

A Critical Analysis of Contemporary Muslim Scholarship on the Issue of Euthanasia

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Abstract

“Life with health is one of the blessings of Allah the Almighty. The disease is a part of life. In the contemporary developed age, the immense scope of biomedical technology is affecting seriously deceased and hospitalized patients. Because such type of mechanical means has been invented they can continue the heartbeat of brain dead patient for a long time. So the question arises in which situation a hospitalized patient and his relatives can be permitted to remove these costly mechanical means. The end of life concerning issues like Persistent vegetative state, costly mechanical devices, and treatment of major diseases becomes a reason for suffering, distress, and tension for the common man. So the question arises what should someone do to tackle this type of issue being a Muslim to gain success in this world and hereafter? What is the opinion of shar‘īah regarding terminally ill patients about whom the doctors have declared the disease of him is incurable if their treatment can be stopped in the context of Euthanasia or can the treatment of the patient be discontinued to allow death to take its natural course? So I send my research questions to several scholars, Dār al-‘Ifā’s, and Fiqh councils of different schools of thought to analyze the view of contemporary Muslim scholarship on the issue of Euthanasia and its related matters in and outside Pakistan through different mediums like email, post and by hand. So two of them referred to the books to consult for concerned points of view: Dār al-Taḳwa Lahore and Dr ‘Umar Ḥasan Kāsuly(Brunei Dar Salam) others have provided the answers according to their best knowledge.

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Keywords: *Disease, health, brain death, heartbeat, shar‘īah*

Introduction

Euthanasia derives from a Greek term meaning 'easy or gentle death.' It is generally defined by religious and secular scholars as the intentional hastening of an individual's death, mainly in terminal medical cases or cases of severe and chronic pain which cannot be relieved by conventional means.

¹

Mercy killing refers to English terminology Euthanasia and Arabic synonym or Qatl Al-Marḥamah, and in Urdu, it is said to be Qatl ba Jazbah al-Raḥm. It is a compound word terminology.

“It is also defined as “mercy killing” (qatl al-raḥma) of the hopelessly ill, injured, or incapacitated and the ending of the life, as painlessly as possible, of the patient who is suffering from a terminal illness and extreme pain. Euthanasia thus includes the following:

- Administering an overdose of barbiturates or another lethal injection to terminate the life of the patient with or without the patient's explicit request,
- A decision to withhold or withdraw potentially life-prolonging treatment to hasten the patient's death, and
- Alleviating pain with large doses of opioids, allowing for a probability of causing death, but not explicitly intending to cause death.”²

Al-Rāḡib al-Āsfahānī has defined the word Qatl as:

¹ Jonsen, Albert & Siegler Mark & Winsdale, William J., *Clinical Ethics: A Practical Approach to Ethical Decisions in Clinical Medicine*(New York: McGraw Hill, 2002), p. 137.

² Ebrahim, Abul Fadl Mohsin, *Organ Transplantation, Euthanasia, Cloning and Animal Experimentation*,(Leicester: The Islamic Foundation, 2001), p.98.

إزالة الروح عن الجسد كالموت، لكن إذا اعتبر بفعل المتوَلَّى لذلك يقال: قَتْلٌ، وإذا اعتبر بفوت الحياة يقال: موت³

Removing the soul from the body is like death, but if it is considered the action of the entrusted one, then it is said: killing, and if it is considered the loss of life, it is said: death.

In Lisān 'l - ' Arab, Ibn Manẓūr Afriqī defines the word Raḥm in the following words:

الرَّحْمَةُ: الرِّقَّةُ والتَّعَطُّفُ،⁴

Mercy: tenderness and sympathy.

Edward William expresses Raḥimah and Marḥamah in his well-known work Arabic English Lexicon as:

To have mercy, have compassion: to Space let off, to be merciful".⁵

هي إرادة إيصال الخير

It is a will to do good.

"Euthanasia simply refers to the killing of a person who suffers from an irrecoverable illness or when his sickness is painful. Broadly speaking, it covers all forms of killing, of an elderly person, a disfigured baby, and a person in a permanent coma."⁶

Synonyms of Euthanasia

Euthanasia has been subsumed with these terms; Physician-assisted dying; Assisted Suicide; Physician-assisted suicide. There are two prominent divisions of Euthanasia with its related subdivision. The first significant type

³ Al-Āsfahānī, al-Rāgib, 'Ābū al-Qāsim, Al-Mufrādāt fī Gharīb-al- Qur'ān, (Bayrūt: Dār al-Qalam, 1412h), vol.1, p.655.

⁴ Afriqī, Ibn Manẓūr, Lisān 'l - ' Arab, (Bayrūt: Dār al-Šādir, 1414h), vol.11, p.548

⁵ Lane, Edward William, Arabic-English Lexicon (London: Williams & Norgate, 1863), Vol.3, p.1056.

⁶ Sikandar Shah, Sayed, Mercy Killing in Islam Moral and Legal Issues, Arab Law Quarterly, vol.11, No.2(1996), p.105.

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is called active Euthanasia, sometimes termed 'mercy killing,' which involves an agent like a healthcare professional who provides and administers a lethal dose of some substance-using pills, gas, or injection to terminate the patient's life.⁷

Passive Euthanasia

Passive Euthanasia means causing death by not doing something: allowing to die by withdrawing or withholding treatment. Not all forms of withdrawing treatment count as Euthanasia, as when the treatment is futile or constitutes an "extraordinary" means of maintaining life.⁸

Concerning patient will, there is also a sub-division of Euthanasia:

1. Voluntary active Euthanasia (VAE)
2. Non-voluntary Euthanasia (NVE)

1.Voluntary active Euthanasia (VAE)

This type of Euthanasia is also familiar as 'aid-in-dying'; usually, it must involve a competent patient's consent to Euthanasia, in most cases both verbal and written.⁹

Warnock and Macdonald comment that this type of passion in patients who want to die directs not only consent but also an emphatic 'begging to die.'¹⁰

2. Non-voluntary euthanasia (NVE)

In the non-voluntary form of Euthanasia (NVE) the patient is unable to give consent or communicate their request due to incompetence or mental incapacitation (e.g. a severely deformed newborn, or one who has dementia,

⁷ Lo, Bernard, *Resolving Ethical Dilemmas, A Guide for Clinicians* (Lippincott Williams and Wilkins, 2000), p.156.

⁸ Ed by Mitchan, *Encyclopedia of Science Technology and Ethics*, (New York: Macmillan References, 2005), vol.2. p.710.

