

Prevention of Covid-19 Outbreak by Authorities in Malaysia Viewed from *Fiqh Al-Ma'al* Perspective

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Abstract

Malaysia is among the countries with the most citizens inflicted by covid-19 outbreak in Southeast Asia in early phase of year 2020, however persistent efforts performed by Authorities in Malaysia especially Ministry of Health has succeeded in constraining this disease among its people. Nevertheless, preventive measures done by Authorities in Malaysia raised several questions among the people particularly if viewed from *fiqh al-ma'al* perspective. This article aims to explain on the preventive efforts for covid-19 outbreak taken by Authorities in Malaysia viewed from *fiqh al-ma'al* perspective. Methodology of this article was based on qualitative study. Data were collected from document analysis by referring to books particularly related to fiqh Islami, kaedah-kaedah fiqh, usul fiqh, *fiqh al-ma'al*, contemporary fiqh books, current fatwas, journal articles and authorised websites. Data collected were analysed and elaborated through inductive, deductive and comparative methods to gain for appropriate results in alignment with determined research objectives. This study found that preventive efforts for covid-19 outbreak executed by Authorities in Malaysia do comply with *fiqh al-ma'al* and those efforts are on the right track according to the fiqh. It clearly invites great maslahah (benefits) to the people. On account of that, it is hoped that Malaysian citizens not need to worry with the preventive efforts instead they should keep on supporting the sincere efforts until chain of covid-19 outbreak spread can ultimately be broken.

Keywords: Fiqh Al-ma'al, Fiqh Islami, Ministry of Health, Maslahah, Usul Fiqh

Introduction

Covid-19 outbreak started in Wuhan, in Country of China by the name Corona Virus. It then was termed in acronym by World Health Organization (WHO) by the name covid-19 and announced as contagious disease (pandemic) in late year 2019. It has sacrificed thousands of

its people and caused tens of thousands quarantined at their respective home. Curfew was also executed to break the chain of the covid-19. Until now, it has spread among over than 200 countries in the world. United States of America recorded the highest spread of covid-19 outbreak at the moment which is more than 1.5 million people among its citizens.

Considering that the spread of covid-19 outbreak is highly vigorous and involving the whole world, it can be said that all countries in the world take drastic measure to constrain the spread of the outbreak that it would not worsen among their people, including Malaysian Authorities especially Ministry of Health Malaysia. Malaysian Authorities realise that the outbreak spread if not repressed seriously would lead to many casualties occurring among the people, besides stunting the source of income among them and threatening the country's economy.

Fiqh al-Ma'al meanwhile is one of the fiqh studied by Muslim people informally. It is just that its existence is not well-known among them. Most of the discussions are focused on *fiqh al-maslahah* and *fiqh mafsadah* or fiqh of benefit and fiqh of harm. In fact, *fiqh al-ma'al* is an important fiqh to be known by Muslims as it also closely relates to their life and daily matters involving consideration of *maslahah* effects and also harms from a certain law or execution of a program among the community.

The objective of this article is to explain the extent of preventive measures for covid-19 outbreak performed by Malaysian authorities to comply with *fiqh al-ma'al*. It is an important subject to know whether Malaysian authorities are on the right track in prevention of covid-19 outbreak or not. This would be a relief for the people as spread of covid-19 outbreak depends on the actions taken by the authorities. Moreover, there are many complaints arising from some of people saying that the action of authorities executing many programs to break the chain of covid-19 outbreak has caused their daily chores to stunt, even their act of worship performed in mosque and also *surau* is also interrupted, including congregational and Jumaat prayer.

