

EXCLUSIVE BREASTFEEDING IN PREVENTING STUNTING BASED ON MAKASSAR CITY REGIONAL REGULATION NUMBER 3 OF 2016 ON MAQĀSHID AL-SYARĪ'AH PERSPECTIVE (CASE STUDY OF MAKASSAR HAJI HOSPITAL AND PUBLIC HEALTH CENTER OF TAMALATE)

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Abstract: This study deals with *Maqashid Syariah* examining Makassar City Regional Regulation No. 3 of 2016 concerning providing Exclusive Breastfeeding to prevent stunting. This study used field research with descriptive research and qualitative research methods. The source of data in this study was field data in the form of interviews with the Head of the public health center or hospital, midwives, breastfeeding counselors, and mothers who have babies. Furthermore, the data collection methods used observation, interviews, and documentation. Then, techniques processing and data analysis were carried out through three stages: data reduction, data presentation, and conclusion. The results showed that the method of exclusive breastfeeding in preventing stunting started with the mother consuming healthy food before and during pregnancy. The implementation of the Makassar City Regional Regulation Number 3 of 2016 concerning exclusive breastfeeding in preventing stunting at the Tamalate Health Center has been carried out well. Exclusive breastfeeding contains *maqāshid arūriyyah*; it refers to maintaining religion (*al-dīn*), soul (*al-nafs*), mind (*al-'aql*), descendant (*al-nasab*), and property (*al-māl*). Based on the contents of the Makassar City Regional Regulation No. 3 of 2016, the researchers found the existence of *maqāshid arūriyyah*, especially *arūriyatul khoms*.

Keywords: *Maqashid Syariah*; Exclusive Breastfeeding; Stunting

INTRODUCTION

Marriage in Islam is something sacred. The purpose of marriage is to worship and create the next generation with good quality in terms of spiritual, physical, and intellectual. The development of children is significant for parents because the parents' responsibility when a child is born is to provide for their needs by granting

a living in the form of clothing, food, and other needs. One of the obligations of a mother is to breastfeed her baby as long as there is no medical barrier to direct breastfeeding. So giving birth is a crucial time for mothers because, at that time, a mother needs much support from the people around her, especially her husband, to breastfeed her baby, who truly needs complete nutrition for growth. Mothers give exclusive breastfeeding from the baby's first day until the next six months.

Breastfeeding in Islam is called *al-riḍā'* or *al-raḍā'ah* from the verb *raḍo'a-yarḍa'u*, which means to drink milk from a woman's breast.¹ Breast Milk (ASI) is a mixture of fat, lactose, and organic salts in a protein solution secreted by the two breast glands, which are helpful as the primary nutrition for babies. At the same time, the meaning of exclusive in The Great Indonesian Dictionary (KBBI) is separate from others or unique. If the two words are combined, the meaning is that exclusive breastfeeding specializes the breast milk in providing nutrition to babies. Breast milk does not add other liquids such as infant formula, honey, water, oranges, and tea; also, no other foods such as fruits, biscuits, or steamed rice for six months.²

Breast milk is the best nutrition for a newborn because it contains many substances or fluids that a baby needs and may not be found in any other food or drink; even the most expensive infant formula cannot be compared to it.

A woman carries out the breastfeeding process, especially for a mother to her baby, because it is an obligation from Allah the Almighty. A mother is obliged to fulfill food intake for her baby. Those times are crucial for a baby's growth and development, often termed the golden age. The golden age is the golden period, so the nutrition supplied must be the finest. Allah the Almighty orders a mother through His word in QS Al-Baqarah/2: 233.

As'di, as one interpretation scholar in his commentation, stated that even though the narration of the verse was in the form of *khobar* (notification), it also contained the command of Allah the Almighty.³ Let a mother keep providing the best nutrition for her baby because it worships Allah the Almighty as her obedience to the command.

Breastfeeding for two years for babies has its reason. As mentioned in the previous paragraph, Islamic teachings concern infant nutrition. For two years, breastfeeding has been proven in medical science to make babies healthier and prevent growth problems.

Besides being a form of obedience or worship, breastfeeding shows a mother's love for her baby. Because breast milk contains colostrum, the first liquid that comes out after giving birth, it is yellow and an antidote to toxins. It is dignified for newborns, especially for the immune system and protection against allergic and infectious diseases.

¹Ibrahim Madkur, *Mu'jam al-Wasīṭ* (5th ed; Mesir: Maktabah Syurūq al-Dauliyyah, 2011), p. 363.

²Rudi Haryono, and Sulis Satianingsi, *Manfaat Asi Eksklusif Untuk Buah Hati Anda* (Yogyakarta: Gosyen Publishing, 2014), p. 4.

³Abd al-Raḥmān ibn Nāṣir ibn 'Abdillāh al-Sa'dī, *Taisīr al-Karīm al-Raḥmān fi Tafsīr Kalām al-Manān* (1st ed; Bairūt: Muassasatu al-Risālah, 2000), p. 104.

EXCLUSIVE BREASTFEEDING IN PREVENTING STUNTING BASED ON MAKASSAR CITY REGIONAL REGULATION NUMBER 3 OF 2016 ON MAQĀSID AL-SYARĪAH PERSPECTIVE (CASE STUDY OF MAKASSAR HAJI HOSPITAL AND PUBLIC HEALTH CENTER OF TAMALATE)

In reality, the rate of exclusive breastfeeding in Indonesia still does not meet the World Health Organization (WHO) standards, with the target of 80 percent. In 2021, the Ministry of Health (Kemenkes) reported that 71.58 percent of newborns aged 0-5 months were exclusively breastfed. This statistic is higher than the previous year's result of 69.62 percent. However, the percentage of mothers who breastfeed exclusively is still lower than the national average in most regions in Indonesia. The province with the lowest proportion is Gorontalo which is only 52.75 percent. Central Kalimantan and North Sumatra are in second and third place, with 55.98 percent and 57.83 percent, respectively.⁴

Exclusive breastfeeding for newborns benefits their growth and development. However, many mothers do not give exclusive breastfeeding to their children for various reasons, so the exclusive breastfeeding range is not achieved. There is various condition for mothers in breastfeeding their children; some work outside and inside their house. Background or knowledge about exclusive breastfeeding from the mother herself also affects the process of exclusive breastfeeding. Some mothers who are active outside the house continue to give exclusive breastfeeding by pumping their breast milk.

