HRMARS
Exploring Intellectual Capital

Secularism in Medicine from Maqasid Al-Syariah

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ABSTRACT
Medicine has been practiced for millennia with the main objective of eliminating disease and regaining health. Modern medicine however has evolved to be an almost secular entity and generally thought to be incompatible with Islam. Islamic medicine is also associated with non-evidenced based practices that are not in line with science. The objective of this study is to explore the concept of secularism that has influenced the framework of thought in medicine from the perspective of *maqasid syari'ah* (the objectives of Islamic law). Qualitative review incorporating related descriptive and comparative studies. The development of complementary medicine especially non evidence based practices had created confusion within society. At the same time, the modern medicine which based on scientific evidence is dissociated the relation between the human and The Creator. Both practice and belief is against the concept of *maqasid syari'ah* that aims to preserve the healthy state of the human with the ultimate objective to practice the religion, the authority of scientific based medicine and the authenticity of the epistemology in Islamic tradition of knowledge. In Islam standardization of medical practice is achieved by applying the concept of *sunnatullah* (the physical law of Allah Taala to the creation) and *shari'atullah* (the jurisprudence law in term of belief and practice). Practices which are aligned to these principles are accepted and the rest rejected. In other words, practices which are proven to be beneficial to humans and explainable by science yet maintaining the relationship between the human and God are considered to be Islamic medicine by principle. The finding of this review highlights the secularism that affect the complementary and modern medicine will affect the *maqasid syari'ah* in healthcare practices.
Keyword: *Secularism, Medicine, Maqāṣid Al-Syari'ah*

Introduction
Medicine has been practiced for millennia with the main objective of eliminating disease and regaining health. Despite of different ways of classical medicine have been described throughout the history, the evidence based medicine have been recognized as an established method of medical practice as it intended to optimize decision-making by emphasizing the mechanism of evidence from well designed and conducted research (David et al, 2010).

Medicine was a central part of medieval Islamic culture. Responding to circumstances of time and place, Islamic physicians and scholars developed a large and complex medical

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literature exploring, analyzing, and synthesizing the theory and practice of medicine (Wakim, 1944). Islamic medicine was initially built on tradition, chiefly the theoretical and practical knowledge developed in Arabia and was known at Prophet Muhammad's time, ancient Hellenistic medicine such as Unani, ancient Indian medicine such as Ayurveda, and the ancient Iranian Medicine of the Academy of Gundishapurs as at the beginning in the 7th century, Islam spread to a large part of the then-known world (Campbell, 2013).Ophthalmology has been described as the most successful branch of medicine researched at the time, with the works of Ibn Al-Haitham, known as Al-hazen in Latin,remaining an authority in the field until early modern times (Russel,1996).

Historical Background of Secularism

The grave crisis in Christianity and the Western world during the European Enlightment, stretching from 17th to the 19th centuries, give rise of belief system that religion should not be part of the affairs of the state or part of public affair have been popularised to confront the over-powering control of the church to the society which describe by George Jacob Holyoake in 1851 as *secularism* (Halyoake, 1896)*.* In Islamic country, some Muslim scholars and intellectuals who have been unduly influenced by the West and overawed by its scientific and technological achievements, introduce this Western ways of thinking and judging in the name of *modernism* which actually originated from the *secularism* (Asad, 2003)*.*

Syed Naquib al-Attas in his book Islam and Secularism analyses some components of secularism, which form the essential characteristics of modernity. He mentions that secularism disenchants nature, desacralizes politics, and deconsecrates values (Al-Attas,1993). The disenchantment of nature implies the freeing of nature from its religious overtones. This involves the dispelling of God from the natural world, separating it from God, so that man may no longer regard nature as Divine entity, which allows man to act freely upon nature, to make use of it according to his needs and plans. Meanwhile, desacralization of politics implies the abolition of sacral legitimization of political power and authority. This involves political modernization as the transformation of the political order from the traditional and religious to a secular authority free from religious control. Deconsecrating of values, according to al-Attas, means the religious values in cultures and value systems are relative and not fixed. As such, it is open to future change. Thus, man is free to create the change and immerse himself in the evolutionary process.