⁹ Jonsen, Albert & Siegler Mark & Winsdale, William J., *Clinical Ethics: A Practical Approach to Ethical Decisions in Clinical Medicine*,(New York: McGraw Hill, 2002), p. 138.

¹⁰ Ibid

a persistent vegetative state (PVS), or brain death.¹¹ While assisted suicide is defined as intentionally helping a person, at this person's request, to terminate his or her life."¹²

Introduction of Fatwa

According to Edward William Lane:

Fatwa is a notification of the decision of the law, in, or respecting, a particular case; a notification, or an explanation, of a case given by a lawyer; or an answer, or a reply, to a question relating to a dubious judicial decision.¹³

هُوَ الْجَوَابُ عَمَّا يُشَكُّ فِيهِ مِنَ الْأَحْكَامِ.¹⁴

It is the answer to the suspicious rulings.

The word fatwa and its related words have been used in the following verses of the Holy Qur'ān:

يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ¹⁵

“They ask thee for a legal decision. Say: Allah directs [thus] about.”

فَاسْأَلُوا أَهْلَ الدِّكْرِ إِن كُنتُمْ لَا تَعْلَمُونَ¹⁶

If ye realize this not, ask of those who possess the Message. It means that fatwa is an answer to a legal question from a religious scholar.

As mentioned earlier, a three-question questionnaire has been prepared to solve the concerning issues and obtain answers from contemporary Muslim scholarship.

¹¹ Ed by Singer, Peter, Author Kuhse, Helga, A Companion to Ethics(Oxford: Black Well Publishers, 2000), p.295

¹² Al bar, Muhammad Ali & Chamsi-Pasha, Hassan, Contemporary Bioethics: Islamic Perspective,(New York: Springer, 2015), p.257.

¹³ Lane, Edward William, vol.6 ,P.2336.

¹⁴ Al-'Asfahānī, Raghīb, Imām, Al-Mufradāt fī Garīb-al-Qur'ān,(Bayrūt:Dar-al-Qalam, 1412h), Vol.1, p.625.

¹⁵ Al Qur'ān 4:176

¹⁶ Al Qur'ān 16:43 and 21:7

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1. What is the Shar‘īah ruling in this regard?
 - a). If a patient's disease is diagnosed irrecoverable according to physicians or medical experts, can the patient's treatment be discontinued to allow death to take its natural course?
 - b). If the incurable patient suffers from any other recoverable disease (suppose a patient with cancer suffers from pneumonia), can the treatment of pneumonia be stopped so that it may cause death immediately?
 2. When can a human be declared dead, according to Shar‘īah?
 - a) The heartbeat of the patient stops along with the Brain Death.
 - b) The heartbeat stops, but the brain is alive.
 - c) The brain is dead, but the heartbeat still exists. What is the verdict of Shar‘īah?
 3. If a person is in a coma or whose brain is dead, what is the verdict about his treatment? (Illustrate both of the prescribed conditions):
 - a) If the Physicians are convicted that there is no hope of recovery of the patient and the family has no more funds to continue with the extraordinary means of sustaining life, then would it be permissible to discontinue treatment and switch off the respirator?
 - b) The second situation is: if the expenses cannot be borne and there is no hope of life, can the treatment be stopped, or should the money be borrowed to continue the extraordinary means of treatment?
- The Questionnaire was sent to different institutes and persons in Pakistan and outside Pakistan in other Regions of the world.

List of the Dar ul Iftā’s, Councils, and Scholars

Ahal Sunnat Barelwī

1. Dār al-‘Ulūm Muḥammadiyah Ghouthiyah(Bhera)
2. Dar ul Iftā’ of Jāmi‘ah Islamiyah Raḍwiyah
3. Dār al- Iftā’ Farīd Milat Research Institute (Minhāj al-Qur’ān International)
4. Dār al-‘Iftā’ wa al-Taḥqīq Jami‘ah Nizāmiyah Raḍwiyah Lahore

Ahal Sunnat Deobandī

1. Dār al- Iftā' Al-Jāmi'a Al-Ashrafiah
2. Madrasah 'Ashāb Şufah
3. Dār al- Iftā' Jāmi'ah Dār al-'Ulūm Karāchī

Ahal Ḥadīth

1. Dār al-Taḳwa Lahore

Ahal Tashayyū'

1. Minhāj al- Ḥussain Akbar
2. Dar ul Iftā' of Ḥawzah 'Ilmiyah Jāmi'ah al-Muntaẓir

Farāhī School of Thought

1. Jāved Aḥmed Ghāmdī

Research Councils and Academies

1. European Council for Fatwā and Research
2. International Islamic Fiqh Academy (IIFA) Organization of Islamic Corporation
3. Islamic Fiqh Academy India (IFA)

Scholars

1. Abū Faḍl Moḥsin Ebrāhīm(South Africa)
2. Dr 'Umar Ḥasan Kāsuly(Brunei Dar Salam)

Question 1

1. Dār al-'Ulūm Muḥammadiyah Ghouthiyah(Bhera)

It is Sunnah to treat or use medicine for the cure of disease. Because the Holy Prophet (peace and blessings of Allah be upon him) himself used medicine and told the ummah about the cure for many diseases. The treatment should be continued as long as possible. After that, if there is no strength to continue and the condition of the patient has become so serious that the expert doctors declare that it is difficult for the patient to survive now, then the treatment can be stopped. However, injecting or giving any medicine or drink that may

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cause the patient's death is not permissible because there are many illness benefits for a Muslim.¹⁷

2. Dar ul Iftā' of Jāmi'ah Islamiyah Raḍwiyah

1. Stopping treatment can become the cause of death, and it is obligatory to avoid death as long as a person has the power to do so, and it is necessary to save as much as possible. Therefore, stopping treatment is not permissible.
2. Avoiding causes of death (stopping treatment) leads to a reward, and the scope of reward is like saving all humanity. However, no Mubah ruling is mentioned in the Qur'ān and ḥadīth for a person who is in favour of factors supporting death.
3. Respect for humanity and the value of human life having special precedence in Islamic law requires that the sanctity of human life should not be violated by stopping treatment. Nor should any soul be killed, which the Creator of the universe has strictly forbidden. Therefore, stopping treatment is not permissible in any way, whether it is for a contagious disease or a disease that has been declared incurable by the physician. So the cancer patient's pneumonia must be treated as much as possible. According to the well-known fiqh maxim *الامور بمقاصدها*, the rules of Sharī'ah are valid for their background. And the only cure is to save lives, whether cancer or pneumonia.¹⁸

3. Dār al- Iftā' Farīd Milat Research Institute (Minhāj al-Qur'ān International)

No person can commit suicide due to any terrible and severe pain. If any person cannot kill himself, then this rule is understood that no one can kill another person in sheer pain. Every person of belief strongly believes that death has a specific prescribed understood time; no one can alter or change it. Doctors and relatives should continue the treatment until the

¹⁷ Dār al- 'Ulūm Muḥammadiyah Ghouthiyah(Bhera), January, 23, 2022.