Based on Rosdiana Syakur's research results, there is a relationship between work and breastfeeding. The respondents studied are primarily busy working mothers, so they do not have time to participate in counseling activities and ignore information or messages from the health workers about the importance of giving exclusive breastfeeding.⁵

Many factors cause the low rate of exclusive breastfeeding. The factors are socio-cultural, lack of knowledge about the importance of exclusive breastfeeding, health workers who have not fully supported the exclusive breastfeeding program, continuous promotion of infant formula, and lack of community support, including institutions that employ breastfeeding mothers. These factors cause the low use of exclusive breastfeeding in Indonesia. Another problem is environmental pressure and lack of family support.

Some women do not understand and believe their children will sleep comfy if fed. Despite the lack of relevance, many people believe this. Since a baby's digestive system is not ready yet, she/he must work harder to process and break the food. The baby's digestive system is not infallible; sometimes, it makes them cry constantly. The crying toddler is considered not full yet. However, crying is not just a sign of hunger. It could happen because of a wet diaper, flatulence, colic, etc.

⁴"Cakupan Pemberian ASI Eksklusif di 20 Provinsi ini Masih Dibawah Nasional", *Situs Katadata*, <https://databoks.katadata.co.id/datapublish/2022/01/25/cakupan-pemberian-asi-eksklusif-di-20-provinsi-ini-masih-di-bawah-nasional>, (March 1st, 2022).

⁵Rosdiana Syakur, et al., "Faktor Yang Berhubungan Dengan Pemberian Asi Eksklusif Di Wilayah Kerja Puskesmas Tamalate Kota Makassar" *Jurnal Komunitas Kesehatan Masyarakat* 2, no. 1 (2020): p.5.

Breastfeeding after the child is six months old provides excellent protection from various diseases. It occurs because the immune system of infants < 6 months has not impeccable. So giving iron-rich food from an early age is similar to opening the gate for germs to enter the baby's body.⁶

A case has become a topic of discussion in the community. It is about the story of a 40-day-old baby who died in Kedoya, Kebun Jeruk, West Jakarta. The police suspect that the cause of death was due to the banana pieces in the baby's digestion. After the baby's mother was investigated, it turned out that the baby's mother did not know that her child was not allowed to eat other foods besides breast milk.⁷

Even if the case is a fate, re-evaluating the action is medically permissible. Do the action permissible for the health worker? Giving something to the baby other than breast milk, and what is the view according to the Shari'a? Especially if it is viewed from the perspective of *Maqāṣid al-Syarī'ah*. Many similar cases may have occurred around us

In the last decade, there have been changes in the distribution of nutrition to baby from exclusive breastfeeding to infant formula, such as the research data mentioned earlier, that the percentage of exclusive breastfeeding in Indonesia is still relatively low from the WHO target of 80%.

This case requires more detailed study and analysis in providing nutrition to babies through the theorem and *maqāṣid*. The provision of nutrition is included in the discussion of children's rights, which Islam protects in the discussion of judicial science. The discussion mentions the application of sharia laws, eliminating disputes between humans, and returning rights to those entitled to receive these rights, one of which is the babies' right to nutrition. It is included in the Islamic safeguards in protecting the soul (*hiḏul nafs*), which is part of the five points guarded by Islam and included in the purpose of being handed down by the Shari'a. So Allah ordered to breastfeeding the babies because of the worry that their life would be threatened, and Islam forbids it.

Al-Quran is a guide for every human being. If they explore every aspect of it, they will find much wisdom contained. The study of *maqāṣid* is one of the studies that examine the extent of the wisdom contained in each of the narrations of divine revelation so that we can find out the correlation between *maqāṣid al-syarī'ah* with Makassar City Regional Regulation No. 3 of 2016 concerning Exclusive Breastfeeding in preventing stunting.

The purpose of the arrangement of exclusive breastfeeding, according to the Makassar City Region Regulation number 3 of 2016, is to provide a sense of security and comfort to toddlers and babies, as well as to foster a sense of affection and love between babies and mothers, and the fulfillment of the baby's right to get exclusive

⁶Farida Yuliani, "Hubungan Pengetahuan Ibu Tentang ASI Eksklusif Dengan Izin MP ASI Sebelum Usia 6 Bulan Di Desa Gayaman Kecamatan Mojoanyar Kabupaten ...", *Medica Majapahit JURNAL ILMIAH*, (2014); p. 86.

⁷Bayi 40 Hari Meninggal Terdesak Pisang, Dokter Anak Angkat Bicara, *Situs Suara*, <https://www.suara.com/health/2019/12/10/160500/bayi-40-hari-meninggal-karena-makan-pisang-dokter-anak-angkat-bicara?page=all> (March 2nd 2022)

EXCLUSIVE BREASTFEEDING IN PREVENTING STUNTING BASED ON MAKASSAR CITY REGIONAL REGULATION NUMBER 3 OF 2016 ON MAQĀSĪD AL-SYARĪAH PERSPECTIVE (CASE STUDY OF MAKASSAR HAJI HOSPITAL AND PUBLIC HEALTH CENTER OF TAMALATE)

breastfeeding. Besides, to heed the growth and development of babies, the mothers who give exclusive breastfeeding to their babies can get protection so it can increase the function and support from the family, community, local government, public places or work, and industry to support exclusive breastfeeding. Then, this arrangement encourages the program Early Initiation of Breastfeeding (EIBF) to carry out.⁸

In line with the work program of the National Population and Family Planning Board (BKKBN) of South Sulawesi, Rizal Deputy stated that the problem of stunting needs to be adequately overcome so future generations can become competitive, superior, and has good quality. The stunting reduction rate is one of the extensive duties. Based on a national percentage, it is still around 27.6 percent and will decrease by about 14 percent at the end of 2024.⁹

Apart from the BKKBN activities in August 2021, the President also issued Presidential Regulation 72 of 2021 regarding accelerating of stunting prevention. The essence of the Presidential Regulation is an appeal and invitation from the President to unite all elements of the nation to reduce stunting. The President is targeting a 14.0 percent reduction in stunting in 2024. With the achievement of the 14.0 percent target, it can reduce the prevalence of stunting or tengkes to 0.0 percent in 2030. It is in line with the Sustainable Development Goals target in 2030.¹⁰