Serious writings on covid-19 in Malay language is very few at the moment particularly on discussion from *fiqh al-ma'al* perspective, while the community is curious of how far the government's action in handling covid-19 outbreak complies with the fiqh. That also applies to the writings on *fiqh al-ma'al*, that nearly unavailable in Malay language, even though it is undeniable that within discussion in several books and articles there is relationship with *fiqh al-ma'al* but they were performed indirectly only. Among the books and articles that can be referred for literature review of this writing are Ayob (2017) in *Vaksin Antara Babi, Yahudi & Konspirasi*, Ahmed et al (2018) in *Outbreak of vaccine-preventable diseases in Muslim majority countries*, Umar (2020) in *Merangkai Hikmah Wabak Pandemi, Bayan Linnas Siri Ke - 59: Hukum Pengambilan Vaksin Dari Sudut Pandang Fiqh & Maqasid Syariah, Garis Panduan Tatacara Pengurusan Jenazah Orang Islam Covid-19* by Department of Islamic Development Malaysia, 2020; al-Uthmani (2015) in *Fiqh al-Ma'alat Mafhumuhu Wa Qawa'iduhu* and others. These writings however did not focus on what discussed in this article and also did not touch on *fiqh al-ma'al* at all.

Research Methodology

This writing was based on qualitative study. Data were collected from document analysis by referring to books especially those related *fiqh Islami*, fiqh methods, *usul fiqh*, *fiqh al-ma'al*, contemporary fiqh books, current fatwas, journal articles and authorised websites. Data collected were analysed and elaborated through inductive, deductive and comparative methods to gain appropriate results aligning with lined research objectives.

Findings

Coronavirus (CoV) is a virus able to cause respiratory tract infection. There are several types of such as severe acute respiratory syndrome coronavirus (SARS) and Middle East Respiratory syndrome-related coronavirus (MER-CoV). The newest Coronavirus discovered in China is Novel Coronavirus 2019 (COVID-19). Coronavirus infection causes a spectrum of signs from typical flu to severe lung inflammation (pneumonia).

Transmission of Covid-19

Transmission mode of novel coronavirus COVID-19 from an individual to another individual is via droplets from nose and mouth that disperse when a person contracted with COVID-19 coughs or sneezes. These droplets scatter across objects and surfaces around him. Other person then acquires COVID-19 infection by touching these objects and surfaces, then touches his eyes, nose or mouth. A person can also be infected by COVID-19 if they come close to COVID-19 patients who cough or sneeze or release droplets. That is why it is important keep the distance of more than 1 metre (3 feet) from the sick person.

Signs and symptoms of Covid-19

Signs and symptoms of lung inflammation (pneumonia) COVID-19 are fever, cough and shortness of breath. That also include runny nose. If these signs and symptoms are present, patient is asked to seek for examination in nearest health facility and surgical mask when you are there.

Impact of Covid-19 Disease

COVID-19 is potential to cause a severe illness and death, especially among the elders and people with health problem or compromised immunity. However, detailed nature of this virus is not known yet and can change from time to time (Ministry of Health Malaysia, 2020).

Fiqh al-Ma'al

Fiqh al-Ma'al refers to the deep understanding on the effect or consequences due to execution of Islamic law in reality. If the performance brings to the desired objectives, it is necessary to continue the arranged plan and if it does not comply with the desired objectives then it should be halted or transformed into other form that can achieve the desired objectives (al-Uthmani, 2015: 15).

Evidences on *Fiqh Al-Ma'al*

Evidences on *fiqh al-ma'al* can be witnessed in al-Quran, al-Sunnah and words of the Companions of Rasulullah SAW. From al-Quran among them is words of Allah SWT:

Meaning: And do not you insult their idols other than Allah, as they then, will insult Allah transgressively as of ignorance. As that We beautify in each people's

view of their deeds, then to their God is their returning place, then He will explain to them of what they did.

(al-An'am, 6: 108)

In above verse, Allah SWT prohibited Muslim people from insulting idols of non-Muslims to prevent greater negative impact or consequence from non-Muslims which is avoiding them from insulting the God worshipped by Muslims, Allah SWT. The above verse enquires Muslim people to see the effects or consequences from their action or known as *fiqh al-ma'al*, even though the insult of non-Muslims' idol originally is permitted as what they worship are unable to help and assist them in real words. They are also made from stone carved by the human that worship the stone himself. This looks at the harm that is directed towards deity of Muslims itself which is in the form of insult that forms a great harm (al-Uthmani, 2015: 23). Based on the above verse, a group of Muslims believe in the concept of need for closing the door that can bring slander and harms (Ibn-al-Arabi, 2003.2: 265).

