

Islamic Ethics in Medical Device Business During The Covid-19 Pandemic

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ABSTRACT

This study aims to examine ethical values from the point of view of Islamic religious teachings in the medical device business during the COVID-19 pandemic. In this case, three major discussions were carried out, namely reviewing Islamic ethical standards in business in a special situation, describing medical device business practices that are not by Islamic ethics in reality, and Islamic criticism of these practices. The results of the study explain that there are violations that are not by Islamic business ethics in the medical device business during this pandemic. And there is a proposed solution to overcome this, namely, the related producers better collaborate with the government so that distribution in the market is more secure. And the government is also expected to maintain confidence in managing the needs of the community in a crisis like this. As is done in the United States by giving production rights to private entrepreneurs, distribution is determined by the government to maintain prices and distribute evenly to the community.

Keywords: Islamic Ethics, Medical Device, Business, Covid-19 Pandemic

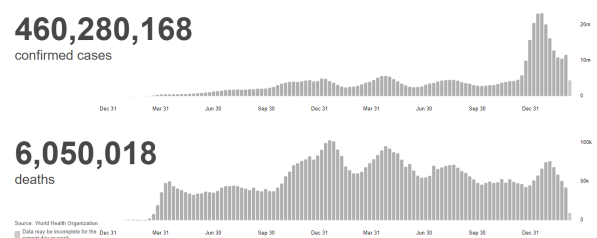
INTRODUCTION

In December 2019, an unknown case of pneumonia was found in the Wuhan area, Hubei Province, People's Republic of China. This categorization is not just a mention, because there are similarities in clinical characteristics between this unknown virus and pneumonia. And after being tested by the PRC disease control center through respiratory samples, it was stated that this new disease was caused by novel coronavirus pneumonia (NCP). Hence the name 2019 novel coronavirus (2019-nCoV). (Huang et al., 2020). Although officially WHO (World Health Organization: World Health Organization) named this disease coronavirus disease 2019 or better known as covid-19. (Wang et al., 2020) WHO also declared this outbreak a global health emergency caused by the acute respiratory syndrome caused by Coronavirus (SARS-CoV-2: Severe Acute Respiratory Syndromes Coronavirus 2) and Middle Eastern Respiratory Syndrome Coronavirus (MERS-

CoV). Which at that time was proven to have a high level of infectivity even though the mortality rate was low. (Liu et al., 2020) Due to its high level of infectivity, this virus spread rapidly throughout the world in a short time, including in Indonesia. And it was confirmed on March 2, 2020, that this virus first entered Indonesia and infected two people who live in Depok. (Sukmana & Yuniarti, 2020)

Regarding the website of the world health organization, it is known that on 16 March 2022, the cases of COVID-19 in the global situation reach 460,28 million cases with the death toll reaching 6.05 million.

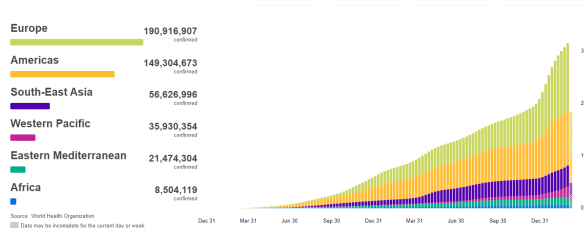
Figure 1. World Covid-19 Cases



Source: WHO Coronavirus (COVID-19) Dashboard

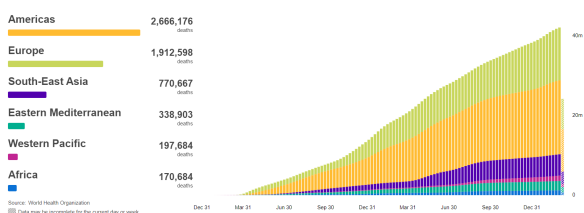
The division of cases per continent is quite diverse. There are 190 million confirmed cases in Europe, which is the largest case in the world with 2.6 million deaths. Compiled to the Americas, the number of cases of the spread of COVID-19 reached 149.3 million with a death toll of 1.9 million. And the smallest confirmed case of COVID-19 on the African continent, was only 8.5 million.(WHO, 2022).