The Asian Development Bank (ADB) reported that the prevalence of stunted children in Indonesia under the age of five was the second highest in Southeast Asia. Its prevalence is estimated to reach 31.8% in 2020. Laos is in the third position after Indonesia, with a prevalence of 30.2%. Furthermore, the highest prevalence of stunting, with 48.8%, is in Timor Leste.¹¹

According to the Nutritional Status Monitoring in Indonesia, 29.6 percent of toddlers suffer from stunting, with the short proportion of 19.8 percent and the shortest of 9.8 percent in 2017. According to a preliminary health study of the Indonesia Basic Health Research (Riskesdas), 30.8 percent of toddlers were stunted. From the overall figure, 11.5 percent is lacking, and 19.3 percent is very short in 2018. The stunting affected 34.8 percent of toddlers in South Sulawesi in 2017 and 25.2 percent in Makassar City.

⁸Mayor of Makassar, *Makassar City Regional Regulation Number 3 of 2016 concerning Exclusive Breastfeeding*.

⁹“Tingkatkan penanganan stunting, bkkbn Sulsel teken...”, *Situs Resmi BKKBN Sulsel*, <https://sulsel.bkkbn.go.id/?p=2344>, (February 3rd, 2022)

¹⁰“Mewujudkan Stunting 14.0”, *Kompas*, <https://www.kompas.id/baca/bebas-akses/2022/01/24/mewujudkan-stunting-140> (March 7th, 2022)

¹¹“Prevalensi stunting balita Indonesia ke-2 di Asia Tenggara”, *Situs katadata*, <https://databoks.katadata.co.id/datapublish/2021/11/25/prevalensi-stunting-balita-indonesia-tertinggi-ke-2-di-asia-tenggara>, (March 1st, 2022)

The stunting prevalence rate in South Sulawesi continues to decline, and in 2021 it was 20.92 percent, minus 9.08 percent from the 2020 figure of 30 percent. The South Sulawesi Provincial Government continues to strive to reduce the prevalence of stunting by mobilizing all relevant parties to work together to overcome stunting in the field.¹²

According to data from the Tamalate Health Center, 520 stunted toddlers, 475 underweight, and 45 very skinny toddlers in 2016. Then, in 2018, there were 475 toddlers consisting of 320 dwarf children and 155 tiny children. Based on this information, Tamalate Health Center in Makassar City has the most significant proportion of stunting sufferers.¹³

Through the explanation above, the writer wants to analyze and examine the extent to which the force of the actualization of *maqāsid al-syarī'ah* by reviewing the Makassar Regional Regulation No. 3 of 2016 concerning exclusive breastfeeding and supporting the BKKBN program in preventing stunting. Thus, it can contribute to mothers providing the best nutrition for their babies to create a superior, quality, and competitive generation in the future.

EXCLUSIVE BREASTFEEDING DAN STUNTING

Exclusive Breastfeeding

Breastfeeding in Islam is called *al-riḍā'* or *al-raḍā'ah* from the verb *raḍo'a-yarḍa'u*, which means to drink milk from a woman's breast.¹⁴ Breast Milk (ASI) is a mixture of fat, lactose, and organic salts in a protein solution secreted by the two breast glands, which is helpful as the primary nutrition for babies. At the same time, the meaning of exclusive in The Great Indonesian Dictionary (KBBI) is separate from others or unique. If the two words are combined, the meaning is that exclusive breastfeeding specializes the breast milk in providing nutrition to babies. Breast milk does not add other liquids such as infant formula, honey, water, oranges, and tea; also, no other foods such as fruits, biscuits, or steamed rice for six months.¹⁵

The Qur'an mentions the recommendation to breastfeed for two years in QS Al-Baqarah/2: 233. In this verse, Allah the Almighty requires the mother who gave birth to breastfeed the baby and entrusts the obligation to provide livelihood or allowances to the father if the newborn mother has been divorced

¹²“Angka Stunting di Provinsi Sulsel pada 2021 Capai 20,92 Persen” *Website Republika*, <https://www.republika.co.id/berita/r7u57g484/angka-stunting-di-provinsi-sulsel-pada-2021-capai-2092-persen> (Accessed on June 14th, 2022)

¹³Dewi Purnama windasari, et al., “Faktor Hubungan dengan Kejadian Stunting di Puskesmas Tamalate Kota Makassar” *Jurnal AcTion: Aceh Nutrition Journal* 5, no. 1 (2020): p. 28.

¹⁴Ibrahim Madkur, *Mu'jam al-Wasīṭ*, (5th ed; Mesir: Maktabah Syurūq al-Dauliyyah, 2011), p. 363.

¹⁵Rudi Haryono, and Sulis Satianingsi, *Manfaat Asi Eksklusif Untuk Buah Hati Anda*, p. 4.

EXCLUSIVE BREASTFEEDING IN PREVENTING STUNTING BASED ON MAKASSAR CITY REGIONAL REGULATION NUMBER 3 OF 2016 ON MAQĀṢID AL-SYARĪAH PERSPECTIVE (CASE STUDY OF MAKASSAR HAJI HOSPITAL AND PUBLIC HEALTH CENTER OF TAMALATE)

Content and Benefits of the Breast Milk (ASI)

Breast milk is unique due to the difference in composition, and it meets the baby's needs. For instance, the breast milk of a premature baby will be different from a normal baby. The content of breast milk today and tomorrow is not always the same. The infant formula cannot provide this.

According to the Family Health Guide Book, newborns who are not breastfed are more susceptible to diarrhea, allergies, malnutrition, and disease. It happened because breast milk contains immune components that help to protect the baby from infections and other disorders, especially four to six months after giving birth. Immunoglobulin A (Ig A), Ig G, Ig M, Ig D, and Ig E are immunological molecules found in breast milk. All these antibodies will work to protect the body from germs and viruses.

