

## Medical Ethics in Islam♦

Advances in medical science, and in the related technology, have changed doctor-patient relations in many ways. Therefore, need was felt to reassert and redefine rights and obligations involved during medical practice in modern time so that the medical ethics prevalent in these days could be tempered in the light of Islamic teachings. The Eight Seminar of the IFA discussed many related issues of medical ethics and resolved as follows.

- 1.1 Only a duly qualified person whose competency in the matter has been authenticated by a credible authority is competent to undertake treatment of patients. It is not permissible in Shariah to treat patients without competence.
- 1.2 If, during the course of treatment by a person, not permitted by Shariah to do so, some major harm is caused to the patient's health, the treating person shall be liable to penalty and punishment.
- 1.3 If the patient suffers harm to his/her health due to the negligence of or some lapse on the part of the person treating him/her (he/she, even may be a qualified physician), that person will be liable.
- 1.4 If, in spite of opportunity, the doctor performs an operation without the consent of the patient or his next kin and the operation either causes death or some injury to the patient, liability will be on the doctor.
- 1.5 If the patient is in an unconscious state and his/her next of kin are also not available and the doctor feels that to save the life or any organ of the patient, immediate operation is called for and he/she performs the operation without obtaining any one's consent, and it results in some injury to the patient, the doctor will not be held liable.
- 1.6 If a person negotiating for marriage with some woman is suffering from such disease or deficiency which if becomes known to the woman she might decline to accept the proposal, and his doctor has the knowledge of that disease or deficiency, and the concerned lady or her guardian contacts the doctor and in the context of the impending marriage proposal enquires about the true state of the health of the person, it would be incumbent on the doctor to state the factual position. In case the lady or any of her guardians do not contact the doctor in this regard, it will not be incumbent on the doctor to, of

---

♦ 8<sup>th</sup> Fiqhi Seminar (Aligarh – U.P) 22-24 Oct 1995.

his own accord, inform the lady or her guardians of the person's disease or deficiency.

- 1.7 If the eyesight of a driver employee gets impaired it will be incumbent on his doctor to inform the employer of the same. Similarly, if the pilot of an airplane or a bus-driver is so addicted to drinking as may jeopardise the safety of passengers, it will be incumbent on the doctor to inform of it to the concerned authority.
- 1.8 If the doctor knows about an offence having been committed by his patient and some one else is being prosecuted for that offence, it will be incumbent on the doctor to make the fact known to the authority in order to save the innocent persons. The principle of confidentiality will not be applicable in such a case.