¹⁸ Dar ul Iftā' of Jāmi'ah Islamiyah Raḍwiyah , January, 30, 2022.

end of the last moment. So it is not allowed to leave the treatment under any circumstances.¹⁹

4. Dār al-‘Iftā’ wa al-Taḥqīq Jami‘ah Nizāmiyah Raḍwiyah Lahore

The reasons those remove the harm are two:

1. Certain (Yaqīnī)
2. Suspicious (Zannī)

The treatment has been included in the second type. The treatment of disease for cure is a Sunnah of the Prophet (upon him be peace and blessing). The person who takes care of the patient physically and financially intending to fulfil the Sunnah will surely be rewarded by Allah Almighty. So the treatment is an option for him. It is his will whether he treats the disease or not.²⁰

Conclusion:

Those who consider the treatment Sunnah believe that the treatment should be continued as long as possible. After that, if there is no means to continue or the condition of the patient has become serious, and the expert doctor has declared that it is difficult for the patient to survive now, then the treatment can be stopped. However, injecting or giving any medicine or drink that may cause the patient's death is not permissible because there are many illness benefits for a Muslim believer. Another view is: if there is no incurable disease and treatment is wajib (obligatory), then how can it be permissible to take the life of a human being by abandoning the treatment even to relieve the pain (killing by compassion) that there is no more pain than taking the life. Stopping treatment is not permissible in any way. If the expert doctor declares that it is difficult for the patient to survive now, the treatment can be stopped.

¹⁹ Dār al- Iftā’ Farīd Milat Research Institute (Minhāj al-Qur’ān International), January, 25, 2022.

²⁰ Dār al-‘Iftā’ wa al-Taḥqīq Jami‘ah Nizāmiyah Raḍwiyah Lahore, Februray, 25, 2022.

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Both who consider it Sunnah or wajib have the same view that the treatment should be continued as long as possible. However, if expert doctors declare any disease incurable, it can be stopped but not hasten death. However, injecting or giving any medicine or drink that may cause the patient's death is strictly proscribed because there are many illness benefits for a Muslim.

Another view is it is not obligatory to treat any disease, but it is only permissible (Mubah) to treat the disease. If a patient does not treat the disease and dies, he is not a sinner.

One view is: that death has a prescribed time, and ultimately no one can change it. So the treatment should continue till the last moment.

Question 2

Ahal Sunnat Barelwī

1. Dār al-‘Ulūm Muḥammadiyah Ghouthiyah(Bhera)

Allah Almighty has only the fundamental knowledge of death, but it can declare after observing its symptoms. In ancient times, death was declared after symptoms like opening eyes, losing legs, crooking the nose and the sinking bandage, etc. The scholar quoted and shed light on the views of different fiqh councils and academies but did not explain their view of preference.²¹

2. Dar ul Iftā’ of Jāmi‘ah Islamiyah Raḍwiyah

In the light of the Islamic Shar‘iah meaning of the word, death is applied to the departure of the soul from the body, and the Shar‘iah state of death will be recognized when the heart stops beating, whether mental death has occurred or not.²²

4. Dār al- Iftā’Farīd Milat Research Institute (Minhāj al-Qur’ān International)

²¹ Dār al-‘Ulūm Muḥammadiyah Ghouthiyah(Bhera), February 8, 2022.

²² Dar ul Iftā’ of Jāmi‘ah Islamiyah Raḍwiyah , January, 30, 2022.

The state of death appears when the heartbeat stops. It is better to consult medical experts because they know better when the real death occurs.²³

5. Dār al-‘Iftā’ wa al-Taḥqīq Jami‘ah Nizāmiyah Radwiyyah Lahore

The Jurist did not provide the answer to this question.

Conclusion

Two of the jurists have almost the same view: According to Shar‘īah, death is the name given to the separation of the soul from the body and the loss of the power of the senses both agreed by saying it happens after stopping the heartbeat. Physicians and doctors should be consulted for information on when this condition occurs.

One view is: that in the light of Islamic Shar‘īah meaning of the word death is the departure of the soul from the body, and the Shar‘īah state of death will be recognized when the heart stops beating, whether mental death has occurred or not.

The two views are almost the same. Only when the movement of breath has stopped completely, and the symptoms of death have appeared, then the death order will be issued. It means it is better to consult with doctors, according to three scholars. So it can be said that after the analysis of the views of the scholars mentioned above, a person can be declared dead if the heartbeat of the person has stopped after the occurrence of brain death.

Question 3

1. Dār al-‘Ulūm Muḥammadiyah Ghouthiyah(Bhera)

A disease about which the specialist doctor says that the apparent chances of recovery are nil, by forcing him to ventilate or to be kept alive by mechanical devices, Islam does not make responsible or does not consider it necessary.

²³ Dār al- Iftā’ Farīd Milat Research Institute (Minhāj al-Qur’ān International), January, 25, 2022.

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It is a critical moment for a patient in his previous life stage. Attempts should be made to keep the patient on the device only if the chances of survival seem high. In case of any doubt, a specialist doctor's opinion will be considered. But to make the patient suffer just to make a hospital bill Shar'īa cannot be allowed. Islamic Shar'īa also does not allow the death of an afflicted patient should be facilitated by an expert doctor injecting him with poison or something else, even if it involves his own will with the consent of his legal heirs when the patient's chances of survival are extinct. Everyone knows that Allah Almighty has the ultimate knowledge of life and death. A human being can only form opinions in the light of his experience and knowledge of speculations and assumptions.²⁴

2.Dar ul Iftā' of Jāmi'ah Islamiyah Raḍwiyah

Medically, a person who has died of cerebral palsy and has passed away in a coma and some part of his brain is paralyzed but still breathing and alive. It is obligatory to save his life and treat him. On the other hand, the treatment is a Sunnat Matwatraḥ, and its abandonment leaves a Sunnah. Relatives should not give up the treatment in respect of the rights of their relatives but should be treated as much as possible to secure their lives. And as far as borrowing is concerned the major chances are the patient can survive by continuing treatment then the money should be borrowed to ensure one's life.²⁵

4.Dār al- Iftā'Farīd Milat Research Institute (Minhāj al-Qur'ān International)

According to medical experts, the treatment should continue till the last moment of life. If the relatives cannot bear the patient's expenses, then it is

²⁴ Dār al-'Ulūm Muḥammadiyah Ghouthiyah(Bhera), January, 23, 2022.