It is compatible with the research conducted by Eka Putri Rahmadhani. She conducted the research on the relationship between exclusive breastfeeding and the incidence of acute diarrhea in babies aged 0-1 year at the Kuranji Public Health Center, Padang City. Outnumbering newborns get more exclusive breastfeeding than those who do not, based on the research conducted in 23 Integrated Health Post For Child Health (Posyandu) in the working area of the Kuranji Health Center, Padang City. Infants with diarrhea also tend to be less common than those without diarrhea. At the Kuranji Public Health Center, Padang City, statistical tests also showed a significant relationship between the incidence of acute diarrhea in infants aged 0 to 1 year and exclusive breastfeeding.¹⁶

Breast milk can also increase immunity because colostrum contains 10-11 times the immunity found in infant formula. Babies are protected from infection and disease. Colostrum is a yellow liquid protein with protein-rich that is produced shortly after birth. Within a few weeks, colostrum will turn into regular milk. Breast milk also contains a small amount of protein.¹⁷

In detail, the content and benefits of breastfeeding have many advantages in terms of several aspects, namely nutritional, immunologic, psychological, intelligence, neurological, economic, and postponement of pregnancy aspects.¹⁸

Nutritional Aspects

¹⁶Eka Putri Rahmadhani, et al. "Hubungan Pemberian Asi Eksklusif Dengan Angka Kejadian Diare Akut Pada Bayi Usia 0-1 Tahun Di Puskesmas Kuranji Kota Padang". *Jurnal Kesehatan Andalas 2*, no. 2 (2016): p. 65.

¹⁷Utami Roesli, *Mengenal ASI Eksklusif*(Jakarta: Trubus Agriwidya, 2005), p. 7-12.

¹⁸Junaedah, "Hubungan Pengetahuan Ibu dengan Pemberian Air Susu Ibu Eksklusif di Wilayah Kerja Puskesmas Muara Badak", *Skripsi*, Samarinda: Kebidanan Poltekkes Kemenkes, 2020: p. 27-30.

- 1) Colostrum contains immunological components, especially IgA, which protects infants from various infectious diseases, especially diarrhea.
- 2) The colostrum depends on how much the baby sucks in the first few days after birth. Although it is only a few sucks, it can be sufficient to meet the nutritional needs of babies.
- 3) Colostrum with high protein contains lots of vitamin A, carbohydrates, and low fat. Thus it can meet the nutritional needs of newborns.
- 4) Help the excretion of meconium, the first excrement of a newborn baby in greenish black.
- 5) Breast milk has a composition of taurine, DHA, and AA. Taurine is the second most abundant amino acid in breast milk and works as a neurotransmitter to help the maturation of brain cells. Experiments in animals have shown that taurine depletion causes retinal problems in the eye.
- 6) Docosahexaenoic acid (DHA) and arachidonic acid (AA) are necessary to develop brain cells properly. DHA and AA degrees in breast milk are sufficient for the growth and intelligence of children.

Immunologic Aspects

- 1) Breast milk contains anti-infective chemicals and is clean and free from contaminants.
- 2) Colostrum or breast milk contains high immunoglobulin A (Ig. A) although secretory Ig. A is not absorbed. It can to inactivate harmful bacteria such as E. coli and viruses in the digestive system.
- 3) Lactoferrin is a protein of immunological component in the digestive system that binds to iron.
- 4) Lysozyme is an enzyme that protects newborns from germs and viruses such as E. coli and salmonella. Breast milk has 300 times the amount of lysozyme found in cow's milk. a) Breast milk contains more than 4000 white blood cells per mile for the first two weeks.
- 5) Bifidus factor, a nitrogen-containing carbohydrate, helps lactobacillus Bifidus bacteria in its growth. These bacteria keep the baby's intestinal flora acidic and prevent the growth of harmful germs.

Psychological Aspects

- 1) The self-confidence of breastfeeding mothers; the ability of mothers to breastfeed their babies with sufficient milk supply is influenced by the mother's emotions: Bifidus factor a nitrogen-containing carbohydrate.
- 2) Mother-Baby Interaction; the mother-baby relationship is significant for babies' growth and psychological development.

EXCLUSIVE BREASTFEEDING IN PREVENTING STUNTING BASED ON MAKASSAR CITY REGIONAL REGULATION NUMBER 3 OF 2016 ON MAQĀSID AL-SYARĪAH PERSPECTIVE (CASE STUDY OF MAKASSAR HAJI HOSPITAL AND PUBLIC HEALTH CENTER OF TAMALATE)

- 3) Direct mother-baby contact has the effect of skin-to-skin contact. It leads to the formation of a mother-infant affectionate relationship because the baby can feel the warmth of the mother's body and hear the mother's heartbeat, which has been recognized while the baby was in the womb. The baby will feel safe and comfortable.

Intelligence Aspects

- 1) The mother-baby relationship and the nutritional value of breast milk are necessary for developing the brain nervous system, which can increase the child's IQ.
- 2) Studies show that breastfed babies have a higher IQ than those who are not.
- 3) Studies reveal that breastfed babies have IQ scores of 4.3 points higher at 18 months, 4-6 points higher at three years, and 8.3 points higher at 8.5 years than non-breastfed babies.

Neurological Aspects

The neurological coordination of feeding, sucking, and breathing that occurs in neonates can be improved by sucking on the breast.

Economic Aspects

Breastfeeding mothers do not have to pay for baby food until their child is six months old if they give exclusive breastfeeding. As a result, household spending on infant formula and equipment will be reduced.

Postponement Pregnancy Aspects

Exclusive breastfeeding can postpone menstruation and fertilization. Thus it can become a natural contraceptive known as the Lactational Amenorrhea Method (LAM).¹⁹

Preventing Cancer

Research shows that women who do not breastfeed have a higher chance of cancer. Hormonal processes are involved in this syndrome. Prolactin is a hormone produced by breastfeeding mothers. It is a hormone found in the body that suppresses estrogen exposure in large doses over a long period, which can cause breast cancer. The high degree of estrogen and progesterone during pregnancy will decrease drastically after giving birth. During breastfeeding, the degree of the estrogen and progesterone hormones will remain low. Breastfeeding reduces the effect of estrogen and progesterone on the system growth process, including the

¹⁹Ramaiah, "Hubungan Pemberian Asi Eksklusif Dengan Angka Kejadian Diare Akut Pada Bayi Usia 0-1 Tahun Di Puskesmas Kuranji Kota Padang", p. 62-66.

breast system that triggers breast cancer because estrogen and progesterone levels in the blood decreased.²⁰

Preventing Sudden Infant Death Syndrome (SIDS)

Research in 2017 found that breastfeeding for at least two months can reduce Sudden Infant Death Syndrome (SIDS). The study described univariate analysis, which found that breastfeeding had a protective effect against SIDS even for a small amount of time. However, multivariable analysis showed the effect started at two months and increased over time. The adjusted odds ratios were 0.91 for breastfeeding for less than two months, 0.6 for those who were breastfed for two to four months, 0.4 for those who were breastfed for less than six months, and 0.36 for more than six months.