Figure 2. Cases of the Spread of COVID-19 in Various Continents



Source: WHO Coronavirus (COVID-19) Dashboard

Figure 3. Death of the Spread of COVID-19 in Various Continents



Source: WHO Coronavirus (COVID-19) Dashboard

As a result of the spread of this virus, the world economy is disrupted, especially in Asian countries which are still in the process of development. Although, there has been considerable economic damage due to the spread of this virus in these countries.(ADB, 2020) Such as Indonesia, it is known that the value of Indonesia's real GDP fell by 3% year-on-year (YoY) in Q1 2020. The previous one was quite good, namely 5% year-on-year (YoY) in Q4 2019 (World Bank). Furthermore, the rupiah exchange rate also weakened against the US dollar, that is Rp. 16,575 per US dollar on March 23, 2020. A weaker value than the financial crisis that hit Asian countries in 1998. In addition, the Indonesian stock exchange (IDX) also experienced a significant decrease. It can be seen from the composite stock price index (JCI), which was previously stable at around 6200 in January

2020, and fell to 4000 at the end of March 2020. Although it rebounded in April 2020 to the point of 4500, the increase had not yet reached its starting point in the previous months.(Sukmana & Yuniarti, 2020) So, Indonesia is in a state of crisis, and it could have caused social and political problems as happened in 1998. Although the causes of the crisis in 1998 and 2020 were different. Where in 2020, the cause is health problems. And if left unchecked, it can have an impact on the real economy on a large scale.

Damage to the real economic sector is not only caused by limited access. However, political and social saturation can have an impact on the destruction of human character in the economy. Because this pandemic has had an impact on many aspects of people's lives, including workers. Not a few workers have been laid off because of the pandemic.(Romlah, 2020) So that there is a decrease in welfare in the community.(Kurniasih, 2020) This can provoke the breakdown of social and moral order. Because hunger makes many people despair so they can justify any means to meet their needs.(Dan & Gerbang, 2017) There are even people who, without this pandemic, are already short-sighted and take advantage of society's difficulties.

RESEARCH METHODOLOGY

To obtain relevant information and data in this study, the authors used the literature review method. This method is used to collect all data related to the discussion from secondary sources such as books, journal articles, website documents, and so on. Through this method, an overview of the source being explored can be presented properly and demonstrates the suitability of the study being analyzed with other similar major topics.(Helmericks et al., 1991; Ramdhani et al., 2014) This is the author's consideration in using this method. Because in building analysis in a study, collective evidence is needed to achieve high accuracy. And for this kind of study, the literature

review method is a suitable tool to use. Because this method is a useful analytical tool for collecting data and previous research and synthesizing it for further research needs. (Snyder, 2019).

DISCUSSION

Business Principles in Islam

Business principles in Islam are applied based on the guidance of the Qur'an and As-Sunnah, in other words, according to the teachings of the Prophet Muhammad (Madjid, 2018). Where these principles are based on human values and exist to overcome problems between human beings (Amirul and Imam Hardjanto, 2009). Islam teaches good-oriented business procedures and has several limitations, such as the prohibition of hoarding goods, the prohibition of monopolistic trade practices, and the prohibition of trading goods that are forbidden by Allah SWT (Saifullah, 2011). In addition, Holland compiled guidelines for doing business that is adapted to Islamic teachings, as follows: (Holland, 1980).

1. Perfect in weighing, as ordered by Allah SWT. in QS. Al-Muthaffifin verses 1 to 3, read; "(1) Woe to the defrauders! (2) Those who take full measure 'when they buy' from people, (3) but give less when they measure or weigh for buyers".
2. Prohibition of hoarding merchandise or resources when there is a shortage that causes prices to rise brutally and make people suffer.
3. Not doing business on products that are haram or illegal according to the country, including transactions that contain elements of riba and the like.