From hadis of prophet SAW is a hadis narrated by Abdullah bin Amru bin al-AS RA, explaining that Rasulullah SAW said:

Meaning: Among the biggest sin is insulting the parents. Rasulullah SAW was asked: How could a person insult his parents. Rasulullah SAW said: A man insults another man's father, then the latter man insults the former man's father. He also insults the man's mother, and the latter man insults the former man's mother.

(Muslim: 130)

The above hadis explains that Rasulullah SAW pictured that an action of a Muslim insulting the parents of a non-Muslim equalising the action of the Muslim insulting his own parents. This is because performing a cause to an action bringing insult to another person equals to insult towards his own parents. The person that becomes the cause to a bad deed, is the same as the person who does the bad deed itself (al-Uthmani, 2015: 27). According to Ibn Battal bin Khalaf, the above hadis becomes the basis of the concept for closing the door from bringing harms. It shows that a performed action if it brings to prohibited deed, the ruling for the action is also a prohibition, even though the involved person does not intend to perform the prohibited action itself (al-Asqalani, 1987.10: 404).

From words of Rasulullah SAW's Companions meanwhile is words of Ali bin Abi Talib RA saying that:

Meaning: Speak to people according to their mind's level of understanding. Do you want Allah and His Messenger to be denied?

(al-Bukhari: 124)

Words of Ali bin Abi Talib above signs the need of spreading knowledge to the community. Despite, in spreading of knowledge, it is inappropriate to apply a speech incomprehensible by the community as due to its effects and consequences, it will bring towards their rejection of knowledge that are to be spread to the community. It also brings a meaning that anything

to be propagated must be done through clear explanation and not of vague one. Allah SWT said:

Meaning: ..and (truly) Messenger of Allah is only responsible of delivering Allah's commandments with transparent explanation".

(al-Nur, 24:54)

Based on words of Ali bin Abi Talib above, Imam Malik bin Anas disapproved discussion on matters not inviting such as discussion complicated matters, but not bringing into deeds, even though scholars discussed on it. For him, not all true knowledge, is demanded to spread, although involving Islamic knowledge and laws (al-Syatibi, 1417H, 5: 167). There are knowledge that should be retained in books, as it is complicated to be understood by the public, instead it should be focused on issues bringing towards deeds and beneficial for the public. Scholars explained that there are several questions that should not be announced as fatwa, even though they are authentic according to fiqh view, as making them fatwa will arise harms to the community due to their misuse of the fatwa. For Imam al-Syatibi (1417H.5: 172) every subject to be made fatwa should observe on the effects and consequences arising from it. If it brings benefit, it is good and should be continued and if it brings harm, it is compulsory to cease.

Importance of Understanding *Fiqh al-Ma'al*

Understanding *fiqh al-ma'al* is important for a person who wants perform ijthihad such as judge, mufti or authorities responsible in a certain community. Indeed, it is considered as the first stepping stone involving ijthihad in Islam jurisprudence and also in understanding of religious procedures. Its importance refers to:

- a. It becomes an ijthihad view gathering simultaneously between reality and expected matter while an Islamic law is to be executed. This is because the intended ijthihad does not only need to consider religious law and its objectives but also knowledge regarding reality and effects and consequences arising from its implementation in reality.
- b. It transfers law from theoretical realm into reality and practice. Due to that, it can become a part of law application.
- c. It explains to Muslim generally and to person performing ijthihad specifically to focus on the result of implementation for a certain law during execution of a certain law, that its effects can really be observed in reality. It can be seen from the perspective that whether it can bring harm equalizing with desired benefit or more than that.
- d. It can avoid Muslims from performing a law that possibly will bring bad effect and consequence and simultaneously prevent them from producing a law contradicting with objectives of implementation for religious law in the reality itself.
- e. It binds between laws ideal with reality in the effort of achieving the highest benefit and at the same time celebrates reality that considers situations, challenges, obstacles related to them (al-Uthmani, 2015: 68).

