

## **Islamic and Conventional Bioethics: Concept, Scope and Application in Pakistani Perspective**

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### **Abstract**

In Islamic Republic of Pakistan principles of Bioethics are essential to be incorporated in the medical system. This descriptive research elaborates the concept, scope and application of conventional and Islamic bioethical principles in Pakistani perspective. Comparative and analytical methodologies of research have been applied evaluating the conventional as well as the Islamic norms and principles in Pakistani context. Starting from the general meaning of the term Bioethics to its concept in *Shari'ah* perspective this investigation extends to the practical steps taken by the Islamic Republic of Pakistan for the incorporation of Islamic principles of Bioethics. The issue of Ethical Review has been examined keeping in view its historical perspective and current procedure. It ends with the recommendations for the implementation of the Islamic principles of Bioethics and reformation of the review system, modification of the curricula and training of the medical practitioners.

**Keywords:** Bioethics, Medicine, *Shari'ah*, Pakistan

## Introduction

Ethics are at its decline in all spheres of life no matter the medical, social, economical, religious, legal or any other field. Bioethics is not static and confined to any specific period of time or duration. It is flexible and bendable considering the need of changing time and socio-religious values of the society with changes and advancements in the field of biomedicine. Starting from the innovations and advancements in the form of abortion, family planning etc. to organ transplantation and human cloning etc., the scope of the subject kept on flourishing since its emergence.<sup>1</sup>

The ethical concerns are associated and joint with every new invention, experimentation and technique in the medical field. It is interesting to mention that it is not more than seventy years of time that ethical concerns have been dealt under the matters of public concern before that such issues were considered personal matters of the individuals varying in nature and extent from person to person. Such new definition and scope of it was assigned to it in the USA in 1974 primarily when commissions were formed for the evaluation of Biomedical and Behavioral Research. Likewise, the Declaration of Helsinki (1964) and the Council of International Organizations of Medical Scientists (1982) guidelines are two major documents on issue of Bioethics which have been subject to many improvements and revisions at different stages of time.<sup>2</sup>

The Islamic Republic of Pakistan is inhabited by more than 197 million people, consisting of around 95% of whom Muslims and the rest non-

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<sup>1</sup>Shahid Athar, "Islamic Perspective In Medical Ethics." *Islamic Medicine* (2004): 16.

<sup>2</sup>Dr. Muhammad Iqbal Khan, *Medical Ethics: An Islamic Perspective* (Islamabad: Institute of Policy Studies, 2015), 20.

Muslims. Muslim population can be clearly categorized into two sections or the followers of two major schools of jurisprudence (about 80% *Sunnī* and the rest *Shī'ah*). Being a land of many socio-economic stratum and various ethnic groups the diversity and complexity are distinctive features of Pakistani culture. Mostly, the family system is extensive and not confined to the "nuclear family." The residents pool their resources together, generally they are family oriented and religious minded. They share moral and ethical values and transmit it from generation to generation as sometimes even up to three generations manage to reside under one roof. Cultural norms make strong connections between the members of society that most of the residents have close proximity to each other. Pakistan is a developing country, despite having limited resources it has seen a great rise in high-tech and tertiary-level medicines and techniques related to reproductive sector, organ transplantation, surgical apparatus and cardiology etc.<sup>3</sup>

Even though the governments run public hospitals provide free healthcare services but they are not enough in number to meet the medical needs of the population. These hospitals are facing different types of problems including the shortage of medical and paramedical staff, maladministration and disorganization, being messy and filled enough to the capacity. Such attributes make people complaint of receiving poor quality healthcare from public hospitals. The usual standard care provided by these hospitals is minimum possible to no care at all. The past decade has witnessed a great rise in the formation and running of the private healthcare institutions all over Pakistan. The principle of "fee-for-

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<sup>3</sup> Farhat Moazam and Aamir M. Jafarey, "Pakistan and Biomedical Ethics: Report from a Muslim Country." *Cambridge Quarterly of Healthcare Ethics* (2005): 251.

