

# *Medical Ethics and Etiquettes in Islam*

*Dr. Abrar Ahad Wani*



*with Forewords by:*

*Mufti Nazir Ahmad Qasmi*

*Dr. Rafiq Ahmad Pampuri*

*Dr G.Q. Allaqaband*

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All praise is due to Allah (SWT) alone.  
And prayers and peace of Allah be upon  
the chosen Prophet Muhammad (PBUH),  
and upon his family and companions and  
whoever followed his guidance.

## FOREWORD

MUFTI NAZIR AHMAD QASMI

*Shaikh-ul-Hadith and Chief Mufti  
(Darul-uloom Rahiemiah)*

*Member: Islamic Fiqh Academy (India)*

*Member: Muslim Personal Law Board (India)*

A human being is dependent upon numerous entities for his day to day activities and amongst them he is most dependent upon his health. Whether the activities are related to the mundane issues or the religious issues, health is the prerequisite. In the religious activities whether it is worship, preaching, compiling or writing books, social service or striving to achieve nearness to Allah (SWT) one needs to be healthy. In the daily chores whether it is household work, job, business, craft, agriculture, gardening or education nothing is possible without health. One travels to far off places for above activities and it is possible only when one is healthy. It is health because of which a man can do whatever he wishes. If this precious blessing is lost than he loses all the passion, motivation and commitment to do anything. It is

for this reason, the Messenger of Allah, (PBUH), said, **“Take advantage of five before five: your youth before your old age, your health before your illness, your riches before your poverty, your free time before your work, and your life before your death.”** ( Baihaqi :Shuab al-Iman 9575). In another hadith the Prophet, (PBUH), said, **“There are two blessings which many people waste: health and free time.”** (Sahih-Bukhari 6049)

The reality is that a person is himself responsible for protecting his health. If he takes into consideration the principles of maintaining health in his way of eating, drinking, clothing and other day to day activities, he will be protected from numerous diseases which are basically due to his carelessness. If one takes into consideration only the taste and fun in food and ignores the bad or good effect the food is going to have on his body, then it is as if he not consuming food for his body but only for his pleasure. In our society it has become a norm to give preference to tasty food as compared to healthy one. So everyone consumes tasty food whether it is healthy or not.

If anybody is given an option of choosing between fast foods and fresh fruits and vegetables almost everyone will choose the former. On comparing between fresh lemon and fruits juices with conventional cold drinks almost everyone will choose the latter. If a kid is asked to choose between chocolate, toffee, jelly on one hand and fruits on the other hand he will always choose the former. Although if we compare the difference between two they are heavens apart.

Health is a great blessing of Allah (SWT) and after iman (faith) it is the greatest blessing and its destruction is



caused by human himself. Every healthy person will encounter disease one moment or another and once he is afflicted by illness a need for health care professional comes into picture. So in every society the importance of health care is almost similar to the importance of food, clothing and shelter. From this comes the role of health care professional whether he is allopath, homeopath or from any other health care related specialty.

If a doctor is full of spirit for service of mankind, full of human values, free from materialistic tastes and greed for amassing wealth, not being considerate only for his fees and commission and has a relation of compassion, mercy and affection with his patients, then he is a great asset who commands respect from any other professional in the society. On the contrary if the same doctor is afflicted by only materialistic pursuits and has more consideration for the money as compared to the health of his patients then his way of actions will be apparent when one goes to meet such doctors who have set up great corporate centers which are a money minting machines rather than hospitals. One can feel the pain of these patients when they narrate their horrendous experiences and obviously the people who are affiliated to medicine can understand this issue in a better way.

The subject of health and disease is vast and in it has numerous subdivisions and one of the important ones is the thought process of the patient himself. The patient must have firm faith that cure is not in the hands of the doctor. The doctor can only diagnose the disease and start the treatment and advise precautions. The doctor has a moral responsibility to carefully follow the patient with compassion and serially re-

assess and observe the patient and analyze whether his diagnosis and treatment are apt or not. He must regularly build hope for the patient and behave like a gentle man. The doctor cannot do better than this. The patients have to behave responsibly, they must go to a good doctor, follow his advice carefully and never talk bad about his doctor. Both doctor and the patient after fulfilling their duties must have full faith that the ultimate cure lies with the Allah (SWT). The attendants of the patient must take care of their patient with utmost courage, patience and must support the patient financially depending on their status. They must cooperate in the care of patient and also spend something in charity. This is all a human being can do rest all lies with the creator.

This book is compiled by Dr Abrar Ahad Wani who is a successful surgeon. He not only is a neurosurgeon but also is adorned with good character, has religious bent of mind and is admired and is famous in his profession and society. In this book he has nicely described the duties and etiquettes of the doctor and on this has compiled various topics and collected a very informative material. There was really a need for this book especially for the health care related professionals. Hence this effort of doctor sahib is really appreciable. In this he has included some important health care related juristic issues like IVF, organ donation, family planning etc., and discussed whether these issue are lawful or nor as per Islamic principles. He asked me to have a look at this portion so as to see if there are any mistakes in it and to do any corrections if required. Since these issues are related to modern medical sciences hence scholars and jurists have done a considerable debate on these and on the basis of these

deliberations the decisions were made.

This book although is not the final word on this subject but this is a commendable book which has been compiled by an intelligent, expert and respectable person. Since this book is compiled on the ethics of medicos by a doctor himself so this book is likely to have more impact.

I pray to Allah that He accepts this work of Dr Abrar and makes it widely disseminated and beneficial to all the people who are addressed in this book. I also pray to Allah (SWT) that this book becomes an everlasting charity for him.

## FOREWORD

DR. RAFIQ AHMAD PAMPORI

*Ex. Principal: Government Medical College, Srinagar.  
Rector: Ilahiya Educational Institute, Srinagar.*

Moral principles that govern a person's behavior called ethics is the hallmark of any civilized society. As the human values and morals are on the decline at a very rapid pace so are the ethical values. To adhere to ethical values is important in all spheres of life but these attain very high significance when it comes to the medical profession. Degradation in medical profession is now so common that it has become the talk of the town. This noble profession has now received a very bad name due to the huge number of black sheep donned in noble white coats. However, there is still no dearth of honest and dedicated doctors who strictly follow the principles of medical ethics, but unfortunately the number of dishonest and opportunists entering into the field is on the rise. Therefore, it is the need of the hour to reemphasize the importance of medical ethics. Dear Dr. Abrar deserves special praise for not only highlighting the medical ethics per se

but also reminding the medical professionals about the Islamic teachings on the subject. He has put in a lot of hard work in collecting Islamic guidelines on the subject from authentic sources and references. May Allah (SWT) accept his hard work and make this book a means of salvation in the hereafter.

If I have to summarize this book I would say that there is only one deterrent which will make one to adhere to honesty and fairness in the medical profession and that is the faith and fear of accountability in the hereafter, and the firm belief that Allah the almighty is not only watching but also knowing the intentions even at the deepest of conscious or subconscious levels.

## FOREWORD

DR G.Q.ALLAQABAND

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Several years ago, when a seminar on Islam and Medicine was held at SKIMS and it was presided over by Sheikh ul Hadith Maulana Hazrat Nazir Ahmad Sahib Qasmi. Several issues were discussed, and it is in this seminar that I had suggested that a book on Islamic Ethics in Medicine was needed. From time to time I had interactions with Jinab Nazir Sahib on various topics to enlighten myself.

I am glad that Dr Abrar Ahad Wani has written this book and I had the privilege to go through the draft. I have no hesitation in saying this is going to be reference book for all the practicing physicians in general and Muslim doctors. Further in-depth study is need of the hour in topics like Organ transplantation, especially brain transplant as and when perfected, transplantation of testes which has been reported recently and transplantation of uterus are of significance from

Islamic point of view. Invitro fertilization, Surrogate pregnancy, implantation of artificial devices, plastic surgery like facial reconstruction, test tube babies, Cloning etc. etc. deserve in depth study

Topics covered in this book are varied with proper Quranic and Hadith references which shows the deep knowledge and understanding of Islamic knowledge of the author.

Jonathan E. Brockopp and Thomas Eich have written a book on Muslim Medical Ethics in which they say, “The effects of Muslim medical ethics have ramifications beyond the Muslim world. With growing populations of Muslims in North America and Europe, Western physicians and health-care workers should be educated on the special needs of this category of patients.” Study and research of Islamic Medical Ethics shows the richness and sophistication of the Islamic traditions based on Islamic laws and taking full advantage of scientific advances combining them with wisdom of Sufism, traditions and family and community laws.

I must congratulate the author for his hard work which he has put in to produce this much needed book for the practicing physicians.





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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

## INTRODUCTION

I am on the verge of completing my third decade in the medical profession and time and again so many episodes, events, mishaps have cast such a deep impression in my heart that it became a triggering point in the creation of this work. Another major event in my life, which ignited the passion to start compiling this book, was the study of the holy traditions of Prophet Muhammad (PBUH). These two factors, though working in symbiosis, needed a catalyst which Allah (SWT) provided in form of my mentor Dr. Rafiq Ahmad Pampori. When in an email I expressed him my idea of writing something about the medical ethics, his prompt reply was, “It is the need of the hour”. His advise was so blessed that just two days after the mail Allah (SWT) gave me taufeeq to start the work on the project about which my mind was merely carrying some wandered thoughts since last two years. I am hopeful that this book will be beneficial to the medical professionals who are eager to work under the guidance of the Prophetic sunnah. This issue is more important in case of a Muslim doctor as it is the demand of his faith to carry out his job in the capacity of both a pious Muslim and an efficient and sin-

cere doctor striving hard for the benefit of his patients. As a matter of fact, a doctor may not be able to cure his patient at all times because of the unavailability of curable resources, but what matters is how professionally he tackles the disease, the patient and his family.

When I searched for what Islam says about the medical ethics, I did find some articles addressing the issue, however, I couldn't find anything attempting to draw a correlation between various ethical issues and the Prophetic guidelines. Therefore, in the pages that follow, an attempt has been made to address this issue.

May Allah (SWT) make this work easily understandable and beneficial to the readers and also a source of salvation for me in the hereafter. I would like to put a disclaimer in the introduction that I do not make any claim of being in possession of the ethical morals mentioned in this book, but do wish that Allah (SWT) blesses me with them to the highest extent. Aameem

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## ETHICS AND ETIQUETTE IN MEDICAL PROFESSION

Word 'ethics' is derived from the ancient Greek word 'ethikos' which in turn is derived from the word 'ethos', meaning - custom or habit. The dictionary meaning is: 'rules of behavior based on ideas about what is morally good or bad'. The word 'etiquette' literally means the rules indicating the 'proper and polite way to behave'. The word is originally derived from French word 'etiquette' which means 'ticket' or 'label attached to something for identification'. This word was then borrowed by Spanish people (who altered it to 'etiqueta') to refer to the written protocols describing the order of precedence and behavior demanded of those who appeared in courts. Finally, English adopted both the word and its second meaning from the French.

### **Difference between ethics and etiquettes**

Though both ethics and etiquettes are concerned with the way a person lives in a society, there is some difference between the two. The former is more concerned with principles of life while as the latter is related more to behavior. The etiquettes of people in a society enable them to live comfortably without causing inconvenience to each other. Meanwhile, ethics refer more to the rules which differentiate good and

bad. When these rules are applied to medical specialty they are called ‘medical ethics’. So medical ethics is a set of moral principles that apply value and judgment to the practice of clinical medicine and research. It enables people to be guaranteed of quality and principled care. Thomas Percival is believed to have coined the term ‘medical ethics’ as early as 1803, in which he described the code of conduct for medical professionals. The Code of Ethics was then adapted in 1847, relying heavily on Percival’s words. [1]

### **Hippocratic oath**

In literature, there are many codes of conduct aimed at establishing the medical ethics; oldest could be traced to Hippocrates in around 3-5<sup>th</sup> BC which is famous as Hippocratic oath which states:

"I swear by Apollo the Healer, by Asclepius, by Hygeia, by Panacea, and by all the Gods and Goddesses, my witnesses that I will carry out, according to my ability and judgment, this oath and this indenture. To hold my teacher in this art equal to my own parents; to make him partner in my livelihood; when he is in need of money to share mine with him; to consider his family as my own brothers, and to teach them this art, if they want to learn it, without fee or indenture; to impart precept, oral instruction, and all other instruction to my own sons, the sons of my teacher, and to indentured pupils who have taken the physician’s oath, but to nobody else. I will use treatment to help the sick according to my ability and judgment, but never with a view to injury and wrong-doing. Neither will I adminis-

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[1] Riddick, Frank. *The Code of Medical Ethics of the American Medical Association. The Ochsner Journal*. 5: 6–10.. PMC 3399321(2003)

ter a poison to anybody when asked to do so, nor will I suggest such a course. Similarly I will not give to a woman a pessary to cause abortion. But I will keep pure and holy both my life and my art. I will not use the knife, not even, verily, on sufferers from stone, but I will give place to such as are craftsmen therein.

Into whatsoever houses I enter, I will enter to help the sick, and I will abstain from all intentional wrong-doing and harm, especially from abusing the bodies of man or woman, bond or free. And whatsoever I shall see or hear in the course of my profession, as well as outside my profession in my intercourse with men, if it be what should not be published abroad, I will never divulge, holding such things to be holy secrets.[1]

It is often said that the phrase "First do no harm no harm" (Latin: *primum non-nocere*), is a part of the Hippocratic oath. The phrase as such does not appear in the oath, although the oath does contain Latin: ... *noxamvero et maleficium propulsabo* (also, I will utterly reject harm and mischief). The phrase "*primum non nocere*" is believed to date from the 17<sup>th</sup> century.

A code of ethics named as *Formula Comitis Archi-atrorum* was published in the fifth century AD. [2]

## **Medical ethics in Muslim world**

**Ishaq ibn Ali al-Ruhawi:** In the 9<sup>th</sup>-century, as the Europe was going through the 'dark ages', Arab civilization was in its 'golden age' and it is from them that the first book of medical ethics namely 'Aadab u tabib' i.e., 'Moral Conduct

---

[1] Edelstein, Ludwig *The Hippocratic Oath: Text, Translation and Interpretation*. 56: ISBN 978-0-8018-0184-6 (1943)

[2] Nemec, Jaroslav. *Highlights in Medicolegal Relations*. National Library of Medicine (1910-1992)

of a Physician' written by Ishaq ibn Ali al-Ruhawi came out. This book focuses on 'araba' the Islamic concept of etiquette and personal ethics, as it is defined in a medical context. It is one of the earliest texts on Islamic medical ethics, and also one of the early works concerning the ethics in medicine.

Ishaq ibn Ali al-Ruhawi lived in the city of Urfa (now in Turkey), which is one of the oldest cities and is known by the name of Orhai in Syria, Edessa in Greek, and al-Ruha in Arabic. The city was a great learning center in those days and it is here that the first book on medical ethics namely 'Aadabu Tabib' originated. [1] This book has a special importance in the history of medicine and has been translated into English by Martin Levy. I tried my best to get a copy of this book but all in vain, therefore, I am writing whatever information I could retrieve from various articles. His book consisted of 112 folios with 17 lines per page. This was found in 'Suleymaniye Kitabkhane' and English translation of which was published in 1967. [2]

al-Ruhawi could deal with this difficult subject easily because of the fact that the Islamic philosophy and the Muslim code is simply realistic and practical. The society, at that time, was changing from a tribal primitive society to a more orderly one with emphasis on human values and strong religious feelings. These were times of great changes. Therefore, the setting for this work was not any different from the one prevailing at present.

The book is divided into twenty chapters which fall

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[1] Pioreschi, Plinio *A History of Medicine: Byzantine and Islamic Medicine* (1st ed.). Omaha, NE: Horatius Press. p. 394. ISBN 1.3-04-888456-(2001)

[2] *Transactions of the American Philosophical Society* vol 57(3) , Philadelphia. (1967)



into three general categories: (i) the conduct of a physician, (ii) the conduct of a patient, (iii) and the conduct of public at large towards the medical profession and towards their patients. The text covers a physician's personal beliefs and practices, placing great importance on his faith in God and personal health and hygiene, as well as his conduct towards his colleagues, nurses, and patients. He says that the doctors should have a handsome salary so that they don't need to take up additional work to meet their expenses, although he also instructs doctors not remain after acquiring wealth. al-Ruhawi argues that the rich patients should be charged enough fees so as to cover the expenses of those unable to pay for themselves, as otherwise the medical care for both the rich and the poor will suffer.

There is a description on the legislative practices and punishments for the incompetent doctors. In order to maintain quality, the need for medical exams and licensing system is discussed. He understood the fact that all diseases cannot be cured but he insisted on severe penalties against the doctors whose patients die because of their negligence. He even goes to the extent of recommending capital punishment in case of grave medical negligence. There is a strong recommendation to the doctors to keep records of the patient's symptoms, treatments, and progress, so that it may be reviewed by peers, should the patient die under his care. [1,2]

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[1] Levey, Martin "Medical Ethics of Medieval Islam with Special Reference to Al-Ruhāwī's "Practical Ethics of the Physician". *Transactions of the American Philosophical Society. New Series. American Philosophical Society.* 57(3): 1.100ISSN 0065.9746 JSTOR 1006137 (1967)

[2] Al-Ghazal, Sharif *Journal of the International Society for the History of Islamic Medicine.* 3: 12 –13 (2004)

## **Chapters of ‘Aadab al-Tabib’**

- I. Loyalty and faith of the Physician, and ethics he must follow to improve his soul and morals.
2. Care of the physician's body.
3. What the physician must avoid and beware of.
4. Directions of the physician to the patient and servant.
5. Manners of the visitors
6. Care of remedies by the physician
7. What the physician asks the patient and the nurse.
8. What the patient may conceal from the physician.
9. How the healthy and ill must take orders of the physician.
10. Training of servants by the patient before illness.
11. Patient and visitors.
12. Dignity of the medical profession.
13. Respect for the physician.
14. Physicians and peculiar incidents to aid treatment.
15. Medical art for moral people.
16. Examination of physicians.
17. Removal of corruption of physicians.
18. Warning against quacks.
19. Harmful habits.
20. Care of the physician himself.

In *Adaab al-Tabib*, the author has tried to address the problems of responsibility, ethical dilemmas, and the needs of professionals in medicine. This book brings about the issue of missing ethical values in today's doctors. In the past, the physician would advocate morality and defend ethics, but in the current era - due to a variety of reasons e.g., busy life, narrow approach, or lack of emphasis on ethics during his medical training - he has failed to emerge as a stalwart

among the defenders of ethics and morality. The definition of ethics and morality in medicine has lately become a favorite topic for politicians and bureaucrats who lack the insight into patient-physician relationship. It is high time that the physician gets back on to the saddle, and he is still in a great position to do so. He is still regarded very highly and trusted by the people as shown by the polls. Unless the physician takes proper steps, the public trust is likely to wither away. Every physician needs to realize his duty to train the budding physicians, not only in the art of medicine, but also in handling the ethical dilemmas of medical practice. [1]

Despite such an extensive work which was far ahead of his times not much is known about the personal lives of Al Ruhawi. Levy writes "Al Ruhawi was probably from Ruha, a city in Northwest Mesopotamia. It is also known that al Ruhawi was a Christian.[2] Meanwhile Burgel writes that he was a Jew. [3] However when we study his book we realize that it is full of Islamic teachings and word "Allah" appears hundreds of times in his book and introductory part of his book is based on fundamentals of Islam . So Aksoy S concludes by saying, "Levey, Burgel and other western medical historians were wrong on religious affiliation of Al Ruhawi. Although the scientific and intellectual contributions of scholar are more important than his religious affiliation therefore I want to take this as a duty to correct his mistake, for the sake of future medical historians and show the concrete

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[1] Amanullah Khan. *Islamic Philosophy of Medicine. The Journal of IMA* . 26-28.(1978 )

[2] Levey M. *Medical ethics of Medieval Islam with special reference to Al Ruhawi* "Practical ethics of the physician. Philadelphia: The American Philosophical society, (1967)

[3] Burgel j. Ch. *Die Bildung des Arztes, eine Arabische Schrift zum 'ärztlichen Leben aus dem 9. Jahrhundert'* Sudhoff Archiv, Band 50, Wiesbaden :337-60 (1966)

evidences that he was a learned and open-minded Muslim physician.” [1]

### **Muhammad bin Zakariya al-Razi (Rhazes)**

In the same era came a person named Muhammad bin Zakariya al-Razi also known as Rhazes. A Persian Muslim and trained under Hunayn ibn Ishaq, al-Razi was one of the most versatile scientists of the Islamic Golden Age. He was a master physician, alchemist and philosopher, mostly famous for his medical works, but also having works on botany, zoology, physics and mathematics to his credit. His work was highly appreciated by medieval physicians and scientists. al-Biruni and al-Nadim, recorded his biographical information and compiled the lists of his writings. Many of his books were translated into Latin, and he remained one of the undisputed authorities in European medicine well until the 17th century. He produced over 100 medical writings. ‘Al Hawi’ is one of the most comprehensive books on medicine written by al-Razi (Rhazes). It consisted of 20 volumes. The diseases were described clearly drawing on the experience of Greek, Arabic, Syrian, Persian, and Indian physicians and he concluded by adding his own observations and experience. His work on smallpox and measles was translated in other languages for many centuries to come. The depth of his wisdom and the scope of his understanding the humanistic and ethical problems faced by physicians can be seen by merely looking at some of the titles of his works.