Based on the journal, it can be concluded that giving more frequent direct exclusive breastfeeding can reduce the risk of sudden infant death syndrome. Although there is no apparent reason for this syndrome, the journal explains that it has not been obvious why breastfeeding protects babies from SIDS. Nevertheless, several possibilities are discussed, such as better arousal from sleep in breastfed babies. Breast milk also boosts the baby's immune system and supports brain development. These are the factors in reducing the risk of sudden infant death syndrome.²¹

RESEARCH METHODOLOGY

This study used field research with descriptive research and qualitative research methods. The source of data in this study was field data in the form of interviews with the Head of the public health center or hospital, midwives, breastfeeding counselors, and mothers who have babies. Furthermore, the data collection methods used observation, interviews, and documentation. Then, techniques processing and data analysis were carried out through three stages: data reduction, data presentation, and conclusion.

RESULTS AND DISCUSSION

Maqāṣid al-Syarī'ah concept in Makassar City Regional Regulation Number 3 of 2016 concerning Exclusive Breastfeeding (ASI)

The national legal system based on Pancasila includes regional regulations as one type of legislation. According to Article 1 Number 10 of Constitution Number 32 of 2004 concerning Regional Government, Regional Regulations now have a very strategic position. Regional Regulations, referred to as Perda; provincial regulations and Regency/City regional regulations.²²

²⁰Lindra Anggorowati, "Faktor Risiko Kanker Payudara Wanita." *KEMAS: Jurnal Kesehatan Masyarakat* 8, no. 2 (2013): p. 125-126.

²¹John M.D. Thompson et al., "Duration of Breastfeeding and Risk of SIDS: An Individual Participant Data Meta-analysis", *PEDIATRICS* 140, no. 5 (November 2017): p 7.

²² Siti Masitah, "Urgensi Naskah Akademik dalam Pembentukan Peraturan Daerah" *Jurnal Legislasi Indonesi* 10, no. 2 (June 2013): p.113.

EXCLUSIVE BREASTFEEDING IN PREVENTING STUNTING BASED ON MAKASSAR CITY REGIONAL REGULATION NUMBER 3 OF 2016 ON MAQĀSID AL-SYARĪAH PERSPECTIVE (CASE STUDY OF MAKASSAR HAJI HOSPITAL AND PUBLIC HEALTH CENTER OF TAMALATE)

Regional governments make regional regulations to carry out responsibilities related to regional autonomy and assistance. In the current era of autonomy and globalization, regional regulations are one of the tools to carry out social and democratic transformation as the embodiment of local communities that can respond to sudden changes and challenges, as well as the development of effective local government as a component of sustainable regional development.²³

A rule is made to create a benefit, likewise with Makassar City Regional Regulation No. 3 of 2016 concerning Exclusive Breastfeeding. There are many benefits contained in the regulation, especially from the point of view of *maqāsid al-syarī'ah*.

The rules prescribed by Allah the Almighty to His servants have a beneficial goal for them to uphold their life in the world, both *diniyyah*, and *dunyawiyyah*, which are included in *maqāsid arūriyyah*. Two things must be done to keep the *ḍarūriyyah* intact. As explained in chapter II that first, by establishing the underlying support (*yuqīm arkānahā*) and strengthening its essential elements (*yusbit qawā'idahā*), and second, someone must protect it from harm that may or will befall it (*yadra'u 'anha al-ikhtilāl al-wāqi' aw al-mutawaqqi'*).

As an increase in strength and protection of children against various diseases, Allah the Almighty suggests that exclusive breastfeeding is the ideal food intake. It can be seen from the discussion on the argument of *raḍā'ah* referring to mothers, both biological mothers and wet nurses. Breast milk is undoubtedly superior to the alternatives.

It follows the provisions of the Makassar City Regional Regulation No. 3 of 2016 Article 1, paragraphs 8 to 10, which said: (8) Breast Milk, abbreviated ASI, is the only proper food for infants aged 0-6 months and continued for up to 2 years. (9) Exclusive Breastfeeding is the breast milk given to babies from birth up to the age of 6 (six) months, without adding or replacing the breast milk with other foods or drinks. (10) Baby is a newborn until the age of 12 (twelve) months

Article 5 states that every mother who gives birth is obligated to give exclusive breastfeeding to their newborn unless there is a medical indication. Then, Article 6 explains in detail the medical indications in point: (1) The determination of medical indications is carried out by a doctor as referred to in Article 5. (2) Doctors must be convenient with professional, service, and operating procedures standards. (3) A midwife or nurse can determine the presence of medical indications if the doctor is absent, and it should be based on the provisions of the legislation.

Every newborn has the right to consume only breast milk for six months after birth, starting with the Early Initiation of Breastfeeding or EIBF process to ensure the success of exclusive breastfeeding. In detail, EIBF has been explained in the Regional Regulation in article 7: (1) Health workers and the organizer of Health Service Facilities are required to carry EIBF on babies immediately after birth, except with medical indications. (2) Early initiation of breastfeeding, as referred to in paragraph

²³ Siti Masitah, "Urgensi Naskah Akademik dalam Pembentukan Peraturan Daerah", p.114.

(1), it is carried out by lying down the baby on the mother's chest or stomach so that the baby's skin is attached to the mother's skin for at least 1 (one) hour.

