

THE PATIENTS RIGHTS IN ISLAM

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Abstract: This abstract discusses the patients' rights in Islam, which are the physical and moral privileges derived from reliable Islamic sources. The purpose of the article is to present these rights. The method involved reviewing trustworthy books, articles, and reliable Islamic internet sites. The results indicate that Muslims are obligated to respect and heed the patients' rights according to Islamic teachings. Respecting these rights not only brings rewards from Allah but also aids in the patients' speedy recovery. Key patient rights include being treated, respected, visited, and having their secrets kept. These rights should be respected by family members, neighbours, the community, and the state. In conclusion, patients have documented special rights in Islam, as supported by reliable Islamic sources.

Keywords: Rights' Patients, "Islam," and "Hadith".

Introduction

One of the important commands of Islam, as mentioned by Islamic scholars, is the observance of patients' rights, which holds special significance. This library-based research article has gathered essential information from credible Islamic sources on this subject and presents it under the title "Patients' Rights in Islam." This article strives to elucidate these rights from religious texts to ensure that patients are aware of their rights and that authorities and treating physicians spare no effort in fulfilling these rights.

Scientific research indicates that the holy religion of Islam pays significant attention to both the material and spiritual rights of patients. Observing these rights results in mental peace, pain relief for patients, increased public trust in doctors, the fostering of love, good relations, empathy, elevated spirits of patients, and their quicker recovery.

Paying attention to patients' rights by the patients themselves, their relatives, doctors assigned in hospitals, governments, and other Muslims is a religious obligation that everyone should adhere to within their capacity.

The sacred religion of Islam commands that the rights of the weak and the sick be strictly observed. This necessitates that the rights of patients, whether at home or in hospitals, be respected according to the teachings of Islam. This way, Allah Almighty will be pleased, and patients will benefit from complete well-being and recover sooner.

Reasons for Conducting the Research

The observance of patients' rights plays an effective role in their recovery. Additionally, it enhances patients' trust in their treating doctors. Therefore, this research was conducted to ensure that

patients' material and spiritual rights are respected, leading to better treatment and quicker recovery.

Importance of the Subject

Observing patients' rights is a duty for every individual, especially medical doctors. By observing these rights, patients are better treated and recover faster; thus, this research was conducted.

Objective

To provide comprehensive information on patients' rights from the perspective of Islamic scholars in the light of the Quran and Sunnah.

Research Questions

1. What are the rights of a patient?
2. How many types of rights does a patient have in Islam?
3. What does Islam command regarding the observance of patients' rights?
4. What responsibilities do the state, doctors, healthcare workers, patients' families, relatives, and other people have towards patients?
5. What are the obligations of patients towards doctors, healthcare workers, and health centers?

Background of the Research

Discussions on the rights of patients have been conducted in various dispersed forms. Numerous books, articles, charters, and fatwas have been published by Islamic scholars on this subject, but they remain scattered and fragmented. The invention and establishment of hospitals in the history of world medicine date

back at least 1700 years. In the Islamic era, these structures reached their peak and prominence in Islamic lands. One of the critical subjects in this context is the status of patient rights and the perspective on patients throughout the history of hospitals, which can help elucidate the role of Islam and Muslims in shaping the history of world medicine. Based on the available data, the attention to patient rights in the hospitals of the Islamic world, unlike the West, has a long-standing history, highlighting the esteemed position of Islam in shaping the history of world medicine, which can be a solution to many problems (23).

The Holy Quran and the authentic books of Hadith, including Sahih al-Bukhari and Sahih Muslim, have discussed patient rights in various chapters (7). Additionally, this subject has been addressed in books, articles, and online platforms, indicating a need for extensive scientific research. This article attempts to full fil the research requirements to the best of its ability.

Method and Materials

This article is a library-based research study that utilizes verses from the Holy Quran, authentic Hadith books, jurisprudence, scientific articles, and reputable Islamic websites. It is noteworthy that in extracting the Hadiths, reputable electronic libraries such as Al-Durar Al-Saniyah (30) and the library of Sheikh Muhammad Nasiruddin al-Albani were used (6). In this research, only those Hadiths that have been authenticated by Hadith scholars or at least reach the level of Hasan (good) are mentioned, and weak Hadiths in terms of their chain of narration or text are strictly avoided.

Conclusion

The sacred texts and their explanations testify that the holy religion of Islam has commanded and encouraged Muslims to observe patient rights. This necessitates that the rights of patients, whether hospitalized or at home, be observed according to the teachings of the holy religion of Islam, so that Allah the Almighty is pleased, and patients can fully recover and regain their health swiftly.

The term "patient rights in Islam" refers to the material and spiritual privileges of patients that Islamic scholars have derived and articulated from the sacred texts. The most important of these rights include the right to treatment, respect for patients and their opinions, visiting the sick, confidentiality, non-discrimination, and more.

Attention to patient rights is a religious obligation for the state, healthcare workers, relatives, neighbors, the patients themselves, and other Muslims. All must observe these rights within the limits of their ability and in accordance with the framework of the holy religion of Islam (17).

Understanding the Concept of Rights and Patients

(a) Definition of Rights in Linguistics

The term "Haq" (حق) is an Arabic word that stands in opposition to "Batil" (باطل), meaning falsehood. It is also one of the names of Allah the Almighty (14). The scope of the term "Haq" is very broad and encompasses meanings such as truth, justice, ownership,

authority, share, established existence, certainty, predetermined matter, property, death, destiny, justice, deserving, and appropriate.