service” provides the standard for working and gaining profit for these hospitals. They claim to offer services and healthcare facilities equivalent to the fees charged but this is not the factual reality as much higher amount of fees in lieu of the healthcare facilities has been charged by them, which is not affordable for most of the population owing to different factors such as poverty or their being not in access of them as most of the population lives in the ruler areas of Pakistan with issues like long distances from the cities and transportation and residential problems etc.<sup>4</sup>

While considering the role of the medical practitioners and policy makers in the promotion of Bioethics the importance of these public and private sectors hospitals cannot be denied as they provide the services concerning the ethical issues in medical sector. Likewise the educational institutions providing medical education are also one of the important stake holders in this regard as their objective is to provide with the sufficient knowledge in the relevant field. The research journals and institutions, review boards and constitutional bodies have also the power and influence to work for the incorporation of the bioethical principles within their prescribed authority.

### **Bioethics: The Concept and Meaning**

Morality is that branch of philosophy which is concerned with the human conduct and character and Ethics is the science of morality. The Greek word “Ethicos” meaning “Character” is the root word for the prevailing connotation “Ethics.” It can be defined as: “Ethics consists of moral principles that control or influence a person’s behavior in business or professional domains. Something Ethical is linked in a subtle manner to the set of beliefs

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<sup>4</sup> Moazam and M. Jafarey, “Pakistan: Report from a Muslim Country”, 251.

and principles of a person that he holds about what is right and what is wrong. Something ethical is morally correct and acceptable.”<sup>5</sup>

Ethics leaves no field of life and profession un-entertained and serves to regulate human conduct in all. Likewise in the medical field too ethics has an important role to play which it has been playing by covering the area and scope of “Medical Ethics.” Medical Ethics can be defined as: “A set of moral rules and principles which guide a member of the medical profession in discharging his professional responsibilities in general.” V. P. Rotter introduced Bioethics as an “inter-disciplinary” ethics in 1970. This area covers every ethical issue which encompasses between the natural sciences and ethics on the theory and practical side. It also deals with ethical issues and guidelines in medical sciences.<sup>6</sup>

### **Medical Profession and the need for Islamic Bioethics**

Indeed medical treatments and cure have a great importance when well-being of the society in health care is the aim. Islam encourages seeking for the remedies for the cure of diseases and it gives birth to the need for the solution of the ethical problems associated with that prescribed method of treatment. One cannot assume the rejection of any method of treatment considering that it may accompany some ethical issues but the solution to those issues must be intended. A *Hadīth* says that Allah has not sent down a disease where He has not created a cure for that disease; somebody knows it and others do not.<sup>7</sup>

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<sup>5</sup>Khan, *Medical Ethics*, 20.

<sup>6</sup> Qaiser Shahzad, *Biomedical Ethics: Philosophical and Islamic Perspectives* (Islamabad: Islamic Research Institute, 2009), 40.

<sup>7</sup>Ibn Mājah, *Hadith#*:3397.

Many verses of the Quran extend an invitation to research and use the best of mental capabilities to understand each and every creation of Allah and the wisdom and logic behind such creation. Allah's creation is undoubtedly helpful for the associated problems emerging at any point of time. For instance the *Qur'ānic* verse quotes: "Men who celebrate the praises of Allah, standing, sitting, and lying down on their sides, and contemplate the (wonders of) creation in the heavens and the earth, (With the thought): Our Lord! not for naught Hast Thou created (all) this!"<sup>8</sup>

Islamic Bioethics plays a crucial role to upgrade lives of the followers no matter they are the medical practitioners, patients or anyone working in healthcare sector.<sup>9</sup>

Man is the best amongst the creatures of Allah, hence bestowed with unmatched reverence and dignity when honoured with the title of the 'Vicegerent' of Allah on earth. Such a high status makes him eligible to enjoy every blessing of Allah within prescribed limits and choices. Islam teaches men to be gentle, God fearing, kind, modest and of benefit to others. Quran is considered to be a comprehensive code of ethics for every field of life. Medical science is no exception to it. Islam gives a lot of emphasis over acquisition of knowledge, as the first revelation indicates.<sup>10</sup> The Bioethical principles in *Shari'ah* are also based upon the injunctions related to the best use of mental abilities for the betterment of men. Everything which is useless or accompanies un-Islamic attribute cannot be

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<sup>8</sup> Al-Imran3:191.