After implementing the EIBF, the regional regulation recommends arranging rooming-in to allow mothers to give exclusive breastfeeding to their babies at any time. Article 8 states that (1) Health workers and the organizer of Health Service Facilities are obliged to place mothers and babies in 1 (one) room or rooming-in except for medical indications determined by the doctor. (2) The placement in 1 (one) room or rooming-in, as referred to in paragraph (1) is intended to facilitate the mothers to give exclusive breastfeeding to their babies at any time.

Aside from the abovementioned support for exclusive breastfeeding, Regional Regulation also contains a preventive factor in Article 9 concerning the prohibition of infant formula promotion. Article 9 states that health workers and the organizer of health facilities are prohibited from promoting infant formula to pregnant women and new mothers as a substitute for breast milk.

There are two methods for protecting the *maqāṣid arūriyyah* category; first, Enforcing the underlying support (*yuqīm arkānahā*) and strengthening the essential elements (*yuṣbit qawā'idahā*). It relates to chapter IV on Exclusive Breastfeeding, which requires exclusive breastfeeding, EIBF, and rooming-in to strengthen and succeed in exclusive breastfeeding. While the second method is guarding against threats that can harm it (*yadra'u 'anha al-ikhtilāl al-wāqi' aw al-mutawaqqi'*), it can be seen in article 9 regarding the prohibition of the promotion of exclusive breastfeeding.

In actualizing *maqāṣid arūriyyah*, five main elements must be maintained, namely maintaining religion (*al-dīn*), soul (*al-nafs*), mind (*al-'aql*), descendant (*al-nasab*), and property (*al-māl*). In Makassar City Regional Regulation No. 3 of 2016, the writer found the existence of *maqāṣid arūriyyah*, especially *ḍarūriyatul khoms*. In detail, it can be described as follows:

Maintaining the Religion (*al-Dīn*)

Breastfeeding is a process by a woman, especially for a mother of her child. It is an obligation for her from Allah the Almighty to meet the food intake for her baby. Those times are crucial for a baby's growth and development, often termed the golden age, so the nutrition must be optimum. Accordingly, Allah the Almighty ordered to a mother through His word in QS Al-Baqarah/2: 233

The verse above implied the command and mandate of Allah the Almighty; a mother should provide the optimum nutrition for her baby because it is a form of worships to Allah the Almighty because of her obedience to the order. It is based on the interpretation of al-Sa'dī, one of the scholars of interpretation. His commentary states that even though the verse narration is in the form of *khobar* (notice) but it also contains the command of Allah the Almighty²⁴; a mother should provide the optimum nutrition for her baby because it is a form of worship to Allah the Almighty because of her obedience to the command.

²⁴ Abd al-Raḥmān ibn Nāṣir ibn 'Abdillāh al-Sa'dī, *Taisīr al-Karīm al-Raḥmān fī Tafīr Kalām al-Manān* (1st ed; Bairūt: Muassasatu al- Risālah, 2000), p. 104.

EXCLUSIVE BREASTFEEDING IN PREVENTING STUNTING BASED ON MAKASSAR CITY REGIONAL REGULATION NUMBER 3 OF 2016 ON MAQĀSID AL-SYARĪAH PERSPECTIVE (CASE STUDY OF MAKASSAR HAJI HOSPITAL AND PUBLIC HEALTH CENTER OF TAMALATE)

The command regarding the mother's obligation to give exclusive breastfeeding apart from the above verse is also contained in QS Al-Qaṣas/28: 7.

وَأَوْحَيْنَا إِلَىٰ أُمِّ مُوسَىٰ أَنْ أَرْضِعِيهِ فَاذًا خُفَّتِ عَلَيْهِ فَالْقَيْهِ فِي الْيَمِّ وَلَا تَحْزَنِي وَلَا تَحْزَنِي إِنَّا رَادُّوهُ إِلَيْكِ وَجَاعِلُوهُ مِنَ الْمُرْسَلِينَ

Meaning:

We inspired the mother of Moses, "Suckle him; but when you fear for him, cast him into the river and do not fear and do not grieve. Indeed, We will return him to you and will make him [one] of the messengers."

Ibn al-Uṣaimīn, in his commentary, explains the meaning of *Awhainā* in this verse. It is the revelation in the form of inspiration or dreams. Some scholars say that the revelation here is the revelation of inspiration, and some say the revelation of dreams. Still, the revelation is not from *risālah* or *nubūwwah* or prophethood.²⁵

Based on the verse above, Allah the Almighty uses verbs that show a command from Him in the history of the Prophet Moses' mother to breastfeed him. This order arose because of the inspiration or potential of instinctive instinct that Allah the Almighty gave to the mother of Prophet Moses. While in QS al-Baqarah, the verb using present and future verb forms (*fi'il muḍori' yurḍi'na*), which has the position of *i'rāb khabar* (news), which has the imperative meaning, even though *ẓāhir* in the sentence refers to "news" but the actual meaning is "order".²⁶

The use of the word *al-wālidāt* in verse in QS al-Baqarah/2: 233 shows the meaning for both biological and non-biological mothers so that breastfeeding can be obtained from biological mothers or a wet nurse. It shows that the Qur'an has determined that breast milk is the best food for the growth and development of children up to two years old or less.

Apart from the command of Allah, breastfeeding also becomes a tradition of the Arabs before the arrival of Islam. Arabs used the services of a wet nurse to replace the exclusive breastfeeding of biological mothers with consideration of perfect nutrition for children in their golden age as the first food source. They even choose certain tribes to use the services of a wet nurse because breast milk will become the blood in the baby's body and affect the baby's character. So they choose a tribe with good morals, as in the Prophet Muhammad's story. A baby was breastfed by Halimah Sa'diyah, who came from the Sa'ad bin Bakr tribe who lived in the countryside. It is a tradition of Arabs living in urban areas, which usually leave their babies to village women so it can maintain the baby's health and can grow stronger in a rural climate than in an urban climate.

Based on the explanation above, the writer can conclude that exclusive breastfeeding is an obligation for a mother with no medical indications, and breastfeeding is the goal of *maqāsid arūriyyah*, especially in maintaining the religion as a form of obedience to the commands of Allah the Almighty.

This command of Allah the Almighty is in line with the content of the Makassar City Regional Regulation number 3 of 2016 in article 5 that every mother who gives birth is obliged to give exclusive breastfeeding to her baby unless there is a medical indication.

