the raw materials used so that the

resulting production process is deemed haram. However, its use is permitted because the amount needed is insufficient for the needs of the Indonesian people, whose national vaccination target is 208,265,720 people.

Several fiqh principles support the formulation of a fatwa regarding the permissibility of using the AstraZeneca vaccine. Meaning: "In an emergency, it is permissible to do something prohibited." Meaning: "If a case is narrow, then the law becomes broad; conversely, if a case is wide, then the law becomes narrow." Meaning: "Bearing a special danger (in a small scope) to prevent sudden danger from arising." It is interpreted as the rules explaining that something prohibited/unlawful in an emergency can be allowed and given the freedom (easiness) to do things that are not following religious law to prevent the spread of the virus, which has a very large impact on losses.

As an alternative made by the government to meet the need for vaccine supplies for the community, other types of Covid-19 vaccines, including AstraZeneca, were brought in. The MUI tested Astarazeneca from the halal aspect and was declared haram. Due to the use of trypsin as raw material derived from pigs, the entry and exit process is highly visible; if the material previously used was halal but, in the process, it requires materials from non-halal (haram) means, then the output produced is considered haram. AstraZeneca was included in the study, so the MUI determined that the AstraZeneca vaccine product was haram. However, in situations that are impossible or emergency, the supply of halal vaccine stocks is insufficient to meet the community's needs. So, the MUI is based on *adh-Dharurat Tubihu al-Mahzhurat* (Emergency Permitting the Unlawful), an emergency that can allow what is prohibited (Haram). AstraZeneca can be used if there is not enough stock of the halal vaccine. So that the issuance of Decision Fatwa Number 14 of 2021 regulates the law on the use of the AstraZeneca vaccine.

Decision on Fatwa Number 14 of 2021 considers several things that underlie this fatwa, namely:

Covid-19 is still a life-threatening global health problem, and one of the efforts to reduce the prevalence and severity of the infectious disease covid-19 is by vaccination;

The success of the Covid-19 vaccination is influenced by many factors, including the availability of adequate vaccines, the speed of vaccine delivery to the target, and the targeted number of individuals to be vaccinated;

Availability of vaccines is still very limited and contested in various countries;

The government has requested a Fatwa. Regarding the legal status of the use of the AstraZeneca covid-19 vaccine as a guideline for its implementation;

Therefore, the MUI fatwa commission must issue a fatwa on the legality of using the Covid-19 vaccine for AstraZeneca products so that it can serve as a guideline.

Conclusion

In establishing Fatwa Number 14 of 2021 in exploring its legal foundations, in this case, the Indonesian Ulama Council uses the term method (issue analysis). If you look at the arguments used by the Indonesian Ulama Council in issuing fatwas, the approach used is Maqosyid al-Syariah by adhering to the principle of dharuriyat (Hifz al-din and Hifz al-nafs). The foundation of the Indonesian Ulama Council stipulates fatwa Number 14 of 2021 based on the Koran, Hadith, Ijma, Rules of Fiqh, and the opinions of scholars in its book. It places an emergency condition as the basis for the permissibility of using the AstraZeneca vaccine as one of the vaccines used in the co-19 vaccination program in Indonesia. Analysis of the contents of the fatwa of the Indonesian Ulama Council Number 14 of 2021 regarding the vaccination of AstraZeneca products using Maqasyid Syariah as an approach instrument is for the protection of life, mind, and offspring; the Indonesian Ulama Council has considered that benefit is the ultimate goal of Islamic law.

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