

## **Recommendations of the 9<sup>th</sup> Fiqh-Medical Seminar on “An Islamic View of Certain Contemporary Medical Issues” Held in Casablanca, Morocco on 14-17 June 1997**

Thanks be to God, Lord of all being, and God’s peace and blessings be upon the seal of the prophets and messengers, Muhammad, and upon his family and all of his companions.

In its specialised seminars and conferences, the Islamic Organization for Medical Sciences (IOMS) has always taken the initiative to put forward for debate new contemporary medical issues with the view of formulating a proper legal Islamic view and understanding of their significance and impact. These seminars and conferences are always well-attended, bringing together distinguished Muslim jurists and Shari’ah experts, medical practitioners, pharmacologists, and specialists in other human sciences.

Through this process, the IOMS has sought to form a consensus of informed opinion, based on accurate medical knowledge, as a foundation for sound Islamic rulings to be drawn up by competent jurists. It has also sought the involvement of other recognised and well-established scientific, cultural and health bodies such as the Islamic Fiqh Academy of Jeddah, al-Azhar University, the World Health Organisation Regional Office at Alexandria, Egypt, and the Islamic Educational Scientific and Cultural Organisation (ISESCO).

With the grace and blessings of God, the 9th Fiqh-Medical Seminar was successfully convened at Casablanca, Morocco, during 8-11 Safar 1418, corresponding to 14-17 June 1997, under the eminent auspices of the Commander of the Faithful, His Majesty King Hassan II. The theme of the seminar was “An Islamic View of Certain Contemporary Medical Issues”, and it was held jointly with the Hassan II Institute for Scientific and Medical Research on Ramadhan, the ISESCO, the Islamic Fiqh Academy, and the World Health Organisation Regional Office.

The Seminar opened, at Safeer Hotel in Casablanca, with recitation from the Glorious Quran, followed by speeches by” Abdul-Hadi Abu Talib, Honorary President of the Hassan II Institute for Scientific and Medical Research on Ramadhan, Dr Muhammad al-Habib Ben-Khoja, Secretary-General of the Islamic Fiqh Academy, Dr Hussain al Jazaeri, Director of the World Health Organisation Regional Office, Dr Abdul-Aziz al-Twajjeri, Director-General of ISESCO, and Dr Abdul-Rahman al-Awadhi, President of the Islamic Organisation for Medical Sciences.

The seminar proceedings covered the following topic:

- I. Transformation and Additives in Food and Medicine.
- II. Cloning.
- III. Substances and actions that nullify the fasting.

Over a period of four days, medical and religious aspects of the above topics were debated, during which period, the distinguished participants examined and discussed in depth all the views and opinions presented. The Seminar concluded with the suggestions and recommendations given below.

### **I. Transformation and Additives in Food and Medicine**

The Seminar endorsed all the recommendations made at the 8th Seminar under Section II, on impermissible and defiled foods and medicines.

Furthermore, the Seminar discussed the medical and Fiqh aspects of this issue and concluded that additives in foods and medicines that originate from defiled or forbidden substances may be made permissible by two methods

### **3. Substances and actions that nullify the fasting:**

According to the Quran and the authentic Sunnah of the prophet (pbuh) three actions nullify fasting: eating, drinking and sexual intercourse. *Therefore, the passing of any solid or liquid substance that can be described as food or drink, in any quantity through the gullet would nullify fasting.*

Accordingly, the participants agreed unanimously that the following **do not nullify fasting:**

1. Eye and ear drops, and ear wash.
2. Nitroglycerine tablets placed under the tongue for the treatment of angina.

3. Insertion into the vagina of pessaries, medical ovules, vaginal washes, vaginal speculum, and doctor's or midwife's fingers during pelvic examination.
4. Insertion of the urethroscope into man or woman radio-opaque media for X-ray diagnosis or bladder irrigation.
5. Tooth drilling, extraction, cleaning or the use of miswak and tooth bursh, provided nothing is swallowed into the stomach, do not nullify fasting.
6. Injections through the skin or muscle or joints or veins, with the exception of intravenous feeding.
7. Blood donation or receiving blood transfusion.
8. Oxygen and anaesthetic gases.
9. All substances absorbed into the body through the skin, such as creams, ointments, and medicated plaster.
10. Drawing blood samples for laboratory testing.
11. Catheter and media for arteriography of heart or other organs.
12. Endoscopy for diagnostic or intervention purposes.
13. Mouth wash, gargle or oral spray, provided nothing is swallowed into the stomach.
14. Hysteroscopy or insertion of an intrauterine device.
15. Biopsy of the liver or other organs.

