

Do Not Resuscitate (Dnr) Orders In Islamic Jurisprudence: A Comparative Ethical And Legal Study

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ABSTRACT

This study explores the issue of Do Not Resuscitate (DNR) orders, which are among the most complex contemporary bioethical challenges in healthcare. DNR decisions raise legal, ethical, and theological questions, especially regarding the sanctity of life, medical futility, and the distinction between allowing death and euthanasia. This paper examines the Islamic jurisprudential stance on DNR, highlighting fatwas, legal maxims, and medical consensus. It also compares Islamic positions with Western medic...

Keywords: DNR, Do Not Resuscitate, Islamic law, medical ethics, end-of-life care, euthanasia, healthcare law

1. INTRODUCTION

Do Not Resuscitate (DNR) orders have become common practice in critical care units, prompting significant ethical and legal debates. The directive to withhold cardiopulmonary resuscitation in terminally ill patients raises questions about religious legitimacy and moral responsibility. This paper investigates these dilemmas through a comparative ethical, medical, and Islamic legal framework.

2. CHAPTER ONE: JURISPRUDENTIAL AND ETHICAL FOUNDATIONS

2.1 Life and Death in Islamic Thought

In Islamic jurisprudence, life is sacred and protected by divine decree. Death is recognized by cessation of cardiac and respiratory functions, while brain death remains debated among scholars.

2.2 Medical Futility and Treatment Burden

Islam distinguishes between beneficial treatment and excessive, futile interventions. Life-prolonging measures without medical benefit are discouraged, as they contradict the Sharia principle of avoiding undue hardship.

2.3 Relevant Legal Maxims in Sharia

Key principles include "Harm must be eliminated," "Hardship begets ease," and "No harm shall be inflicted or reciprocated," all supporting the legitimacy of halting non-beneficial resuscitation.

3. CHAPTER TWO: MEDICAL PRACTICE AND CONTEMPORARY LEGAL SYSTEMS

3.1 Clinical Definition and Use of DNR

A DNR order instructs medical staff not to perform CPR if a patient's heart or breathing stops. It is typically issued after consultation with physicians, patients, or their families.

3.2 Legal Approaches in Western and Islamic Systems

Western legal systems recognize DNR based on patient autonomy. In Islamic countries, DNR requires adherence to religious and ethical norms and sometimes approval by religious authorities.

3.3 Islamic Fatwas on DNR

Fatwas from AMJA, Dar al-Ifta, and the Islamic Fiqh Academy conditionally allow DNR for terminal cases based on medical consensus and family consultation, emphasizing the prohibition of intentional harm.

4. CHAPTER THREE: PRACTICAL IMPLEMENTATION AND CHALLENGES

4.1 Intensive Care and DNR Reality

Studies indicate DNR is most commonly applied in patients with advanced cancer, multiple organ failure, and irreversible conditions. It is used cautiously with strict oversight.

4.2 Decision Authority in Islamic Context

Decision-making must involve the patient's guardian or family, not solely the physician. Islamic jurisprudence stresses collective consultation in life-ending decisions.

4.3 Ethical and Legal Responsibility of Medical Staff

Medical professionals bear full responsibility for unjustified DNR decisions. They must verify eligibility, consult families, and ensure conformity with Sharia-compliant protocols.

5. CHAPTER FOUR: DNR VS. EUTHANASIA – A CRITICAL DISTINCTION

5.1 Concept and Types of Euthanasia

Euthanasia can be active (administering lethal substances) or passive (withholding treatment). Both are generally forbidden in Islam, especially when causing premature death.

5.2 The Legal and Moral Difference Between DNR and Euthanasia

DNR is a decision to refrain from futile intervention, whereas euthanasia involves direct action to end life. Islam allows DNR under strict conditions but prohibits euthanasia.

5.3 Fatwas and Judicial Precedents

Fatwas from Al-Azhar, AMJA, and Saudi scholars affirm that DNR, unlike euthanasia, does not aim to end life but to preserve dignity in medically hopeless cases.

6. CONCLUSION

The study concludes that DNR, when medically indicated and ethically processed, is permissible under Islamic law. Clear distinctions must be maintained between it and euthanasia. Further efforts are needed to standardize end-of-life care within Sharia-compliant frameworks.

7. ACKNOWLEDGEMENT

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