**"Why People Prefer Quacks and Charlatans to Skilled Physi-**

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[1] Aksoy S. *The religious tradition of Ishaq ibn Ali al-Ruhawi: the author of the first medical ethics book in Islamic medicine.* JISHIM11;3-9(2004)

cians'?"

"Why Ignorant Physicians, Layman, and Women have more Success than Learned Medical Men?"

"On the fact that even skilled physicians cannot heal all Diseases?"

"In the beginning of an illness, choose remedies, which do not weaken the (patient's) strength. Whenever a change of nutrition is sufficient, do not use medication, and whenever single drugs are sufficient, do not use composite drugs." [1]

The concept of not using combined drug formulation was given by this person about a thousand years ago is simply astonishing as this ban came in our country just last year.

### **Ali ibn Sahl Rabban al-Tabari**

In 970 CE Ali bin Sahl described the Islamic code of ethics in his book '*Firdous al-Hikma - The paradise of wisdom*', stressing on good personal characters of a physician, his obligations towards his patients, community, and colleagues. He is credited to produce the first encyclopedia of medicine in Arabic language. His book '*Firdous al-Hikmah*' is comprised of seven parts. Al-Tabari was a pioneer in the field of child development. He emphasized strong ties between psychology and medicine, and the need for psychotherapy and counseling in the therapeutic treatment of patients.[2] He stated: "A physician should be modest, virtuous and merciful. He should wear clean clothes, be dignified, and have well-groomed hair and beard. He should remain in the

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[1] Fuat Sezgin Ar-Razi. In: *Geschichte des arabischen Schrifttums Bd. III: Medizin-Pharmazie - Zoologie - Tierheilkunde = History of the Arabic literature Vol. III: Medicine - Pharmacology - Veterinary Medicine*. Leiden: E. J. Brill. pp. 274-4 (1970)

[2] Selin, Helaine, ed. *Encyclopedia of the history of science, technology and medicine in non-western cultures*. Kluwer. p. 930. [ISBN 0-7923-4066-3](1997)

company of reputed persons. He should be careful of what he utters and not hesitate to ask forgiveness in case of a mistake. He should be forgiving and never seek revenge. He should be friendly and a peacemaker. He should avoid predicting whether a patient will live or die; as it is only Allah (SWT) who knows what will happen.

He should not lose his temper when his patients keep asking questions, but reply gently and compassionately. He should treat the rich and the poor, the master and the servant alike. He should be punctual and reliable. He should not wrangle about his fees. If a patient is very ill or in an emergency, he should be thankful, no matter how much he is paid. God will reward him if he helps the needy. He should not give drugs to a pregnant woman for an abortion unless necessary for her health. He should be decent towards women and not divulge in the secrets of his patients. He should speak no evil of reputable men of the community or be critical of any other's religious belief. He should speak well of his colleagues. He should not honor himself by shaming others."

### **Abu-Ali al-Husayn ibn Abdullah ibn-Sina**

More commonly known in the West as 'Avicenna', Ibn Sina was a Persian physician in the tenth and eleventh centuries. He was known for his scientific works, especially that on medicine. He has been described as the "Father of Early Modern Medicine"[1,2]

Avicenna's medicine became the representative of Islamic medicine mainly through the influence of his famous

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[1] Colgan, Richard. *Advice to the Healer: On the Art of Caring*. Springer, pp 37.(ISBN 978-1-4614-5169-3: (2013)

[2] Moosavi, Jamal (April–June 2009). "The Place of Avicenna in the History of Medicine". *Avicenna Journal of Medical Biotechnology*. 1 (1). ISSN 2008-2835. 2011

work. *Al-Kanon fi al-Tibb (The Canon of Medicine)*. The book was originally used as a textbook in the medical school of Avicenna. The book is divided into 5 volumes. The first volume is a compendium of medical principles, the second is a reference for individual drugs, the third contains organ-specific diseases, the fourth discusses systemic illnesses as well as a section of preventative health measures, and the fifth contains descriptions of compound medicines.

### **The physician's oath**

The physicians oath is actually derived from Hippocrates oath and it was adopted in the Declaration of Geneva in 1948 and later on revised multiple times. It was introduced following the notorious human experiments done by German (Nazi) scientists. It was created by an exhaustive work over a period of two years and was adopted by the World Medical Association only three months before the United Nations General Assembly adopted the Universal Declaration of Human Rights (1948).

The Declaration of Geneva, as currently published by the World Medical Association, reads:

At the time of being admitted as a member of the medical profession:

I solemnly pledge to consecrate my life to the service of humanity;

I will give to my teachers the respect and gratitude that is their due;

I will practise my profession with conscience and dignity;

The health of my patient will be my first consideration;

I will respect the secrets that are confided in me, even after

the patient has died;

I will maintain, by all the means in my power, the honour and the noble traditions of the medical profession;

My colleagues will be my sisters and brothers;

I will not permit considerations of age, disease or disability, creed, ethnic origin, gender, nationality, political affiliation, race, sexual orientation, social standing or any other factor to intervene between my duty and my patient;

I will maintain the utmost respect for human life;

I will not use my medical knowledge to violate human rights and civil liberties, even under threat;

I make these promises solemnly, freely and upon my honour  
[1]

### **Oath of a Muslim Doctor**

In the First International Conference on Islamic Medicine held in Kuwait in January 1981, the oath of a Muslim doctor was drafted which says :

I swear by God...The Great

To regard God in carrying out my profession;

To protect human life in all stages and under all circumstances, doing my utmost to rescue it from death, malady, pain and anxiety;

To keep people's dignity, cover their privacies and lock up their secrets;

To be, all the way, an instrument of God's mercy, extending my medical care to near and far, virtuous and sinner and friend and enemy;

To strive in the pursuit of knowledge and harnessing it for

[1]" WMA declaration of Geneva". WMA. Retrieved 22 April 2013



the benefit but not the harm of Mankind;

To revere my teacher, teach my junior, and be brother to members of the Medical Profession joined in piety and charity;

To live my Faith in private and in public, avoiding whatever blemishes me in the eyes of God, His apostle and my fellow Faithful.

And may God be witness to this Oath. [1]

### **American Medical Association**

adopted the following ethical principles which are not laws, but standards of conduct which define the essentials of honorable behavior for the physician. The preamble of 2001 mentions:

I. A physician shall be dedicated to providing competent medical care, with compassion and respect for human dignity and rights.

II. A physician shall uphold standards of professionalism, be honest in all professional interactions, and strive to report physicians deficient in character or competence, or engaging in fraud or deception, to appropriate entities.

III. A physician shall respect the law and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient.

IV. A physician shall respect the rights of patients, colleagues, and other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.

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[1] *The Oath of Muslim Physician. Published in the Islamic Organization for Medical Science web site. (<http://www.islamset.com/ethics/code/cont2.html>)*

V. A physician shall continue to study, apply, and advance scientific knowledge, maintain a commitment to medical education, make relevant information available to patients, colleagues, and the public, obtain consultation, and use the talents of other health professionals when indicated.

VI. A physician shall, in the provision of appropriate patient care, except in emergencies, be free to choose whom to serve, with whom to associate, and the environment in which to provide medical care.

VII. A physician shall, recognize a responsibility to participate in activities contributing to the improvement of the community and the betterment of public health.

VIII. A physician shall, while caring for a patient, regard responsibility to the patient as paramount.

IX. A physician shall support access to medical care for all people. [1]

In the coming chapters all these preambles will be analyzed on the principles laid down in Islam with the intention to emphasize amongst the Muslim medicos that by practicing on the ethical guidelines they are earning a great reward from Allah (SWT) in spite of doing their job. It is basically the intention on which the rewards or punishment will be begotten from Allah. In the first hadith of famous book of hadith namely Sahih Bukhari, the narration is:

عَنْ عُمَرَ بْنِ الْخَطَّابِ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " إِنَّمَا الْأَعْمَالُ بِالنِّيَّةِ وَإِنَّمَا لِأَمْرٍ مَا نَوَى فَمَنْ كَانَتْ هِجْرَتُهُ إِلَى اللَّهِ وَرَسُولِهِ فَهَاجَرَتْهُ إِلَى اللَّهِ وَرَسُولِهِ وَمَنْ كَانَتْ هِجْرَتُهُ لِدُنْيَا يُصِيبُهَا أَوْ امْرَأَةٍ يَتَزَوَّجُهَا فَهَاجَرَتْهُ إِلَى مَا هَاجَرَ إِلَيْهِ "

*Umar ibn Al-Khattab (RA) reported: The Messenger of Allah*

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[1] American Medical Association. Declaration of Professional Responsibility. 144 .145–Appendix In: Council on Ethical and Judicial Affairs. Code of Medical Ethics—Current Opinions, 2000 2001–Edition, xiv. Chicago: American Medical Association. 2000.

*(PBUH) said, “Verily, deeds are only with intentions. Verily, every person will have only what they intended. Whoever emigrated to Allah and his messenger, then his emigration is for Allah and his messenger. Whoever emigrated to get something in the world or to marry a woman, then his emigration is for whatever he emigrated for.” (Bukhari 54)*

This is the first hadith which Imam Bukhari recorded in his book, where it serves the purpose of the introduction (khutba), pointing out that all deeds that are devoid of the proper intention are vain (batil). Al-Shafi'i said that it comprises a third of all religious knowledge. So a person who while doing his job as a medico keeps a good intention in his heart e.g., he is serving the creation of Allah, helping needy and those in pain and disease, will get a beautiful reward from Allah (SWT) even if he is earning salary for the job. We must make sure that the action is for the sake of Allah so that it is accepted by Allah and that we will be rewarded for it.

### **Preamble 1:**

**A physician shall be dedicated to providing competent medical care, with compassion and respect for human dignity and rights.**

In this first declaration we find two important qualities a physician should possess viz., ‘compassion’ and ‘respect for the human rights’. Let us see them through the prism of Islam.

### **Compassion**

In this declaration the point which needs to be elucidated is the need to inculcate the quality of compassion in

medicos. Oxford dictionary defines compassion as “a strong feeling of sympathy and sadness for the suffering or bad luck of others and a wish to help.” It motivates people to go out of their way to help the physical, spiritual, or emotional hurts and pains of another and it is considered in almost all the major religions as among the greatest of virtues.

In Islam, mercy and compassion (Rahman and Rahim) are among the foremost attributes of Allah (SWT). All but one of the 114 chapters of the Quran begin with the verse:

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

“In the name of Allah the Compassionate, the Merciful”.

The Arabic word for compassion is Rahman.

This verse speaks about the Divine quality of mercy, employing two adjectives Rahman and Rahim and they respectively connote the superabundance and perfection of Divine mercy. These two are the attributes of Allah (SWT). 'Rahman' is the one whose mercy is common to all (past, present, and future), and extends to the whole universe. On the other hand, 'Rahim' signifies the one whose mercy is perfect in all possible ways. It signifies the greatness of this quality as it is the attribute by which Allah (SWT) introduces himself in Quran and it is imperative for all of us to get a fraction from this attribute and in this medicos are supposedly destined to inculcate more of this quality. Compassion brings about the desire to do something to help the sufferer.

Physicians generally identify their central duties as the responsibility to put the patient's interests first, including the duty not to harm, deliver proper care and maintain confidentiality. Physicians who use compassion understand the

effects of sickness and suffering on human behavior. It may be closely related to love and the emotions evoked in both. This is illustrated by the relationship between patients and physicians in medical institutions.[1]

The relationship between suffering patients and their care-givers provides evidence that compassion is a social emotion, which is highly related to closeness between individuals. The medicos are supposed to be emotionally attached to the patients so that they have empathy for them which will breed the quality of compassion in them. The entity of compassion is so great that much emphasis has been laid in Islam for this as will unravel in coming description from the holy Quran and ahadith.

At the heart of Muslim belief is the principal of ‘tawhid’ or oneness. This oneness, or unity, has been described as that which dominates the mind in Islam, so heart is filled with the one Lord and this Lord describes his major attribute as compassion,

وَرَحْمَتِي وَسِعَتْ كُلَّ شَيْءٍ

*“My Mercy encompasses all things” (Qur’an 7:156)*

### **Sentiment of love and compassion in Islam**

Islam sees the sentiments of love and compassion, ‘compassion’ - the ability to feel with the other, as expressions of the interconnected oneness of all human beings reflecting the oneness and unity of God.

In one hadith qudsi, [a saying in which Prophet

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[1] Cassell, Eric. *Oxford Handbook of Positive Psychology* (2 ed.). New York, New York: Oxford University Press. pp. 393-403-ISBN [3-518724-19-0-978. ] : 2009.

(PBUH) narrates as, “Allah (SWT) told me so and so”] the emphasis is in these words, “My mercy takes precedence over my anger”

When we study the ahadith, we come across a numerous occasions when Prophet (PBUH) spoke about this and impressed the importance of this quality.

### Be Merciful for fellow humans

عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ”الرَّاحِمُونَ يَرْحَمُهُمُ الرَّحْمَنُ ارْحَمُوا مَنْ فِي الْأَرْضِ يَرْحَمَكُم مَّن فِي السَّمَاءِ“

*Abdullah ibn Amr (RA) reported: The Prophet (PBUH) said, “Those who are merciful will be shown mercy by the Most Merciful. Be merciful to those on the earth and the One in the heavens will have mercy upon you.” (Sunan al-Tirmidhi 1924)*

The final desire of everybody is that in eternal life he should enjoy a bliss and he should live in heaven which is not possible without divine mercy and in the above hadith a shortcut has been mentioned : “be merciful to fellow humans you will be shown mercy”. There is a famous saying ‘love begets love’ similarly ‘mercy begets mercy’.

أَلَا أُخْبِرُكُمْ بِمَنْ يَحْرُمُ عَلَى النَّارِ أَوْ بِمَنْ تَحْرُمُ عَلَيْهِ النَّارُ عَلَى كُلِّ قَرِيبٍ هَبْنِ سَهْلٍ

*Ibn Masood (RA) reported: The Prophet (PBUH) said, “Shall I not tell you for whom the Hellfire is forbidden? It is every person accessible, polite, and mild.” (Tirmidhi 2488)*  
عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ”رَأْسُ الْعَقْلِ بَعْدَ الْإِيمَانِ بِاللَّهِ

التَّوَدُّدُ إِلَى النَّاسِ“

*Abu Huraira (RA) reported: The Messenger of Allah (PBUH) said, "The basis of reasoning, after faith in Allah (SWT), is loving kindness toward the people"*

*(Al-Muajam Al-Awsat 6067)*

It is perhaps this quality, which is shrinking fast amongst medicos especially those working in public sector otherwise this, has a great healing effect and there is a famous saying in our local Kashmiri language "a patient gets healed by a polite word of physician". In my experience, I have seen so many medicos who are so successful in their career because of this quality and many a times this saved them from being trapped in legal suits when some complication was encountered.

عَنْ عَائِشَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ " إِنَّ اللَّهَ رَفِيقٌ يُحِبُّ الرِّفْقَ وَيُعْطِي

عَلَى الرِّفْقِ مَا لَا يُعْطِي عَلَى الْعُنْفِ وَمَا لَا يُعْطِي عَلَى مَا سِوَاهُ"

*Aisha (RA) reported: The Messenger of Allah (PBUH) said, "Verily, Allah is kind and he loves kindness. He rewards for kindness what is not granted for harshness and he does not reward anything else like it."* (Sahih Muslim 2593)

عَنْ عَائِشَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ " مَنْ يُحْرِمِ الرِّفْقَ يُحْرِمِ الْخَيْرَ "

*Jareer (RA) reported: The Messenger of Allah (PBUH) said, "He who is deprived of kindness is deprived of goodness." (Sahih Muslim 2592)*

وَكَانَ رَفِيقًا رَحِيمًا

*Abu Sulaiman (RA) reported: The Prophet (PBUH) was kindhearted and merciful. (Sahih Bukhari 5662)*

From above narrations it is clear that the Lord of ours is extremely kind and the person (PBUH) who has been made

as a role model for the humanity for all times to come was kind hearted, compassionate and full of mercy so these are the qualities, which need to be inculcated in all the humans in general and medicos in particular.

عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَا تُنْزَعُ الرَّحْمَةُ إِلَّا مِنْ شَقِيٍّ

*Abu Huraira (RA) reported: The Prophet (PBUH), said,  
“Mercy is deprived only from those who are miserable.” (Tirmidhi 1923)*

عَلَيْكَ بِالرِّفْقِ فَإِنَّ الرِّفْقَ لَا يَكُونُ فِي شَيْءٍ إِلَّا زَانَهُ وَلَا يُنْزَعُ مِنْ شَيْءٍ إِلَّا شَانَهُ

*Aisha (RA) reported: I was upon a camel, which was misbehaving so I began to beat it. The Prophet (PBUH), said:  
“You must be gentle. Verily, gentleness is not in anything except that it beautifies it, and it is not removed from anything except that it disgraces it.” (Musnad Ahmad 24417)*

Small acts of kindness, although it might be trivial in the eyes of people, are an important means for us to be saved from Hellfire and admitted into Paradise.

### **Compassion with non-Muslims:**

On analyzing above, we can vividly claim that Islam staunchly wants every human to be compassionate and for medico this is more important. While studying some narrations one may get an impression that these all are for Muslims alone however Allah (SWT) is so merciful that He stressed upon the fact that compassion is such a lofty quality that it needs to be extended to even those who do not believe in Him, and He mentioned in Holy Quran



مِنْ أَجْلِ ذَٰلِكَ كَتَبْنَا عَلَىٰ بَنِي إِسْرَآئِيلَ أَنَّهُ مَن قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ  
فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا وَلَقَدْ جَاءَتْهُمْ رُسُلُنَا  
بِالْبَيِّنَاتِ ثُمَّ إِنَّ كَثِيرًا مِنْهُمْ بَعْدَ ذَٰلِكَ فِي الْأَرْضِ لَمُتْسِرِفُونَ

*“Because of that, We decreed upon the Children of Israel that whoever kills a soul unless for a soul or for corruption [done] in the land - it is as if he had slain mankind entirely. And whoever saves one - it is as if he had saved mankind entirely. And our messengers had certainly come to them with clear proofs. Then indeed many of them, [even] after that, throughout the land, were transgressors.” (5:32)*

On pondering on above verse how much blessed is the medical profession that despite one spending his time in doing job as anyone else does but by just making Niyat (intention) that he is saving someone life; a medico can earn a huge reward from Allah (SWT). This blessing can be achieved while serving people irrespective of their affiliations with any religion, caste and race. As far as compassion is concerned, our Lord wants us to be humane to everybody. There are a large number of verses from the Holy Quran, the words and acts of the noble Prophet (PBUH), the practice of the rightly-guided Khulafa and other revered Companions, which bring to light injunctions and actual modes of dealing with non- Muslims by way of favour, compassion, generosity, sympathy and concern, which has little or no parallel in world history.

**The ‘Muwasat’, a degree of relationship with fellow beings** is that in which relationship based on sympathy, kindness and concern. It includes charitable help and support,

condolence and consolation and any well-meaning attitude of wishing well. Barring disbelievers who are at war with Muslims, this kind of relationship is permissible with all other non- Muslims. A detailed explanation of this approach has appeared in surah Mumtahinah (60:8)

لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِنْ دِيَارِكُمْ أَنْ تَبَرُّوهُمْ  
وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

*Allah (SWT) does not forbid you from treating those who do not fight you on your faith, nor have they driven you out of your homes, with benevolence and equity. (60:8)*

Now, let us look at what our noble Prophet (PBUH), who graced this world as the universal mercy, did for non-Muslims. He demonstrated such compassion, generosity and politeness while dealing with them that it would be difficult to find its example in the world history. When Makkah was in the grip of famine, he personally went out to help his enemies who had made him leave his home town. Then, came the conquest of Makkah. All these enemies fell under his power and control. He set all of them free. When non- Muslim prisoners of war were presented before him, he treated them with such tenderness which many cannot claim to have done even in respect of their children. The disbelievers inflicted on him all sorts of injuries and pain but he never raised his hand in revenge. He did not even wish ill of them.

