



ISLAM AND FOUR PRINCIPLES OF BIOMEDICAL ETHICS: FROM THEORY TO PRACTICE

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Abstract

Unfortunately, many clinicians still lack a sufficient understanding of the concepts behind the ethical structure of Islam implemented in everyday clinical circumstances, allowing them to provide care insensitive to the religion's culture. Several aspects of Islamic Biomedical ethics have been discussed. This study explores Islamic Bioethics and its tenets. The importance of appreciating and respecting Islamic Bioethics becomes clear. The nature of Islamic bioethics is also illuminated. Also, the theory of the Islamic bioethical framework for protecting human life, including how it is shaped by the Quran, the Sunnah, ijtihad, and the field as a whole, has been discussed. Islam proposes four bioethical principles: beneficence, nonmaleficence, autonomy, and justice, which are also part of the study. Finally, the relevance of an Islamic approach to bioethical issues is discussed. The Islamic faith places a premium on both preventative healthcare and the therapeutic management of illness. Treatment, genetic engineering, and abortion regulations are a few of the major life issues covered. Concerning the final stages of life, topics like suicide will be considered. Last but not least, is the Islamic perspective on exhumation and organ transplants. Keeping in mind the value of life in Islam, it is obligatory for the patient to seek proper and timely treatment. Also, it is healthcare providers' religious and ethical obligation to be very honest with their duties.

Keywords: *Islamic Bioethics, Quran, Sunnah, Ijtihad, beneficence, non-malevolence, autonomy, and justice*

PREFACE

Humans are the pinnacle of creation and God's representatives on Earth, according to Islam, as stated by Allah SWT in Surah Al-Baqarah, verse 30 (Al-Qur'an, 2:30). They have the capacity to think, make decisions, and take care of themselves and other living things. Muslims are obliged to strike a healthy balance between extremes (Ravali, 2020). Illness is not perceived as a curse, punishment, or manifestation of Allah's wrath, but rather as a trial or even a cleansing ordeal. Therefore, the sufferer has a responsibility to seek help and not give up hope. More than two billion people worldwide identify as Muslims. In most of the Non-Muslim countries, the greatest minor community is that of Muslims (Muslim Population by Country 2023, 2023). Unfortunately, many professionals still lack a sufficient understanding of the concepts behind the ethical paradigm of Islam implemented in everyday clinical circumstances, which leads to the delivery of care that is insensitive to other cultures. Instead, the four principles of Islamic biomedical ethics published by Beauchamp and Childress (Beauchamp & Childress, 2001) in the 1970s are still widely employed in the field today. It is widely used by physicians as a universal, cross-cultural set of standards, with proponents claiming it can triumph over a patient's "personal thinking, religious belief, theory of morality, or attitude towards (DuBose, Hamel, & O'Connell, 1994).

Intents of the study

This study provides a concise overview of the Islamic biomedical ethical theory's underpinnings, elaborating on the ideas and methodology used by Muslim jurists to derive judgments in the area of medical ethics. To evaluate the evidence for this often-used technique within the Islamic paradigm, we interpret the four-principles approach (beneficence, nonmaleficence, justice, and autonomy) via the lens of Islamic biomedical ethical theory. This will help the clinician have a more fruitful conversation with the Muslim patient by providing essential insight into Islamic biomedical ethics. Healthcare that is both effective and respectful of patients' cultural backgrounds will benefit from this increased agreement during consultations.