A majority of participants added the following:

1. Nose drops, nose sprays, and inhalers.
2. Anal injections, anosopes or digital rectal examination.
3. Surgery involving general anaesthetic, if the patient decided to fast.
4. Machine or intraperitoneal renal dialysis.
5. Use of gastroscope, provided it does not entail the introduction of liquids or other substances into the stomach.

On the conclusion of its business, the Seminar was pleased to express its deeply-felt thanks and appreciation to His Majesty, King Hassan II of the Kingdom of Morocco, for his kind support of the Seminar which was hosted by the Kingdom of Morocco. The Seminar prays to God to grant His Majesty and His Heir victory and glory, and the people of the Kingdom of Morocco prosperity and progress. The Seminar further thanks His Majesty's Government and officials for their warm welcome and generous hospitality.

The Islamic Organisation for Medical Sciences wishes to express its sincere thanks to all the participating organizations, including Hassan II Institute for Medical and Scientific Research on Ramadhan, the ISESCO, the Institute of Islamic Fiqh, Jeddah, and the World Health Organization Regional Office. The IOMS would also like to extend its thanks to all the Islamic jurists, doctors and scientists who have contributed to the successful outcome of this Seminar, praying to God to reward them in a most generous and compassionate way.

God's peace and mercy be upon you.

Casablanca  
17 June 1997

الندوة الفقهية الطبية حول "رؤية إسلامية لبعض المشاكل الصحية"

في: الثلاثاء 17 يونيو 1997 طباعة البريد الإلكتروني

انعقدت هذه الندوة في الفترة من 8 - 11 صفر 1418هـ الموافق 14 - 17 يونيو 1997م، في مدينة الدار البيضاء بالمملكة المغربية، وتحت الرعاية السامية لصاحب الجلالة الملك الحسن الثاني - نصره الله - وبمشاركة مؤسسة الحسن الثاني للأبحاث العلمية والطبية، والمنظمة الإسلامية للعلوم الطبية بالكويت، والمنظمة الإسلامية للتربية والعلوم والثقافة (إيسيسكو)، ومجمع الفقه الإسلامي الدولي، والمكتب الإقليمي لمنظمة الصحة العالمية، ودارت أعمالها حول ثلاثة موضوعات هي:

الاستحالة والمواد الإضافية في الغذاء والدواء.

الاستنساخ.

المفطرات.

وقد توصي الندوة بما يلي:

أولاً: تجريم كل الحالات التي يقحم فيها طرف ثالث على العلاقة الزوجية سواء أكان رחماً أم بيضة أم حيواناً أم خلية جسدية للاستنساخ.

ثانياً: منع الاستنساخ البشري العادي، فإن ظهرت مستقبلاً حالات استثنائية عرضت لبيان حكمها الشرعي من جهة الجواز أو المنع.

ثالثاً: مناقشة الدول سن التشريعات القانونية اللازمة لغلق الأبواب المباشرة، وغير المباشرة، أمام الجهات الأجنبية، والمؤسسات البحثية والخبراء الأجانب؛ للحيلولة دون اتخاذ البلاد الإسلامية ميداناً لتجارب الاستنساخ البشري والترويج لها.

رابعاً: متابعة المنظمة الإسلامية للعلوم الطبية وغيرها لموضوع الاستنساخ ومستجداته العلمية، وضبط مصطلحاته، وعقد الندوات واللقاءات اللازمة لبيان الأحكام الشرعية المتعلقة به.

خامساً: الدعوة إلى تشكيل لجان متخصصة في مجال الأخلاقيات الحياتية لاعتماد بروتوكولات الأبحاث في الدول الإسلامية، وإعداد وثيقة عن حقوق الجنين.