Those values are obviously contradicting with Islam as the teachings of Islam encompasses all fields of human endeavours, spiritual and material, individual and societal, economics and politics, national and international. This is well understood from the revelation during the occasion of the prophet's farewell pilgrimage.

"This day, I have perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion" (5:3)

The instructions which regulate our everyday activity of life is called *Shariah* (Islamic law). The *Shariah* is the epitome of the Islamic spirit, the most typical manifestation of the Islamic way of life, the kernel of Islam itself (Schacht, 1966).

The Role of *Maqāṣid Al-Shari'ah* in Constructing Medical Practices and Health Epistemology

Maqāṣid al-Shari'ah has a crucial role in constructing the framework of epistemology of knowledge. The word of epistemology derived from Yunani's epistēmē (knowledge) which is means a research toward the accuracy of knowledge. The legitimacy of epistemologies in all field of knowledge is crucial as a tool not only to attain knowledge but also related with the validity of its output (Sunawari, 2008). In other words epistemology is an extension of philosophy which discussed about the characteristic, justification of knowledge that has been obtain its limitation, interpretation and the method to acquire the knowledge In addition epistemology has a role to answer questions in the aspect which relate to the question what is acknowledge and establish as the knowledge (Muhammad, 2008). Maqāṣid al-Shariah has affirm that Islam come to deliver the element of *maṣlaḥah* and benefit towards humanbeing.

Al-Izz ibn 'Abd al-Salam states Māqasid as the source of benefit and harm associated with this life to come are characterized by varying degrees of importance. Hence, there are some that are of highest priority, and still others which fall somewhere in the middle. Moreover sources of benefit are of three types: i) benefits associated with permissible actions, ii) benefits associated with recommending actions and iii) benefits associated with obligatory actions. As for sources of harm, they are divided into two types: i) those associated with undesirable actions, and ii) those associated with forbidden actions (Attia, 2008). There can be no doubt on the part of the observer that the most important intent, or māqasid, of legislation under Islamic law is the regulation of the Ummah's affair, achieving benefit from it and protecting it from harm and corruption. All scholars of Islamic jurisprudence have perceived this truth with regard to the well-being and uprightness of individuals, however, they have not gone on to elucidate and demonstrate it with respect to the well being and uprightness of the entire community (Ibn Ashur, 1998).

Jasser Auda suggested Maqāṣid al-Shariah implementation as a human development as a prime expression of maslahah which is a core structure in establishing a practical approach within the objective of Maqāṣid al-Shari'ah in the society. It is relevant as in the perspective of Islam, health and safety preservation is considered as part of life preservation. All the process to achieve this objective such as seeking treatment, preventive measures, diet restriction is include within this command. Even in some circumstances, the obligation of worship itself are waived if it will interfere with the life preservation.

Majority of Muslim scholars and jurists are agreed that four evidence of Islamic law remain in the forefront of all deliberations in Islamic jurisprudence (*Fiqh*), known as the *Masadir al Shariah* while other evidence are considered as secondary source of jurisprudence (Auda, 2010).

Evidence of Islamic law	
Primary source/Agreement	**Secondary source/Difference in opinion**
1. *Quran* 2. *Sunnah* - authentic traditions of the prophet 3. *Ijma'* - consensus 4. *Qiyas* - analogy	1. *Istihsan* – the choice of one of several lawful options 2. *Istishab* – continuation of an existing ruling until the contrary is proved 3. *Urf* – customs or precedent which does not contradict nass 4. *Maslahah* or *Istislah* – consideration of public interest or welfare 5. *Shar'u man qabluna* – the laws of our predecessors, either confirmed or abrogated by the primary sources 6. *Qawl as-sahabi* – the narrative of the companion of the prophet

The purposes of the law (Maqāṣid al-Shariah) arranged in their order of importance are directed towards the preservation of 5 important component as stated in the table below:-