²⁵ Dar ul Iftā' of Jāmi'ah Islamiyah Raḍwiyah , January, 30, 2022.

the responsibility of the Government to provide low-cost treatment facilities to such people.²⁶

5.Dār al-‘Iftā’ wa al-Taḥqīq Jami‘ah Nizāmiyah Raḍwiyah Lahore

If any patient (For example, whether he is on the ventilator or in the comma, or his family) abandons the treatment due to superstitious reasons (Dhanī and wahmī) or the patient's family does not cooperate with his care. This practice is not good, but according to sharī‘ah, such a person is not a sinner for stopping the treatment. Similarly, suppose a patient's breath is being operated on with an artificial device(Whether due to lack of funds or the doctor has other patients in dire need of this device and no more artificial devices are available). In that case, there is no problem(Unless the intention to kill is not involved, the removal of the artificial device). If the device is removed, it is only leaving the tactics. This is the method of treatment in both cases of passive Euthanasia.²⁷

Conclusion

Almost two of the jurists have the same view in this regard:

If the patient is on an artificial respiratory device, but the doctor is not disappointed with his life and hopes that the respiratory system will be restored naturally, then the removal of the machine would be right for the patient's relatives when it is not possible to continue the treatment from the patient's property nor will the heirs be able to afford these costs, nor will there be any other means available to continue this treatment.

If the patient is on a respirator and the doctors have expressed no hope for the patient's life and the restoration of the natural respiratory system, then it would be permissible for the heir to separate the artificial respirator.

²⁶ Dār al- Iftā’ Farīd Milat Research Institute (Minhāj al-Qur’ān International), January, 25, 2022.

²⁷ Dār al-‘Iftā’ wa al-Taḥqīq Jami‘ah Nizāmiyah Raḍwiyah Lahore, Februray, 25, 2022.

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One view is: Medically, a person who has died of cerebral palsy and has passed away in a coma and some part of his brain is paralyzed, but he is still breathing and alive. It is wajib to continue the treatment to save a life. On the other hand, the treatment is a Sunnat Matwatarah, and its abandonment is also a leaving Sunnah. Relatives should not give up the treatment in respect of the rights of their relatives but should be treated as much as possible to save lives. And as far as borrowing is concerned, when there is a certainty that the money obtained as a loan will save a life, then taking a loan should also be used for treating the other view is same in addition to the comment that it is the responsibility of the Government to provide treatment facilities to such patients.

One view is the opposite of the above two:

If any patient (For example, whether he is on the ventilator or in the comma, or his family) abandons the treatment due to any reasons (Dhanī and wahmī) or the patient's family does not cooperate with his care. This practice is not good, but according to shari'ah, such a person is not a sinner. Similarly, suppose a patient's breath is being operated on with an artificial device (Whether due to lack of funds or the doctor has other patients in dire need of this device and no more artificial devices are not available). In that case, there is no problem (Unless the intention to kill is not involved, the removal of the artificial device). If the device is removed, it is only leaving the tactics. This is the method of treatment in both cases of passive Euthanasia. If such patients have not been treated then there is no sin in it.

Ahal Sunnat Deobandī

Question 1

1. Dār al- Iftā' Al-Jāmi'a Al-Ashrafiah

It should be noted that the opinion of competent doctors about a person is that the disease has become incurable, and even if complete conviction or certainty is obtained, there is no harm in giving up the treatment of such a person. He will not be guilty even if he dies of the same disease. If a person suffers from two diseases and in the case of the former, the opinion of the competent doctors is that it has become incurable, then if

the latter is curable. The doctors are sure about its recovery, provided there is no increase in the severity of the first disease after starting the treatment of the second disease. In such a case, it is permissible to continue the treatment of the second disease. And if there is a risk of disease progression or severe pain, then there is no harm in giving up the treatment.²⁸

2. Dār al- Iftā' Madrasah 'Ashāb Şufah

Treatment of a patient is a verdict of Sharī'ah according to capacity. Medicine and Medication are Masnūn(recommended)(between wajib and mustahab). But the cure is only in the control of the divine power of Allah Almighty. So no one should believe that death takes its natural course soon after leaving the treatment. The death time is prescribed.²⁹

3. Dār al- Iftā' Jāmi'ah Dār al-'Ulūm Karāchī

The treatment of a disease is Sunnah, not farḍ or wajib, and man's life and death are in the control of Allah's divine power. It cannot be said with certainty that a person will die from such and such a disease. It is only possible that he may recover or die from any other disease, so he should be treated to the last extent to restore his health. However, it is not necessary to continue the treatment of a patient if a specialist doctor becomes convinced that it is difficult to survive a patient. However, a useful treatment to reduce the pain should be done. But abandoning the treatment of a treatable disease with the intention that the patient will die soon is not right. Because there is a fixed day or prescribed time of death that anyone does not know, so as far as possible, the patient should be relieved till the last moment through treatment.³⁰

Conclusion

One view is: that the Sharī'ah ruling about the treatment of any disease in normal circumstances is in the context of convenience and

²⁸ Dār al- Iftā' Al-Jāmi'a Al-Ashrafiah, January 23, 2022.

²⁹ Madrasah 'Ashāb Şufah, February 26, 2022.

³⁰ Dār al- Iftā' Jāmi'ah Dār al-'Ulūm Karāchī, March 8, 2022.

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permissible. It falls in the category of Sunnah, not an obligation (farḍ). If a patient does not consult any physician for treatment and dies of this disease, he will not be sinful/ answerable for not using means. However, critical illnesses are serious, and the usefulness of the treatment has reached a level of certainty. Some scholars consider it obligatory (Wājib) to treat these diseases. Therefore, according to these scholars, it would not be permissible to use carelessness and negligence in the treatment of these diseases intentionally.

