

Applying The Principle “The Presumption Of Validity In Contracts And Conditions” In Enhancing Food Security For Newborns: An Integrative Jurisprudential And Medical Study

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ABSTRACT

This study highlights a fundamental Islamic legal maxim—“the presumption of validity in contracts and conditions”—and explores its contemporary applications in the field of food security and food supply systems for newborns.

The research discusses health-related challenges associated with the safety and quality of infant foods and demonstrates how this principle can contribute to structuring food policies from an integrated legal and health perspective.

Analytical, inductive, and descriptive methodologies were adopted, relying on classical jurisprudential sources and scientific evidence from reputable organizations such as the World Health Organization (WHO, 2021), the U.S. Food and Drug Administration (FDA, 2020), and the European Food Safety Authority (EFSA, 2022).

The study concludes that this Islamic legal principle offers flexibility in regulating health-related conditions within contracts in ways that serve the interests of infants and prevent fraud or food-related harm.

Keywords: *Islamic jurisprudence, contracts, conditions, food security, newborns, food quality, medical nutrition, commercial transactions.*

1. INTRODUCTION

Proper nutrition for newborns and infants is foundational for their health and development. The World Health Organization (WHO, 2021) emphasizes that early-life nutrition significantly reduces illness and mortality rates and helps prevent chronic diseases in later life. Despite every child’s inherent right to healthy nutrition, statistics show that in many countries, fewer than a quarter of infants receive the recommended dietary diversity and meal frequency. Approximately one-third of childhood malnutrition cases are attributed to poor feeding practices (WHO, 2021).

These facts raise concern in both health and legal spheres, particularly when industrial or commercial food products may contain impurities or ingredients unsuitable for infant health. This highlights the urgent need to regulate such products with contracts and conditions grounded in Islamic law that guarantee quality and protect the most vulnerable consumers—infants.

In this context, the relevance of the jurisprudential maxim “the presumption of validity in contracts and conditions” becomes evident. This principle maintains that all contracts and conditions are presumed valid unless explicitly prohibited by Sharia (Al-Zuhayli, 2006; Ibn Taymiyyah, 1995). It provides legal flexibility to approve quality standards in food-related conditions, serving as a foundation for legally compliant and health-promoting food policies.

2. RESEARCH PROBLEM

Despite the existence of stringent health standards governing the production and supply of infant foods, violations of those standards persist, putting children's health at serious risk. A notable example is the 2008 melamine contamination crisis in China, which led to kidney damage in thousands of infants (WHO, 2008), and the 2022 contamination of infant formula by *Cronobacter*, resulting in fatalities and severe supply shortages (FDA, 2022).

These incidents raise important jurisprudential questions: How can the validity of contractual terms requiring manufacturers to comply with quality standards be guaranteed? Is violating such terms not only a legal infraction but also a religious transgression? What role does the principle “the presumption of validity in contracts and conditions” play in ensuring compliance?

3. RESEARCH OBJECTIVES

- To establish the jurisprudential foundation of the principle “the presumption of validity in contracts and conditions”.
- To analyze how this principle applies within the food industry for newborns.
- To explore the relationship between adherence to health-related contractual terms and medical quality standards.
- To demonstrate how this legal maxim can serve as a legislative tool for formulating food policies that protect infant health.

4. METHODOLOGY

This study employs a comprehensive methodology combining Islamic legal, analytical, and medical approaches:

1. **Descriptive Method:** Used to present the principle “the presumption of validity in contracts and conditions” by tracing its definitions, origins, and applications in classical jurisprudential texts, including works by (Al-Zuhayli, 2006) and (Ibn Taymiyyah, 1995).
2. **Analytical Method:** Involves examining juristic texts related to the principle, extracting the objectives behind it, and relating it to the analysis of contemporary contracts in food and health industries—particularly in the production and supply of infant formula and nutrition products.
3. **Inductive Method:** Tracks real-world applications of the principle in light of medical studies and international reports from WHO (2021), EFSA (2022), and FDA (2020), examining food safety policies, product quality standards, acceptable contaminant levels, and regulatory mechanisms.
4. **Comparative Method:** Compares the jurisprudential foundations for contractual conditions and their enforceability with modern legal principles of quality assurance and compliance in health law, highlighting areas of overlap and integration.
5. **Applied Method:** Assesses actual infant food contamination cases (e.g., melamine and Cronobacter) and links them to contractual and ethical deficiencies, offering practical jurisprudential and legal recommendations to prevent recurrence.