²⁵Muḥammad ibn Ṣāliḥ al-'Uṣaimīn, *Tafsīr Sūrah al-Qaṣaṣ* (1st ed; Qaṣīm: Muassasah al-Syakh Muḥammad ibn Ṣāliḥ al-'Uṣaimīn al-Khairiyyah, 1436 H), p. 25.

²⁶Muḥammad 'Alī al-Ṣābunī, *Rawā' i'u al-Bayan Tafsīr Āyātul al-Ahkām min al-Qurān*, juz 1 (3rd ed; Bairūt: Muassasatu Manāhili al-'Irfān, 1980), p. 351.

This Regional Regulation also contains elements of maintaining religion, from obedience to Allah the Almighty and protecting women's 'awrah when breastfeeding. The Regional Regulation required having breastfeeding rooms in public places to help mothers breastfeed their babies, take care of their 'awrah, and get coziness in breastfeeding. The provision of breastfeeding rooms is contained in Article 15, paragraph two, which states: The organizers of Workplaces and public facilities are required to provide exceptional facilities or breastfeeding rooms for breastfeeding and pumping the breast milk. Besides maintaining religion, it is also used to keep the pride or *hifz 'Ird* because it protects the mother's pride by not showing her 'awrah when breastfeeding her baby.

Maintaining the Soul (*al-Nafs*)

Scientific research on the benefits of breastfeeding for babies' survival, growth, and development is the basis of the world's recommendation for exclusive breastfeeding for the first six months of their life. Aside from reducing infant mortality from various common illnesses for children, including pneumonia and diarrhea, exclusive breastfeeding also speeds up the healing time and helps prevent pregnancy. During the first six months after birth, babies are not allowed to eat anything other than breast milk because the baby's stomach is still not functioning correctly, and he/she still has a weak immune system. The baby cannot get any other food, such as baby porridge. That kind of food cannot be digested and can affect the baby's stomach.

In one incident in Makassar, a three-month-old baby died because his mother gave him baby porridge. When the mother was asked the reason she gave porridge, she said that the baby vomited the infant formula. Hence, the mother gave the baby porridge to him because the baby seemed like the porridge as he swallowed it, so she continued to feed her baby. Moreover, many mothers think babies will not be full if they do not eat porridge, whereas their digestion is not ready to digest the solid meal. While the baby's stomach very quickly digests breast milk.

Based on the various benefits of exclusive breastfeeding significantly reducing baby mortality, it can be concluded that exclusive breastfeeding contains *maqāsid darūriyyah*. It means protecting the soul (*al-nafs*) and maintaining the descendants (*al-nasl*) because it maintains the descendant from the womb that is not suitable for consumption by infants in their early life (at least 0-6 months).

The Regional Regulation contains the basis behind making this Regional Regulation, namely the Chapter on Principles and Objectives in article 2. It is stated that the regulation of exclusive breastfeeding is based on humanity, justice, benefits for mothers and babies, protection, respect for the rights of mothers and babies, and not discriminative. It follows *maqāsid syarī'ah* because the purpose of the existence of sharia is to protect the rights of every servant.

Maintaining the Mind (*al-'Aql*)

The mother-baby relationship and the nutritional value of breast milk are necessary for the brain's nervous system development, which can increase a child's IQ. Research shows that breastfed babies have a higher IQ than those who are not. One research revealed that breastfed babies had 4.3 points higher IQ scores at 18 months old, 4-6 points higher at three years old, and 8.3 points higher at 8.5 years old than infants who were not breastfed.²⁷ The results showed the presence of *Taurine*, *Docosahexanoic acid* (DHA), and *Arachidonic acid* (AA). They are instrumental in forming the baby brain cells and accelerate the arrival of stimulus

²⁷Ramaiah, "Hubungan Pemberian Asi Eksklusif Dengan Angka Kejadian Diare Akut Pada Bayi Usia 0-1 Tahun Di Puskesmas Kuranji Kota Padang", p. 65.

EXCLUSIVE BREASTFEEDING IN PREVENTING STUNTING BASED ON MAKASSAR CITY REGIONAL REGULATION NUMBER 3 OF 2016 ON MAQĀSID AL-SYARĪAH PERSPECTIVE (CASE STUDY OF MAKASSAR HAJI HOSPITAL AND PUBLIC HEALTH CENTER OF TAMALATE)

from the receptor organ to the brain so that the response can be given in a rapid time.²⁸

Based on these benefits, the content of exclusive breastfeeding significantly affects brain development, so exclusive breastfeeding contains *maqāsid ḍarūriyyah*, which refers to keeping the human mind (*al-'aql*) by providing good nutrition to the brain. It will develop brain function to the maximum. Thus it can create a superior Islamic generation in terms of intellectuals.

Keeping the human mind can be seen in Regional Regulation in Article 22, paragraph 3, which discusses information and education on exclusive breastfeeding and EIBF in terms of the advantages of exclusive breastfeeding and EIBF. In detail, the article state that (2) Health workers and organizer of Health Service Facilities are required to provide information and education on Exclusive Breastfeeding and EIBF to the brides, mothers, and family members. (3) Information and education on Exclusive Breastfeeding and EIBF as referred to in the paragraph. (2) at least regarding benefits and advantages of exclusive breastfeeding and EIBF; maternal nutrition, preparation, and maintenance of breastfeeding; the negative impact of giving additional food except for breast milk; and the negative impact on non-breastfeeding mothers.

Based on this article, it can be concluded that Makassar City Regional Regulation Number 3 of 2016 concerning exclusive breastfeeding also contributes to keeping the human mind, especially babies, because it has excellent benefits for the brain and intellectual development.

Maintaining the Descendants (*al-Nasl*)

As explained earlier in the discussion of maintaining the soul (*al-Nafs*), breastfeeding helps reduce infant mortality. Thus it keeps the descendant growing well and becoming a generation beneficial to religion and the nation. Exclusive breastfeeding is included in the category of maintaining descendants at the level of immediate needs (*al-ḍaruriyyah*) because of its benefits. If this provision is not heeded, it will threaten the existence of the descendants. For instance, giving porridge or bananas to babies with weak digestion can cause death.