Economic Shocks and Market Crashes in a Time of Pandemic

During the Covid-19 pandemic, countries around the world experienced economic problems. This pandemic caused a severe global economic recession, even considered

to be bigger than the 2008 global economic crisis. (Gopinath, 2020) Including Indonesia as the main discussion in this paper. Referring to the quarterly reports for 2020, the Indonesian economy is in an unstable condition. According to a report published by the Central Statistics Agency (2020), the Indonesian economy based on the amount of Gross Domestic Product (GDP) based on current prices in the first quarter of 2020 reached IDR 3,922.6 trillion and based on constant prices in 2010 reached IDR 2,703.1 trillion. The Indonesian economy in the first quarter of 2020 compared to the first quarter of 2019 grew by 2.97 percent (year-on-year). This figure is considered slow compared to the achievement of the first quarter of 2019 which was 5.07 percent. In terms of production, the highest growth was achieved by the Financial Services and Insurance Business Field at 10.67 percent. In terms of spending, the highest growth was achieved by the Government Consumption Expenditure Component (PKP) of 3.74 percent. In addition, there was a contraction in several business fields on a large scale. This triggers a decrease in production in other business fields. Although it is known that the government is pushing massive spending intending to help the community, the economic cycle is still very much centered on the islands of Java and Sumatra. This pandemic has also caused sudden changes in the financial structure of the country. As a quick measure to deal with the pandemic, the government increased the financial contraction from the expenditure side by 6.44% in the Consumption Expenditure Component that Serves Nonprofit Households (PK-LNPRT). Although the spatial structure of economic growth is still centered on the island of Java, which reaches 58.55%.

The government's efforts in dealing with economic problems amid this pandemic have been quite large. But still, there are some ethical violations in doing business in these difficult times. First, there are cases of drastic price increases for masks and hand sanitizers

at the beginning of the spread of the pandemic in Indonesia. It was recorded that on March 2, 2020, the price of masks reached Rp. 850 thousand per box for the Nexcare brand, Rp. 450 thousand for the Sensi brand, and Rp. 400 thousand for the Accurate brand. But what was most surprising was the response of the minister of trade, Agus Suparmanto at that time who considered the increase in mask prices to be an ordinary supply and demand event. (Tri, 2020) Whereas at that time there was damage in the market due to hoarding. Even the government has received criticism from the Indonesian Consumers Foundation (YLKI) for not addressing issues such as hoarding masks. Due to the delay in the response, YLKI acted directly by asking the police to investigate this matter. And it has been proven, that there is illegal hoarding and production of masks in North Jakarta carried out by PT. Uno Mitra Persada and PT. Unotec Mega Persada. (Bustomi, 2020) It proves the existence of a business mafia that is destroying the market amid a pandemic. It even makes people suffer in difficult times. This does not rule out the possibility of similar practices being carried out elsewhere. And the practice of hoarding like this is very much against the teachings of Islam, even the concept of ethics in general.

Islamic Criticism of Ethical Violations in Business in a Time of Pandemic

Contextually, Islam prohibits the practice of hoarding like this, better known as *ihtikar* in Islam. As narrated by Said bin Musayyab, Ma'mar said, Rasulullah saw. said; "Whoever hoards goods, then he is a sinner" (Al-Muslim). (Al-Muslim, n.d.) And the madzhab scholars agreed to forbid this kind of practice because it is considered and proven to be detrimental to the state and the general public in need. (Zaini, 2018) Especially during a pandemic, when everyone needs it. Indeed, the state is in a state of threat, and many people feel the need to prepare themselves. However, buying masks, hand sanitizers, and

even food in excess can make other people suffer, especially the lower middle class who cannot buy food in large quantities at once. Panic buying or the act of buying excessively due to personal panic is an act that will damage the market. And the actions of producers and suppliers who take advantage of this situation, such as increasing prices.

Leung et al. also noted, that due to excessive panic in the face of the covid pandemic, the demand for masks and hand sanitizers has increased, so some parties stockpile toilet tissue products in the world, especially in the western world. The impact of this incident is an increase in negative sentiment and damage to the mental health of the community. (Leung et al., 2021) It can be concluded that parties who take advantage of this condition for personal gains, such as limiting production and causing good prices, even buying a product that is needed in large quantities to be resold at a high price such as masks, is a bad act that harms the public.