5. FINDINGS

The study yielded several key findings supporting the potential use of the maxim “the presumption of validity in contracts and conditions” to enhance neonatal food security policies:

- This principle is a recognized legal maxim among mainstream jurists, affirming that all contracts and conditions that serve a legitimate interest are presumed valid unless contradicted by a clear textual prohibition or consensus (Al-Zuhayli, 2006; Ibn Taymiyyah, 1995).
- International treaties and regulations—such as those from WHO (2021) and FDA (2020)—require companies to adhere to strict standards ensuring that infant formulas are free from contaminants and hazardous substances. These can be regarded as “health conditions” that are valid under Sharia.
- Violating such terms constitutes both an ethical and religious breach, in addition to being a regulatory violation. Manufacturers and suppliers are religiously accountable for honoring conditions and preventing harm (Ibn al-Qayyim, 1423 AH).
- Major food crises affecting infants (e.g., melamine and Cronobacter) were linked to contract non-compliance or weak oversight, highlighting the need to strengthen contractual obligations related to quality assurance (WHO, 2008; FDA, 2022).
- The legal maxim provides a foundational tool for codifying national policies on food and pharmaceutical contracts, enabling lawmakers to mandate protective contractual terms for infant nutrition.

6. DISCUSSION

The results reveal a strong alignment between Islamic legal objectives and modern medical quality standards, showing how the maxim “the presumption of validity in contracts and conditions” can function as a powerful legal instrument to ensure the safety of infant nutrition:

- **Serving the Maqasid of Sharia in Protecting Life and Progeny:** Among the highest objectives of Sharia is the preservation of life—an aim directly served by ensuring safe infant food. As the maxim allows any condition that yields a

legitimate benefit, health-related contractual terms mandating high-quality food are not only valid but religiously binding (Al-Shatibi, 1997).

- **Quality Standards as an Extension of Ihsan (Excellence):** Islamic ethics command excellence in all endeavors, including manufacturing. Food safety protocols—like setting thresholds for heavy metals or prohibiting hazardous additives—fall within this ethical mandate (EFSA, 2022; FDA, 2021).
- **Health Conditions Are Religiously Binding:** If a supplier or manufacturer agrees to follow safety standards, breaching them is a betrayal of trust and qualifies as deceit, necessitating legal liability and compensation (Ibn al-Qayyim, 1423 AH; Ibn Hajar, 1983 CE).
- **Convergence with Global Food Marketing Policies:** The principle aligns with global frameworks such as the WHO & UNICEF (2023) Code on Breastmilk Substitutes, which prohibits misleading marketing and supports natural breastfeeding, consistent with the Qur’anic verse: “Mothers shall breastfeed their children for two whole years” (Al-Baqarah 2:233).
- **Breach of Conditions Threatens Infant Food Security:** Non-compliance with health-related terms can trigger supply shortages, product recalls, and widespread public health concerns—making contract enforcement a joint religious and regulatory duty.

7. CONCLUSION

The principle “the presumption of validity in contracts and conditions” is a powerful Islamic legal tool that can be utilized to regulate food-related transactions concerning newborns. It legitimizes any condition intended to protect infant health and mandates adherence both morally and legally. This aligns with contemporary health laws that enforce safety and quality requirements (Al-Zuhayli, 2006; Ibn Taymiyyah, 1995; FDA, 2020; WHO, 2021).

The study shows that from both jurisprudential and medical standpoints, policies mandating contaminant limits, nutritional fortification, and monitoring systems are valid—and even required—conditions within the framework of Islamic legal contracts. Enforcing this maxim in food policymaking is a strategic step toward ensuring comprehensive food security for newborns, especially in Islamic contexts.

8. RECOMMENDATIONS

- Institutionalize the principle “the presumption of validity in contracts and conditions” within national health policies, particularly those related to infant food production and supply.
- Require manufacturers to meet the highest food quality standards through binding contractual clauses covering contamination testing, balanced nutrition, and safe packaging.
- Promote collaboration between Islamic juristic bodies and health authorities to produce unified regulatory guidelines integrating Islamic law and modern scientific recommendations (EFSA, 2022; WHO, 2021).
- Launch training programs for food industry workers, focusing on religious and ethical obligations regarding contract compliance—especially for vulnerable groups like infants.
- Incorporate this principle into the curricula of Islamic law and public health faculties to prepare professionals capable of integrating jurisprudence with modern food and health challenges.

9. ACKNOWLEDGMENT

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