Levels of *Fiqh Al-Ma'al*

Consideration of *fiqh al-ma'al* is an ijthad view involving beginning and ending. In aspect of beginning, it evaluates the execution of law, action and affair to effect and consequence that will appear and in aspect of ending it evaluates the types of update or change that is obligatory to put into the intended law, action or deed. A matter that should be reminded is that consideration of *fiqh al-ma'al* does not mean consideration of all forms of effect and consequence, despite involvement of vague and even weak one, in fact there is a basic measurement closely related to involvement of cause and effect or its consequence. Therefore, it can be divided into four levels (al-Sanus, 1429H: 26-32) which are:

- a. First: Effect or consequence that definitely will happen. It involves a clear chain of reaction that surely brings to certain effect or consequence. Effect or consequence like this should be considered. For example, permission for owner of chemical laboratory to dispose toxic waste into water. This undeniably will pollute the water.
- b. Second: Effect or consequence expected to happen according to strong assumption. It involves relationship that in nature it will cause certain effect or consequence. For example, selling weapons in chaotic situation and selling grapes to liquor manufacturer.
- c. Third: Effect or consequence expected to happen according to weak assumption. It involves relationship that in nature it is not strong to cause certain effect or consequence. This effect arises discussion among scholars between those who accept and reject.
- d. Fourth: Effect or consequence that rarely happen. It involves relationship that seldom causes certain effect or consequence. This effect or consequence is not taken into account based on agreement by Islamic scholars (al-Uthmani, 2015: 63-64).

Relationship between *Fiqh al-Ma'al* and *Fiqh al-Maslahah*

Fiqh al-Ma'al has a tight relationship with *fiqh al-maslahah* and indeed it becomes the implementation of the *fiqh al-maslahah* itself. Moreover Islamic laws come with the goal of producing and perfecting *maslahah* and rejecting or reducing harm or *mafsadah*. It chooses the better goodness between two forms of goodness and rejecting the worse badness between two forms of badness. It also comes with the objective of producing the bigger *maslahah* between two forms of *maslahah* by voiding the smaller *maslahah* and preventing the bigger harm by bearing the smaller harm (Ibn-Taimiyyah, t.h., 20: 48).

Maqasid syariah also does not escape from the two aspects which are producing *maslahah* or preventing harm. Performance of an action is related to effect and consequence from the action whether it will bring benefit or prevent harm. It involves three possibilities which are first producing strong *maslahah*. Second, preventing strong harm. Third, vanishing the stronger harm. Prevention highlights on avoiding something that will happen meanwhile vanishing focuses on removal of something that has happened. If the reaction of these two causes is related to three possibilities of effect and consequence above, it will produce 12 methods. Among those important are:

- a. Voiding of weaker *maslahah* for priority of the stronger *maslahah*.

It is a void of weaker *maslahah* bound to a certain situation. For example, in field of worship act, *azan* and *iqamah* (call for prayer) must be abandoned to chase for *maslahah* of

performing prayer in its period, if the available time could not bear the need of the *azan* and *iqamah* (al-Din, 1991.1: 62-63).

b. Voiding of a certain *maslahah* due to prevention of the stronger harm.

In Islamic laws, it is commanded to prevent harm even by abandoning obligatory action, if it is the only way of preventing the involved harm (al-Qarafi, 1998.2: 223). For example, abandoning loud Quranic recitation in prayer in the beginning of Islam, because when the infidels of Mekah heard Muslim reciting al-Quran, they will insult the God who revealed al-Quran and the angel who brought down the revelation.

c. Voiding of a certain *maslahah* for prevention of the stronger harm.

For example, the caliph Uthman bin Affan performed prayer with the public without doing *qasar* during performance of pilgrimage in year 29H, to remove false belief performed by certain people at home and their dwellings that prayer during pilgrimage should only be performed in two rakaats only in Mina (al-Syatibi, 1992. 1: 510; Ibn-al-Arabi, 1999: 78-80).

d. Voiding of caring for a certain *maslahah* for priority of the stronger *maslahah*.

For example, Companions of Rasulullah dared to leave their wealth and home in Mekah to chase the *maslahah* of performing *hijrah* and the result that could strengthen the position of Allah's religion in Madinah and the newly built nation there (al-Uthmani, 2015: 57).

e. Making harm for priority of the bigger *maslahah*.

