

## 2148 - Ruling on giving medication and seeking the patient's permission

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### the question

What is the ruling on giving medication in Islam, especially in cases of diseases where there is no hope of a cure? Is it necessary to obtain the patient's permission before giving treatment, particularly in emergency situations?

### Detailed answer

Praise be to Allah.

#### (1) Giving medication

The governing principle is that it is allowed to give medication, because of what has been narrated to this effect in the Qur'aan and Sunnah, i.e., the words and deeds of the Prophet (peace and blessings of Allaah be upon him), and because it involves saving lives, which is one of the overall aims of Sharee'ah.

Rulings governing the giving of medication differ according to the circumstances and people involved:

§It is obligatory in cases where not giving medication could cause death, disability or the loss of a limb, or where the sickness is bound to spread if not treated, as in contagious diseases.

§It is encouraged in cases where not giving medication may weaken a person physically, and it is not as bad as the cases mentioned above.

§It is allowed in cases which are not covered in the two preceding categories.

§It is discouraged in cases where the treatment could lead to complications that are worse than

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the original complaint.

(2) Treatment of cases where there is no hope of recovery

(a) The Muslim believes that disease and cure are matters that are under the control of Allaah, may He be glorified. Treatment and medication are ways of utilizing the laws of cause and effect that Allaah has incorporated into the running of the universe. It is not permitted to despair of the mercy of Allaah - there should always be the hope of healing by the permission of Allaah. The doctors and families should try to raise the morale of those who are sick and continue their efforts to relieve the mental and physical suffering of the patient regardless of whether a cure is expected or not.

(b) A situation may be deemed hopeless in accordance with the doctors' opinions, the state of medical science in any given time or place, and the circumstances of the patient himself.

(3) The patient's permission

(a) The patient's permission depends on whether he is qualified to give it (i.e., he should be of sound mind, mature and responsible). If this is not the case, then the permission of his guardian should be sought, within the limits set by sharee'ah which requires a guardian to take care of a person's interests and protect him from harm, and provided that no attention is paid to the guardian's refusal to give permission if this is obviously going to harm the person. In this case, guardianship has to be transferred to another guardian, or to the Muslim leader.

(b) The Muslim leader has the right to force medication in certain situations, such as a case of contagious disease, or the giving of vaccines or inoculations.

(c) In an emergency where lives are at stake, treatment does not depend on obtaining permission.

(d) When carrying out medical research, there must be total agreement on the part of suitably

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qualified subjects, with no element of compulsion (such as using prisoners for research) or financial compulsion (such as using the poor), and no harm must result from this research. It is not permitted to carry out medical research on people who are unable to give their consent, even if their guardians agree to it.