



LETTER

LETTER | How we can avoid confusion over SOPs

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LETTER | A lot has already been said and discussed about the inconsistency and confusion over the standard operating procedures (SOP) since “total lockdown” was implemented on June 1. Starting after the announcement, confusion arose over the type of document that is allowed to pass through roadblocks and which authority can grant such permission.

The government has also backtracked on previous directive to cordon off sections in stores and hypermarkets that are selling “non-essential” items.

It was eventually explained that the earlier SOP was to limit people from going to the stores and to avoid crowds. But if the people are already there for grocery shopping, what is the rationale for barring them from purchasing items such as hair dye?

More troubling to the average Siti, Chong, and Muthu, are the compounds or fines that have been given out for reasons such as jogging at public parks, for failing to update health status on MySejahtera, or to restaurant workers who are simply taking a lunch break. With some of these fines cancelled, there is no doubt that confusion abounds.

All these strict measures are, of course, important to warn the public that the government is taking the curbing of this pandemic seriously. Yet, as mentioned earlier, a lot has been written on this subject, especially on public perception of double standard in enforcing these SOPs. This perception, true or otherwise, has a correlation with the failure of SOPs to curb Covid-19 within our community.

Rather than choosing to simply slap fines (or not) on SOP violators, it is more important to do some soul-searching and to really understand the objectives of such fines.

In September last year, the prime minister mentioned *Maqasid Syariah*, or the objectives of Syariah, in explaining to the public the need to balance between protection of religion (*hifz al-din*) and protection of lives (*hifz al-nafs*). It was a good reference point for the government, and these objectives should also be the guide today.

The objective of the current SOPs, without a doubt, is in line with the higher purpose of Syariah to protect lives. However, if the SOPs and fines have been proven to be less than effective, they can then be considered to have failed in achieving the objective.

When the authorities are deciding on when and where to put their foot down regarding SOP violators, they should consider the overall objective of such actions.



What is the purpose of forbidding cyclists from exercising alone? Can one cyclist going around her, or his, neighbourhood affect the overall health of the community? How does allowing schools to continue online but forbidding IT shops from operating achieve the *Maqasid* of *hifz al-'aql*, or protection of intellect? Giving a fine to a roadside hawker who is cleaning up (with no customer in sight) fulfils which objective?

Now, before one is to argue that the same principle should apply to celebrities and politicians who are caught violating SOPs, there is a need to understand the concept of *Maqasid*, which is for the protection of the entire community.

When a celebrity or politician is perceived to have been let go with just a warning, it causes frustration and anger among average Malaysians. This frustration is the cause for more people trying their luck to beat the system. If one completely understands *Maqasid*, these people who can influence others are the first to be fined in order to avoid fitna, or social unrest.

Is this the same as a double standard? No, it is called justice. These well-known individuals can pay RM10,000 without blinking an eye, but a 22-

year-old graduate who cannot find a job during this challenging time does not even have RM1,000, to begin with. Justice, a word that is mentioned 22 times in the Quran, is about context. So is Maqasid Syariah.

Does it make it much more difficult to implement the SOPs? Without a doubt, yes. That is why it is so much easier for most governments to simply paint a black-and-white picture - this is wrong, that is right. But this is far from just. If the government is to heed the prime minister's call for Maqasid to be a guide in implementing SOPs, then perhaps the SOPs will no longer be as confusing to the people and the authorities involved.

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