For example, Rasulullah SAW damaged the enemy's properties by objective of weakening them and as a preparation for achieving victory in fight against them such as cutting date trees owned by *Bani Nadir* Jews in war against *Bani al-Nadir* (al-Uthmani, 2015: 58).

f. Preserving damage for prevention of the bigger harm.

For example, Rasulullah SAW did not damage idols of 360 of them in Mekah during his preaching in Mekah, indeed he performed circumbulation in Kaabah when Kaabah was surrounded by the idols. This is because by destructing them at that time, Arabs would ask all tribes of Arab to resist Prophet SAW's preaching (al-Uthmani, 2015: 60).

Prevention of Covid-19 by Authorities in Malaysia

Beginning in the middle of March 2020, authorities in Malaysia have performed efforts of prevention for covid-19 seriously to avoid the outbreak from spreading at large among the citizens and causing many casualties to happen among them. Among the efforts done by them are:

a. Instruction of Washing Hands with Soap or Sanitiser

Everyone is encouraged to wash hands either with soap or sanitiser. The urge of washing hands with soap is at least 20 seconds in each wash. Washing hands is urged to perform especially after coughing, sneezing, before and after going to latrine, before meal and mela preparation. In facing with goods bought by someone from country of China, he can use tissue wet with *handtizer* lotion or soap, then the newly arrived goods is wiped with the wet tissue. Through that, the goods is already sanitised or disinfected.

Methods of hand washing can be done through several steps. First, clasping both palms and then scrubbing. Second, the right palm is clasped on the dorsum of the left hand crossed and then scrubbing. Third, clasping both palms with crossed fingers then scrubbing. Fourth, clenching fingers of the left hand by using the right hand palm. Then scrubbing the dorsum part, knuckles and the left hand fingers. Then, repeating the same step to the right hand. Fifth, scrubbing around the left hand thumb by the right hand fist and vice versa. Sixth, shrinking the fingers of right hand on the left hand palm and scrubbing it in circle forward and backward. The same step can be repeated to the right hand. Seventh, scrubbing in circle at the left hand wrist. Then repeating the same step for the right hand (Kementerian Kesihatan Malaysia, 2020).

Committee of National Fatwa Council for Islamic Religious Affairs Malaysia discussing issue of alcohol in food, beverage, fragrance and medicine on 14 until 16 July 2011 had agreed to decide as follows:

- a. Every liquor contains alcohol. However, not all alcohol are liquor. Alcohol obtained from liquor manufacturing process, its status is prohibited and impure.
- b. Meanwhile alcohol obtained not through liquor manufacturing process its status is not impure, but *haram* (forbidden) for drink in its original form as it is poisonous and lethal.
- c. Soft drink processed/manufactured not of liquor production purpose and contains alcohol below level of 1% v/v is *harus* (permitted) for drink.
- d. Meanwhile soft drink made of intention and same methods as liquor manufacturing process, either containing much or few alcohol or its alcohol is distilled is *haram* for drink.
- e. Food or beverage containing alcohol naturally such as fruits, nuts or grains and its extract, or the contained alcohol occurs as a side product during food or beverage manufacturing process are not impure and *harus* (permitted) for drink/meal.
- f. Food or beverage containing flavour or colouring containing alcohol for stabilising purpose is *harus* (permitted) for use if the alcohol is not produced from liquor manufacturing process and the quantity of alcohol in the end product does not intoxicate and the alcohol rate does not exceed 0.5%.
- g. Medicine and perfume containing alcohol as solvent is not impure and permitted for use if the alcohol is not obtained through liquor manufacturing process.
- h. For use of gelatin, pepsin, and rennet, those substances can be used if there is no doubted and impure element (JAKIM, 2020: 187).

b. Instruction to Perform Social Distancing among the Citizens when They are Outside and Wearing of Face Mask

Malaysian Authorities instructed that any person who needs to come out from home to buy daily needs such as rice, oil, kitchen needs and others, must distance more than 1 metre with

other buyers when in shopping mall or grocery shop. This aims to prevent transmission to those involved as transmission could occur through sneezing and others. Virus will exit somebody that contracts signs and symptoms of COVID-19.