BRIEF INSIGHT INTO ISLAMIC BIOETHICS

Islamic bioethics is closely related to the Qur'an's wide ethical principles and Muhammad's tradition, which informs Islamic law. Bioethical reasoning is inseparable from religion, which highlights connections between body and mind, material and spiritual domains, and ethics and law (Al-Fārūqī, 1992). Medical ethics are detailed in the Qur'an and Prophetic traditions. The Qur'an's precise description of human embryological development affects debate on the embryo and fetus' ethical and legal standing prior to birth (Sivaraman, 2019). The focus of Islamic bioethics is on disease prevention, but it also offers direction to both doctors and patients when that isn't possible (Gul et al., 2021). It emphasizes respect and compassion for patients and consideration of their physical, emotional, and spiritual needs. Recognizing Allah as the supreme healer, Muslim doctors' endeavor to heal. The 2003 Islamic Code of Medical Ethics addresses transplantation of organs and in vitro fertilization. Even bad moments of life are precious in Islam. Unjustified killing is a sin, while saving lives is a duty (Al-Mahroos & Bandaranayake, 2003). *"To protect human life in all stages and under all circumstances, doing [one's] utmost to rescue it from death, malady, pain and anxiety"* (Hajar, 2017) is the Muslim doctor's oath. To always be God's instrument, providing medical treatment to near and distant, virtuous and sinner, friend and enemy. The Quran is itself *"a healing and a mercy to those who believe"* (Al-Qur'an, 41:44) and the Sunna (the aspects of Islamic law based on the words or acts of the Prophet Muhammad) are the two foundations upon which Islamic bioethics rests. There is a long and distinguished history of literature on bioethical issues by Islamic scholars. The (Beauchamp & Childress, 2001) bioethics principles of beneficence, non-malevolence, autonomy, and justice were considered by Muslim philosophers in the beginning of the 13th century (Akrami, Karimi, Abbasi, & Shahrivari, 2018). Islamic jurists and technical specialists hold conferences to discuss new medical technology and reach a consensus. Muslim-majority medical schools teach bioethics. Updated courses address increasing biological and bioethics challenges. The Islamic Organization for Medical Sciences hosts symposia and broadcasts the Journal of Islamic Medicine. However, most Islamic communities would follow their religious scholars. Bioethical perspectives vary in Islam. Different schools of jurisprudence, Islamic sects, cultural backgrounds, and religious observances contribute to this diversity (Al-Akiti, 2021).

THEORY OF ISLAMIC BIOETHICS

Beneficence, non-maleficence, justice, and autonomy are four essential principles in medicine that were authoritatively described in the 1970s by Beauchamp and Childress (Beauchamp & Childress, 2001). These tenets will be examined one by one, with a focus on how deeply they are entrenched in Islamic thought.

Beneficence

Beneficence promotes welfare via kindness, love, and selflessness. Every society has automatically connected doctors with this principle. Islam is based on it, as is utilitarianism. From tangible to metaphysical, beneficence permeates Islamic thinking. Muslims often say "al Raḥmān" and "al Raḥīm," which allude to different aspects of beneficence. The Quran repeatedly mentions this idea. For instance, *"God orders you to support justice and to do well to others.."* (Al-Quran, 16:90) and *"Do good; indeed, God loves the beneficent."* (Al-Quran, 2:195). The Messenger of Allah also advocated good deeds and helping others. *"God is helping His servant as long as the servant help His other*

creations," He (SAWW) said (Nawawi M. Forty Hadith. Hadith no. 36). This hadith shows that Islam encourages helping others and alleviating their suffering. In the twelfth-century treatise 'Adab al ta'ib' or 'Ethics of the Doctor', al-Ruhawi advises that *"the physician must guard all his five senses and not employ them except for a helpful purpose and to reject damage..."* (al-Rudhawi, al-Tabib). These examples show that beneficence is fundamental to Islam, especially for the physician.

Non-maleficence

Non-maleficence is the philosophy of avoiding harm to others. This approach balances the benefits and harms of a physician's action to benefit the patient. As indicated, Islam has a legal maxim to promote avoiding injury. Al-arar yuzāl states that damage must be eliminated before an equivalent benefit. Another tradition states, *"In Islam, no harm shall be perpetrated or retaliated."* (Tarmidzi, Ismail, Ramli, Halib, & Ghaffar, 2019). This is among the most fundamental Islamic social ethics traditions attributed straight to the Prophet and agreed upon by jurists from almost all Islamic jurisprudence schools. Therefore, in Islam, a woman who has a healthy pregnancy and decides to terminate her unborn child is committing a crime comparable to murder since the unborn child has a soul (Iqbal, Habib, & Amer, 2019). However, using the notion of arūra (necessity) complicates the matter (Karim, 2022). Classical jurisprudence works have several chapters on incapable doctors. Islam values `ilm (knowledge) and requires everyone to seek it, honoring those who do: Doctors are encouraged to master their field. In one of his publications, medieval Muslim jurist Imam Ibn Qudama noted that if a doctor does not have the appropriate qualifications, knowledge, and expertise but nonetheless practices medicine and transgresses, he is wicked. Islamic biomedical ethics so emphasize non-maleficence (Fauzi, 2022).