This practice is strongly opposed and criticized by the teachings of Islam. Because of the difficult conditions of society and many people in need. Some people take advantage of the conditions by deliberately limiting the circulation of goods to wait for price increases. Islam views this kind of behavior as unfair and manipulative, especially in the current conditions. It can even be said that this action is something vanity because it is classified as eating other people's property with vanity. Allah SWT. forbids this act in the QS. An-Nisa verse 29; "O believers! Do not devour one another's wealth illegally, but rather trade by mutual consent. And do not kill 'each other or' yourselves. Surely Allah is ever Merciful to you".

As stated by Hasan that this type of hoarding practice is good under normal conditions and especially in a pandemic condition like this is a bad act and is against the teachings of Islam. (Hasan, 2020) Because in doing business, Islam teaches that one must adhere to five basic ethical principles, namely;

1. The principle of unity requires people to care for one another and to use business as a means of friendship. And this is the basic ethics for someone running a business.(Aziz, 2013)
2. The principle of justice, is based on the horizontal relationship in Islamic teachings between humans and God. But it will have an impact on humans and the universe itself.
3. The principle of free will as previously stated in QS. An-Nisa verse 29 that humans must do business on a consensual basis. There can be no coercion. That is, humans are given freedom of will. Meanwhile, in the context of this pandemic, although it is a personal encouragement, people are pressured and forced to have masks, hand sanitizers, and other equipment. This means that people are forced to follow all protocols. So hopefully no one will take the opportunity badly to take advantage of society's misery in this business.
4. The principle of responsibility is that apart from being held by fellow human beings, the government should be able to help the community face this problem. An example of an astonishing case is the case of a vaccine at a cost. Even though the government intends to help people get vaccinated easily, it is unethical for the government to charge for the vaccine at home and free the vaccine in public. This invites controversy over the division of caste in society which is republican, one flavor at one time. Even though this business does not violate Islamic ethics and principles, in a state of urgency like this the government is not allowed to carry out this practice. And it is better to issue policies that have more value in a full moral responsibility to the community.
5. The principle of truth that is not contrary to the teachings of Islam. That is, in any emergency, medicines and medical devices must come from materials permitted by Islamic teachings. Especially

in Indonesia, where the majority of the people are Muslims. So, medicines, medical devices, vaccines, and so on must be guaranteed to be halal and safe for the community.

CLOSING

Unhealthy business practices occur brutally during this pandemic. This is triggered by the pressure felt by the community because of this pandemic. Even though, there are people who take advantage of this situation for their interests. But Islam strictly prohibits any business practices that are detrimental to society. The kind of hoarding of community needs during a pandemic such as masks, hand sanitizers, toilet paper, and so on. Moreover, due to these actions, public sentiment towards all things related to the pandemic. This will trigger damage to the social and social fabric and erode people's trust in the government. Especially when there is a declaration of vaccination from home at a cost. Even though this is a government effort to find a solution to the spread of COVID-19. However, this is not a suitable step in the current conditions.

Moreover, vaccination is done publicly and in the open. This can trigger unnoticed spread before the vaccine is injected. And a brilliant idea if a vaccination program is held in their respective homes. However, the public should be exempt from fees. Even if you want to ask for the costs to be borne by the community, only the shipping costs are enough. Because public health is the responsibility of the government. And a sale of this kind is an obligation to violate the responsibility as a government to society and is not in line with Islamic business ethics. As the free vaccine is carried out in public places. The government should also be able to implement it even though it is held at home. And entrepreneurs who do business in the field of medical devices are expected not to take advantage of excessive opportunities. Because this is a global crisis that occurs among people. With this, hoarding or playing

with excessive market prices on medical devices, drugs, and even vaccines for COVID-19 is a violation of ethics in business and is against Islamic teachings. And a practical solution at this time, the producers concerned better collaborate with the government so that distribution in the market is more secure. And the government is also expected to maintain confidence in managing the needs of the community in a crisis like this. As is done in the United States by giving production rights to private entrepreneurs, distribution is determined by the government to maintain prices and distribute evenly to the community. (Krishna, 2020)

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