One view is: It should be noted that the opinion of competent doctors about a person is that the disease has become incurable and even if complete conviction or certainty is obtained then there is no harm in giving up the treatment of such a person, and he will not be guilty even if he dies in the same disease.

If a person suffers from two diseases and in the case of the former disease, the opinion of the competent doctors is that it has become incurable, then if the latter disease is curable. The doctors are sure about its recovery, provided that there is no increase in the severity of the first disease before the treatment of the second disease. In such a case, it is permissible to continue the treatment of the second disease. And if there is a risk of disease progression or severe pain, then there is no harm in giving up the treatment. However, a useful treatment to reduce the pain should be done.

So the treatment of disease is Sunnah, while if the disease is serious and curable, it must be treated to the last extent. It will be wajib to treat the disease, and the person will be accountable if he does not treat the disease. However, in the case of an incurable disease, treatment can be given up but not with the intention of death making its natural course immediately.

Question 2

1. Dār al- Iftā' Al-Jāmi'a Al-Ashrafiah

The jurists and the ancient physicians generally declare death after the appearance of outward symptoms, and under normal circumstances, these

symptoms are certainly decisive. Still, sometimes these symptoms can be challenging to detect when no symptom of life exists in man. Therefore, physicians of this age agree that the death of the lower part of the brain is complete. There are many rules of Shari'ah related to declaring a person dead; therefore, unless the death of both the heart and the mind occurs, the death of a person cannot be declared.³¹

2.Dār al- Iftā' Madrasah 'Ashāb Şufah

The guidance can be taken from pious expert doctors. However, the symptoms of death are stopping the heartbeat, complete cessation of breathing, and the pupils of the eyes becoming numb.³²

3. Dār al-'Ulūm Karāchī

According to the descriptions of the Holy Qur' ān and the Aḥādīth, the death of a human being and real human life is related to the soul. The shar'īah point of view is that human life begins after the breath of the soul. This is the "permanent life" through which man acquires knowledge, understanding, consciousness, and intentional movements. Man lives as long as the spirit remains in the body, and when the spirit leaves the body, man's life ends. As a result, the death of human beings occurs. Therefore, if the physicians decide that a patient's brain death should occur, then as long as the patient's breathing and heartbeat continue, a life sentence will be issued to him. But the concept of the soul does not exist in medical science; it considers the brain as the source of life, so the death of the brain declares medical death. If the physicians decide that brain death has occurred, the patient will be declared alive and sentenced to life commandments as long as his breathing and heartbeat continue. And it would not be right to declare him dead, as is the case with other circumstances. It is not right to issue death a sentence to a person as long as he has any life that exists.³³

³¹ Dār al- Iftā' Al-Jāmi'a Al-Ashrafiah, January 23, 2022.

³² Madrasah 'Ashāb Şufah, February 26, 2022.

³³ Dār al- Iftā' Jāmi'ah Dār al-'Ulūm Karāchī, March 8, 2022.

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Conclusion

One view is: that one should consult the medical experts because the Shari'ah view is that there are many rules of Shari'ah related to declaring a person dead; therefore, unless the death of both the heart and the mind occurs, the death of a person cannot be ordered. If the physicians decide that brain death has occurred, the patient will be declared alive and sentenced to life commandments as long as his breathing and heartbeat continue. And it would not be right to declare him dead, as is the case with other circumstances. It is not right to issue death sentences to a person as long as any life exists.

Question 3

1. Dār al- Iftā' Al-Jāmi'a Al-Ashrafiah

It should be noted that if a person is in a coma, it is only permissible to keep him on a ventilator as long as the patient's brain is working. The doctor is hopeful about restoring the patient's natural respiration by placing it on the ventilator. The family can bear the cost of the ventilator from the patient's treasury and means or their means. Or if any other means are available to meet the heavy expenses, then the patient can be placed on a ventilator. However, if the doctor has declared the patient brain dead or the patient's family cannot afford the ventilator, and there are no other means available, the ventilator can be removed. And suppose the competent doctors believe that there is no benefit in keeping the patient on the ventilator, but there is discomfort, then in such case. In that case, it is better to remove it because it is forbidden in the Shar'īah to harm a person.³⁴

Dār al- Iftā' Madrasah 'Ashāb Şufah

The relatives and heirs of the patient cannot bear the expenses of the treatment. Then the ventilator can be removed. The treatment can be

³⁴ Dār al- Iftā' Al-Jāmi'a Al-Ashrafiah, January 23, 2022.

continued according to the capacity and power that one can afford. It will become the cause of reward.³⁵

2. Dār al- Iftā' Jāmi'ah Dār al-'Ulūm Karāchī

When physicians decide that a patient's brain death occurs, then a life sentence will be issued to him as long as the patient's breathing and heartbeat continue. And it would not be right to call him dead. However, since the patient's health is not likely to improve in this condition and it is still not possible to improve it on medical grounds, it is not possible to continue the treatment of this condition. In this case, it is not necessary to continue the treatment, but in such a case, it is permissible to stop the treatment of the patient and remove him from the ventilator. After that, if the heartbeat and breathing stop naturally, then death rulings will be issued. However, in this case, after the cessation of treatment and removal from the ventilator, physical death will not be considered murder, and no death sentence will be issued against him.³⁶

Conclusion

It should be noted that if a person is in a coma, then it is only permissible to keep him on a ventilator as long as the patient's brain is working. The doctor is hopeful about restoring the patient's natural respiration by placing it on the ventilator. The family can bear the cost of the ventilator from the patient's treasury and means or their means. Or if any other means are available to meet the heavy expenses, the patient can be placed on a ventilator. However, if the doctor has declared the patient brain dead or the patient's family cannot afford the ventilator. If there are no other means available, then the ventilator can be removed. Even if the improvement starts, then the treatment can be continued by taking a loan. If he gives up, then there is no sin in it.

Ahle Ḥadīth

³⁵ Madrasah 'Ashāb Şufah, February 26, 2022.

³⁶ Dār al- Iftā' Jāmi'ah Dār al-'Ulūm Karāchī, March 8, 2022.

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Question 1

1. Dār al- Taqwa

It is prohibited and strictly condemned to kill someone himself and help others do such an act as a serious disease or pain. However, it is possible to stop the treatment of a person when there is no hope of recovery.³⁷

Conclusion

It can be said that the Shar‘īah strictly prohibits stopping the treatment of a patient from relieving him and with the intention of his death. However, it can be allowed to stop the treatment when there is no possibility of recovery.