Purpose of the law
1. Deen (religion)   2. Nafs (life)   3. Aql (mind)   4. Nasl (progeny)   5. Maal (property)

This classification which is permanent and immutable defines succinctly and clearly the objectives of the community and gives it balance and a sense of purpose. Any medical action must fulfill one of the above purposes if it is to be considered ethical and Islamic. If any medical procedure violates any of the 5 purposes it is deemed unethical and influenced by secularism (Kasule, 2004)

Secularism in Medical Practice
Secularism implies that Divine guidance, worship of God, and obedience to Him should be confined to the personal life of man and all other affairs in this world should be determined by his own wishes and convenience. In such matters, it is irrelevant to think of what God may have commanded, what His guidance consists of and what the Divine Books may lay down. This attitude developed into a system of life and then became the foundation of modern civilization. The system of life built upon the foundation of this belief seeks to disassociate from the influence of God and religion all aspects of man's life, such as the educational, political,

economic, and socio-cultural realms to name a few. The regulation of such matters is devoid of God's guidance and commandments, and instead it is based on man's knowledge and reasoning. The acceptance of a system formulated by man means a preference of the human's limited knowledge and experience over Divine guidance. For the Muslim society, the acceptance of secularism means the rejection of Islam as a way of life and the abandonment of *Sharia* (Adibah, 2010).

Since secularism gives much emphasis on worldly matters, it brings the downfall of the religious institution, which leads to make the society rational, materialistic, individualistic, and utilitarian. The goal of the secular society is to achieve happiness in the worldly life only; thus, it does not tie in with the practice of religion. This can lead the society to have chaotic social problems.

The following discussion will look into the impact of secularism on the aspects of medical practices either modern medicine or complementary medicine from the Islamic point of view.

Modern Medicine

Medicine have been evolving throughout the centuries. From a practice that incorporated plants ,animal parts, mineral and spirits, the scientifically proven evidence based medicine were accepted as a standard practice in majority part of the world. A major shift of medical authority from Islamic world to Western world make a lot of changes especially in the spiritual aspect of the medicine (Oxford, 2014).

Under the impact of secularism, the importance of God is eliminated almost completely from medical education; thus, it is not essential to the end or purpose of education. It gives rise to a tendency to give religion a low priority in medical practice; or worse, to engender a future doctors with no sense of responsibility to God. Furthermore, the objective of seeking knowledge in a secular education is simply to cultivate certain abilities of men, which will enable them to develop their country as well as to improve their standard of living. This is basically a worldly purpose alone, and is devoid of any spiritual element. Meanwhile, religious education gives emphasis on the teaching of *adab* or virtue because human action is accountable on the Day of Judgment. From an Islamic perspective, seeking knowledge is considered as an act of *Ibadah* (religious ritual) and should be done for the sake of getting blessings from God. It should also be gained and used for a better life in this world as well as in the hereafter (Al-Attas,1992)

In a secular system of education, knowledge is gained through certain methods like the experimental method, experience, rational thinking, and the scientific method. Scientism is one of the intellectual challenges posed by secularism. Scientism is the belief that science, especially natural science, is the most valuable part of human learning, and the scientific method is the only reliable and valid way of acquiring knowledge (Sorell,1991). In Islam, knowledge has been classified into two kinds. The first kind is acquired knowledge, which includes all natural and social sciences, such as physics, chemistry, biology, astronomy, psychology, politics, economics, etc. The second kind of knowledge is revealed knowledge (God-given knowledge) and religious sciences, which include knowledge about belief, Divine injunctions, proper conduct, etc. Revealed knowledge should be the utmost priority for any individual in the quest of knowledge

since it would serve as the foundation or basis for one's thoughts or worldview (Al-Shatibi, 1975).