Other than that, while going out, it is a must to always bring together mouth and nose cover and hand cleanser which is the hand sanitizer. Cover mouth and nose when coughing and sneezing with tissue. Used tissue must be disposed into dustbin. Wear mouth and nose cover while having to contact and interact with other people. It is not encouraged to shake hand with patient or person having symptoms of COVID-19 disease (<https://muftiwp.gov.my,2020>).

c. Instruction of not Going Out to Public Gathering

Malaysian Authorities instructed that everyone should not go out to public gathering as possibility of contracting COVID-19 infection is very high, while it is not known who among them have contracted the outbreak. Moreover to those who are recognized to have symptoms such as cough, flu, sore throat and others. It is regardless of whether they are children, adults or elders.

In Malaysia, the Government decided to execute Movement Control Order, beginning 18 March 2020, until 31 March 2020, throughout the whole country. This control order was implemented under Act of Prevention and Control of Contagious Disease 1988 and Act of Cop 1967. This Movement Control Order encompassed, among them:

- i. Comprehensive prohibition of movement and mass gathering throughout the whole country including religious, sports, social and cultural activities. To enforce this prohibition, all places of worship and business premises must be shut down, except malls, public markets, grocery shops and department store selling daily needs. Particularly for Muslim people, postponement of all religious activities in Mosque and *surau* including Jumaat Prayer is in alignment with decision in Special Muzakarah Committee Meeting conferring on 15 Mac 2020.
- ii. Shutting down of all kindergartens, governmental and private school, boarding school, international school, tahfiz centre and other primary, secondary and pre-university educational institution;
- iii. Shutting down of all public and private higher educational institution (IPT) and skill training institutes throughout the whole country (<https://www.pmo.gov.my, 2020>).

The mentioned places above are places of community meeting and potential of becoming location of COVID-19 outbreak transmission at large, if not shut down.

On account of that, Malaysian Authorities followed the steps of several world fatwa agency who produced fatwa regarding with postponement of congregational and Jumaat prayer at Mosque to avoid large scale assembly that in turn could become a platform for COVID-19 outbreak transmission, as before that many of those who involved with Tabligh Cluster in Seri Petaling had been infected by the disease when they gathered in a large program held by the Cluster in early year 2020 (<https://muftiwp.gov.my,2020>).

d. Instruction of Staying at Home

Authorities in Malaysia instructed all citizens to stay at home during the execution of Movement Control Order. Moreover, National Lawyer Office had published Federal Governmental Gazette which is the Rules of Prevention and Control of Contagious Disease (Measures in Infection Local Area) 2020 effective from today until 31 Mac 2020. According to rules announced by Minister of Health, nobody can move from a place to another in any area of infection except for performance of official task and move to or from any premises mentioned in dire services.

Under article of movement and gathering control also, allowed movements are only for buying, supplying or delivering food and daily needs, getting healthcare or medical services or other special intention as allowed by Chief Director of Health.

Besides that, nobody can gather or involve in any gathering in any infection local area either for religious, sports, recreational, social and cultural purpose. However, anyone can gather or involve in an assembly for burial ceremony under condition that the number of people present at the ceremony must be at minimal level (Zanariah, 2020).

More than 210 countries in the world today are in unpredictable and shaking threat. This is complicated more by incapability of system and tested health technology advancement, which more or less affect social, economic, market, commodity, industry, production and distribution system until all become expensive and thrilling. In global era, human mobility is vigorous. Virus transfer between human becomes easier even though it is only through handshake or inhaling of dispersed sneeze or cough droplets. Covid-19 virus attack makes everyone think of seeking the safest place. The safest place is their own home. That is why safety campaign for prevention of Covid-19 virus outbreak is to stay at home (Abidinsyah, 2020).

e. Instruction of Instant Action to Hospital or Health Centre when There are Symptoms of Covid-19

Malaysian Authority instructed that anybody who has symptoms of respiratory tract infection, fever, cough and others, he is advised to instantly reach nearest hospital or health centre for screening. If he is tested positive of Covid-19 and admitted into ward, he must follow all doctor's instructions in the aspect of medicational administration and place of quarantine.