Question 2

Dār al- Taqwa

They did not provide the answer to the second question.

Question 3

1. Dār al- Taqwa

According to three medical experts, if the brain has died and the ventilator is no more beneficial for the patient, then the Resuscitation can be stopped.

Conclusion

It will be permissible for a person to remove the ventilator when the medical experts declare the death of the brain.

Ahle Tashayyu‘

Question 1

1. Dar ul Iftā’ of Ḥawzah ‘Ilmiyah Jāmi‘ah al-Muntaẓir

³⁷ Abdul Wahid, Marīf ur Mu‘ālij k Shar‘īah Iḥkām, (Karachi: Majlis Nashriyāt Islam, 2013), p.319.

The answer to the first question has not been provided.

2. Minhāj al- Ḥussain Akbar

Killing a person (or abandoning treatment) is not permissible under any pretext, not even out of pity and sympathy. Even if the patient is asked to do so, it is not permissible to abandon his treatment so that he can go towards death quickly.³⁸

Conclusion

The treatment should be continued in any circumstances. It is strictly prohibited in Sharī'ah to stop the treatment that can become the cause of his death.

Question 2

3. Dar ul Iftā' of Ḥawzah 'Ilmiyah Jāmi'ah al-Muntaẓir

If there is a suspicion of death, pay attention to the final signs.³⁹

4. Minhāj al- Ḥussain Akbar

The Sharī'ah rulings that come true about the deceased depend on the opinion of the custom. According to custom, when the heart stops beating and even if brain death occurs, the word death comes true. Further, the final opinion of medical experts and doctors will be proof of this.⁴⁰

Conclusion

One opinion is that death will be declared after the appearance of the symptoms, and the other is agreed in addition to the view that consults medical experts for its assistance.

Question 3

1. Dar ul Iftā' of Ḥawzah 'Ilmiyah Jāmi'ah al-Muntaẓir

³⁸ Minhāj al- Ḥussain Akbar, March3, 2022.

³⁹ Dar ul Iftā' of Ḥawzah 'Ilmiyah Jāmi'ah al-Muntaẓir, May 26, 2022.

⁴⁰ Minhāj al- Ḥussain Akbar, March3, 2022.

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The patient cannot be removed from the ventilator. If this is done intentionally, it will be considered murder.⁴¹

2. Minhāj al- Ḥussain Akbar

In no way does the doctor have the right to separate from the patient the machine (ventilator, etc.) that makes his heart move, even if the patient has lost his mental strength. Even if the patient's relatives do not want the patient's life, the doctor does not have the authority to do so. If the doctor separates this machine from the patient's body and the patient dies, this act of the doctor will be considered murder. The other aspect is that the patient's heirs can get treatment by taking a loan if there is no heir or there is no one to provide resources for the treatment. Then the Government will be responsible for the welfare of such persons or such miserable people who are deprived of the necessities of life and the needy people and all matters related to their life. Because who has no heir, Imam Waqt (present Government) will be the heir of him.⁴²

Conclusion

Both share the same view that, in any case, ventilator cannot be removed.

Farāḥī School of Thought

1. Jāved Aḥmed Ghāmdī

Question 1

The treatment of a disease has been based on a branch of the principle of the sanctity of life. Its only aim of it is only the preservation of human life. When any person becomes ill, he should try to secure his life to the last extent. Nor should be neglected in this matter. However, if the disease is incurable and the pain is severe. The human is not responsible for continuing treatment. In

⁴¹ Dar ul Iftā' of Ḥawzah 'Ilmiyah Jāmi'ah al-Muntaẓir, May 26, 2022.

⁴² Minhāj al- Ḥussain Akbar, March 3, 2022.

this situation, the matter goes beyond the realm of duty and obligation to the realm of permissible and recommended.⁴³

Conclusion

The diseased person himself and his family should try to make an effort to secure his life till the end. But in the case of incurable disease and severe pain, he is not responsible for continuing the treatment, and the treatment becomes optional for him.

Question 2

To determine the occurrence of death is not the subject of shar'īah. People declare it according to their experience and observation. If there is any doubt, the opinion of the physician is sought.⁴⁴

Conclusion

To determine the occurrence of death is not the subject of shar'īah. In the case of any doubt, medical experts are to be consulted.

Question 3

As far as treatment is concerned, it should be limited to saving real life and comforting the patient. Beyond that, it is not the intention of the Shar'īah to keep a human being as a living corpse while merely maintaining the physical life. In such a case, one should give up the relevant medicine, remove the machines or mechanical devices, and wait for the decision of Allah. When Allah's judgment comes, and death occurs in the known sense, then burial should be done according to the Shar'īah. The responsibility for the treatment is not only concerned with himself but also with his relatives and family. It is not a bit different in this regard. Both are valuable lives and should be secured and responsible for them.⁴⁵

⁴³ Al-Ishrāq, April 2022, pp.7-8

⁴⁴ Ibid, p.9.

⁴⁵ Al-Ishrāq, April 2022, pp.9-10.

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Conclusion

In the first case, one should give up the mechanical devices and wait for the decision of Allah. While in the second scenario, it is the duty of society and the state to provide necessities. Suppose society fails to meet this need. Then the responsibility falls on the dignitaries and relatives. It is permissible to seek medical help or obtain a loan. The Shar'iah does not restrict it; however, it is necessary to take a loan according to status so that it is possible to return it, keeping in mind that Allah Almighty has authority over life and death.

Question 1

1. European Council for Fatwā and Research

Patient whatever his illness and how condition is, it is not permissible to kill him of despair of his recovery or to prevent the transmission of his disease to others through infection, even if he is hopeless about recovery. Food and medicine until God decrees a matter was effected. If the doctor thinks it most likely that the condition is hopeless and that there is no point in doing anything, then he should consult two other specialized doctors so that their number will be three, as a precaution; Due to the necessity of self-preservation, if they agree with him not to take medication, there is no objection.⁴⁶

2. Islamic Fiqh Academy India (IFA)

Human life is of paramount importance in Islamic law, and the individual and others must protect it as much as possible. Deliberately taking such measures to save a patient from severe pain or his relatives from the hassle of treatment and care, which would lead to his death, is ḥarām and is in the ruling of suicide.⁴⁷

4. International Islamic Fiqh Academy (IIFA) Organization of Islamic Corporation

⁴⁶ January 19, 2022, info@e-cfr.org

⁴⁷ January 11, 2022, fiqhacademyindia@gmail.com

The initial Sharī'ah ruling on medical treatments and their permissibility is explicitly mentioned in the Holy Qur'ān and the verbal and the practical Sunnah, and due to its "preservation of life," which is one of the universal objectives of Sharī'ah. Rulings on medical treatments differ depending on the different situations and individuals. The Academy (IIFA) follows the decision of the Islamic Fiqh Academy India (IFA) in this regard.⁴⁸

Question 2

1. European Council for Fatwā and Research

The council followed the view of IFA and IIFA in this regard.