A delegation from the tribe of Banu Thaqif, who had not embraced Islam up to that time, came to visit him, they were given the honor of staying in the Mosque of the Prophet (PBUH), a place regarded by Muslims as most honorable. Umar (RA) gave stipends and allowances to needy non-Muslims, an elegant conduct the examples of which are

spread all over in the accounts of dealings credited to the rightly-guided Khulafa and the noble Companions. [Maarif ul Quran page 56-57]

The special characteristics of the disciples of Prophet (PBUH) given in part of verse 27 of surah Hadid (57)

ثُمَّ قَفَّيْنَا عَلَىٰ آثَارِهِم بِرُسُلِنَا وَقَفَّيْنَا بِعِيسَى ابْنِ مَرْيَمَ وَآتَيْنَاهُ الْإِنْجِيلَ وَجَعَلْنَا فِي قُلُوبِ  
الَّذِينَ اتَّبَعُوهُ رَأْفَةً وَرَحْمَةً وَرَهَابِيَّةً ابْتَدَعُوهَا مَا كَتَبْنَاهَا عَلَيْهِمْ إِلَّا ابْتِغَاءَ رِضْوَانِ اللَّهِ فَمَا  
رَعَوْهَا حَقَّ رِعَايَتِهَا فَآتَيْنَا الَّذِينَ آمَنُوا مِنْهُمْ أَجْرَهُمْ وَكَثِيرٌ مِنْهُمْ فَاسِقُونَ

*Then We sent following their footsteps Our messengers and followed [them] with Jesus, the son of Mary, and gave him the Gospel. And We placed in the hearts of those who followed him compassion and mercy and monasticism, which they innovated; We did not prescribe it for them except [that they did so] seeking the approval of Allah. But they did not observe it with due observance. So We gave the ones who believed among them their reward, but many of them are defiantly disobedient. Surah Hadid (57:27)*

In other words, Allah (SWT) inculcated two qualities in the hearts of the followers of His Divine Book Injil [Gospel]: tenderness and mercy. As a result, they showed tenderness and compassion to one another. Or it could mean that they showed tenderness and kindness to the entire creation of Allah (SWT). Generally, the two words ra'fah (tenderness) and rahmah (mercy) are treated as synonyms or near synonyms, but since they are employed here in opposition to each other, some lexicologists explained that the word ra'fah is stronger in degree than the word rahmah. Others have explained that there are two requirements of tenderness and mercy. The word 'ra'fah means' to alleviate the calamity

of someone, while the word 'rahmah' means to give to someone what he needs. In short, ra'fah is concerned with repelling harm and rahmah is concerned with deriving benefit. As 'repelling harm' is normally prior to 'deriving benefit', ra'fah takes precedence over rahmah when the two words are expressed simultaneously. On this occasion, 'tenderness' and 'mercy' are mentioned as the special characteristics of the disciples [*Howariyyiin of the Prophet (PBUH)*]

The great mystical writers of Islam, wrote constantly of love and compassion as essential to the spiritual path of the Muslim. Love, they describe as the remedy of all ills and the alchemy of existence; love transforms poverty into riches, war into peace, ignorance into knowledge and hell into heaven. Jalal-ud-Din Rumi (RA), is arguably the best known in the West of all the great mystical writers.[1] Rumi stipulates that while love is of the essence in mysticism, it is something that has to be experienced to be understood. "Love cannot be contained within our speaking or listening. Love is an ocean whose depths cannot be plumbed.....Love cannot be found in erudition and science, books and pages.....the kernel of Love is a mystery that cannot be divulged). (Diwan e Tibrizi)

Rumi also reminds us that the message of love involves embracing diversity and the transcendence of self; this transcendence being the kernel of all true spirituality.[1] Preceding Rumi by almost a century, Abu Bakr Muhammad Ibn Arabi, (1165-1240--born in Andalusia in the south of Spain) is considered one of the greatest writers of the Islamic mysti-

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[1] H. Ritter, , D Jalaludin Rumi. *The Encyclopaedia of Islam (Volume II: C–G)*, 393. (1991)

cal tradition. Known as the poet of “the Cosmic Heart ,”he speaks to us of ‘Discovering the Deeper Grounds of Suffering in Opening the heart’...“ .Thus the person who understands the meaning of suffering increases his loving-compassion for the one who is in pain, then he/she will be rewarded....this is because (as the Arabic proverb expresses it) “every moist heart is a divine reward”. [1]

Finally, Abu Hamid Muhammad ibn Muhammad Al Ghazali (1058– 1111) born in Persia, in his work “The Duties of Brotherhood”, speaks of the necessity of love towards the “other” and how through love, all humanity embraces the oneness of God in all creation. [2]

“ Know that the world is one stage of the journey to Allah, the Most High. All in this station are travelers.

Since the destination of the journey of this caravan of travelers is the same, they are all as one. There must be friendship and unity among them and mutual aid. Those who love each other in Allah, they are the friends of Allah, the Most High.”

### **Respect for human rights and dignity**

The second point emphasized in the first preamble of medical ethics deals with human rights and dignity. It is quite clear that in all aspects of life human rights have to be considered and in this medical issues are of more importance as in this patients do not have many choices as they are dependent on health care providers for the proper advice and treatment. The human rights era started with the

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[1]Fusus Al Hikam Archived 2015-07-04 at the Wayback Machine., Translated by Muhammad Abdul Qadeer Siddiqui, Annotated by Mohammed Abdul Ahad Siddiqui, 2014 Kitab Mahal, Darbar Market, Lahore, Online Version at guldustah.com

[2] The Duties of Brotherhood, in the Alchemy of Happiness, Book XV

formation of the United Nations in 1945, which was charged with the promotion of human rights. The Universal Declaration of Human Rights (1948) was the first major document to define human rights. Medical doctors have an ethical duty to protect the human rights and human dignity of the patient so the advent of a document that defines human rights has had its effect on medical ethics.[1] Most codes of medical ethics now require respect for the human rights of the patient.

The Council of Europe [2] promotes the rule of law and observance of human rights in Europe. The Council of Europe adopted the **European Convention on Human Rights and Biomedicine** (1997) to create a uniform code of medical ethics for its 47 member-states. The Convention applies international human rights law to medical ethics. It provides special protection of physical integrity for those who are unable to consent, which includes children. No organ or tissue removal may be carried out on a person who does not have the capacity to consent under Article 5 as of December 2013, the Convention had been ratified or acceded to by twenty-nine member-states of the Council of Europe. [3]

The United Nations Educational, Scientific and Cultural Organization (**UNESCO**) also promotes the protection of human rights and human dignity. According to UNESCO, "Declarations are another means of defining norms, which are not subject to ratification. Like recommendations, they set forth universal principles to which the community of States wished to attribute the greatest possible authority and to afford the broadest possible support." UNESCO adopted the Universal Declaration on Human Rights and Biomedicine

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[1] Declaration proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A)

[2] European Treaty Series 186-Human Rights and Biomedicine (Additional Protocol), 24.I.2002

[3] Talita Cavalcante Arruda de Morais, Pedro Sadi Monteiro. Concepts of human vulnerability and individual integrity in bioethics. Rev. Bioét. Vol.25 No.2 Brasília. May/Aug. 2017

cine to advance the application of international human rights law in medical ethics. The Declaration provides special protection of human rights for incompetent persons.

In applying and advancing scientific knowledge, medical practice and associated technologies, human vulnerability should be taken into account. Individuals and groups of special vulnerability should be protected and the personal integrity of such individuals respected .

### **Emphasis on human rights in Islam**

Allah (SWT) lays strong emphasis on human rights irrespective of the socio-economic group in which a person exists. Our Lord (Glory be to Him) says:

وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَى  
كَثِيرٍ مِّمَّنْ خَلَقْنَا تَفْضِيلًا

*"And indeed We have honored the Children of Adam, and We have carried them on land and sea, and have provided them with At-Tayyibat (lawful good things), and have preferred them to many of those whom We have created with a marked preferment." [Surah Al Isra': 70]*

When Allah selected human beings to inhabit the earth, He gave them rights that were not given to other creatures and gave preference to people according to their servitude to their lord. Significant issue about human rights in Islam is that man was given preference to other creatures. Human beings have superior rank over other creatures.

Allah (SWT) says in surah Al-Hujurat (Chapter14,

Verse 13):

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ  
عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

*"O Mankind! We have created you from a male and female, and made you into nations and tribes, that you may know one another. Verily, the most honorable of you in the sight of Allah is he who has most taqwa among of you. Verily, Allah is All-Knowing, All-Aware."*

### **Islam teaches equality of humans in letter and spirit**

With this verse, Islam declares equality among people, that is because Islam respect a human for being a human not for any other reason; Islam dose not distinguish between two races, or two groups of people, or between two colors. So any medico cannot consider any bias in his management of human ailments and if this concept had been indoctrinated in medical professionals than the remorseful events like, Nuremberg experiments and Tuskegee study would not have happened. These nightmarish experiments conducted by doctors on various patients and even healthy humans occurred because a group of humans considered themselves superior to other group on basis of ethnicity leading to gross violation of human rights and worldwide condemnation and this was one of the major factors which stimulated the concept of medical ethics.

Islam did not emphasize the equality principle theoretically, but did it practically in some of the worship acts. In the masjids where Friday prayer is held once every week, as well as the five daily prayers; equality is exercised practically



and all the differences vanishes among people. That is, whoever came to the Mosque first, took his place in the front rows despite his financial states or position, and whoever come late, his place is late. If we look at any row among the prayer's rows, we would find in that row the rich and poor, the knowledgeable and the one with no knowledge, the Arab and the non-Arab, no differences all the same in sight of Allah (SWT). Their direction during prayer, as well as their revealed book, as their Lord is one and their movements during the prayer following one Imam.

Also in the holy land where the annual pilgrimage of Hajj is performed, the equality is even clearer and stronger that is because during prayer people may differ in their clothes but during hajj, everyone has to wear only simple white clothes which equates the rich and the poor, the governor and governed, all walking around Ka'bah asking one lord. Also, another practical application of equality in Islam, is the equality among people in front of the law and regulations. What is allowed is for all people and what is forbidden is also for all the people. The obligations are upon everyone, and whoever deserved punishment gets it, regardless of his background. Prophet Muhammad (PBUH) gave His Last Sermon on the ninth of Dhul Hijjah in the year 10 Hijri or 632 AC in the valley of Arafat. This is one of the most renowned Sermons of Prophet Muhammad (PBUH) as He gave it on His first and last Hajj. The sermon is a series of proclamations in which Prophet Muhammad (PBUH) spoke about various matters of guidance for Muslims. One of the guidance mentioned in it is:

*“All mankind is from Adam and Eve, an Arab has no superi-*

*ority over a non-Arab nor a non-Arab has any superiority over an Arab; also a white has no superiority over black nor does a black have any superiority over white except by piety (taqwa) and good action.” (Bukhari 1623)*

### **All patients are equal irrespective of their affiliations**

The medicos have to treat all the patients equally irrespective of their caste, creed, colour and religion. Islam strictly forbids character assassination, so it is prohibited to humiliate a person or talk about his honor.

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَسْخَرُ قَوْمٌ مِنْ قَوْمٍ عَسَىٰ أَنْ يَكُونُوا خَيْرًا مِنْهُمْ وَلَا نِسَاءٌ مِنْ نِسَاءٍ عَسَىٰ أَنْ يَكُنَّ خَيْرًا مِنْهُنَّ وَلَا تَلْمِزُوا أَنْفُسَكُمْ وَلَا تَنَابَزُوا بِالْأَلْقَابِ بِئْسَ الْإِسْمُ الْفُسُوقُ بَعْدَ الْإِيمَانِ وَمَنْ لَمْ يَتُبْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ

*"O you who believe! Let not a group scoff at another group, it may be that the latter are better than the former. Nor let (some) women scoff at other women, it may be that the latter are better than the former. Nor defame one another, nor insult one another by nicknames. How bad is it to insult one's brother after having Faith [i.e. to call your Muslim brother (a faithful believer) as: "O sinner", or "O wicked"]. And whosoever does not repent, then such are indeed Zâlimûn (wrong-doers, etc.)." [Surah Al Hujurat: 11]*

In the above verses, it is being enjoined to avoid and shun those major evils, which generally spoil the mutual relationships of the people in a society. Slandering and taunting the people and harboring suspicions and spying on others are, in fact, the evils that cause mutual enmities and then lead to grave mischief. In this connection, from the commandments that are being given in the following verses and the explana-

tions of these found in the Hadith. In medical parlance, it implies a medico has to take great precautions while dealing with the problems, which have social stigmas associated like leprosy, AIDS, sexually transmitted diseases, contagious diseases. Every effort has to be made not to pass some remark to the patient or his family that may hurt them.

## **Preamble II.**

**A physician shall uphold standards of professionalism, be honest in all professional interactions, and strive to report physicians deficient in character or competence, or engaging in fraud or deception, to appropriate entities.**

The crux of the above declaration is honesty and avoiding all form of cheating and both have been exhaustively described in Quran and ahadith. Cheating and deception are despicable characteristics that are beneath a decent person. Intentionally distorting the truth in order to mislead others contradicts the values of honesty, which requires an attitude of sincerity, straightforwardness, and fairness that leaves no room for cheating, lying, trickery, or deceit. There are many texts from the Quran and the Sunnah conveying the meaning that cheating, whether the target be Muslims or non-Muslims, is forbidden.

Muslim society is based on purity of feeling, love, sincerity towards every Muslim, and fulfillment of promises to every member of society. Its members are endowed with piety, truthfulness, and faithfulness. Cheating and deception are alien characters in contrast to the noble character of a true Muslim. There is no room in it for swindlers, double crossers, tricksters, or traitors.

## Cheating is a serious crime in Islam

Islam views cheating and deception as heinous sins, a source of shame to the one guilty of committing them, both in this world and the next. The Prophet (PBUH), may the mercy and blessings of God be upon him, did not merely denounce them by excluding them from the Muslim community in this world, he (PBUH) also announced that on the Day of Judgment every traitor would be raised carrying the flag of his betrayal. A caller will cry out from the vast arena of judgment, pointing to him, drawing attention to him:

عَنْ أَنَسٍ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: «لِكُلِّ غَادِرٍ لَوَاءٌ يَوْمَ الْقِيَامَةِ، قَالَ: أَحَدُهُمَا يُنْصَبُ، وَقَالَ: الْآخَرُ يُرَى يَوْمَ الْقِيَامَةِ يُعْرَفُ بِهِ»

*Narrated Anas (RA): The Prophet (PBUH) said, "Every betrayer will have a flag on the Day of Resurrection" One of the two sub narrators said that the flag would be fixed, and the other said that it would be shown on the Day of Resurrection, so that the betrayer might be recognized by it.*

*(Bukhari 3186)*

This hadith beautifully explains that whosoever betrays a person will face a horrendous embarrassment on the day of judgement. If any patient has been cheated into getting any unnecessary investigation done or being subjected to unnecessary or wrong intervention than on day of judgement the medico will be holding a flag (a signboard) displaying that he did so and so cheating. My dear readers how great will be the embarrassment which such a person will have when he will be exposed in presence of his relatives, friends and colleagues. May Allah (SWT) save all of us from this calamity.

As the time passes by humanity will face a great setback of loss of honesty and this is so nicely explained in the hadith

عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، " إِذَا ضَيَّعَتِ الْأَمَانَةُ فَانْتَظِرِ  
السَّاعَةَ "

*Narrated Abu Huraira (RA): Allah's Apostle (PBUH) said,  
"When honesty is lost, then wait for the Hour.  
(Doomsday)." (Bukhari 6496)*

### **Preamble III**

**A physician shall respect the law and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient.**

This preamble focusses on two issues, 'respect of law' and 'seeking best interest of the patient.'

In any civilized society law has to prevail in order to prevent the rights of citizens to be usurped. It is the law and its implementation that differentiates a barbaric society and a civilized one. In a medico the respect of law has to be imbibed since his training as this will need a lot of time to inculcate this quality.

Islam lays a great emphasis on respect of law and the beauty of Islam is that it emphasizes it equally for all the people irrespective of their background. In the following hadith a famous episode of theft committed by a lady of influential family is discussed which will elucidate the significance of law in the eyes of Islam.

## All are equal before Islamic law

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا أَنَّ قُرَيْشًا أَهَمَّتْهُمْ الْمَرْأَةُ الْمَخْزُومِيَّةُ الَّتِي سَرَقَتْ، فَقَالُوا: مَنْ يُكَلِّمُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَمَنْ يَجْزِي عَلَيْهِ، إِلَّا أَسَامَةُ بْنُ زَيْدٍ، حَبُّ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَكَلَّمَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ: "أَتَشْفَعُ فِي حَدٍّ مِنْ خُدُودِ اللَّهِ، ثُمَّ قَامَ فَخَطَبَ، قَالَ: يَا أَيُّهَا النَّاسُ إِنَّمَا ضَلَّ مَنْ قَبْلَكُمْ، أَنَّهُمْ كَانُوا إِذَا سَرَقَ الشَّرِيفُ تَرَكُوهُ، وَإِذَا سَرَقَ الضَّعِيفُ فِيهِمْ أَقَامُوا عَلَيْهِ الْحَدَّ، وَإِنَّمَا اللَّهُ لَوْ أَنَّ فَاطِمَةَ بِنْتَ مُحَمَّدٍ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَرَقَتْ، لَقَطَعَ مُحَمَّدٌ يَدَهَا"

*Narrated Aisha (RA): The Quraish people became very worried about the Makhzumiya lady who had committed theft. They said, "Nobody can speak (in favor of the lady) to Allah's Apostle (PBUH) and nobody dares do that except Usama who is the favorite of Allah's Apostle. " When Usama spoke to Allah's Apostle (PBUH) about that matter, Allah's Apostle (PBUH) said, "Do you intercede (with me) to violate one of the legal punishment of Allah?" Then he got up and addressed the people, saying, "O people! The nations before you went astray because if a noble person committed theft, they used to leave him, but if a weak person among them committed theft, they used to inflict the legal punishment on him. By Allah, if Fatima, the daughter of Muhammad committed theft, Muhammad will cut off her hand.!"*

*(Bukhari 6788)*

The kings are considered to be above the binds and dictates of the law. On the other hand, the Holy Prophet PBUH of Islam did not consider himself to be above the law and its provisions. Once a Companion was slightly injured, because of the Holy Prophet (PBUH). He immediately of-

ferred to pay the penalty to the injured Companion. (Abu Dawood).

Muslims are generally obliged to abide by the laws of the land and the country they live in, whether it is a Islamic state or a secular state such as those in the west, as long as they are not ordered to practice something that is against Shariah.

أَنَّ صَفْوَانَ بْنَ سُلَيْمٍ، أَخْبَرَهُ عَنْ عِدَّةٍ، مِنْ أَتْنَاءِ أَصْحَابِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، عَنْ آبَائِهِمْ دَنْيَةً، عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: "لَا مَنْ ظَلَمَ مُعَاهِدًا أَوْ انْتَقَصَهُ أَوْ كَلَّفَهُ فَوْقَ طَاقَتِهِ أَوْ أَخَذَ مِنْهُ شَيْئًا بَغَيْرِ طَيْبِ نَفْسٍ فَأَنَا حَاجِبُهُ يَوْمَ الْقِيَامَةِ"

*Safwan reported from a number of Companions of the Messenger of Allah (PBUH) on the authority of their fathers who were relatives of each other. The Messenger of Allah (PBUH) said, " Beware, if anyone wrongs a contracting man, or diminishes his right, or forces him to work beyond his capacity, or takes from him anything without his consent, I shall plead for him on the Day of Judgment."*

*(Bukhari 3052)*

The above Hadith is quite clear, in that a Muslim is obliged to fulfil the covenant or agreement of even a non-Muslim. If such an agreement takes place, then one will be considered to have safeguarded his life, wealth and property. It will be unlawful (haram), as mentioned quite clearly in the Hadith, to take any wealth of the one with whom there is an agreement without his consent. This clearly implies if a patient is subjected to any procedure or investigation, which is unwarranted than Holy Prophet (PBUH) will plead on his

behalf on the day of judgment and if he does, so who will escape the wrath of Allah (SWT) ?

### **One has to be trust worthy**

During the battle of Khaybar which took place between the Muslims and Jews, the Holy Prophet (PBUH) and his Companions (RA) besieged the fort of Khaybar wherein the Jews were residing. A poor shepherd who was working for his Jewish master had already heard about the Messenger of Allah (PBUH) and upon seeing the Muslim army, thought that it was a good opportunity to inquire about Islam. He came out of the fort with the goats and sheep he was looking after and asked the whereabouts of the Messenger of Allah (PBUH). Upon being directed towards the Messenger of Allah (PBUH), he inquired about the basic teachings of Islam, and then said: "What will be my status if I accept Islam?" Holy Prophet (PBUH) replied: "I will embrace you, you will become my brother and enjoy the same rights as other Muslims." He said, "I am very poor and in a bad state. I am totally black and have bad odour coming from my body and cloths. How will you embrace me if I am in such a condition?" The Holy Prophet (PBUH) replied: "I shall embrace you, for all of Allah's servants are equal in His sight." He said: "If I embrace Islam, what will my fate be?" The Holy Prophet (PBUH) said, "I bear witness that if you accept Islam; Allah will change the darkness of your body to light, and the bad odour to good fragrance." These words of the Holy Prophet (PBUH) had their effect on his heart, thus he embraced Islam.