Justice

Justice ensures fairness and equity, fulfilling everyone's rights in every situation. Gillon has identified three main forms of distributive justice, rights-based justice, and legal justice in healthcare ethics (Khaleefah, 2022). All Islamic teachings emphasize justice. The Qur'an and the Prophet repeatedly emphasize fairness in all aspects of life, including spirituality, law, politics, and finance. *"If you are to judge, then judge fairly between them"*, (Al-Quran, 5:42), as it is written in the Quran. In fact, *"God mandates justice and good deeds,"* (Al-Quran, 49:9). and *"God adores people who pronounce in equity."* (Al-Quran, 27:90) Like Kant's universal principle that people should be valued for who they are rather than for what they can do for us, comparable reminders to treat others with respect can be found throughout Islam (Pavlova, Zarutskaya, Pavlov, & Kolomoichenko, 2019). Salman al Farsi, Prophet's companion, told Abu ad-Dardaa, *"Your Lord has a right over you. your family and body have rights over you. Pay your dues"*. (Bukhari M. Kitāb al `ilm. Hadith no. 10). Everyone should be treated equally, regardless of culture or nationality. In his famous last sermon, Muhammad said, *"All mankind is from Adam and Eve, an Arab has no superiority over a non-Arab nor a non-Arab has any superiority over an Arab; also a White has no superiority over a Black nor a Black has any superiority over a White except by piety and good action"*. (Hanbal A. Musnad. Hadith no. 411). The Islamic scriptures clearly address distributive justice as well as rights-based justice.

Autonomy

The principle of autonomy recognizes and respects each person's right to have opinions, decide, and act based on their convictions and principles, as long as it does not harm or violate others' rights. Many ethicists believe autonomy—literally "self-rule" or "selfgovernance"—is the most fundamental ethical ideal (Veatch, 2020). Beauchamp and Childress' *"respect for autonomy"* implies that people can self-govern, and that other people should behave accordingly. Islam emphasizes personal responsibility and human rights. Since Islam promotes individualism, *"there is much leeway for personal autonomy in Islam. The sense of autonomy led to the robustness of the social system."* (Heston & Pahang, 2019) *"We acknowledged the descendants of Adam by making mankind His vicegerents on earth."* (Al-Quran, 17:70). The absence of clergy in Islamic tradition lends credence to this view of the individual as paramount; in this religion, there is no mediator between a person and God. As previously said, `ilm (knowledge) is crucial to making a rational decision and giving informed permission. However, the Islamic faith's view of human subservience to God and its

practical outward manifestations in relation to public interest differs greatly from the Western philosophical model. Family, society, and public interest are supported alongside individual autonomy and knowledge (Carver, Moritz, & Ebbs, 2020) .

The practice of Islamic Bioethics

Below are health and healthcare assessment matters and examples of their use.

Treating the sick

When prevention fails, Islam emphasizes restoring health. Treatment can save lives. Patients and doctors (or society) are responsible. Thus, the sick must seek treatment and society must assist him. The Prophet declared therapy necessary:

O servants of Allah, seek treatment, for Allah has not sent down any illness without sending down its treatment (Majlesi, 1983)

Human embryo extortion, in vitro fertilization, and adoption

We (God) created Man in the most perfect form. (Pickthall, 1970) Every life is valuable and worthwhile. Humans can choose between morality and immorality because they have autonomy and self-determination. Genome investigation and genetic treatment can restore health and integrity, but they must not compromise other Islamic precepts. Only somatic lineages of cells should be used in genetic material transplantation as parental integrity is not compromised and hereditary features are not altered.