2. Islamic Fiqh Academy India (IFA)

Only when the movement of breath has stopped completely, and the symptoms of death have appeared, death will be declared. From that time, the execution of the will be related to death, issuance of inheritance and commencement of 'iddah, etc. will be dealt out.⁴⁹

3. International Islamic Fiqh Academy (IIFA)

Organization of Islamic Corporation

According to shar'īah., a person is considered deceased, and all shar'īah rulings about death become effective if he or she shows one of the following

two signs:

1. Complete cardio-respiratory arrest and confirmation by physicians that such an arrest is irreversible.
2. Cessation of all brain activity and confirmation by physicians that such cessation is irreversible and the brain has entered a state of decomposition.⁵⁰

⁴⁸ January 16, 2022, info@iifa-aifi.org.

⁴⁹ January 11, 2022, fiqhacademyindia@gmail.com

⁵⁰ January 16, 2022, info@iifa-aifi.org.

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Question 3

4. European Council for Fatwā and Research

The treatment necessary to preserve life is refused or stopped, and the artificial respirators are removed from the patient in the recovery room, who was sentenced to brain death, and there is no hope of regaining consciousness. The treatment necessary to preserve life is refused or stopped, and the artificial respirators are removed from the patient in the recovery room, who was sentenced to brain death. There is no hope of regaining consciousness. The responsibility for the treatment is not only concerned with himself but also with his relatives and family. It is not a bit different in this regard. Both are valuable lives and should be secured and responsible for them.

5. Islamic Fiqh Academy India (IFA)

If the patient is on an artificial respiratory device, but the doctor hopes that the respiratory system will be restored naturally, then the removal of the machine would be right for the patient's relatives when it is not possible to continue the treatment from the patient's property nor will the heirs be able to afford these costs, nor will there be any other means available to continue this treatment.

If the patient is on a respirator and the doctors have expressed no hope for the patient's life and the restoration of the natural respiratory system, then it would be permissible for the heir to separate the artificial respirator.⁵¹

International Islamic Fiqh Academy (IIFA) Organization of Islamic Corporation

When one-two of the above-mentioned symptoms appears as prescribed in question 2, the person may be weaned from the life-support equipment, even though some of the organs in his or her

⁵¹ January 11, 2022, fiqhacademyindia@gmail.com.

body, such as the heart, continue to function artificially through the life-support equipment.⁵²

Conclusion

The treatment necessary to preserve life is refused or stopped, and the artificial respirators are removed from the patient in the recovery room, who was sentenced to brain death. There is no hope of regaining consciousness. But if the doctor thinks it most likely that the condition is hopeless and that there is no point in doing anything, then he should consult two other specialized doctors so that their number will be three, as a precaution; Due to the necessity of self-preservation, if they agree with him not to take medication, there is no objection to him.

Concerning facilitating death by stopping the artificial resuscitation equipment for the patient who is considered "dead" in the eyes of medicine or in the "ruling of the dead" due to damage to the brain stem or brain, Keeping the patient in this condition costs a lot of unnecessary expenses and seizes devices that others may need, which will be of benefit to treatment. God knows.

Question 1

Abū Faḍl Moḥsin Ibrāhīm

Stopping treatment would actually “emancipate” the patient from severe pain is against the spirit of the Qur’ān (Al-Baqarah, 2:286).

- a. If the prognosis for full recovery is slim is that it would be permissible for the attending physician to do that on the basis of the Islamic juridical maxim "No injury/harm shall be inflicted nor reciprocated" (lā ḍarar wa-lā ḍirār). Stopping treatment for pneumonia will not result in the immediate death of the cancer patient. Death occurs at the prerogative of

⁵² January 16, 2022, info@iifa-aifi.org.

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Allah. Secondly, the intention (niyyah) of the attending physician should never be to hasten death but rather to allow death to take its natural course. Hence, it would be permissible for the attending physician not to treat the terminally ill cancer patient with pneumonia.⁵³

2. Dr ‘Umar Ḥasan Kāsuly

The Islamic view is that the owner of life is Allah Almighty, He gives life, and He takes it back; no human being can give life or take life. The disease will continue its natural course until death. In each case, the physician does not anticipate the process, so he must treat for the rest of his life to maintain quality and not delay death. The maximum that can be done is not to take any unusual measures for a terminally ill patient, but both general treatment and fortifying foods should be continued.⁵⁴

Question 2

Abū Faḍl Moḥsin Ibrāhīm

In all other natural circumstances, the attending physician considered to be, in the context of the Shar‘īah, an expert in the medical field can pronounce death based on the medical criteria for death.

- a) Again, this will be only in an ICU scenario. Hence, death will only be pronounced once it is ascertained that the patient is brainstem dead.
- b) No, the patient is still alive until brainstem death is ascertained.
- c) As mentioned above, the brainstem must be ascertained before death can be established.⁵⁵

Dr ‘Umar Ḥasan Kāsuly

⁵³ January 1, 2022, ebrahima@ukzn.ac.za.

⁵⁴ ‘Usmanī, Khalil Ashraf, Qatl Bajazbah Raḥm ur Dimaghī Mawt, (Karachi: Dār al- Ish‘at, 2008),71-73.

⁵⁵ January 1, 2022, ebrahima@ukzn.ac.za.

Every person who is present at the side of a patient feels that the patient is overwhelmed or unconscious, and his senses and consciousness are also lost. His breathing has stopped, her heart has stopped beating, and there is particular doubt as to whether she is dead or not. So there is no need to hurry about it, but to wait for an hour or two, so that the complete satisfaction can be gotten that he is dead. When a person's brain dies, we will declare that person dead because the brain is the real thing inside a person, distinguishing it from other living beings.