Prevention of covid-19 Seen from Fiqh al-Ma'al Perspective

Looking at the instructions announced by authorities in Malaysia in the efforts of breaking covid-19 chain, it highly complies with *fiqh al-ma'al*.

- a. Instruction to always wash hands with soap and applying sanitizer is to avoid the risk of harm in form of viral infection to others. This is because covid-19 virus can stand a few hours on human's hand and body. When someone scratches his hands onto the eye, nose or mouth part, he can cause the viral infection to enter the body involved through the mention organs. From *maslahah* aspect, it can help to stop the spread of disease among family members. This is because when one of the family members is infected with the virus, it can lead to all family members and people related to the individuals to be checked and quarantined. With that, people' health can be preserved

at maximal level. Healthy people will produce healthy and safe country and influence the development of encouraging economy.

- b. Instruction to perform social distancing and wearing face mask while going out is to implement *maslahah* ensuring that people who go out to market or shops to get daily needs will not be infected by covid-19 virus. As explained previously, infection of covid-19 virus can happen through sneezing and others. Virus will come out from someone who shows symptoms of COVID-19. If this virus spreads to someone especially who has chronic illnesses, it could lead to risk of death to those related. With that, the above instruction could reduce casualties to those who have chronic illnesses.
- c. Instruction of not going out to public gathering places to avoid larger harm compared to *maslahah* to be achieved, would prevent possibility of getting COVID-19 infection as the infection could happen very easily, as it is unknown who among them who gets the outbreak. Moreover to people recognised of having symptoms such as cough, flu, sore throat and others. This is regardless of whether they are children, adults or the elders. Public gathering places either places of worship or not become potential places for more rapid and wide transmission of covid-19. It is undeniable that going out to gathering places to succeed a certain activity contains *maslahah* but the harm arising from it due to possibility of contracting covid-19 virus infection is the greater harm. Countries involving citizens getting covid infection in big number usually will stunt tourism industry, as tourists would not visit unsafe countries for their health.
- d. Instruction of staying at home aims to realise restriction to transmission of covid-19 infection among the people. It brings great *maslahah* to the people for taking care of their health and avoiding harm of death in large scale among them. With that, along movement control order, nobody can move from a place to another in any infection area except for execution of official tasks and movement to and from any premises mentioned in dire services. It is undeniable that not going out is harm but it is still only a small harm compared to harm of going out as it invites larger harm. Possibility of contracting covid-19 virus infection is not impossible. When many of people who get covid-19 disease, it also raises government expenditure to buy treatment equipment, medicine and employment of expertises in a large scale in a certain time for intensive treatment work.
- e. Instruction of going to hospital for individuals who have symptoms of covid-19 virus infection to ensure those who involve will get immediate treatment and avoid death among public community. Moreover, casualties due to covid-19 virus infection in United States of America and European countries are so colossal for the meantime. Getting early treatment in usual will save patients' lives, compared to after worsening of condition then attempting to get treatment in hospital or treatment centres. Moreover, death among the people could cause country to lose potential workforce that can be employed for country's development in various sectors.

Conclusion

Efforts for prevention covid-19 transmission by Malaysian authorities abide by *fiqh al-ma'al* concept looking at the effects and consequences due to an action or law being implemented in reality. It is not silent from prioritising *maslahah* or avoiding harm. It also sometimes prioritises larger *maslahah* between two forms of *maslahah* and sometimes could also avoid larger harm between two forms of harms. Efforts implemented by Malaysian authorities in

attempts of constraining covid-19 spread can avoid larger between two forms of harms. For example, inability of going out from home and having to stay at home during movement control order is a form of harm but looking at the bad effects and consequences if somebody goes out from home and contract covid-19 virus infection and the risks that he will get due to the infection that will also befall upon children and family members, it clearly indicates larger harm. Efforts of Malaysian authorities of not permitting people from gathering at a large scale or going to public gathering places is a form of harm to daily movement of people to get their needs, but at the same time it can produce healthy people is a form of larger *masalah* compared to harm of not gathering or going to the public gathering places. It also goes to the instruction that people should wash hands with sanitizer and wear mouth cover to avoid infection among them in wider scale in exact.

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