After entering into the fold of Islam, he asked the Ho-



ly Prophet (PBUH) what he was obliged to do? The Holy Prophet (PBUH) said that they were at the moment in the midst of war, thus the obligation at this moment and time was to participate in that. However, the Holy Prophet (PBUH) said to him, “The first and foremost thing you need to do is return these animals to its Jewish owner and then engage in Jihad.”

As mentioned earlier, these animals belonged to a Jew who was in the opposing army, but the Holy Prophet (PBUH) ordered him to go back and return them. The reason being, that he had taken these goats and sheep on a trust, and it is necessary by Shariah to return the belongings taken on trust back to its owner. Thereafter, he participated in the holy battle and was amongst the martyrs. The Holy Prophet (PBUH) recognized his body, thus addressed his Companions that I see with my own eyes that he has been given a bath in the sacred water of paradise, and Allah has changed his darkness to shining white and his bad foul smell to refreshing fragrance.

The above is an amazing example of fulfilling a trust of even an enemy. The Holy Prophet (PBUH) was in the midst of war with the Jews of Khaybar, yet he ordered the herdsman to go back and return the animals. When this is the state of fulfilling trust in the period of war, what would be expected of a medico regarding fulfilling of his trust which the patient has repositied in him?

## **Beneficence**

The second aspect of this preamble is to seek the means to achieve best for the patient. For this the terms

'beneficence' and its opposite 'maleficence' have been used so often in the books on medical ethics. 'Beneficence' refers to actions that promote the wellbeing of others. In the medical context, this means taking actions that serve the best interests of patients.

James Childress and Tom Beauchamp in *Principle of Biomedical Ethics* (1978) identify beneficence as one of the core values of healthcare ethics. Some scholars, such as Edmund Pellegrino, argue that beneficence is the only fundamental principle of medical ethics.

The concept of non-maleficence is embodied by the phrase, "first, do no harm." Many consider that should be the main or primary consideration (hence *primum*): that it is more important not to harm your patient, than to do them good.

Many clinicians and investigators are keen to use new medicines or procedures with the intention that this will be beneficial to the patients. However not always this turns to be true as the intervention has not been evaluated rigorously and this has often caused great harm to the patients either financially or physically or both. Hence, only that therapy must be advised to the patient, which has been rigorously proven beneficial or at least not harmful to the patient or benefits should exceed the risks.

Many treatments carry some risk of harm. In some circumstances, e.g. in desperate situations where the outcome without treatment will be almost fatal, risky treatments that stand a high chance of harming the patient will be justified. Hence, a single treatment may involve both the concepts of beneficence and non-maleficence together giving rise to a

new concept of ‘double effect’. [1] A commonly cited example of this phenomenon is the use of morphine in the dying patient. Such use of morphine can have the beneficial effect of easing the pain and suffering of the patient while simultaneously having the maleficent effect of shortening the life of the patient through suppression of the respiratory system. Another example is amputating a limb of the patient with strong suspicion of gangrene limb ( a condition in which arm or leg becomes a dead tissue with toxic material being produced in it) in order to save life. This is because the limb not kill the patient if the gangrene does not progress but if it does so, the patient will die. [2]

In all such cases the physician has to take a decision in the best interests of the patient and taking the patient and his family into confidence.

#### **Preamble IV**

**A physician shall respect the rights of patients, colleagues, and other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.**

In this preamble focus is on two main aspects, rights of patients and other health care providers; and maintaining secrets of the patients. Regarding Islamic perspective of rights of the patients some points were mentioned in the description of the third preamble, as far as the rights of the col-

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[1] *Medical.Webends.com . Double effect Archived 2010-09-05 at the Wayback Machine*

[2] *Randall F. Ethical issues in cancer pain management. In: Sykes N, Bennett MI & Yuan C-S. Clinical pain management: Cancer pain. 2nd ed. London: Hodder Arnold; . ISBN 978-0-340-94007-5. p. 93–100.2008*

leagues is concerned some important points need to be kept in mind.

### **Backbiting is a major sin**

One must never indulge in backbiting of his colleague, a common example is when a patient who is under treatment of some physician now comes to you, you should refrain from making statements like “He has not diagnosed it correctly; he has not chosen a proper surgery and so on and so forth”. This kind of statements fall under the umbrella term of ‘gheebat’ in the light of Shariah and it is a major sin.

Allah's Apostle (PBUH) said, “Do you know what is backbiting?” They (the Companions) said: Allah and His Apostle (PBUH) know best. Thereupon he (the Prophet (PBUH)) said, “Backbiting implies your talking about your brother in a manner, which he does not like.” It was said to him: What is your opinion about this that if I actually find (that failing) in my brother which I made a mention of? He said, “If (that failing) is actually found (in him) what you assert, you in fact back bited him, and if that is not in him it is a slander.” (Sahih Muslim: 1183)

Malik (RA) informed that a man asked the Holy Prophet (PBUH), "What is backbiting?" Holy Prophet (PBUH), said, "It is to mention about a man what he does not want to hear." He said, "Messenger of Allah! Even if it is true?" Holy Prophet (PBUH), said, "If you utter something false, then it is slander." (*Al Muwatta Malik : 56.10*)

Therefore, after understanding what slander is, let us see what Quran says about slander:

إِنَّ الَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ لُعِنُوا فِي الدُّنْيَا وَالْآخِرَةِ وَهُمْ  
عَذَابٌ عَظِيمٌ

*"Surely, those who level a false charge against the chaste, naive and believing women are cursed in this world and the Hereafter, and for them there is a mighty punishment".*

*[Sura Nur: 23]*

In this verse, Allah (SWT) severely reprimanded those who slander against someone. Although in this verse it is about character assassination but if we apply this to our subject than it can be applied to a medico who just for petty gains slanders against his colleague and by this attains a status where there is nothing but wrath of Allah (SWT). It is reported in Mutaal Malik, Abu-Zinad said, "Umar ibn Abd Al-Aziz flogged a slave with eighty lashes for slander." (41.17) In Fiqh-us-Sunnah it is related that the Prophet (PBUH) said, "The atonement for backbiting [and slander] is to pray for forgiveness of the person who was slandered and to say, 'O Allah, forgive us and him'."

Seeing the seriousness of the crime our merciful Allah even mentioned ways to absolve a person from this sin. The most accepted way is to apologize to the person and that in itself is not an easy job as it gives a lot of embarrassment to the person but it is still worthwhile seeing the outcome in the next world. Second thing to do in this regard is to pray for forgiveness of the person who was the target of the slander and to mention his good qualities. This will wipe off the effects of such backbiting. This all is to emphasize the person to refrain from such a bad thing. Now if one abstains from

this vice , Allah (SWT) considers it a great virtue

عَنْ أَبِي الدَّرْدَاءِ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ " مَنْ رَدَّ عَنْ عَرَضِ أَخِيهِ رَدَّ اللَّهُ عَنْ وَجْهِهِ النَّارَ يَوْمَ الْقِيَامَةِ "

*Abu Darda (RA) reported: The Prophet (PBUH) said, "Whoever defends the honor of his brother, then Allah will protect his face from the Hellfire on the Day of Resurrection." (Sunan At-Tirmidhi 1931)*

All the medicos can attain this blessing if they wish by talking good about their colleagues and in case someone passes a slander against them, one should try to defend the truth and attain the blessings as mentioned in above hadith. If one has not attained this level of emancipation than at least he should remain quiet and not talk bad, by this he can still achieve a great reward

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ، فَلْيُكَلِّمْ خَيْرًا أَوْ لِيَصْمُتْ، وَمَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ، فَلَا يُوْذِ جَارَهُ، وَمَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ، فَلْيُكْرِمْ ضَيْفَهُ"

*Narrated Abu Huraira (RA): Allah's Apostle (PBUH) said, "Whoever believes in Allah and the Last Day should talk what is good or keep quiet, and whoever believes in Allah and the Last Day should not hurt (or insult) his neighbor; and whoever believes in Allah and the Last Day, should entertain his guest generously." (Bukhari 6475)*

Another vice which has crept into all professions and medicine is no exception to it is talking about silly things which may be real or just imaginary to create rift between colleagues, between patient and medico and this is a great sin

عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا، قَالَ: "مَرَّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى قَبْرَيْنِ فَقَالَ: "إِنَّهُمَا لَيُعَذَّبَانِ وَمَا يُعَذَّبَانِ فِي كَبِيرٍ، أَمَّا هَذَا فَكَانَ لَا يَسْتَتِرُ مِنْ بَوْلِهِ، وَأَمَّا هَذَا فَكَانَ يَمْشِي بِالتَّيْمِمَةِ" ثُمَّ دَعَا بِعَصِيْبٍ رَطْبٍ فَشَقَّهُ بِأَنْثَيْنِ، فَعَرَسَ عَلَى هَذَا وَاحِدًا وَعَلَى هَذَا وَاحِدًا، ثُمَّ قَالَ: "لَعَلَّهُ يُخَفَّفُ عَنْهُمَا مَا لَمْ يَبْيَسَا"

*Narrated Ibn Abbas (RA): Allah's Apostle (PBUH) passed by two graves and said, "Both of them (persons in the grave) are being tortured, and they are not being tortured for a major sin. This one used not to save himself from being soiled with his urine, and the other used to go about with calumnies (among the people to rouse hostilities, e.g., one goes to a person and tells him that so-and-so says about him such-and-such evil things). The Prophet (PBUH) then asked for a green leaf of a date-palm tree, split it into two pieces, planted one on each grave, and said, "It is hoped that their punishment may be abated till those two pieces of the leaf get dried." (Sahih Al Bukhari 6052)*

### **Effect of backbiting on medicos**

This use of calumnies to spoil someone's reputation creates so many bad scenes in hospitals which we see nowadays. Sometimes a doctor is beaten, hospital is ransacked, and consumer cases are lodged in court. Health-care staff is the most exposed professionals to workplace violence. A survey of violence against general practitioners (GPs) in Birmingham found that 63% had suffered abuse or violence in the previous year, with 0.5% suffering a serious injury. Another survey of GPs found that over 60% of GPs experi-

enced abuse or violence by patients or their relatives over a 1-year period and nearly 20% reported some sort of abuse at least once a month.

To combat this problem, the United Kingdom National Health Service issued “Zero Tolerance” guidelines. A German survey, published in the year 2015, reported that almost 50% of GPs were confronted with aggressive behavior, with 10% of them experiencing critical to violent attacks, such as criminal damage to property and/or physical assault.[1]

A study from India reported that about 87% of violent incidents were verbal while 8.4% were physical.[2]

About 87% of respondents, in a survey in China, reported an increasing trend of violence against doctors.[3]

Patients are becoming more aggressive in their demands and are much more likely to resort to aggression if not satisfied with health care. The above-mentioned maladies can be curbed to great extent if medicos adhere to proper ethical codes.

### **Confidentiality**

Confidentiality is commonly applied to conversations between doctors and patients. This concept is commonly known as patient-physician privilege. A patient tells his doctor so many things which he will not tell anybody else and he expects the information to be kept confidential and in many

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[1]MC Kapoor. *J Anaesthesiol Clin Pharmacol*. 2017 Apr-Jun; 33(2): 145–147. doi: 10.4103/joacp.JOACP\_102\_17

[2] Jenkins MG, Rocke LG, McNicholl BP, Hughes DM. Violence and verbal abuse against staff in accident and emergency departments: A survey of consultants in the UK and the Republic of Ireland. *J Accid Emerg Med* 1998;15:262-5

[3]Yu H, Hu Z, Zhang X, Li B, Zhou S. How to overcome violence against Healthcare professionals, reduce medical disputes and ensure patient safety. *Pak J Med Sci* 2015;31:4-8



instances even legal protections prevent physicians from revealing their discussions with patients, even under oath in court.. Islam lays a great emphasis on maintaining the secrets of others. Secrets are a kind of trust, and thus they are a kind of contract or covenant which must be kept. It is necessary to be harsh with those who disclose them, because they are betraying a trust and breaking their promise. The nature of secrets varies depending on the circumstances but in all cases disclosure is a betrayal of the trust and breaking of the covenant. In one of the ahadith such a person has been compared to a hypocrite

عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو، أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: "أَرْبَعٌ مَنْ كُنَّ فِيهِ كَانَ مُنَافِقًا خَالِصًا، وَمَنْ كَانَ فِيهِ خَصْلَةٌ مِنْهُنَّ كَانَتْ فِيهِ خَصْلَةٌ مِنَ الْبِفَاقِ حَتَّى يَدْعَهَا إِذَا أُؤْتِمِنَ خَانَ، وَإِذَا حَدَّثَ كَذَبَ، وَإِذَا عَاهَدَ غَدَرَ، وَإِذَا خَاصَمَ فَجَرَ"

*Narrated Abdullah bin Amr (RA): The Prophet (PBUH) said, "Whoever has the following four (characteristics) will be a pure hypocrite and whoever has one of the following four characteristics will have one characteristic of hypocrisy unless and until he gives it up. 1. Whenever he is entrusted, he betrays. 2. Whenever he speaks, he tells a lie. 3. Whenever he makes a covenant, he proves treacherous. 4. Whenever he quarrels, he behaves in a very imprudent, evil and insulting manner." (Bukhari : 34 )*

In Islamic perspective revealed somebody's trusted information

عَنْ أَنَسٍ "أَسْرَ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سِرًّا فَمَا أَخْبَرْتَهُ بِهِ أَحَدًا بَعْدَهُ، وَلَقَدْ سَأَلْتَنِي أُمُّ سُلَيْمٍ فَمَا أَخْبَرْتُهَا بِهِ"

*Narrated Anas bin Malik (RA), "The Prophet (PBUH) confided to me a secret which I did not disclose to anybody after him. And Um Sulaim asked me (about that secret) but I did not tell her." (Bukhari: 6289)*

### **Whatever patient tells a physician is to be kept secret**

Jaabir ibn Abdullah (RA) narrated from the Prophet (PBUH),

*"If a man tells you something then looks around, it is a trust." (Al-Tirmidhi 1959).*

In the light of this hadith if patient tells us something in private or talks to us quietly in our clinic taking care nobody else should listen, then it is extremely bad to disclose this talk to someone else. In holy Quran, Allah (SWT) disliked the disclosure of a secret by the wife of Holy Prophet (PBUH) and this is mentioned as

وَإِذْ أَسَرَّ النَّبِيُّ إِلَىٰ بَعْضِ أَزْوَاجِهِ حَدِيثًا فَلَمَّا نَبَّأَتْ بِهِ وَأَظْهَرَهُ اللَّهُ عَلَيْهِ عَرَفَ بَعْضُهُ وَأَعْرَضَ عَنْ بَعْضٍ فَلَمَّا نَبَّأَهَا بِهِ قَالَتْ مَنْ أَنْبَاكَ هَذَا ۖ قَالَ نَبَّأَنِيَ الْعَلِيمُ الْخَبِيرُ

*"And (remember) when the Holy Prophet (PBUH) told one of his wives something in secret. So, when she disclosed it (to another wife), and Allah (SWT) made it known to him, he told (the disclosing wife) part of it, and bypassed another part. So when he informed her about it, she said, "Who told you about this?" He said, "It is told to me by the All-Knowing, the All-Aware. ( Tahreem 66:3)*

Different things have been reported in different traditions, saying that the Prophet (PBUH) had told such and such a thing to one of his wives in confidence, which she disclosed to another wife. It is not at all important to know what the

secret was. Had it any connection with the object of the discourse, Allah (SWT) would Himself have mentioned it. The real objective for which this incident has been related in the Quran is to warn the Prophet (PBUH)'s wives and through them, the wives of the responsible people among the Muslims not to be careless in the matter of guarding secrets. In the verse, the question whether the secret disclosed pertained to a matter of any consequence or not and whether its disclosure could cause any harm to the mission or not, has been altogether ignored. What has been disapproved and pointed out in particular is that the secret was disclosed to another. The higher the position of responsibility a person holds the more dangerous would be the leakage of secrets from his house. No matter whether a thing is of any consequence or not, once a person becomes careless in the matter of guarding secrets, he may reveal important things as well as trivial matters.

In light of above verse it is incumbent upon every medico to guard the secrets which he came to know during the examination of the patient as the patient would never have revealed it to other person had he not be a medico. This includes his bodily defects, disease and its treatment.

### **Preamble V**

**A physician shall continue to study, apply, and advance scientific knowledge, maintain a commitment to medical education, make relevant information available to patients, colleagues, and the public, obtain consultation, and use the talents of other health professionals when indicated.**

This preamble focusses mainly on acquiring the knowledge and disseminating the same. This is an important aspect because one has to update his knowledge and skills in order to give maximum benefit to patients the subject is of such an immense importance that the very first verses of Holy Quran vindicates it

اقْرَأْ بِاسْمِ رَبِّكَ الَّذِي خَلَقَ (١) خَلَقَ الْإِنْسَانَ مِنْ عَلَقٍ (٢) اقْرَأْ وَرَبُّكَ الْأَكْرَمُ (٣)

الَّذِي عَلَّمَ بِالْقَلَمِ (٤) عَلَّمَ الْإِنْسَانَ مَا لَمْ يَعْلَمْ

*“Read! in the Name of your Lord Who has created [all that exists]. He has created man from a clot [a piece of thick coagulated blood]. Read! And your Lord is the Most Bountiful, Who has taught [writing] by the pen. He has taught man that which he knew not.” (Surah Alaq 96:1-5)*

The command ‘iqra’ [Read] has been repeated in this verse for two reasons: The first command in verse [1] was for the Holy Prophet (PBUH) himself to read or recite. The second command in this verse is to proclaim, convey, communicate and teach or preach. It is not inconceivable that the command iqra’ is repeated by deliberate design for emphasis. The Divine attribute Al-Akram ‘the Most Gracious’ signifies that Allah (SWT) did not create the world or man for any ulterior motive, for selfish motivation or for His own benefit. He has done it out of His infinite grace, generosity and magnanimity. He endowed upon the universe the great favour of existence without asking for it. Verse [4] (Who imparted knowledge by means of the Pen.) The preceding verse spoke of the creation of man. The current verse speaks of man’s education or literacy, because knowledge, as part of education and literacy, dis-

tinguishes man from all other animals and creatures, and occupies the position of the crown of creation. There are two means, methods or media through which knowledge is imparted: oral or spoken method or by word of mouth; and pen or written method. The command iqra' [read] at the beginning of Surah refers to the oral or spoken method. However, the current verse, which speaks more explicitly about imparting knowledge, speaks of the written method. (*Maarif ul Quran*).

### Importance of acquiring Knowledge

This verse stresses the importance of knowledge in dispelling the ignorance . Whether it is religious or worldly affairs, it is the knowledge that enlightens the human life. In another verse Allah (SWT) says,

هُوَ الَّذِي بَعَثَ فِي الْأُمِّيِّينَ رَسُولًا مِنْهُمْ يَتْلُو عَلَيْهِمْ آيَاتِهِ وَيُزَكِّيهِمْ وَيُعَلِّمُهُمُ الْكِتَابَ  
وَالْحِكْمَةَ وَإِنْ كَانُوا مِنْ قَبْلُ لَفِي ضَلَالٍ مُبِينٍ ۝

*...raised among the unlettered people a Messenger from among themselves, reciting unto them His Verses, purifying them and teaching them the Book and wisdom. And verily they had been before in manifest error. (Al-Jumu`ah 62:2)*

Knowledge is of two types: religious, which has to do with the understanding of the religious duties one is required to carry out, and temporal, which has to do with the matters of this world. A Muslim is required to acquire both types of knowledge. There are numerous ahadith which encourage one to acquire knowledge.

عَنْ مُعَاوِيَةَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "مَنْ يُرِدْ اللَّهُ بِهِ خَيْرًا يُفَقِّهْهُ فِي الدِّينِ"

*The Holy Prophet (PBUH) said, “Allah will grant the knowledge of Islam to whoever He wants good for him.” (Bukhari :71)*

Islam encourages the acquisition of knowledge and makes clear its great reward.

عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ” مَنْ سَلَكَ طَرِيقًا يَلْتَمِسُ فِيهِ  
عِلْمًا سَهَّلَ اللَّهُ لَهُ بِهِ طَرِيقًا إِلَى الْجَنَّةِ“

*The Prophet (PBUH) said, “Allah makes the way to Paradise easy for him who treads the path in search of knowledge.” (Muslim: 2699 )*

*“He who goes forth in search of knowledge will be in Allah’s way until he returns.” (Al-Tirmidhi 39:2)*

عن أبي الدرداء رضي الله عنه قال سمعت رسول الله صلى الله عليه وسلم يقول: ”من  
سلك طريقاً يبتغي فيه علماً سهل الله له طريقاً إلى الجنة، وإن الملائكة لتضع أجنحتها  
لطالب العلم رضا بما صنع، وإن العالم ليستغفر له من في السماوات والأرض حتى  
الحيتان في الماء، وفضل العالم على العابد كفضل القمر على سائر الكواكب، وإن  
العلماء ورثة الأنبياء وإن الأنبياء لم يورثوا ديناراً ولا درهما وإنما ورثوا العلم. فمن أخذه  
أخذ بحظ وافر“

*“He who follows a path in quest of knowledge, Allah will make the path to Paradise easy for him. The angels lower their wings for seeker of knowledge, being pleased with what he does. The inhabitants of the heavens and the earth and even the fish in the depth of the oceans seek forgiveness for him. The superiority of the learned person over the devout worshipper is like that of the moon over rest of the stars. The*

*learned are the heirs of the Prophets; the Prophets bequeath neither dinar nor dirham but only knowledge; and he who acquires it has in fact acquired an abundant portion."*

*(Al-Tirmidhi)*

Beneficial temporal knowledge is also necessary and Muslims are encouraged to acquire it in order to benefit themselves and their fellowmen. When the early Muslims understood this fact, they excelled all other nations and carried the torch of knowledge for many centuries as is evident by the numerous inventions and discoveries done by Muslims in the so called 'Dark ages of Europe'. At a time when superstition still hampered the practice of medicine in western countries, Muslim physicians were diagnosing diseases, prescribing cures and performing advanced surgery. Probably the greatest of all physicians was the 9<sup>th</sup> century figure Al-Razi, known in the West as Rhazes. He was the author of scores of scientific work, including a comprehensive medical encyclopedia and a pioneering handbook on smallpox and measles. A 10th century physician, Avicenna, compiled a huge Cannon of Medicine which was considered the standard guide in European medical circles until the late 17th century.

### **Autonomy**

The principle of autonomy views the rights of an individual to self-determination. This is rooted in society's respect for individuals' ability to make informed decisions about personal matters. Respect for autonomy is the basis for informed consent and advance directive. The definition of 'autonomy' is the ability of an individual to make a rational, un-influenced decision.

We see the Creator has respected this principle as He

states in holy Quran in surah Baqrah:

لَا إِكْرَاهَ فِي الدِّينِ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ فَمَنْ يَكْفُرْ بِالطَّاغُوتِ وَيُؤْمِنْ بِاللَّهِ فَقَدْ  
اسْتَمْسَكَ بِالْعُرْوَةِ الْوُثْقَىٰ لَا انْفِصَامَ لَهَا وَاللَّهُ سَمِيعٌ عَلِيمٌ

*“There is no compulsion in Faith. The correct way has become distinct from the erroneous. Now, whoever rejects the Rebel and believes in Allah (SWT) has grasped the strongest ring that never breaks. And Allah (SWT) is All Hearing, All-Knowing.” (Baqrah:256)*

One who holds on to Islam firmly stays protected against destruction and deprivation. It was for this reason that such a person was likened to one who holds on firmly to the 'ring', the looped support of a strong rope, and thus manages to avoid falling down. As there is no danger of such a rope breaking apart and causing a fall, so there is no danger of destruction or loss in Islam -- should somebody just abandon the rope, that would be an entirely different matter. And should somebody abandon Islam itself, that would be an entirely different matter too. (Maulana Thanavi: *Bayan al-Qur'an*).

## No compulsion in Islam

This approach of Islam makes it clear that it does not force people to accept and enter. When Sayyidna Umar (RA) invited an old Christian woman to accept Islam, she said in reply 'I am an old woman nearing death.' Hearing this, Sayyidna Umar (RA) did not force her to come into the fold of Islam. In fact, he recited this very verse: that is, “There is no compulsion in Faith.”



Really and truly, coercion and compulsion to make one accept a faith are not possible at all because faith is not related to outward physical response; it relates to the heart. Coercion and compulsion affect nothing but the outsides of physique and this is all that is affected by jihad and qital (fighting in the way of Allah( SWT)). Consequently, it is just not possible that people can be forced to accept faith through these measures. Since in the life of a person most important thing is how his eternal life is going to be? Can one imagine the torments of suffering for eternal life in which there is no end. Our beloved Allah (SWT) despite His so much love and affection for us explains to us that dear humans ‘accept my way of life ( Islam) and enjoy eternal salvation’, but simultaneously He gives us a choice by rejecting His call to salvation and gives us some autonomy to decide our future: heaven or hell!

In similar fashion patients have a right to make decisions about their medical care without their health care provider trying to influence the decision. The patient has a right to decide about the type of surgery he has to undergo after an informed consent in which he is explained the risk benefit ratio of all the available modalities. By considering autonomy as a gauge parameter for (self) health care, the medical and ethical perspective both benefit from the implied reference to health. Therefore, it can be said that autonomy is a general indicator of health. The progression of many terminal diseases is characterized by loss of autonomy, in various manners. For example, dementia usually results in the loss of

autonomy. [1]

Psychiatrists and clinical psychologists are often asked to evaluate a patient's capacity for making important decisions at the end of life like continuing or aborting supportive care in a terminal malignancy. Persons with a psychiatric condition such as delirium or clinical depression may lack capacity to make end-of-life decisions. For these persons, a request to refuse treatment may be taken in the context of their condition. Unless there is a clear advance directive to the contrary, persons lacking mental capacity are treated according to their best interests. This will involve an assessment involving people who know the person best to what decisions the person would have made had they not lost capacity. [2]

A middle-aged person was suffering from headache and altered intelligence. On evaluation was found to have a diffuse bilateral glioblastoma of thalamus and corpus callosum (a cancerous tumor at a critical location of brain). The patient was advised surgery by many doctors, however one of the doctor had a detailed discussion with the patient and family explained to them that the likelihood of a severe neurodeficit ( paralysis and coma) was very high and the disease was incurable, the latter decided to go for conservative treatment and the patient had a peaceful death after 3 months. On the contrary, if the doctors had pushed the family for surgical intervention the financial implications for this poor family

[1]Burla, Claudia. *Alzheimer, Dementia and the living will: a proposal. Medicine, Healthcare and Philosophy.* 17.3: 389–395. PMC 4078222 (2014)

[2] Pollard, B. J. "Autonomy and paternalism in medicine". *The Medical journal of Australia.* 159 (11–12): 797–802. PMID 8264472.(1993)

and the mental trauma of suffering a long postoperative course with same life span would have been a great suffering for the family. In this event medico proved to of great service to family in helping them to exercise their right to refuse treatment. On the other end of the spectrum, a doctor received a call from one of the medical units to assess a patient of massive brain hemorrhage, he assessed the case and found the patient was about to die in few moments as per the clinical setting of irreversible shock of central origin.

He called his senior consultant who was such a devil that he just created a pseudo- emergency and literally dragged the patient to operation theatre. The autonomy of family was not given any chance to express itself. The picture of family members collecting their credit cards to pay for the part payment of the monstrous bill of that ‘great’ corporate hospital is still in front of my eyes despite more than a decade has lapsed since then. The patient was just operated and died in minutes after coming out of theatre and the bill had crossed a million rupees. The hapless family never understood what had happened.

### **Preambles V onwards focus on being responsible to the patient and community**

Responsibility is actually an important component of human character and irrespective of the profession one has to develop it. An irresponsible person is a liability to the society and can harm himself as well as others. In medical profession, this becomes even more important as his little mistake can take the life of the patient. Allah (SWT) wants all of us to be responsible in our spheres of life. It becomes evident in the hadith of holy Prophet (PBUH)

عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ " أَلَا كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ فَإِلِمَامٌ الَّذِي عَلَى النَّاسِ رَاعٍ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ وَالرَّجُلُ رَاعٍ عَلَى أَهْلِ بَيْتِهِ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ وَالْمَرْأَةُ رَاعِيَةٌ عَلَى أَهْلِ بَيْتِ زَوْجِهَا وَوَلَدِهِ وَهِيَ مَسْئُولَةٌ عَنْهُمْ وَعَبْدُ الرَّجُلِ رَاعٍ عَلَى مَالِ سَيِّدِهِ وَهُوَ مَسْئُولٌ عَنْهُ أَلَا فِكُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ"

*Abdullah Ibn Umar (RA) reported: The Messenger of Allah, (PBUH) said, "Every one of you is a shepherd and is responsible for his flock. The leader of people is a guardian and is responsible for his subjects." A man is the guardian of his family and he is responsible for them. A woman is the guardian of her husband's home and his children and she is responsible for them. The servant of a man is a guardian of the property of his master and he is responsible for it. No doubt, every one of you is a shepherd and is responsible for his flock."* (Ṣaḥīḥ al-Bukhari 6719)

### **Responsible behavior towards patient is important**

A shepherd struggles hard all the day to keep his flock together, he can be seen running here and there so that the flock is safe, secure, grazing well and not harmed by wild animals. In a similar fashion, each and every Muslim is supposed to take care of the people around him which includes his family, relatives, friends, colleagues, employees, people with whom he interacts in offices. In the similar manner all the patients whom a medico is looking after are his responsibility. The best possible modality of management for the patient has to be chosen by the doctor and he has to see that the investigations advised are necessary, done at the appropriate laboratory. The medicines prescribed are standard and the interventions done are indicated. In case he fails to address these concerns of the patients, it is very like-

ly the patient will suffer miserably and in the light of above hadith, every medico will be questioned about the patients who are being treated by him. It sends a shiver in my body when I imagine being questioned about the patients whom I have treated my entire career. If my senior colleague will question me, it will be very difficult to satisfy him and what will be my condition when I will be standing in front of my Lord the exalted and He will be asking me about the patient management, why I did ? or why I failed to do ? In this, an important issue to be clarified is that Shariah holds us responsible for the voluntary part of the management and not the involuntary aspect. This means if a doctor utilizes his best abilities to the care of the patient and in this he has no malicious conflict of interests and still the patient gets some problems then the doctor is not accountable for the problems patient has developed. If this responsible approach is done by all the medical professionals then the status of our health institutions whether public or private will be entirely different. The complaint against public health sector that the doctors do not pay attention to the care of the patients while in private sector patients complain of being fleeced by the doctors. If one takes into the account the quantum of responsibility which lies on ones shoulders then both the sectors will flourish with everybody satisfied and relived of his miseries.

## CONTENTIOUS ISSUES IN MEDICAL PRACTICE

In every sphere of life there are some issues which are debatable and need to be understood in correct perspective so that there are no misconceptions about them. In this chapter I will be discussing these issues which include fees and commission for performing investigations and performing surgery, referral to specific hospitals, nexus between pharmaceutical companies and doctors and so on.

### **Fees and commission**

In this part of subcontinent a doctor is adored in various names like, second to God, incarnation of God, Godlike, angelic, saint and in last few decades derogatory names like butchers, greedy thugs have also been added to this glossary. People perceive doctors as the people who should relieve them of their illnesses without any returns, meanwhile doctors are humans and they need all the basic amenities which anybody else desires. To add to the spectrum there are doctors whose greed surpasses all the human limits and they behave in a satanic manner. Let us travel through the history and try to seek the answer of a basic question, should a doctor receive fees for his services?

In this quest I came across a beautiful article in which author traced the concept of remuneration for last 4000 years.

[1] On searching the literature the oldest narrative was about 2000 BC in the code of Hammurabi (King of Babylon). In these sections, 215-217 reads as, “If a physician has treated a man with a metal knife for a severe wound, and has cured the man, or has opened a man’s tumour with a metal knife, and cured a man’s eye; then he shall receive ten shekels of silver. If the son of a plebeian, he shall receive five shekels of silver. If a man’s slave, the owner of the slave shall give two shekels of silver to the physician.” [ 2]

Than in around 400 BC, Socrates, Aristophanes, Plato, Aristotle did write about this issue and from their writings it appears that the society at that time was not clear about the legality of accepting fees from all the patients.[3]

Some of the philosophers considered the remuneration perfectly fine just as a laborer would accept the wages after doing some specified work. On the contrary some philosophers considered the practice of taking fees by doctors as something not befitting a noble profession. They considered taking fees as repugnant to the Messiah character of the doctor.

In around 150 AD, we find works of Galen in which he discussed the issue of remuneration of doctors. He believed that physicians practiced medicine either because they love humanity, or because they love honour, or because they love glory, or because they love money. According to Galen, it was preferable to practice medicine because of the love of humanity but those that practice because of other reasons

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[1] Tom Warren. *A Brief History of Physician Remuneration* UWOMJ 78(2):40; (2008 )

[2] Edwards C. *The Hammurabi Code*. Port Washington, N.Y. Kennikat Press, (1971)

[3] Morgan ML. *Classics of Moral and Political Theory*, 2nd ed. Indianapolis: Hackett Publishing Company (1996)

were not inferior physicians but inferior philosophers. Galen says he never requested payment but would accept it if offered, which he believed was an important difference.[1]

## **Economic support to doctors in Religion**

Then in the so-called ‘Dark Ages of Europe’ when the Islamic world was flourishing in all aspects and medicine was no exception to it. The caliphate during these times established full-fledged hospitals in those times and encouraged the physicians to do research and clinical practice fully supported by the government. Ishaq bin Ali al- Ruhawi, a ninth-century Islamic writer says that since health is the prerequisite for the performance of all other human activities, medicine occupies the highest position of all professions.[2] Therefore, society should meet the physician’s financial demands in order that he does not have to do other work to support himself and that “the rich should pay the physician more than enough, because he cannot charge the poor towards whom he must extend his charity.”

Nachmanides, a Jewish writer says, “a physician may accept fees for the loss of time and for the trouble” of leaving, his home and traveling but he should not be remunerated for simply giving instructions.[3] Over last two centuries as the world started getting more educated, almost every region started coming with laws regarding regulating medical practice. E.g., regulation of fees in Boston starting in 1780. [4]

In India Medical council explicitly described the issue

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[1] Kudlien F. *Medicine as a ‘liberal art’ and the question of the physician’s income.* *J Hist Med Allied Sci* 31:448-459(1976 )

[2] Tom Warren. *A Brief History of Physician Remuneration* *UWOMJ* 78(2):40; (2008 )

[3] Kottek SE. *Gems from the Talmud – public health in Jewish lore: Physicians’ fees.* *Isr J Med Sci.* 32:1147-1149 (1996).

[4]Morgan ML. *Classics of Moral and Political Theory, 2nd ed.* Indianapolis: Hackett Publishing Company (1996)



of medical remuneration explicitly and in its code of ethics under chapter number 1.8, it mentions: [1]

“The physician, engaged in the practice of medicine shall give priority to the interests of patients. The personal financial interests of a physician should not conflict with the medical interests of patients. A physician should announce his fees before rendering service and not after the operation or treatment is under way.”

Remuneration received for such services should be in the form and amount specifically announced to the patient at the time the service is rendered. It is unethical to enter into a contract of "no cure no payment". Physician rendering service on behalf of the state shall refrain from anticipating or accepting any consideration.

Lopa Mehta enlisted numerous unethical practices done in this regard wherein the fees and the commission or kickbacks have been customarily so much mixed that the distinction is getting difficult day by day. [2]

### **Pay for performance**

In order to remove some of the problems of fees for service module, a new concept came up i.e., pay for performance. It introduces quality and efficiency incentives instead of rewarding quantity alone. In this module, a doctor is remunerated according to the nature of the services and the results derived out of it. This is a lovely model but unfortunately, this was hijacked by the corporate houses who defined the

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[1] *Code of ethics regulations, 2002. Amended up to 8<sup>th</sup> October 2016. (Published in part III, section 4 of the gazette of India, dated 6<sup>th</sup> April, 2002) Council of India-Notification.*

[2] *Lopa Mehta. " Ethical basis for charging medical fees " Vol 8, No 2 (2000)*

performance not only the basis of the patient outcome but also on the amount of revenue generated by the doctor. This led to a rat race amongst the doctors who started admitting patients at rampant, ordered unnecessary investigations and many times unnecessary interventions or interventions with doubtful outcome were advised. The motive was to surpass other colleagues in the quantum of the revenue generated as the incentives to be received by the doctor were directly proportional to the amount of the revenue generated.

### **Monthly remuneration**

In this mode of service, a doctor is paid a fixed amount of money as salary for active clinical work, for standby availability, administration, professional development, research and teaching. The specific time period can vary as well—annual salaries, sessional payments, shift stipends and hourly rates are all time-based payments. The contract will also often stipulate minimum expectations and maximum limits for payment. Therefore, working overtime or providing ‘extra’ time or services may not necessarily be remunerated. This mode is being used in most of the government hospitals in the Indian subcontinent. The biggest problem in this mode is that the financial benefits are not related to the patient care. Some morally upright doctors serve the patients tirelessly and yet receive the same salary as the ones who hardly do anything and that is the fallacy of this system. The health care providers and the patients alike feel the services provided in the hospitals are free so expectations are low but in reality, the government is paying from taxpayers’ money. The salaried doctor has to understand that it is oblig-

atory for him to do the quantum of work for which he is paid and if he fails to do so he will come under the ambit of those about whom Allah (SWT) mentions in holy Quran ( 83:1)

وَيْلٌ لِّلْمُطَفِّفِينَ

*“Woe to those who give less [than due]”*

### **Cursed are the professionals who do not work properly**

Although this verse is mentioning those people who do fraud in business but the scholars have made it emphatically clear that those people who take salary and do not perform their duty as they are supposed to do are included in in ‘mutafiffin’. In our context, those medical professionals whether doctors or paramedical workers who fail to perform their job with punctuality and responsibility will be included in this group. May Allah (SWT) save us from this calamity. Some of the common examples are:

#### **Accompanying patient for commission**

A general physician accompanying a patient to a consultant charges for the visit in anticipation of commission from the consultant. In many cases these visits are unnecessary and have only been done for financial gains.

#### **Unnecessary caesarian sections**

Some general practitioners running nursing homes can be tempted to advise unnecessary admissions, and prescribe unnecessary treatments. Some surgeons perform unnecessary operations and in this, the greatest discussed surgery is the caesarian section for delivery of the child. The World Health Organization Statement on C-section rates published in 2015 emphasizes: “Every effort should be made

to provide caesarean sections to women in need, rather than striving to achieve a specific rate.” The World Health Organization has long recommended that the ideal C-section rate should be between 10-15%. Based on the data from 121 countries, the trend analysis showed that between 1990 and 2014, the global average C-section rate increased 12.4% (from 6.7% to 19.1%) with an average annual rate of increase of 4.4%. [1] Although there are many reasons for progressive increase in caesarian sections but one factor, which is relevant to this book is the greed of the treating physicians.

A normal delivery would need many hours and even a day while caesarian section would fetch nearly 5-10 times the money in less than one hour.

### **Ordering unnecessary investigations**

This is more common when patients’ paying capacity is very high has become a great menace. In many instances we have heard from colleagues that unnecessary follow-ups also represent misconduct. Calling a patient for a check-up when it is not required, is unjustifiable, and exploiting the patient. Owners of nursing homes exploit with the Intensive Care Unit.

The bed charges for ICU bed are 5-10 times the general bed hence the tendency to prolong stay in ICU is an extremely common practice in private hospitals. Many a times attendants are made so scary that they stress on prolonging the stay of their patient in ICU. Besides the essence of an in-

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[1] Betrán AP, Ye 2, Moller AB et.al. *The Increasing Trend in Caesarean Section Rates: Global, Regional and National Estimates: 1990-2014.* PLoS One. 2016 Feb 5;(2):e0148343. doi: 10.1371/journal.pone.0148343

tensive care unit is skilled manpower. Private 'ICUs' charge high rates for their services, though they often have only a junior doctor on call. There are cases on record wherein the families had to sell off their homes in order to pay their bills and I have seen a family being denied dead body of their member until he cleared the dues and give a clearance certificate to the mortuary of the 'great hospital'.

### **Nexus between doctors and pharmaceutical companies**

The drug-companies interact with doctors in order to promote their medical products. This interaction per se has no problems and is permissible under law. WHO defines drugs promotion as all informational and persuasive activities by manufacturers, distributors to induce /influence the sale and use of medicinal drugs. [1]

### **Drug promotion or bribery**

It has an important bearing on the rational use of drug; on drug -price control mechanism; on equity of drug distribution - all making it a central public health issue. The pharmaceutical companies approach all the doctors irrespective of their designations and place of work. Primarily they come for drug promotion but in the garb of education they influence the doctors and this influence is varied depending upon the nature of people involved. There are many upright doctors who can never be influenced by the attractions put forward by companies but many do fall prey. The incentives

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[1] R.K. Bansal, Sanjoy Das. *Unethical relationship between doctors and drug companies*. . JIAFM, 2005 : 27 (1). ISSN 0971-0973

are in the form of costly gifts, foreign tours, club memberships, plasma television or a car for which monthly installments are paid by the pharmaceutical company and what not?