<sup>9</sup>Mohamamd Ali Shomali, "Islamic bioethics: a general scheme." *Journal of medical ethics and history of medicine* 1 (2008):01.

<sup>10</sup> See: al-'Alaq96:01-05.

held justified. Likewise every act leading towards prohibited results would also be considered prohibited under the concept of Bioethics. Allah S.W.T has created man from single soul then divided into different tribes and ethnicities for recognition.

### **Bioethical Research in Pakistan**

Pakistan has seen a great rise in the interest in the biomedical ethics over the past few years. The acceleration of number of workshops and conferences on bioethics is the proof of such awareness, interest and attention. Both the public and private sectors have been organizing these workshops and conferences throughout Pakistan. The research-ethics related programs are of great need and demand in Pakistan like any other country in the world because many high-status peer-reviewed scientific journals and most of the international funding agencies make the ethical review of the research manuscripts and protocols a prerequisite for the acceptance. This is the reason that such conferences and workshops have become a potential source for foreign and local funding as well as securing a chance of publication in reputed journals.<sup>11</sup>

The ethics based research is much attractive to invite the collaborative research between the individuals and institutions of the developing and developed countries as well. This side of research is easy to acquire international funding. Many international organizations even promote the progress and intensification of research ethics in less developed countries. Such as: the Global Forum on Bioethics in Research (GFBR) is one of such chief institutions carrying out tremendous collaborative efforts for maximum possible increase in the research ethics sector in the developing

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<sup>11</sup> Moazam and M. Jafarey, "Pakistan: Report from a Muslim Country", 252.

countries. While evaluating the ethical research areas “Bioethics” can be considered as one of the most significant contemporary issues in the recent past. The concept of “Globalization” has made it possible for the poor states like Pakistan to educate and train the local experts from world’s prestigious institutions with highly developed standards of ethical research. This has also made it possible for the Pakistani medical practitioners, academicians and physicians to avail the opportunity to pursue fellowships and degree programs in different countries of the world. Such opportunities are given in abundance by many developed countries including the United States, Australia, Netherlands, Canada, China and Germany etc. Such activities are providing a great service to the scientists of the developing world.<sup>12</sup>

Bioethics has been a neglected area of research ethics in Pakistan like any other developing state. World is witnessing advancements in biotechnology and medical science quite frequently. For this reason this subject is of great interest for the medical practitioners, healthcare professionals, academicians and the researchers in Pakistan. The experts in the field have a great interest in ethical side of the medical practice and its evolution from different perspectives owing to its changing nature due to the advancement of science and technology. This reason has made it crucial for the healthcare institutions, medical organizations, medical universities and colleges to organize educational sessions on the issues and challenges in the clinical ethics. This is indeed a tough job considering the religious, cultural and socio-economic realities of Pakistan. Such sessions are held by many institutions on regular basis, including: The

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<sup>12</sup> Moazam and M. Jafarey, “Pakistan: Report from a Muslim Country”, 252.

Pakistan Society of Urological Surgeons, the Agha Khan University, Dow Medical College, the National Research Institute of Fertility Control and the National Skin Center etc.<sup>13</sup>

In these sessions, a valuable discussion is made on the practical problems and concerns related to the most recent issues in medical ethics. The objective to conduct these sessions is to draw a framework on the issues like the economic and ethical issues related to the kidney donation, Abortions, brain death, treatment of infants with end-stage renal disease, Surrogacy, xenotransplantation, organ transplantation and human cloning etc. in the light of religion and ethics. In order to make these sessions creditable and skilled the opinions of contemporary Muslim jurists are also included along with the sources of traditional Muslim ethics in addition to the elaboration of the secular features of bioethics in the shape of four bioethical principles.<sup>14</sup>