Know your genealogy and respect your blood ties. (Hamida, 1998)

Children possess a religious right to know their parents and be born through a legitimate partnership (marriage). In vitro fertilization and insemination through artificial means are legal only if the woman's spouse's sperm is utilized.

Call the adoptive children by the name of their father. (Pickthall, 1970)

Muslim tradition frowns on adoption since adopting parents get parental rights. Since parentage is not transferred, fostering is encouraged. Retain the real father's surname.

Abuse of children, parental control, and independence

Say: "My Lord, have mercy upon them (my parents), as they cared for me in childhood". (Ali, 1975)

The parent-child bond is the foundation for all human relationships. Parents and children share rights and duties. Love and respect guide this most special friendship. Islamic law forbids child physical, emotional, and sexual abuse. However, Islamic doctrines acknowledge that children may require physical punishment in their own and society's best interests. Jurists require that parents never hit the face or head, use little force, and avoid bruising. Parents should never resort to discipline if they believe they could lose control (Tarazi, 1995).

The pen has been lifted from three: the sleeper until he awakens, the (male) child until his first wet dream, and the insane person until he can reason (Keller, 1994).

In accordance with the Children's Act of 1989, a minor's ability to give informed consent begins at age 16, or earlier if their physician so determines. According to Islamic law, males attain legal adulthood at the time of their first nocturnal emission, and females at the time of their first menstrual period (Tarazi, 1995).

Suicide

If our life is a gift from Allah and we are responsible, we have no total control over it. We must protect God's gift of life. God's blessings—physical or spiritual—are like this. They can be used, but not wasted. No one should think I prefer to burn my stuff or ruin my health or reputation. We're like guests at a guesthouse. The host provided everything in the guesthouse for guests (Carver et al., 2020). The guest cannot fire himself or the guesthouse or its contents. Seeing the human body as the spirit's temporary lodging makes the idea that we must follow God's rules for its use much more intriguing. We must please God by protecting life, health, and quality of existence and reducing pain (Hajar, 2017).

Exhumations and organ donations after death

Breaking the bone of the dead is akin to breaking the bone of the living (Al-Bassam, 1994).

Some scholars have extrapolated from this verse in the Qur'an that the dead may be able to experience pain, which is one of the reasons why Muslims are generally reluctant to accept post-

mortem exams. However, there are many who believe that the Quran mandates a humanitarian treatment of all human beings by Muslims, both in life and in death. Potentially replacing traditional open whole-body post-mortem examination in the future is magnetic resonance necropsy (Bisset, 1998). This new method is being adopted by a growing number of UK pathology labs (Anderson, Shanks, McCluggage, & Toner, 1989).


Many Arab Muslim nations now promote organ donation, viewing it as a "perpetual" act of charity. South Asian Muslims have not engaged as actively in this argument, in part because the topic has historically been of academic interest only in these nations.^{28,29} The trade in human body parts is strictly forbidden.

CONCLUSION

In this research, we examined the significance Islam has traditionally placed on human life in all its manifestations. God's ability to sustain life is widely regarded as a top attribute. Human life is among the most sacred in the animal kingdom. We looked at the Islamic view of human dignity and how it applies to the physical body before and after ensoulment. Given that God has entrusted us with our lives, we have a responsibility to guide them in the best possible direction, toward becoming completely human. This means it deserves our gratitude, respect, and protection. The Islamic doctrines in this area were first introduced through the fields of Islamic law and bioethics. Both the preservation of health and the care of the sick are emphasized in Islamic beliefs. When it comes to the very start of a human being's existence, we've come to understand that procreation can only take place inside the bounds of a lawful and secure family unit. As we saw, Islamic law and bioethics both agree that abortion is morally wrong from the moment a pregnancy is planned, regardless of how far along it is. Regarding the final stages of life, we learned that death is when the soul leaves the body, thus until we have concrete evidence to the contrary, we must treat the individual as if they are still alive. Shi'a jurists generally hold the position that there is nothing that may be done to expedite one's own or the patient's death. As a result, suicide is morally repugnant since it shows no respect for human life.

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