The doctors reciprocate by writing newer and costly drugs which sometimes are still not proven to be beneficial. Another drawback of this nexus is that there is mushroom growth of small companies, which produce substandard medicine as they are confident about the sales because they would invest in marketing rather than on the quality. In recent times, we have seen a simple drug like pantoprazole having dozens of brand names with extremely varying costs. In underdeveloped countries pharmaceutical companies spend more on marketing than research leaving no scope for development of new molecules from poorer countries hence a vicious cycle of importing the technical know-how and hence escalating cost of drugs where patients are of low socioeconomic background. When these poor quality prescriptions are written, the reaction is the progressive decline in the social acceptability of doctors. The public views their opinions with skepticism and suspicion hence overall confidence on the treating machinery is shattered. The doctors who are morally upright also feel dejected when they are considered to be part of the same filthy system.

### **What Sharia says about fees?**

Therefore, from above we see that there are two kinds of remuneration ---one is earned in a legal way and other in a deceitful way. The former is permissible (halal) and latter is forbidden in Islam (haram). Shariah has laid a great emphasis of earning from permissible manner and there is no doubt

that one of the obligations upon the Muslim is that he earns for himself and his family a pure and halal sustenance. Abu Hurairah (RA) narrated that the Prophet (PBUH) said:

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "مَنْ تَصَدَّقَ  
بِعَدْلِ ثَمَرَةٍ مِنْ كَسْبٍ طَيِّبٍ وَلَا يَقْبَلُ اللَّهُ إِلَّا الطَّيِّبَ وَإِنَّ اللَّهَ يَتَقَبَّلُهَا بِيَمِينِهِ، ثُمَّ يُرَبِّهَا  
لِصَاحِبِهِ كَمَا يُرَبِّي أَحَدُكُمْ فَلَوْهُ حَتَّى تَكُونَ مِثْلَ الْجَبَلِ"

*"If one give in charity what equals one date-fruit from the honestly earned money and Allah accepts only the honestly earned money --Allah takes it in His right (hand) and then enlarges its reward for that person (who has given it), as anyone of you brings up his baby horse, so much so that it becomes as big as a mountain. (Bukhari 1410)*

The Prophet (PBUH) mentioned a traveler on a long journey, who is disheveled and dusty, and he stretches forth his hands to the sky, saying, "O my Lord! O my Lord!" while his food is unlawful, his drink is unlawful, his clothing is unlawful, and he is nourished unlawfully; how can he (expect to) be answered? It is noticed in this hadith that the Prophet (PBUH)) emphasized this person's impure earnings by detailing the fact that his food, clothes, drink and nourishment were all obtained from the impure.

### **Importance of lawful earning**

From above hadith, scholars have interpreted the following rulings:

1) Allah (SWT) does not accept charity from illegally acquired wealth. Ibn Abbas (RA) was asked about a man who was performing a deed, taking wealth wrongfully from

others and then he repented. He made Hajj, freed slaves and gave charity from that wealth. Ibn Abbas (RA) said about him, "Filth does not wipe away filth." Similarly, Ibn Masood (RA) said, "Filth does not expiate filth. But pure deeds wipe away filth." [*Imaam Ibn Rajab Jaami', vol.1,p.264*]

(2) If a thief or usurper gives in charity for his own sake, such a deed will not be accepted. That is, the person will not be rewarded for it. In fact, he will be considered sinful because he used the money in a specific way without getting permission for that. The original or rightful owner also will not be rewarded for that, since that was neither his intent nor purpose. This is the opinion of a number of scholars and it has been narrated from Saeed Ibnul –Musayyab (RA). Similarly, if a ruler or governor wrongfully takes wealth from the public treasury and builds a mosque with it or distributes copies of the Quran with that wealth, claiming that he is doing a charitable act, he will not be rewarded for such a deed and his act is wrong, even though people may benefit from his wrongful act. [*Imaam IbnRajabJaami',vol.1,p.265*]

(3) If a person has money that was gotten through illegal means and he is not able to return the money to its rightful owner or his heirs, then he may give it away to charitable causes. This is the opinion of Imaam Malik, Imaam Abu Haneefah, Imam Ahmad and others (RA). Imam Shafee (RA) was of the opinion that such wealth should be kept and saved until it could be returned to its rightful owners. Imam Ibn Rajab states that the correct opinion is that it is to be given in charity as it is forbidden to waste wealth, as is clear in a hadith of the Prophet (PBUH) Obviously, though, the one who received it wrongfully and gives it away does not give it



as charity on his own behalf, seeking its reward. Instead, he gives it on behalf of its rightful owner in the hope that the rightful owner will benefit from that in the Hereafter, since it is not possible to benefit him with it in this life [Imam Ibn Rajab Jaami', vol.1, pp. 267-268]

(4) This hadith also alludes to the importance of supporting oneself through permissible means. How one supports himself is how he lives his life. All of his life is based on how he is supporting himself. If he is supporting himself through legal means, then he will be blessed and rewarded for all that he does with what he has provided for himself. But if he supports himself through illegal means, then all that he does with that wealth may be of no benefit to him whatsoever.

One's wealth and provisions must be from pure sources. It should be from pure sources and it is best that it be from the work the person did himself. A true believer should not rely upon others. Instead, he should work and support himself and support himself only through pure and legal means. The Prophet (PBUH) said, "The best earnings are those that come from the person's own hand, if he was sincere." [Imam Ahmad vol.1, p.22.]

Allah (SWT) mentions in holy Quran:

يَا أَيُّهَا النَّاسُ كُلُوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌّ

○ مُبِينٌ

*"O mankind! Eat of that which is lawful and wholesome in the earth, and follow not the footsteps of the devil. Lo! he is an open enemy for you."* (2:168)

In another hadith, we learn that both the Prophet

(PBUH) and the believers have been commanded to eat from the tayyibaat ( the pure things).

عَنْ أَبِي هُرَيْرَةَ، عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: 'أَنَّ دَاوُدَ النَّبِيَّ عَلَيْهِ السَّلَامُ، كَانَ

لَا يَأْكُلُ إِلَّا مِنْ عَمَلٍ يَدِهِ“

*Narrated Abu Huraira: Allah's Apostle said, "The Prophet (PBUH) Dawood (David) used not to eat except from the earnings of his manual labor." (Bukhari 2073)*

In above hadith it is emphasized that one has to earn through legitimate methods even if it means doing manual labor.

Purity is achieved when one earns his sustenance in a halal manner, and then uses it to buy halal food. So, if a person buys pure food from stolen money, this will not be accepted from him. And our obligation is not just to make money but to make halal money. This is a broad statement that is the basis for Islamization of a society's economic life. Every method of earning is not good for the society. And the decision regarding right and wrong here cannot be left to the so-called market forces. Right and wrong in the economic life, as in all life, must be determined by a higher source. Shariah guides us as to the halal and haram business enterprises and practices, and at both individual and collective levels we must follow that guidance. We have to keep ourselves away from the haram in making money. We must remember that only the halaal methods of making money will bring us wealth, and the pleasure of Allah. This world and everything in it is not forever, we will never be able to take with us. However, our good works will stay with us and will give us a favor in the future life.

One must strive hard to prevent from falling prey to forbidden income like in the topic under discussion that is commission. Since times in memorial great men were so careful of the sustenance that came to them from others that they did not accept anything if they found out that it had been earned through illegal means.

Once, a servant of Abu Bakr (RA) came to him with some food, so he ate from it. The servant then asked him, "Do you know where this came from?" He replied, "From where?" The servant responded, "I practiced astrology once in the times of Jahiliyyah (ignorance) — even though I am not an expert in it, except that I managed to trick the other person. So he paid me, and gave me what you ate!" Hearing this, Abu Bakr (RA) put his finger in his mouth and forced himself to vomit up the food, until there was nothing left in his stomach. [*Mishkat* 2786]

## ETIQUETTES OF VISITING A PATIENT

**Visiting sick people is one great virtue** which is held in very high esteem in Islam and it is one of the basic duties which has been fixed upon Muslims and this can be judged from numerous ahadith in which visiting sick has been recommended.

عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ "حَقُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ سِتُّ قِيلَ مَا هُنَّ يَا رَسُولَ اللَّهِ قَالَ إِذَا لَقِيتَهُ فَسَلِّمْ عَلَيْهِ وَإِذَا دَعَاكَ فَأَجِبْهُ وَإِذَا اسْتَنْصَحَكَ فَانْصَحْ لَهُ وَإِذَا عَطَسَ فَحَمِدَ اللَّهَ فَشَمِّتْهُ وَإِذَا مَرَضَ فَعُدُّهُ وَإِذَا مَاتَ فَاتَّبِعْهُ"

*Abu Huraira (RA) reported Allah's Messenger (PBUH) as saying: There are six rights of a Muslim over another Muslim. It was said to him: Allah's Messenger, what are they? Then he said: When you meet him, offer him greetings; When he invites you to a feast accept it, when he seeks your council give him, and when he sneezes and says: "All praise is due to Allah," you say Yarhamaku Allah (may Allah show mercy to you); and when he falls ill visit him; and when he dies follow his bier. [Bukhari1240]*

When a person goes to meet his brother who is ill he is doing such a deed that angels keep on praying for him as is explicit from the hadith

عَنْ عَلِيٍّ، قَالَ: "مَا مِنْ رَجُلٍ يَعُودُ مَرِيضًا مُنْسِيًّا، إِلَّا خَرَجَ مَعَهُ سَبْعُونَ أَلْفَ مَلَكٍ

يَسْتَغْفِرُونَ لَهُ حَتَّى يُصْبِحَ، وَكَانَ لَهُ خَرِيفٌ فِي الْجَنَّةِ، وَمَنْ أَتَاهُ مُصْبِحًا، خَرَجَ مَعَهُ سَبْعُونَ أَلْفَ مَلَكٍ يَسْتَغْفِرُونَ لَهُ حَتَّى يُمْسِيَ، وَكَانَ لَهُ خَرِيفٌ فِي الْجَنَّةِ“

*Narrated Ali (RA): If a man visits a patient in the evening, seventy thousand angels come along with him seeking forgiveness from Allah for him till the morning, and he will have a garden in the Paradise. [Abu Dawood :3098]*

The angels keep on praying and hence mercies of Allah keep on showering on this person in view of the great virtue of this deed, for every step taken by him a reward is earned, and he gets closer to paradise.

*Jaabir (RA) said: The Messenger of Allah (PBUH) said: “Whoever visits a sick person is plunging into mercy until he sits down, and when he sits down he is submerged in it.” [Ahmad 2504]*

عَنْ أَبِي هُرَيْرَةَ، قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ”مَنْ عَادَ مَرِيضًا نَادَى مُنَادٍ مِنَ السَّمَاءِ طِبْتَ وَطَابَ مَمْشَاكَ وَتَبَوَّأْتَ مِنَ الْجَنَّةِ مَنْزِلًا“

*Abu Hurairah(RA) narrated that the Messenger of Allah (Peace be upon him) said, “Whoever visits a sick person, a caller calls from heaven: ‘May you be happy, may your walking be blessed, and may you occupy a dignified position in Paradise.’” [Ibn Maja 1443]*

**Holy Prophet (PBUH) ordered Muslims to visit the sick**

عَنْ أَبِي مُوسَى الْأَشْعَرِيِّ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: ”أَطْعِمُوا الْجَائِعَ، وَعَوِّدُوا الْمَرِيضَ، وَفُكُّوا الْعَالِي“

*Narrated Abu Musa Al-Ashari (RA): The Prophet (PBUH)*

said, "Feed the hungry, visit the sick, and set free the captives." [Bukhari:5650]

Not only did Holy Prophet (PBUH) emphasize about visiting the sick but himself used to do so all through his life-time.

عَنْ جَابِرٍ رَضِيَ اللَّهُ عَنْهُ، قَالَ: "جَاءَنِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَعُودُنِي لَيْسَ بِرَاكِبٍ

بَعْلٍ وَلَا بِرُذُونٍ"

*Narrated Jabir (RA): The Prophet (PBUH) came to visit me (while I was sick) and he was riding neither a mule, nor a horse. [Bukhari5664]*

One can just imagine the stature of Holy Prophet (PBUH) and yet he can be seen coming humbly on foot to visit one of his companions who had fallen sick. By this Holy Prophet (PBUH) wanted to convey to his followers about the greatness of this act. Not only his companions but Holy Prophet (PBUH) also visited non-Muslims.

عَنْ أَنَسٍ رَضِيَ اللَّهُ عَنْهُ ، قَالَ: "كَانَ غُلَامٌ يَهُودِيٌّ يَخْدُمُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَمَرَضَ، فَأَتَاهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَعُودُهُ، فَقَعَدَ عِنْدَ رَأْسِهِ فَقَالَ لَهُ: أَسْلِمَ، فَنَظَرَ إِلَى أَبِيهِ ، وَهُوَ عِنْدَهُ، فَقَالَ لَهُ: أَطِيعْ أَبَا الْقَاسِمِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَسْلَمَ، فَخَرَجَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَهُوَ يَقُولُ: الْحَمْدُ لِلَّهِ الَّذِي أَنْقَذَهُ مِنَ النَّارِ"

*Narrated Anas (RA): A young Jewish boy used to serve the Prophet (PBUH) and he became sick. So the Prophet (PBUH) went to visit him. He sat near his head and asked him to embrace Islam. The boy looked at his father, who was sitting there; the latter told him to obey Abul-Qasim and the boy embraced Islam. The Prophet came out saying, "Praises*

*be to Allah Who saved the boy from the Hell-fire."*[Bukhari 1356]

In view of the great virtues of visiting sick even men can visit women and vice versa, so long as the following conditions are met: proper covering, no risk of fitnah, and not being alone together.

عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ، أَنَّ عَائِشَةَ اشْتَكَتْ فَجَاءَ ابْنُ عَبَّاسٍ، فَقَالَ: "يَا أُمُّ الْمُؤْمِنِينَ تَقْدِمِينَ عَلَى فَرَطٍ صِدْقٍ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَعَلَى أَبِي بَكْرٍ"

*Imam al-Bukhari (RA) mentioned in the "Chapter on women visiting (sick) men." Umm al-Darda (RA) visited one of the Ansari men from the masjid. Then he narrated a hadith from Aisha (RA), who said that she visited Abu Bakr (RA) and Bilal (RA) when they fell sick when they first came to Madi-nah. Narrated al-Qasim bin Muhammad (RA): Once Aisha (RA) became sick and Ibn Abbas (RA) went to see her and said, "O mother of the believers! You are leaving for truthful fore-runners i.e. for Allah's Apostle (PBUH) and Abu Bakr. [Bukhari 3771]*

Visiting the sick does not involve only those whom you know, rather it is prescribed for those whom you know and those whom you do not know. This act of piety however needs to be done as per a protocol as we see in other forms of worship. The basic ethics of being visitor have to be followed as that one earns reward from Allah (SWT) and simultaneously becomes a source of happiness and satisfaction for the sick person. I have tried to summarize the basic ethics to be followed by visitors.

**Visit the sick person neither so frequently that it becomes troublesome for the latter nor so rarely that the sick**

person feels that he is neglected. The balance varies according to the situation. Some people may be dear to the sick person and it may be hard for him if he does not see them every day. While he may dislike if some stranger visits him daily.

**One should not sit too long** with the sick person as it may cause difficulty for the patient or his family. Hadhrat Ibn Abbas (RA), Hadhrat Saeed Bin Musayyib (RA) and Hadhrat Anas (RA) narrate in ahadith of different categories that when visiting the sick one should not remain for a long time. The visit should be short. This narration indicates the degree to which one should go in refraining from inconveniencing others. The patient might have to go to wash room, change his clothes or wound dressings which he might like to conceal from others. The scholar of Islam, Imam Ibn Abdul-Barr, wrote in his book of Islamic jurisprudence, Al-Kafi: "Whether you visit a healthy or an ill person, you ought to sit where you are told. Hosts know better how to ensure privacy in their home. Visiting an ill person is a confirmed Sunnah. The best visit is the shortest. The visitor ought not to sit too long with an ill person, unless they are close friends and the ill person enjoys their company."

**Choose the time** that suits the patient and his family the best taking care of the eating and sleeping schedule prevalent in the respective community.

**One must speak encouraging statements** to alleviate the pain and sorrow. In the presence of a sick person or his house folk one should not make such statements which cause them grief and to lose hope in life.

It is narrated in Sahih al-Bukhari that the Allah's Apostle (PBUH) would tell the sick person



لا بَأْسَ طَهُورٌ إِنْ شَاءَ اللَّهُ

“No worry, it is a purification, if Allah wills.”

That means the illness will cleanse your sins and make you pure as if you have not committed them.

عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ، قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ “إِذَا دَخَلْتُمْ عَلَى الْمَرِيضِ فَنَفِّسُوا لَهُ فِي الْأَجْلِ فَإِنَّ ذَلِكَ لَا يَزِدُّ شَيْئًا وَهُوَ يَطِيبُ بِنَفْسِ الْمَرِيضِ”

*It is narrated from Abu Saeed Al-Khudri (RA) that the Messenger of Allah (PBUH) said, “When you enter upon one who is sick, cheer him up and give him hope of a long life, for that does not change anything (of the Divine Decree), but it will cheer the heart of the one who is sick.”*

*(Ibn Maja 1438)*

**One must pray for the sick person** and numerous duas (prayers) are mentioned in which Allah's Apostle (PBUH) used to recite for the sick person. Some of them are:

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: “كَانَ إِذَا اشْتَكَى يَقْرَأُ عَلَى نَفْسِهِ بِالْمُعَوِّذَاتِ وَيَنْفُثُ، فَلَمَّا اشْتَدَّ وَجَعُهُ كُنْتُ أَقْرَأُ عَلَيْهِ وَأَمْسَحُ بِيَدِهِ رَجَاءَ بَرَكَتِهَا”

*Narrated Aisha (RA): Whenever Allah's Apostle became sick, he would recite Mu'awwidhat (Surat al-Falaq and Surat An-Nas) and then blow his breath over his body. When he became seriously ill, I used to recite (these two Suras) and rub his hands over his body hoping for its blessings. [Bukhari 5016]*

عَنْ عَلِيٍّ رَضِيَ اللَّهُ عَنْهُ، قَالَ: كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا عَادَ مَرِيضًا قَالَ:

“اللَّهُمَّ أَذْهَبِ الْبَأْسَ رَبَّ النَّاسِ، وَاشْفِ فَإِنَّتِ الشَّافِيَ لَا شِفَاءَ إِلَّا شِفَاؤُكَ، شِفَاءَ لَا

يُغَادِرُ سَقَمًا“

*Narrated Ali (RA) when Allah's Apostle (PBUH) used to visit a patient, he would pray, “Take away the pain, O Lord of mankind, and grant healing, for You are the Healer, and there is no healing but Your healing that leaves no trace of sickness).” [Tirmizi 3565]*

**One must request sick person to make dua for him** as his prayers are accepted. In case a patient is in a state that he can pray for the visiting person, the latter must request him to pray for him

عَنْ عُمَرَ بْنِ الْخَطَّابِ، قَالَ قَالَ لِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ “إِذَا دَخَلْتَ عَلَى مَرِيضٍ  
فَمُرَّهُ أَنْ يَدْعُوَ لَكَ فَإِنَّ دُعَاءَهُ كَدُعَاءِ الْمَلَائِكَةِ“

Narrated Umar bin Al-Khattab (RA), “The Prophet (PBUH) said to me: ‘When you enter upon one who is sick, tell him to pray for you, for his supplication is like the supplication of the angels.’ (Ibn Maja 1441)

## ETIQUETTES OF A PATIENT

One must be ignorant if he fails to understand the beauty of Shariah as it has taught us the etiquettes of every phase of life and illness is no exception to it. Sickness is disliked by everybody but it has many secrets and virtues hidden in it. Whether it is the person who falls ill or the person who visits him there are great blessings and tidings mentioned for them in Shariah. Once one understands them then the agony of illness is diminished.

### **One must not complain about illness**

When a human being comes into existence, a net of trials entangles him. He cannot come out of it and if anyone manages to save himself from these still a day comes when he is in old age which is cureless and unlimited. Hence, in illness one must show patience when facing difficulties and be pleased with whatever Allah (SWT) has decreed and this ensures success in the hereafter. According to hadith Qudsi, Allah (SWT) says, "If anyone does not face trials that I have sent patiently, does not show gratitude for my blessings and is not pleased with my decree, then let him find a Lord other than." Imagine how much displeased Allah (SWT) is with such an impatient, ungrateful and disobedient person. May

Allah (SWT) save us from such a calamity and enable us to be patient, grateful and pleased.

عَنْ أَنَسٍ رَضِيَ اللَّهُ عَنْهُ . قَالَ سَمِعْتُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ ” إِنَّ اللَّهَ قَالَ إِذَا ابْتَلَيْتُ عَبْدِي بِحَبِيبَتَيْهِ فَصَبَرَ عَوِضْتُهُ مِنْهُمَا الْجَنَّةَ “

*Narrated Anas bin Malik (RA) I heard Allah's Messenger (PBUH) saying, "Allah said, 'If I deprive my slave of his two beloved things (i.e., his eyes) and he remains patient, I will let him enter Paradise in compensation for them.'"* (Sahih al Bukhari 5653)

When a person is deprived of his eyesight he naturally becomes depressed and sad. If in this moment of sorrow and grief, he is grateful to Allah (SWT) and considers his blindness is not because of Allah's displeasure but is to remove his sins and to raise his rank then his approach to this problem will change and he will be able to adjust to this in a much dignified manner. A saintly man was deprived of his eyesight in old age. He used to say, “The solitude that I craved for is now available to me.”