### **Initiatives and Developments in Bioethics: The Ethical Reviews in Research and Curricula**

At the outset, the members of the medical community were themselves pioneer to introduce the concept, education and implication of the modern biomedical ethics and the ethical reviews in Pakistan. These were the people who have received education or the training in the respective field from the western institutions which they tried to introduce later in Pakistan. The Agha Khan University Hospital (AKUH) established in 1985 in Karachi Pakistan is considered to be the first private university for medical education in Pakistan. This institution introduced "Biomedical

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<sup>13</sup> Moazam and M. Jafarey, "Pakistan: Report from a Muslim Country", 253.

<sup>14</sup> Moazam and M. Jafarey, "Pakistan: Report from a Muslim Country", 252.

Ethics” as a course in the syllabus of medical students and the experience went so well that later it was also included in the curriculum of the university’s school of Nursing.<sup>15</sup>

The formation of Ethics Review Committees (ERCs) is considered to be the novel trend in Pakistan. It is not much far in the past that these committees started emerging and establishing. This initiative was also first taken by the private healthcare institutions. These committees are established by the public and private healthcare bodies. So far Pakistan has not gained that much maturity in this sector. Most of the times the research funding from local sources is not conditional on the approval by ERC, the projects may be approved for the funding even without consulting the ERCs. But, now the medical community is well aware of the importance of ethical reviews and their trend in their courtiers. In order to accomplish the collaborative research projects with different international organizations such as the World Health Organization (WHO) these reviews are mandatory to be done. Otherwise no such project can be secured. The most prestigious research journals in the world do not approve the manuscript unless it gets ethical approval at the time of submission as a prerequisite.<sup>16</sup>

The “Pakistan Journal of Medical Ethics,” took an initiative for the first time in 1990s to publish in order to enlighten, educate and promote the concept and practice of medical ethics. Unfortunately, insufficient

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<sup>15</sup> Moazam and M. Jafarey, “Pakistan: Report from a Muslim Country”, 250.

<sup>16</sup> Robyna Irshad Khan, “Informed consent and some of its problems in Pakistan.” *Journal of the Pakistan Medical Association* 58, no. 2 (2008): 82.

managerial and publishing structure and deficient financial support led this journal to stop its publication too.<sup>17</sup>

### **Pakistan Medical and Dental Council**

The PMDC is primary institution of the government for the regulation and registration of all graduates from medical and dental colleges in Pakistan. This institution made its first recommendation to make Bioethics a part of medical curriculum in 2002, for this purpose an extensive and revised “code of Ethics” for all medical practitioners and everyone concerned in healthcare sector was also proposed. This is an exhaustive code, combining the ethical and moral values extracted from the Islamic values and teachings as well as the conventional values in contemporary bioethics.<sup>18</sup>

The contemporary bioethics consists of four famous principles: “autonomy,” “beneficence,” “non-maleficence” and “justice.” The code denotes them as the “fundamental elements” while evaluating the relationship between the physician and his patient. Nevertheless, an important point has been highlighted to differentiate between the Islamic and secular types of bioethics stating: “if secular Western bioethics can be described as rights-based, with a strong emphasis on individual rights, Islamic bioethics is based on duties and obligations.” Surely these duties and obligations are related to the medical practitioners and not the patients. The Code advises the practitioner the requisite for the one of the

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<sup>17</sup> Moazam and M. Jafarey, “Pakistan: Report from a Muslim Country”, 252.