The most dangerous and severe problem now is that fatwas have been published in some newspapers and magazines. Scholars have also agreed that the death of the lower part is also considered death, according to sharī'ah. In this regard, the religious scholar realizes that if there is doubt, he should order to keep the life-giving instruments. And do not issue any general fatwa in this regard.⁵⁶

Conclusion

In all other natural circumstances, the attending physician who is considered to be, in the context of the Sharī'ah, an expert in the Medical field can pronounce death based on the medical criteria for death. Death will only be pronounced when it is ascertained that the patient is brainstem dead. If the heartbeat stops but the brain is alive, the orders cannot be issued until the brain dies.

Question 3

Abū Faḍl Moḥsin Ibrāhīm

It would be permissible to switch off the respirator and allow death to take its natural course on the basis that (i) the experts in medicine are convinced that there is no hope of recovery and (ii) the Islamic Juridical principle Ḥifẓ al-Māl (Preservation of Wealth) bearing in mind that the family cannot be

⁵⁶ ‘Usmanī, Khalil Ashraf, Qatl Bajazbah Raḥm ur Dimaghī Mawt, (Karachi: Dār al- Ish‘at, 2008), 561-568.

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left destitute if the prognosis for recovery is slim although that would be regarded as passive Euthanasia.

The second situation is: Yes, one must bear in mind that once the patient is placed on the ventilator, and there is the hope of recovery, it will not be permissible to switch off the ventilator, for that would be tantamount to "active euthanasia", and it would be perfect for soliciting Zakāh funds for sustaining the treatment of the patient.

Please note that I am being cautious here, suggesting that Zakāh should be sought and not borrow money since money borrowed has to be paid back, which may place the unnecessary family burden of finding the money to pay back the loan.

Allah ta`ālā Knows Best!⁵⁷

Dr ‘Umar Ḥasan Kāsuly

The death of the lower brain is indeed death if any of your patients are in the hospital. And if he had been in such a situation, you should immediately go to a religious scholar, inform him of the whole situation, and the scholar would try to find out his first position from him. And if the visitor insists on removing the ventilator as much as possible and the religious scholar realizes that there must be a problem or controversy between him and the patient, then do not advise the patient to remove the ventilator at all. In this regard, the religious scholar is realizing that if there is any doubt, then he should order to keep the life-giving instruments. And do not issue any general fatwa in this regard because there is a strong fear that it will open the door to infinite corruption and evil.

That he should understand this correctly and not leave people to keep their patients on the ventilator as such matters are also connected with the Maqāsid Sharī'ah. And one of them is self-preservation, and one is the

⁵⁷ January 1, 2022, ebrahima@ukzn.ac.za.

purpose of memorizing wealth. We do not want wealth to be wasted or a human soul to be lost.⁵⁸

Conclusion

It would be permissible to switch off the respirator and allow death to take its natural course on the basis that the Medicine experts are directed that there is no hope of recovery and the Islamic Juridical principle *Ḥifẓ al-Māl* (Preservation of Wealth), bearing in mind that the family cannot be left destitute if the prognosis for recovery is slim. However, that would be regarded as passive Euthanasia.

Yes, one must bear in mind that once the patient is placed on the ventilator, and there is the hope of recovery, it will not be permissible to switch off the ventilator, for that would be tantamount to "active euthanasia", and it would be perfect for soliciting *Zakāh* funds for sustaining the treatment of the patient.

After the analysis of all the views

1. It can be said the treatment of a disease is *Sunnah*, but it is obligatory (*wajib*) in some cases when the patient's condition is curable, and the surety (*ẓan ghālib*) of recovery exists. The use of these medicines will cure the disease, and the significant chances are: that if he does not treat the disease, he will go towards death. He will surely be a sinner. It is necessary to take measures for the cure. Because saving life (*al-Nafs*)(*Ḥifẓ Jān*) is one of the major basic aims of *Sharī'ah*. The treatment should be continued as long as possible. The patient's condition has become severe and the expert doctors declared that it is difficult for the patient to survive now; then, the treatment can be stopped. But in this case, medicine should be used to relieve the patient from severe pain. However, injecting or giving any medicine or drink that may cause the patient's death is not permissible in any case because there are many benefits of illness for the believer and

⁵⁸ ‘Usmanī, Khalil Ashraf, *Qatl Bajazbah Raḥm ur Dimaghī Mawt*, (Karachi: Dār al- Ish‘at, 2008), 569-570.

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Muslim. And abandoning the treatment with the intention of death is strictly prohibited.

If a person suffers from two diseases, the former, the opinion of competent doctors is; that it is incurable and the latter is curable. The doctors are sure about its recovery, provided there is no increase in the severity of the first disease before the treatment of the second disease. In such a case, it is permissible to continue the treatment of the second disease. And if there is a risk of progression of the disease or severe pain, then there is no harm in giving up the treatment.

2. If one of the following two symptoms appears in any person, he will be considered dead according to shar'īh and will be sentenced to death.
 - i. The heartbeat and respiration of this person should stop completely in such a way that the medical experts say that his return is not possible now.
 - ii. All his brain functions are completely suspended, and the expert, experienced physicians, make it clear that this stagnation cannot be ended now, and the brain is beginning to dissolve.

Even the patient's heartbeat and respiratory system will be established because of any mechanical devices. However, the patient's death will be declared according to shar'īah only when the removal of these devices affects the heart and respiration stops working. But according to Shaykh Muḥammad Jubayr, If the doctor decides that the patient's brain has completely lost its function, he will be pronounced dead.

3. If the patient's body is equipped with life-sustaining devices and his brain function is completely stopped, and three specialist expert doctors agree that the function of the brain cannot be restored now then it is correct to remove the devices attached to this patient. Even the heartbeat and respiratory system of the patient will be established because of these devices. The Islamic Juridical principle Ḥifẓ al-Māl (Preservation of Wealth), bearing in mind that the family cannot be left destitute if the prognosis for recovery is slim, although that would be regarded as passive Euthanasia.

One must keep in mind that once the patient is retained on the ventilator, and there is the hope of recovery, it will not be permissible to switch off

the ventilator for that would be tantamount to "active euthanasia" and it would be perfect for soliciting Zakāh funds for sustaining the treatment of the patient if there is no means to meet the expenses of the treatment from the patient. Zakāh should be sought and not borrowed money since money borrowed has to be paid back, which may place the unnecessary family burden of finding the money to repay the loan. Suppose there is no such possibility, according to the well-known and agreed rule and Sharī'a law. In that case, the Government will be responsible for the welfare of such persons or such miserable people who are deprived of the necessities of life. Because saving lives is from Maṣlaḥah Wajibah.