In another hadith about the last illness of Allah's Apostle, we are taught by Allah's Apostle (PBUH) how to invoke Allah's (SWT) blessings during illness to achieve closeness to Him. Allah's mercy is so much for the patient that He rewards the patients for the good deeds which he used to do during his healthy period

عَنْ أَبِي مُوسَى عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ ” إِذَا مَرِضَ الْعَبْدُ أَوْ سَافَرَ، كُتِبَ لَهُ مِثْلُ مَا كَانَ يَعْمَلُ مُقِيمًا صَحِيحًا “

*Abu Musa (RA) narrated Allah's Apostle (PBUH) said, "Then a slave falls ill or travels, then he will get reward sim-*

ilar to that he gets for good deeds practiced at home when in good health.” (Sahih al Bukhari 2996)

In many instances one sees that a patient often feels dejected that he is not able to worship as he used to do beforehand and this adds to his depression so our beloved Allah (SWT) gave a great consolation to this group of people that in these days of illness he gets rewards as if he is constantly performing these deeds.

In holy Quran Allah (SWT) clearly emphasizes

○ وَمَا أَصَابَكُمْ مِنْ مُصِيبَةٍ فَبِمَا كَسَبَتْ أَيْدِيكُمْ وَيَعْفُو عَنْ كَثِيرٍ

*Whatever misfortune befalls you is a consequence of your own deeds. But much of it He forgives. (42:30)*

One should note that here the cause of all human afflictions is not being stated but the address is directed to the people who were at that time committing disbelief and disobedience at Makkah. They are being told: Had Allah (SWT) seized you for all your sins and crimes, He would not have even allowed you to live. But the calamities (probably the allusion is to the famine of Makkah) that have descended on you, are only a warning so that you may take heed and examine your actions and deeds to see as to what attitude and conduct you have adopted as against your Lord. And you can try to understand how helpless you actually are against God against Whom you are rebelling, and know that those whom you have taken as your patrons and supporters, or the powers that you have relied upon, cannot avail you anything against the punishment of Allah (SWT). For further explanation, it is necessary to state that as regards to the sincere believer, Allah's law for him is different. All the calamities and hard-

ships that befall him go on becoming an atonement for his sins, errors and deficiencies. There is an authentic hadith to the effect: *Whatever sorrow and suffering, distress and grief, and affliction and worry that a Muslim experiences, even if it be a thorn prick, it is made an atonement by Allah (SWT) for one or the other of his errors.* (Bukhari, Muslim). As for the hardships that a believer faces in the way of raising Allah's Word, they do not merely become an atonement for his deficiencies but also a means of the exaltation of ranks with Allah (SWT). In this connection, it cannot even be imagined that they descend as a punishment for sins. The sinners should cease and mend their ways. Others who do not sin are tried by misfortune or hardship and their ranks are raised thereby. But even these pious people blame their trial to their sins. For instance, a rat cut off the shoes of a pious man and he lamented that it was a punishment for his sins. Even the greatest prophets suffered hardships despite being so much close to Allah (SWT)

سَعْدُ بْنُ أَبِي وَقَّاصٍ قَالَ قُلْتُ يَا رَسُولَ اللَّهِ أَيُّ النَّاسِ أَشَدُّ بَلَاءً قَالَ "الْأَنْبِيَاءُ ثُمَّ الْأَمْثَلُ فَالْأَمْثَلُ يُبْتَلَى الْعَبْدُ عَلَى حَسَبِ دِينِهِ فَإِنْ كَانَ فِي دِينِهِ صُلْبًا اشْتَدَّ بَلَاؤُهُ وَإِنْ كَانَ فِي دِينِهِ رِقَّةٌ ابْتُلِيَ عَلَى حَسَبِ دِينِهِ فَمَا يَبْرُخُ الْبَلَاءُ بِالْعَبْدِ حَتَّى يَتْرُكَهُ يَمْشِي عَلَى الْأَرْضِ وَمَا عَلَيْهِ مِنْ خَطِيئَةٍ"

*It was narrated from Musaab bin Saad that his father, Saad bin Abu Waqqas (RA) said, "I said: 'O Messenger of Allah, which people are most severely tested?' He said: 'The Prophets, then the next best and the next best. A person is tested according to his religious commitment. If he is steadfast in his religious commitment, he will be tested more se-*

verely, and if he is frail in his religious commitment, his test will be according to his commitment. Trials will continue to afflict a person until they leave him walking on the earth with no sin on him.” (Ibn Maja 4023)

The people afflicted with disease will be rewarded as per the amount of affliction suffered in this world

*Jabir (RA) narrated that the Prophet (PBUH) said: "On the Day of Judgment, when the people who were tried (in this world) are given their rewards, the people who were pardoned (in life), will wish that their skins had been cut off with scissors while they were in the world."*

(Tirmidhi 2402)

The patient must never curse the illness as he does not know how much goodness this illness is having on his being whether he understands that or not depending on his comprehension.

عَنْ أَبِي هُرَيْرَةَ، قَالَ ذُكِرَتْ الْحُمَى عِنْدَ رَسُولِ اللَّهِ . صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ . فَسَبَّهَا رَجُلٌ فَقَالَ النَّبِيُّ . صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ” لَا تَسَبَّهَا فَإِنَّهَا تَنْفِي الذُّنُوبَ كَمَا تَنْفِي النَّارُ خَبَثَ الْحَدِيدِ“

*It was narrated that Abu Hurairah (RA) said: “Mention of fever was made in the presence of the Messenger of Allah (PBUH), and a man cursed it. The Prophet (Peace be upon him) said: ‘Do not curse it, for it erases sin as fire removes filth from iron.’” (Ibn Maja 3469)*

So much so a great saint by the name of Sheikh Abdul Qadir Jeelani (RA) said that even a person can know whether this illness is a reward for him or a wrath of Allah (SWT). If the patient is complaining about his illness to eve-

rybody and often curses his destiny, then it is wrath of Allah (SWT) for his sins. If the person is just patient with his disease, then this illness is to expiate some of his sins and if he is contended with his illness then this disease is there to increase his closeness to Allah (SWT).

When we read these kinds of sayings one feels as if these are not possible however there are numerous examples of such patience and in one glaring example is when the child of a companion of Allah's Apostle (PBUH) died, his wife did not tell him at night as he was very tired and in the morning she told him in a soft manner that such an incident had happened. Then the arrangement for the funeral was made. This is the level of contentment of great people for calamities.

عَنْ أَنَسٍ رَضِيَ اللَّهُ عَنْهُ : "اشْتَكَى ابْنُ لَأْبِي طَلْحَةَ ، قَالَ: فَمَاتَ وَأَبُو طَلْحَةَ خَارِجٌ ، فَلَمَّا رَأَتْ امْرَأَتُهُ أَنَّهُ قَدْ مَاتَ هَيَّأَتْ شَيْئًا وَتَحْتَهُ فِي جَانِبِ الْبَيْتِ ، فَلَمَّا جَاءَ أَبُو طَلْحَةَ ، قَالَ: كَيْفَ الْغُلَامُ؟ قَالَتْ: قَدْ هَدَأَتْ نَفْسُهُ ، وَأَرْجُو أَنْ يَكُونَ قَدْ اسْتَرَاحَ ، وَظَنَّ أَبُو طَلْحَةَ أَنَّهَا صَادِقَةٌ ، قَالَ: فَبَاتَ ، فَلَمَّا أَصْبَحَ اغْتَسَلَ فَلَمَّا أَرَادَ أَنْ يَخْرُجَ أَعْلَمَتْهُ أَنَّهُ قَدْ مَاتَ ، فَصَلَّى مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، ثُمَّ أَخْبَرَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِمَا كَانَ مِنْهُمَا ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: لَعَلَّ اللَّهَ أَنْ يُبَارِكَ لَكُمَا فِي لَيْلَتِكُمَا" ، قَالَ سُفْيَانُ: فَقَالَ رَجُلٌ مِنَ الْأَنْصَارِ: فَرَأَيْتُ هُمَا تِسْعَةَ أَوْلَادٍ كُلُّهُمْ قَدْ قَرَأَ الْقُرْآنَ

*Narrated Anas bin Malik (RA): One of the sons of Abu Talha (RA) became sick and died and Abu Talha(RA) at that time was in travel. When his wife saw that he was dead, she prepared him (washed and shrouded him) and placed him at*



some proper place in the house and covered him with a sheet. When Abu Talha came, he asked, "How is the boy?" She said, "The child is quiet and I hope he is in peace." Abu Talha thought that she had spoken the truth. Abu Talha passed the night and in the morning took a bath and when he intended to go out, she told him that his son had died, Abu Talha offered the (morning) prayer with the Prophet (PBUH) and informed the Prophet (PBUH) of what happened to them. Allah's Apostle (PBUH) said, "May Allah bless you concerning your night. (That is, may Allah bless you with good offspring)." Sufyan said, "One of the Ansar said, 'They (i.e. Abu Talha and his wife) had nine sons and all of them became reciters (hafiz) of the Qur'an (by heart).' "(Bukhari 1301)

### Benefits of illness

The merciful Allah (SWT) is so caring for his creation that for every difficulty He has kept a benefit for us but the humans are lost in their mundane activities.

عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: "مَا يُصِيبُ الْمُسْلِمَ مِنْ نَصَبٍ، وَلَا وَصَبٍ، وَلَا هَمٍّ، وَلَا حُزْنٍ، وَلَا أَذًى، وَلَا غَمٍّ، حَتَّى الشَّوْكَةِ يُشَاكُهَا، إِلَّا كَفَّرَ اللَّهُ بِهَا مِنْ خَطَايَاهُ"

Narrated Abu Huraira (RA): The Prophet (PBUH) said, "No fatigue, nor disease, nor sorrow, nor sadness, nor hurt, nor distress befalls a Muslim, even if it were the prick he receives from a thorn, but that Allah expiates some of his sins for that." (Bukhari 5641-42)

So a little pain, headache, injury, simple common cold are a great cleanser for a believer, cleaning him of the

filth of sins and disobedience which he is doing in his daily life.

عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ " مَنْ يُرِدِ اللَّهُ بِهِ خَيْرًا يُصِبْ مِنْهُ "

*Narrated Abu Huraira (RA): Allah's Messenger (PBUH)) said, "If Allah wants to do good to somebody, He afflicts him with trials.( Sahih al Bukhari 5645 )*

Trial is such a thing that the heart does not accept. It can be a difficulty, an illness, a tragedy or sorrow. If Allah (SWT) decides to show favor and mercy to a person then He afflicts him with trial so that his sins are erased and, having endured the severity, his heart and mind become receptive to good and if anyone bears patiently hardship and remains pleased then it shows that the hardship will bring him Allah's pleasure and mercy. However, if anyone does not show patience but displays violent emotion and restlessness then the hardship is punishment to him from Allah (SWT). When one loses something he feels dejected which is proportional to the value of the blessing lost, just imagine a person losing his vision and suddenly everything around him becomes black and lifeless and meaning less and for them is a great tiding of heaven.

In Shariah martyrdom is one of the highest degrees which can be achieved by a person and the illness can bring this status close to person if he fulfils the etiquettes of illness as per Shariah doctrine.

عَنْ أَبِي هُرَيْرَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "مَنْ مَاتَ مَرِيضًا مَاتَ

شَهِيدًا، وَوُقِيَ فِتْنَةُ الْقَبْرِ، وَغُدِيَ وَرِيحٌ عَلَيْهِ بِرِزْقِهِ مِنَ الْجَنَّةِ"

*It was narrated from Abu Hurairah (RA) that the Messenger*

*of Allah (PBUH)) said: “Whoever dies from a sickness dies as a martyr. He is protected from the torment of the grave and he is granted provision from Paradise morning and evening.” (Ibn Maja 1615)*

### **Prevent spread of disease**

يُحَدِّثُ سَعْدًا أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَكَرَ الْوَجْعَ فَقَالَ “رَجَزٌ أَوْ عَذَابٌ  
عَذَّبَ بِهِ بَعْضُ الْأُمَمِ، ثُمَّ بَقِيَ مِنْهُ بَقِيَّةٌ، فَيَذْهَبُ الْمَرَّةَ وَيَأْتِي الْأُخْرَى، فَمَنْ سَمِعَ بِهِ  
بِأَرْضٍ فَلَا يَقْدَمَنَّ عَلَيْهِ، وَمَنْ كَانَ بِأَرْضٍ وَقَعَ بِهَا فَلَا يَخْرُجْ فِرَارًا مِنْهُ”

*Narrated Amir bin Saad bin Abi Waqqas (RA), that he heard Usama bin Zaid (RA) speaking to Saad (RA), saying, "Allah's Messenger (PBUH) mentioned the plague and said, “It is a means of punishment with which some nations were punished and some of it has remained, and it appears now and then. So whoever hears that there is an outbreak of plague in some land, he should not go to that land, and if the plague breaks out in the land where one is already present, one should not run away from that land, escaping from the plague.”*

*(Sahih Bukhari 104:89)*

This is a fantastic concept to contain the disease in the region it has spread. When a person who is living in an area of epidemic of plague will not leave the area this will automatically prevent the disease from spreading to other areas and yet there are always enough people in the infested zone to take care of the sick. Meanwhile when a person who is living in other regions is not allowed to go to this area so that he will not become infected with this disease.

## Make supplications to Allah (SWT)

A patient must try his best to achieve closeness to Allah (SWT) in these trying times and after patience comes the supplications as the latter keep him in constant touch with his creator

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "كَانَ إِذَا اشْتَكَى يَقْرَأُ عَلَى نَفْسِهِ بِالْمُعَوِّذَاتِ وَيَنْفُثُ، فَلَمَّا اشْتَدَّ وَجَعُهُ كُنْتُ أَقْرَأُ عَلَيْهِ وَأَمْسَحُ بِيَدِهِ رَجَاءً بَرَكَةٍ"

*Narrated Aisha (RA) : "Whenever Allah's Apostle (PBUH) became sick, he would recite Mu'awwidhat (Surat Al-Falaq and Surat An- Nas) and then blow his breath over his body. When he became seriously ill, I used to recite (these two Surahs) and rub his hands over his body hoping for its blessings." (Sahih al Bukhari)*

The love and affection of Allah (SWT) for humans is manifold than the one which a mother has for her child. So the patient must utilize this illness as a golden opportunity to seek the love of Allah (SWT) just like a child gains maximum love and sympathy of his mother during his illness as we all have experiences in our lifetime. This becomes illustrative when we see Allah's Apostle (PBUH) praying at his terminal illness for his inclusion among the blessed companions of Allah (SWT).

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا، قَالَتْ: "تُوِّفِيَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي بَيْتِي وَفِي يَوْمِي، وَبَيْنَ سَحْرِي وَخَحْرِي، وَكَانَتْ إِحْدَانَا تُعَوِّذُهُ بِدُعَاءٍ إِذَا مَرِضَ، فَدَهَبْتُ أُعَوِّذُهُ، فَرَفَعَ رَأْسَهُ إِلَى السَّمَاءِ، وَقَالَ: "فِي الرَّفِيقِ الْأَعْلَى فِي الرَّفِيقِ الْأَعْلَى"

*Narrated Aisha (RA): The Prophet (PBUH) expired in my*

*house and on the day of my turn, leaning against my chest. One of us (i.e. the Prophet's wives) used to recite a prayer asking Allah to protect him from all evils when he became sick. So I started asking Allah to protect him from all evils (by reciting a prayer). He raised his head towards the sky and said, "With the highest companions, with the highest companions." (Bukhari 4451)*

### **Do not seek refuge in death**

Many people in their terminal illness feel dejected due to pain, financial problems, family issues and if he remembers the words of Allah (SWT) and Allah's Apostle (PBUH) which are about the rewards of bearing the sufferings of illness, he would attain great solace even in such tough times. If overpowered by the grief of illness, then, at the least, one should not look for solution in his death as that is prohibited by the Allah's Apostle (PBUH) in the following hadith.

عَنْ أَنَسٍ رَضِيَ اللَّهُ عَنْهُ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "لَا يَتَمَنَّيَنَّ أَحَدٌ مِنْكُمْ الْمَوْتَ لِضُرِّ نَزَلَ بِهِ، فَإِنْ كَانَ لَا بُدَّ مُتَمَنَّيًّا لِلْمَوْتِ، فَلْيَقُلْ: اللَّهُمَّ أَحْيِنِي مَا كَانَتِ الْحَيَاةُ خَيْرًا لِي، وَتَوَفَّنِي إِذَا كَانَتِ الْمَوْتَ خَيْرًا لِي"

*Narrated Anas (RA): Allah's Apostle (PBUH) said, "None of you should long for death because of a calamity that had befallen him, and if he cannot, but long for death, then he should say, 'O Allah! Let me live as long as life is better for me, and take my life if death is better for me.'"*

*(Bukhari 6351)*

## What if death is close

When the signs of death are close than it is Sunnah to encourage the patient to recite kalimah, however one should not force him to do so and one must recite in his presence so that the dying person is remembers it.

عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ، قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "لَقِّنُوا مَوْتَاكُمْ لَا إِلَهَ إِلَّا اللَّهُ"

*It was narrated that Abu Saeed Al-Khudri (RA) said: "The Messenger of Allah (PBUH) ) said: 'Urge your dying ones to say: "La ilaha illallah." (Ibn Maja 1445)*

Many times one falls ill is in a far off place from his home and he has a longing for being at his native place in his terminal times, for these people our holy prophet(PBUH) has given a glad tidings.

عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو، قَالَ تُوِفِّي رَجُلًا بِالْمَدِينَةِ مِمَّنْ وُلِدَ بِالْمَدِينَةِ فَصَلَّى عَلَيْهِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ . فَقَالَ "يَا لَيْتَهُ مَاتَ فِي غَيْرِ مَوْلَدِهِ" فَقَالَ رَجُلٌ مِنَ النَّاسِ وَلَمْ يَأْ رَسُولُ اللَّهِ قَالَ "إِنَّ الرَّجُلَ إِذَا مَاتَ فِي غَيْرِ مَوْلَدِهِ قِيسَ لَهُ مِنْ مَوْلَدِهِ إِلَى مُنْقَطَعِ أَثَرِهِ فِي الْجَنَّةِ"

*It was narrated that Abdullah bin Amr (RA) said, "A man died in Al- Madinah, and he was one of those who were born in Al-Madinah. The Prophet (Peace be upon him) offered the funeral prayer for him and said, "Would that he had died somewhere other than his birthplace." A man among the people said: "Why, O Messenger of Allah?" He said: "If a man dies somewhere other than his birthplace, a space will be measured for him in Paradise (as big as the distance)*

*from the place where he was born to the place where he died.” (Ibn Maja 1614)*

### **Meeting Allah (SWT)**

One day or another we all have to die and many illnesses ultimately culminate in death. When from the condition of the patient we understand that his terminal moments are near then one must strive to the best of his abilities to achieve as much closeness to Allah (SWT) as possible as from that moment his all the contacts with his friends, relatives, colleagues are going to end and thence onwards will usher a new phase of his life. This can be equated with a child in the womb of his mother who has completed his term and has about to start his new life in this magnificent world as compared to dark miniature world in the womb. There is going to be some discomfort while changing the living milieu but can any sane person claim that he wishes if he had stayed in womb and not come into this world as he faced discomfort during the transit. A bride feels the pain of leaving her home where she had spent her childhood, her adolescence and early adulthood but she has a longing desire to meet her groom about whom she does not know much but has a feeling of being taken care of by him. She does not know in detail about the environment of her new home but has a hope of being better there, she has to start a new relation with in laws who are perfect strangers to her and she will be leaving her beloved parents, friends, sisters and brothers. She has a passion and a drive to go there despite all the suspense of next home. In a similar analogy one has to leave this world and this all starts with the soul leaving the body. Although as a

student of medicine I cannot prove what I will be describing in these few sentences but I know from my study of medical sciences that we do not have answer to most of the intricacies of mind. We have identified some centers in brain like appetite, anger, speech, memory etc. but can any sane expert of the subject say with confidence that he has mastered the functioning of brain. At the present era of information technology, we might have made super computers but there is no computer which can have emotions of an illiterate mother for his children and so on. Some twenty years back my physiology professor, Prof M Syed while teaching me the highest level of understanding in the brain namely limbic system concluded his lecture by these words, “This is all what I can tell you and everything above it is spirituality.” So I have no hesitation in writing these words on the basis of the great intellectuals who worked on this subject under the light of teachings of Holy Prophet (PBUH), who understood the reality of this world and hence utilized their emancipated energies to the understanding of self, Creator and hereafter. When a patient feels like his term in this world is coming to an end he must try to have best expectations from his Lord as it is this Lord who took care of him right from his being a just drop of water to a perfect healthy intelligent smart individual despite our so many shortcomings. This is reflected in the teaching of our beloved prophet (PBUH)

عَنْ جَابِرٍ، قَالَ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ . يَقُولُ ” لَا يَمُوتَنَّ أَحَدٌ مِنْكُمْ إِلَّا وَهُوَ يُحْسِنُ الظَّنَّ بِاللَّهِ “

*It was narrated that Jabir(RA) said, “I heard the Messenger of Allah (PBUH) say: ‘No one of you should die except think-*



*ing positively of Allah.” (Ibn Maja 4167)*

Every Muslim should expect Allah's favor and forgiveness and be confident of receiving it. If anyone despairs of His mercy, then he makes himself eligible for His wrath. The scholars say that the sign of a good hereafter is to be fearful all through life and, when death approaches, hopes for mercy and forgiveness should dominate. To have good expectation from Allah (SWT) is to do pious deeds throughout life and then hope for Allah's favors at the time of death. If anyone lives a life of bad deeds and disobedience to Allah (SWT), then he will not have good hopes from Allah (SWT). He will remember his evil life when death approaches and expect evil repercussions. Expectation is to perform deeds and expect. Hasan Basri (RA) said, if any one (who does no deeds) claims to have good expectations from Allah (SWT) then he is laying. If he did have good expectations from his Lord, then he would have done good deeds."