<sup>18</sup> Lubna A. Baig, D. Akram and Syeda Kauser Ali, “Development of the community-oriented medical education curriculum of Pakistan: A case report on the national initiative on curriculum development.” *Education for Health- Abingdon-Carfax Publishing Limited*- 19, no. 2 (2006): 223.

standards of care of patients: “adhere to veracity (truth telling) as judged in the patient’s interest.” The source of Islamic bioethics is told in the words that: “Islamic bioethics is intimately linked to the broad ethical teachings of the Quran and sayings of Prophet Muhammad that unlike “secular” oaths the “Oath of the Muslim Doctor” invokes “the name of Allah S.W.T.”<sup>19</sup>

### **National Bioethics Committee of Pakistan**

The government of Pakistan approved the establishment of a National Bioethics Committee (NBC) in 2004. This is certainly a remarkable step for the recognition of the importance and significance of the bioethics. The Pakistan Medical Research Council has been given powers to work as the secretariat of this institution whereas this committee is to be chaired by the Director General Health in the Ministry of Health. The core objective of the NBC is: “an advisory body dealing with all aspects of bioethics in the health sector in the country.” It is expected to “promote and facilitate ethical health services delivery and health research” and it has also been given the important task to supervise, control and organize the working of the sub-committees i-e the Medical Ethics Committee and the Research Ethics Committee.<sup>20</sup>

### **The Council of Islamic Ideology**

The Council of Islamic Ideology has also discussed a number of matters such as abortion and human cloning etc. in its sessions in order to give suggestions from ethical and *Shari’ah* perspectives.

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<sup>19</sup> Baig, Akram and Ali, “Development of the community-oriented medical education curriculum of Pakistan”, 223.

<sup>20</sup> Moazam and M. Jafarey, “Pakistan: Report from a Muslim Country”, 254.

## Conclusion

Just like the international trend of compulsory ethical review in every research concerning human participants or human related research Pakistan is also following the suit. But Pakistan has to do much more in order to speed up the procedure effectively owing to the constraints faced by the country. The process includes: gathering the recommendations from the members of Institutional Review Boards (IRBs) across the country, considering their reservations and then making the recommendations to bring the topic in conformity with the Bioethical principles.<sup>21</sup>

Unfortunately, there is no uniform mechanism for the accreditation for IRBs resulting in their unspecified number which leaves a delayed and adverse effect on the working and efficiency of such Boards. Another dilemma is concerning the qualification and training of the members whereas some of the members are well trained and possess the formal education and training in Bioethics yet others do not, causing unjustifiable delays and issues in ethical review process. Additionally, sometimes issue of the conflict of interest lies among the members of the boards of the leadership. Likewise external pressures and undue influence also contribute in undermining the impartiality, validity and reliability of the process. The institutional leadership must be immune to such constraints and threats. The review process needs to be speedy, consistent, trustworthy and uniform in order to gain the confidence and trust of the researchers. The institutional freedom and independence of the IRBs are also crucial to encourage impartial

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<sup>21</sup> Aamir Mustafa Jafarey, Saima Pervaiz Iqbal and Mariam Hassan, "Ethical review in Pakistan: the credibility gap." *JPMA. The Journal of the Pakistan Medical Association* 62, no. 12 (2012): 1354.

decisions. These committees must be made affectively functioning otherwise they will not be much then merely rubber stamping bodies.<sup>22</sup>

Pakistan has also been welcoming the biomedical advances like many other developing countries. Pakistani nation generally and the experts in medical practice and ethics particularly, have been taking a keen interest in every emerging advancement in biomedicine either be it organ transplantation, cloning or any other reproductive technology or the techniques in Artificial reproduction like surrogacy etc. These topics have been under hot discussion from religious, moral and ethical grounds. Such an enthusiasm has also given rise to encourage the healthcare practitioners to evaluate the bioethical issues.

It is important to be mentioned that being a Muslim majority country in Pakistan, the bioethicists, common men and the medical practitioners are on the same page on the issue of application of Islamic bioethical principles in the human related research and applications. Considering the religious and social norms of the Pakistani society it is perceived that the conventional principles of bioethics do not justify with the needs and demands of the medical practitioners and public.<sup>23</sup>

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<sup>22</sup>Jafarey, Iqbal and Hassan, "Ethical review in Pakistan: the credibility gap," 1354.

<sup>23</sup> Moazam and M. Jafarey, "Pakistan: Report from a Muslim Country", 255.