Under the secular system of morality, religion should have no control over the code of behavior. There is no need to refer to any guidance of religion in the sphere of social morality. The secular Western philosophers have developed some of the basic ethical questions which are completely free from the grip of religion. This may be the basis as to why some societies have separated the church from everyday life and replaced God's rules with man-made laws and guidelines. The secular reasoning evolved when societies were faced with ethical and practical dilemmas. This reasoning can be weak and inconsistent if not based on an underlying coherent system of moral values (Kasule, 2004).

One would ask regarding the relationship of such rejection of secularization in Muslim communities and biomedical research ethics. The simple answer is that certain research ideas are considered unlawful under Sharia. The clear example of such forbidden research ideas is the use of surrogate uterus for the treatment of infertility and the use of tissue cloning and gene manipulation to control the characteristics of an embryo, which is an interference with God's power and will. Also payment for subjects to participate in phase I trials, in which there is no direct benefit to the subject. Some would use the participation in such trials as a profession, such as modeling, which is unlawful and forbidden under Islamic law (Raafat, 2007).

Complementary Medicine

Complementary medicine is any practice that is put forward as having the healing effects of medicine, but does not originate from evidence gathered using the scientific method, is not part of biomedicine, or is contradicted by scientific evidence or established science. It consists of a wide variety of health care practices, products and therapies, ranging from being biologically plausible but not well tested, to being directly contradicted by evidence and science, or even harmful or toxic. Examples include new and traditional medicine practices such as homeopathy, naturopathy, chiropractic, energy medicine, acupuncture, traditional Chinese medicine and Ayurvedic medicine. The treatments are those that are not part of the science-based healthcare system, and are not clearly backed by scientific evidence (Sampson, 1995).

The main problem of this practice is it is not as well researched as modern medicine which undergoes intense research before being released to the public. Inadequate research and clinical trial could not prove the efficacy and the adverse effect of the used substances (Ernst E, 2004). These practices are against Islamic principle of "Do not inflict injury nor repay one injury with another".

Other issue that arises around this practice is it is not as well regulated as conventional medicine. There are ethical concerns about whether people who perform the practice have the proper knowledge to perform the treatments they give to patients. Complementary medicine is often done by non-physicians and does not operate with the same medical licensing laws as conventional medicine (Ernst, 1996). It is an issue of non-maleficence which was emphasized in Islam as the Prophet says " Whoever give the treatment without knowledge, he will be responsible for what he has done "

4.2 Table: component of secularism

COMPONENT OF SECULARISM	
1. Separation between the religion and life activities / Dichotomy between *sunnatullah & shari'atullah* 2. Existence & truth only confined to what can be appreciate by the senses 3. Believe that the truth is relative and plural 4. Freedom in giving opinion even contradicting the authoritative body	
INFLUENCE OF SECULARISM IN MEDICAL PRACTICE	
MODERN MEDICINE	**COMPLEMENTARY MEDICINE**
1. Elimination of God consciousness in medical syllabus 2. Knowledge acquired only by scientific materialism 3. *Maqāṣid al-Shari'ah* negligence in clinical trial	1. Lack of scientific evidence legitimacy 2. No regulatory body available to monitor the practice

Conclusion

Islam is not compatible with the idea of secularism despite the numerous attempts to reconcile them. We cannot compromise with secular ways and institutions as it will lead to a dilution of Islam in all fields of activity. Muslims should have a full consciousness of their traditions, values, and beliefs in order to free themselves from the dangerous infiltration of secular and alien influences.

The secularism that affect the modern & complementary medicine will affect the *Maqāṣid syari'ah* in healthcare which is the priorities of it is not only to preserve the physical aspect of the human (*hifdz-annafs)* but ultimately to practice for preservation of the religion (*hifdz-addeen).*

In Islam, standardization of medical practice is achieved by applying the concept of *sunnatullah* (the physical law of Allah Taala to the creation) and *shari'atullah* (the jurisprudence law in term of belief and practice). Practices which are aligned to these principles are accepted and the rest are rejected. In other words, practices which are proven to be beneficial to humans and explainable by science yet maintaining the relationship between the human and God are considered to be Islamic medicine by principle.

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