A perfect lover would always long to meet his beloved, this is the law of nature and we see in our day to day life. Similarly, we must spend our lives in a way that we reach a state of this excellence that we are longing to meet our beloved Allah (SWT).

عَنْ أَنَسٍ، عَنْ عُبَادَةَ بْنِ الصَّامِتِ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ "مَنْ أَحَبَّ لِقَاءَ اللَّهِ أَحَبَّ اللَّهُ لِقَاءَهُ، وَمَنْ كَرِهَ لِقَاءَ اللَّهِ كَرِهَ اللَّهُ لِقَاءَهُ" قَالَتْ عَائِشَةُ أَوْ بَعْضُ أَزْوَاجِهِ إِنَّا لَنَكْرَهُ الْمَوْتَ. قَالَ "يَسْ ذَاكَ، وَلَكِنَّ الْمُؤْمِنَ إِذَا حَضَرَهُ الْمَوْتُ بُشِّرَ بِرِضْوَانِ اللَّهِ وَكَرَامَتِهِ، فَلَيْسَ شَيْءٌ أَحَبَّ إِلَيْهِ مِمَّا أَمَامَهُ، فَأَحَبَّ لِقَاءَ اللَّهِ وَأَحَبَّ اللَّهُ لِقَاءَهُ، وَإِنَّ الْكَافِرَ إِذَا حَضَرَ بِعَذَابِ اللَّهِ وَعُقُوبَتِهِ، فَلَيْسَ شَيْءٌ أَكْرَهَ إِلَيْهِ مِمَّا أَمَامَهُ، كَرِهَ لِقَاءَ

اللَّهُ وَكَرِهَ اللَّهُ لِقَاءَهُ

*Narrated Ubada bin As-Samit (RA), the Prophet (PBUH) said, "Who-ever loves to meet Allah, Allah (too) loves to meet him and who-ever hates to meet Allah, Allah (too) hates to meet him". Aisha (RA) or some of the wives of the Prophet (PBUH) said, "But we dislike death." He said: It is not like this, but it is meant that when the time of the death of a believer approaches, he receives the good news of Allah's pleasure with him and His blessings upon him, and so at that time nothing is dearer to him than what is in front of him. He therefore loves the meeting with Allah, and Allah (too) loves the meeting with him. But when the time of the death of a disbeliever approaches, he receives the evil news of Allah's torment and His Requital, whereupon nothing is more hateful to him than what is before him. Therefore, he hates the meeting with Allah (SWT), and Allah (SWT) too, hates the meeting with him."*

May Allah (SWT) bless all of us such love of Himself which will be a source of our eternal bliss

اللَّهُمَّ إِنِّي أَسْأَلُكَ حُبَّكَ وَحُبَّ مَنْ يُحِبُّكَ وَالْعَمَلَ الَّذِي يُبَلِّغُنِي حُبَّكَ

***O Allah, I ask you for your love and the love of those who love you and the deeds that will bring me your love.  
(Tirmizi 3490)***

## DUTY TOWARDS A DOCTOR

All of us have been ill someday in our life and the apparent source of our relief was at the hands of a doctor. It is he who consoled us, diagnosed us and ultimately treated us relieving us of our pain and suffering. It is everybody's responsibility that the person is respected who has been our benefactor.

In one hadith Prophet (PBUH) this is explicitly mentioned:

عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: قَالَ "لَا يَشْكُرُ اللَّهَ مَنْ لَا يَشْكُرُ النَّاسَ"

*Narrated Abu Hurairah (RA), The Prophet (PBUH) said,  
"He who does not thank Allah does not thank people."  
(Abu Dawud 4811).*

This sends a clear message to those people who are constantly nagging about the doctors for one reason or the other. They must be thankful for the services rendered to them by the doctor. Our beloved Prophet (PBUH) was very particular to send gifts to his benefactor and if he did not have then he would pray for them. Ibn Umar ( RA) narrates that the Prophet (PBUH) said, "*Whoever does you a favor, reward him. However, if you do not find something to reward him with then supplicate for him until you feel that you have*

*rewarded him.” [Ahmad]*

In another hadith, Usama Ibn Zaid (RA) narrates that the Messenger of Allah (PBUH) said, “*Whoever says “Jazakallahu khayran (May Allah give you a good reward)” to anyone who has done him a favor, he has thanked in the best way.*” [Tirmidhi]

Now if we put these ahadith in our practice what do we see? If a patient becomes healthy after the treatment he will mention about the doctor having done his duty (if it is a public sector) or will mention the money he spent on the treatment (if it is a corporate sector). Very few patients will be thankful to the doctor and I have experienced only a miniscule of patients thanking the doctor when they get discharged from the hospital.

Besides the divine pleasure, the person who is grateful definitely gets more from the benefactor as compared to the thankless person. A servant who is thankful to his master gets more favors from him than otherwise. It is the human psyche which cannot be ignored. Even the Allah (SWT) promises that He will reward a thankful person with more blessings

وَإِذْ تَأَذَّنَ رَبُّكُمْ لَئِنْ شَكَرْتُمْ لَأَزِيدَنَّكُمْ ۖ

*And [remember] when your Lord proclaimed, ‘If you are grateful, I will surely increase you [in favor] (14:7)*

If a patient has got benefit from a doctor then he must talk good about him to other patients so that they also get benefit in similar manner, this will benefit the doctor as well as the patients. A great test of humanity comes when a doctor despite his best efforts has failed to cure the patient or the

patient has got a complication during the course of the treatment. The patients and his attendants must understand that every treatment has a potential for failure and complications and no doctor would like these to happen to his patients. This is for two reasons; first the doctor is a human and would never like to harm another human being and secondly his reputation is at stake so a doctor is the last person who would harm a patient.

## COMMON QUESTIONS PUT TO A MUSLIM DOCTOR

In this section I have tried to collect the commonest questions which are asked to a Muslim doctor. The field of Islamic jurisprudence is technical and personally I am not qualified to comment on this subject so the following section has been compiled based on the questions that have been answered by the jurists. Based on their edicts (Fatwas) the answers have been put forth. The books consulted for this purpose are **Juristic decisions on some contemporary issues (Islamic Fiqh Academy 2017)**, **Fatawa Mehmoodiya**, **Fatawa Darul-Uloom Deoband**. Since these are important issues and I have only summarized them so if anybody wants to know the details he must consult a Jurist ( Mufti) for better understanding of the subject.

### **When has a doctor to pay compensation to the patient?**

The person who has adequate knowledge (of medicine), training and experience of medicine and for this he has a certificate from a reliable institution can practice medicine. In absence of above it is illegal to practice medicine. In case an unqualified person practices and patient suffers due to it then the treating person is responsible for paying compensa-

tion

If the qualified doctor provides treatment to the best of his abilities without any negligence and still the patient suffers from illness then the doctor is not responsible for paying any compensation.

In case it is proved that the doctor was negligent in treating the patient then he is responsible for paying the compensation.

### **Can we operate a patient without consent and if we do so what are the consequences?**

If a patient or his relative can give consent and they have not given consent, even then a surgery is performed without obtaining consent and patient suffers due to surgery then the doctor is responsible for compensation. In case the doctors are of the opinion that the patient's life or any body part is in danger if the surgery is not performed immediately and the patient is unconscious and none of his relatives is available then doctors can perform surgery without consent. In latter case if the patient suffers then the doctors are not responsible.

### **Is what conditions is contraception permissible in Islam?**

Just for the sake of trend, escaping from the responsibilities, maintaining beautiful figure etc., contraception is not permissible and the conditions in which it is permissible are as follows:

In contraception there are two methods, temporary and permanent.

- Permanent contraceptive methods are forbidden in males

- Permanent contraceptive methods are permissible in females only if case a reliable experienced Muslim doctor is of the opinion that there is a likely possibility that the female may lose her any body part or her life may be endangered if she becomes pregnant.
- Temporary contraceptive techniques are permissible for both males and females in certain conditions only:

In case there is a risk that the nurturing of another child (who is breast feeding) will suffer if the woman becomes pregnant.

The woman is very weak and the experienced doctor is of the opinion that pregnancy will pose a serious harm to her.

### **Is abortion permissible?**

Abortion is forbidden in Islam and in certain conditions it is permissible which include following:

- The continuation of pregnancy poses a great danger to the life of woman if she continues to be pregnant .
- The fetus which is growing in the womb of mother is suffering from an incurable mental or physical disability that the life of prospective human being would be a burden to the parents.
- Pregnancy is because of rape.

However, in all of the above circumstances abortion is permissible only before 120 days from the day of conception.

### **Can a person donate his kidney or liver?**

Organ donation by a living person is permissible if:



- Someone donates his kidney or portion of liver and because of donation his health will not be affected.
- The donor will not accept any financial benefit from the donation.
- The recipient is in such a state that without transplantation his death is imminent and there is no other treatment modality available which can replace transplantation.

### **Can we use capsules as they are made of gelatin which is derived from animals?**

The gelatin which is used in manufacture of capsules is permissible despite being made from various animals. The reason is that when we manufacture gelatin from animal proteins, it loses its original characteristics of colour, smell and taste and has become a new entity. However if we can request Muslim manufacturers to use raw material from halal animals only it is desirable. If alternatives to capsules are available then they should be used in place of capsules.

### **Can we use alcohol which is in medicines?**

In market there are many things which contain alcohol. Not all of them are haram. As a general rule the type of alcohol which has intoxication is haram. It is ethyl alcohol which has features of intoxication. All the medicines which contain ethyl alcohol can be used only if the medicine is necessary for the treatment of patient and there is no other alternative available to this medicine. For hand scrub also we can use it but before performing salaah hands must be washed with water.

### **Is medical insurance permissible?**

The current options available for medical insurance are not permissible in Islam as they are akin to gambling. If we as a community are serious about this issue then some alternatives are possible in the light of Shariah principles. At present none exists in our region. So we must not do it. However if law of the land makes it compulsory then we can do it. But, whatever money the insurance company has paid for our treatment we have to deduct from it the actual amount which we have paid as premium and the extra money we must give to some deserving poor person without the *niyat* (intention) of getting any rewards.

### **A patient is in great agony, can we go for euthanasia?**

Even if the patient is in great pain and the attendants are tired of the services rendered to him, a patient cannot be subjected to euthanasia, it is equal to murder.

### **Someone is ugly looking can he undergo plastic surgery?**

Plastic surgery is permissible if:

- One has a deformity and the deformity is beyond what is generally accepted as normal (technically called as ‘*maskh*’) for any other person. Just for making oneself more beautiful one cannot undergo this surgery.
- In case one has an illness, injury amputation for which the doctors advise plastic surgery, then one can go for it.
- Those changes in body which occur normally with age like wrinkles should not be subjected to plastic surgery.
- Medical use of artificial eye lenses, dental implants, cardiac pacemakers is fully permissible.

**Can one donate blood or receive blood by transfusion from anybody irrespective of religion or gender?**

In case the doctors are of the opinion that blood transfusion is necessary there is no problem in blood transfusion. Blood can be donated or received from anybody without any bias of religion and gender.

One can donate blood to any blood bank for storage of blood so that it can be used whenever the need arises. In current times voluntary blood donation is an act of great virtue as need is high.

In all above case financial transactions are forbidden.

In case a person is suffering from a disease which can be transmitted through blood from one person to another like AIDS, then it is not permissible to donate blood.

**Can one donate semen for creation of semen bank to help people of infertility?**

It is absolutely forbidden to create a semen bank.

**Can a childless couple undergo in vitro fertilization (IVF)?**

In vitro fertilization is a method of fertilization in which sperm and ova are obtained from the couple and the resulting product is kept back in the female partner. In case a couple has tried all available methods of treatment and the doctors are of the opinion that only way possible for having a child is IVF then it is permissible only if both the semen and ova are of the same married couple and the fertilized egg is implanted in same female.

**Can a childless couple hire a surrogate mother if in vitro fertilization (IVF) fails?**

Surrogate mother is a lady who is hired (paid) by the couple for allowing the fertilized egg (which is obtained by combination of the sperm and ova of the couple) to be implanted in her ( kept in her uterus). Then she becomes pregnant and after the child is born she hands over the baby to the couple.

It is absolutely forbidden to hire a surrogate mother.

**Can one switch off the ventilator in a patient who is not recovering?**

If a patient is on ventilator and the doctors are having hope of his improvement then it is not permissible for the family to ask for stopping artificial ventilation if the patient has enough money to continue for his treatment, or his inheritors can bear the expenses of treatment or some other means are available to bear the expenses.

If the doctors are of the opinion that the patient cannot live any more, than the inheritors of the patient can request the doctors to switch off the artificial ventilator support.

## PANACEA TO ALL THE PROBLEMS

There are so many medical laws, ethics, etiquettes quite vividly described and mentioned in so many books and over the last couple of decades with boom in information technology all of the knowledge is on finger tips. Than one wonders why the implementation is miniscule, the reasons are manifold and thence solutions are multidirectional.

### **Unseen eye is watching us**

My understanding is that we have lost the essence of being watched by the Divine Being. In the areas where we have CCTVs installed the behavior of people is always different from where they aren't as one is sure about being watched. In many place to maintain the scare the sign boards are depicting "the place is under CCTV surveillance". The believer has to first believe in the concept of being watched by Allah (SWT) and this is the part and parcel of his faith. Then he will gradually benefit from the inculcation of this concept.

So it is emphatically clear that we are working under a magnificent monitoring system which is seeing us, recording our activities and constantly judging us as nobody can

escape His Sight. The cameras record our actions but the Divine observation not only views our actions but also our intentions. So a physician may apparently talk sweetly to the patient or his family, entice them with the latest studies, and new technologies which are availed but Allah (SWT) knows why he is saying so and so. Is he really interested in the benefit of the patient? When this gets fixed in our mind than we neither need police, nor courts.

عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "إِنَّ اللَّهَ لَا يَنْظُرُ إِلَى صُورِكُمْ وَأَمْوَالِكُمْ وَلَكِنْ يَنْظُرُ إِلَى قُلُوبِكُمْ وَأَعْمَالِكُمْ"

*Abu Hurairah (RA) narrated: Messenger of Allah (PBUH) said, "Allah does not look at your figures, nor at your attire but He looks at your hearts [and deeds]." [Muslim]*

So Allah (SWT) is constantly watching our interior when we interact with our patients and their families and it is impossible to conceal anything from the Being who created everything.

### **Allah (SWT) is all aware of our thoughts and actions**

Allah (SWT) mentions in Holy Quran in surah Qaaf, 50, verse 16-18

- وَلَقَدْ خَلَقْنَا الْإِنْسَانَ وَنَعْلَمُ مَا تُوَسْوِسُ بِهِ نَفْسُهُ وَنَحْنُ أَقْرَبُ إِلَيْهِ مِنْ حَبْلِ الْوَرِيدِ
- إِذْ يَتَلَفَّى الْمُتَلَفِّيْنَ عَنِ الْيَمِينِ وَعَنِ الشِّمَالِ قَعِيدٌ
- مَا يَلْفِظُ مِنْ قَوْلٍ إِلَّا لَدَيْهِ رَقِيبٌ عَتِيدٌ

*"And indeed We have created man, and We know whatever thoughts his inner self develops, and We are closer to him than (his) jugular vein, [16] when the two receiving angels*

*receive (every human act to record it), seated (one) on the right and (one) on the left. [I7] Not a single word is uttered by one, but there is a watcher near him, ready (to record).*

*[I8]*

The concluding part of verse [I6] says: (We are closer to him than [his] jugular vein). The 'closeness' in the verse, by consensus of scholars, refers to "nearness in terms of all-encompassing knowledge" not in terms of physical closeness. In this manner, the verse means that Allah's power and knowledge has so encompassed man from within and without that His power and knowledge is nearer to him than his own jugular vein. In short, Allah encompasses complete and full knowledge about everything of man, because He is closer to him than his neck-vein. Hasan Basari (RA) said: "O son of 'Adam! Your record of deeds has been spread, and two honorable angels have been appointed. One on your right side and the other on your left. The one on your right side records your good deeds, and the one on your left records your evil deeds and sins. Focus on this reality, and do what you desire, increase it or decrease it. When you die, your record of deeds will be folded, and put around your neck. It will go with you in the grave, and remain there.

### **Our actions are being recorded**

When you will rise from your grave on the Day of Judgment, Allah (SWT) will say:

○ اقْرَأْ كِتَابَكَ كَفَىٰ بِنَفْسِكَ الْيَوْمَ عَلَيْكَ حَسِيبًا

*"Read your book. This day you yourself are enough to take your own account." [surah Bani Isr a'il -14].*

Then Hasan Basri (RA) said: “By God! The Supreme Being has done a great justice in that He has appointed you to take account of your own actions”. (Ibn Kathir )

Obviously the book or the ledger of deeds would not be made up of mundane paper, so that there should be any difficulty in understanding how it will go with him in the grave and remain there with him until the Day of Resurrection. It is a transcendental reality, the actual nature of which is known only to Allah (SWT). Therefore, it should not be surprising if the book is put as a garland round the neck and remains there until the Day of Resurrection. (Marifulquran)

### **Our intentions have to be correct**

The concept of having clear intentions is so great that the famous scholar Imam Al Bukhari (RA) started his magnificent book Sahih Al Bukhari with a hadith on this subject connoting that if intentions are right than everything becomes right and if intentions are bad result of our deeds is bad.

عُمَرُ بْنُ الْخَطَّابِ رَضِيَ اللَّهُ عَنْهُ عَلَى الْمَنْبَرِ، قَالَ: سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَقُولُ: “إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ، وَإِنَّمَا لِكُلِّ امْرِئٍ مَا نَوَى، فَمَنْ كَانَتْ هِجْرَتُهُ إِلَى دُنْيَا يُصِيبُهَا أَوْ إِلَى امْرَأَةٍ يَنْكِحُهَا، فَهِجْرَتُهُ إِلَى مَا هَاجَرَ إِلَيْهِ“

*Narrated Umar bin Al-Khattab (RA): I heard Allah's Apostle (PBUH) saying, "The reward of deeds depends upon the intentions and every person will get the reward according to what he has intended. So whoever emigrated for worldly benefits or for a woman to marry, his emigration was for what he emigrated for."*

When the concept of closeness of Allah (SWT) is



firmly established then it becomes extremely difficult to harm anyone or cause inconvenience to anyone whether one is a patient, attendant or doctor. In our society it can be understood by an example, how can one do something against the orders of his boss when he is sitting close to him? When every word of ours is recorded in the court of law or in a high profile meeting we try to be extremely careful not to utter any silly word. It is this essence of faith which is deficient, when it is fully present the world will be like a paradise where no one will harm any person not to talk of a patient who is already in such a pitiable state. May Allah (SWT) bless the physicians such an ‘iman’ (faith) that we understand the magnificent stature of ours and we dedicate our lives to serve the people with devotion, sincerity following the path of ‘Shariah’. Aameen

\* \* \*

## About the Book

In the current state of world where exploitation has become the rule rather than exception, no profession is safe. The constant pursuit of excelling each other in mundane assets has pushed whole mankind into the quagmire. Unfortunately the saintly profession of physician also couldn't escape the wrath of current misfortune. In this book an endeavor has been made to describe the medical ethics and etiquettes in the light of Quran and hadith and see its applicability in current times. May Allah (SWT) bless all the physicians and the patients with such a vision that they understand their responsibilities and strive to fulfil them?



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