It is in line with the *uṣuliyyah* argument, namely *saddu ḍarī'ah*. *Saddu ḍarī'ah* is one of the arguments used in carrying out legal instincts in Islam to prevent evil. Allah the Almighty says in QS al-Isra' /17: 31

وَلَا تَقْتُلُوا أَوْلَادَكُمْ حَسْبَةَ إِمْلَاقٍ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا

Meaning:

And do not kill your children for fear of poverty. We provide for them and you. Indeed, their killing is ever a great sin.²⁹

Imam Shafi'i interprets this verse in his commentary. He said that in the past, some Arabs killed their daughters for fear of poverty and humiliation.³⁰ The verse above contains *dilālah 'ām*, which means that Allah the Almighty forbids killing that causes

²⁸Yusuf Hanafī, "Peningkatan Kecerdasan Anak Melalui Pemberian ASI dalam al-Qur'an", *Mutawatir, Jurnal Keilmuan Tafsir Hadis* 2, no. 1 (June 2012): p. 29.

²⁹Kementrian Agama RI, *al-Quran Tajwid dan Terjemah*, p. 428.

³⁰Abū 'Abdillah Muḥammad ibn Idrīs ibn al-'Abbās ibn 'Uṣmān al-Syāfi'i, *Tafsīr al-Imām al-Syāfi'i*, Juz 2 (1st ed; Saudi: Dār al-Tadmariyyah, 2006), p. 841.

the death of a child, whether intentional or unintentional. Therefore, one of the preventive measures ordered by the Shari'a to prevent such action is to give exclusive breastfeeding because the benefit can be achieved by breastfeeding; the child becomes healthy and is not susceptible to disease. *Sabab al-nuzūl* of the verse is related to the habit of the Jahiliyyah people, who bury their children alive for fear of poverty. However, it can be interpreted as the *uṣūliyyah* rule العبرة بعموم اللفظ لا بخصوص السبب. It means that the generality of the text redaction is the grip, not the generality of the emergence of the text redaction. Therefore, the writer can conclude that exclusive breastfeeding through the *saddu żarī'ah* argument is in line with *maqāṣid ḍarūriyyah*, which refers to maintaining descendants (*al-nasl*).

Maintaining the descendants can be seen in point a, in the discussion of weighing. The point is:

Breast milk is the optimum food for babies because it contains nutrients suitable for babies' growth and development. Thus, it is necessary to support mothers to provide breast milk to their babies in order to protect and ensure the implementation of Early Initiation of Breastfeeding and the giving of breast milk which is an absolute right of the baby;

At this point, it can be seen that the essence of this regulation is to protect descendants or generations from damage or death.

Maintaining the Property (*al-Māl*)

It is undeniable that exclusive breastfeeding is much more economical than providing infant formula or supplementary milk. Breast milk is a gift from Allah the Almighty and the newborn's right. Even though there are many challenges in the process of breastfeeding, such as the difficulty of milking the breast for the first time, the baby cannot breastfeed directly because of the flat nipples, staying up late at night to breastfeed, especially in the early days of birth, and other obstacles.

The obstacles encountered in breastfeeding sometimes make some mothers give up and immediately give the infant formula to their babies to stop them from crying and use pacifiers as an alternative in providing baby nutrition. The infrequent direct breastfeeding makes the process of breast milk production reduced, and it can stop production because the breast milk production process uses a supply-demand system. It means that the breast milk glands will only produce according to demand. So, if the mother is rare in breastfeeding, it will reduce milk production. Thus, many mothers fail in exclusive breastfeeding. They only breastfeed for one or two months and then switch to infant formula.

It is in line with the results of an interview with the responsible person of the Children's clinic at the Haji Makassar Hospital, Satriani Albar, who explained that most patients at the Haji Makassar Hospital, at the beginning of their birth, gave exclusive breastfeeding. Still, when they got home, they switched breast milk to infant formula for a month or two. They reasoned that they are run out of breast milk, or it was dry. In fact, the less they do directly breastfeed or suck, the less milk production they will produce. Thus, they should continually be educated so that they can breastfeed directly in order to stimulate milk production again.

EXCLUSIVE BREASTFEEDING IN PREVENTING STUNTING BASED ON MAKASSAR CITY REGIONAL REGULATION NUMBER 3 OF 2016 ON MAQĀSID AL-SYARĪAH PERSPECTIVE (CASE STUDY OF MAKASSAR HAJI HOSPITAL AND PUBLIC HEALTH CENTER OF TAMALATE)

When compared with the use of infant formula or supplementary milk, exclusive breastfeeding is much more efficient. It has more significant benefits, even though babies who consume infant formula seem fatter than babies who only consume breast milk because of the sugar effect in infant formula. However, it will not match the nutrients in the breast even though it is expensive infant formula.

In this regional regulation, we can see the discussion of *hifẓ al-māl* about the advantages of exclusive breastfeeding. Although this regulation is not described in detail, it can be seen in field data, existing literature, and research. In article 22, maintaining property (*al-māl*) can also be seen in article 11 regarding family responsibilities, as follows (1) The family must support the implementation of the Exclusive Breastfeeding and EIBF (2) The family must fulfill the nutritional needs of the mother and her baby (3) Every family with a baby must refuse the gift in the form of infant formula and other products.

If the family carries out the article contents, then this family has to preserve the property as well as possible. Based on the explanation above, it can be concluded that the Makassar City Regional Regulation number 3 of 2016 concerning exclusive breastfeeding contains *maqāsid arūriyyah* which refers to maintaining property (*al-māl*) because breastfeeding does not require much money compared to the use of infant formula. The costs for infant formula can be allocated for other needs.

CONCLUSION

Exclusive breastfeeding contains *maqāsid darūriyyah*, which refers to maintaining the religion (*al-dīn*), soul (*al-nafs*), reason (*al-'aql*), descendants (*al-nasab*), and property (*al-māl*). In the contents of the Makassar City Regional Regulation No. 3 of 2016, the writer found the existence of this *maqāsid darūriyyah*, especially *darūriyatul khoms* in article 2. It is stated that the regulation of exclusive breastfeeding is based on humanity, justice, benefits for mothers and babies, protection, respect for the rights of mothers and babies, and not discriminative. It follows *maqāsid syarī'ah* because the purpose of the existence of sharia is to protect the rights of every servant.

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