In Arabic, various phrases incorporate the term "Haq," reflecting its wide application:

- **بكذا**: He is worthy of that thing.
- **حق الاستعمال**: The right to use things that belong to someone else.
- **حق الانتفاع**: The right to benefit from someone else's property or fruit.
- **حق المرور**: The right to pass through someone else's property.
- **بالحق**: Rightly, in reality, in truth.
- **بحق**: With justice and fairness.
- **هو على حق**: He is right.
- **الحق معك**: The right is with you.
- **الحق عليك**: You are wrong.
- **هذا حقّي عليكم**: This is my right over you.
- **كان من حقه أن**: It was incumbent upon him to...
- **له الحق في**: He has the right in that matter.
- **و الحق يقال**: Truly and in reality.
- **عرف حق المعرفة**: He fully knew or recognized.
- **فهم حق الفهم**: He completely understood.
- **حقاً**: In truth and reality, in terms of justice and fairness.
- **أحقق الدار**: The things related to and the amenities of the house.
- **الحقوق السياسيّة**: Political rights, which entail the citizens' right to participate in the administration of the country (27).

The term "Haq" thus covers a vast array of meanings and contexts, reflecting its significant and multifaceted role in the Arabic language and Islamic jurisprudence.

(b) Definition of Rights in Islamic Jurisprudence

In Islamic jurisprudence, "Haq" (حق) refers to the established material and spiritual privileges that (legally) someone is entitled to (2). These material and spiritual privileges include the preservation of religion, life, property, intellect, lineage, and human dignity (15).

In other words, a right is the authority and competence granted to individuals by a legitimate system, allowing them to use this authority and competence to benefit, enjoy lawful blessings, and fulfill their material and spiritual needs. These rights appear to belong to individuals or legal entities, but in reality, the true owner of all rights is Allah the Almighty. It is He who grants these rights through some competent authorities to some as benefits, to others

as competence, and to some as the right to use these benefits and apply them.

The classifications such as "rights of Allah," which include the duties of servitude and public rights; human rights, which pertain to ownership, control, benefits, and enhancement by individuals; and "common rights," which in terms of benefit, income, and control belong both to individuals and society—these classifications are made based on the legal rulings of these rights and are terms used among jurists as a technical terminology (22).

According to Islamic scholars, humans are born free and, in terms of rights and value, all individuals justly possess the right to treatment, the right to confidentiality, the right to visitation of the sick, the right to freedom of thought, the right to freedom of expression, and the right to freedom of conscience. These are the inalienable rights of every person. As stated in the Quran, from the moment a human comes into existence, they are honored and respected, as Allah the Almighty has said: {وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْوُجُوهِ وَأَنبَأْنَا الْغُيُوبَ وَزَعَمْنَا أَنَّ مَرْءَهُمْ عَلَى كَثِيرٍ مِّمَّنْ خَلَقْنَا تَفْضِيلًا} (الإسراء 70)

"And We have certainly honored the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over much of what We have created, with [definite] preference." (Al-Isra 17:70).

In this verse, Allah explicitly speaks of the honor of humanity; as the Quranic verses and Hadiths indicate, this honor is not limited to a specific race or gender but includes all humans. Everyone who embodies the essence of humanity is included in this honor (12).

In a Hadith, Abu Huraira (may Allah be pleased with him) narrated that the Prophet Muhammad (peace and blessings be upon him) said: "You are all children of Adam, and Adam was created from dust" (18). [Authenticated by Al-Albani as Hasan (good) (6)]

In Islam, regardless of race, gender, color, language, or religion, everyone is entitled to fair rights and opportunities. These rights encompass all minor and major rights related to both the spiritual and physical aspects of a person. This includes any type of right that is relevant today and will be relevant in the future. The Quran, with its unique style, addresses nearly all topics that we refer to as human rights, insisting on the necessity of observing and protecting them. It has established specific rulings and reinforcements for each right, considering their respective circumstances. Similarly, the Prophet Muhammad (peace and blessings be upon him) clearly and precisely explained everything through his practices and behaviors, emphasizing the necessity of observing and adhering to these rights by reminding us that they are the rights of Allah.

Indeed, in Islamic terminology, all rights originate from the divine will and are bestowed by Allah the Almighty as a trust to humans. This trust, a divine gift, was granted to humans at their creation. The most prominent characteristics of these rights are that they cannot be bought or sold, replaced, exchanged for material goods, or left to the discretion of ruling powers to determine and allocate. They cannot be treated like commercial goods. The strongest guarantors and protectors of these rights are the members of the society, especially those reputable and distinguished individuals who have embedded the spirit of safeguarding and supporting these

laws into their very being and value them more than their lives, striving diligently to protect and uphold them (22).

Patient and Disease

A patient is someone afflicted with a disease. The term "disease" (مَرَضٌ) in Arabic is used in several meanings, which are elaborated below:

(a) Disease as the Opposite of Health: It means the loss of health and becoming disturbed, as in Arabic, "مرض فلان" (Marad fulān) means "that person became ill or lost their health." (27)

(b) Disease as Weakness: It implies weakening, as in "الريح مريضة" (al-riḥ marīḍah) meaning "the wind is weak." (36) This meaning aligns with the word "disease" in English, which fundamentally means "lack of ease." The term "disease" comprises two parts: "dis" (lack of) and "ease" (comfort), implying that a disease weakens its bearer to the extent that they cannot perform tasks easily and comfortably. (32)

(c) Disease as Doubt and Hypocrisy: It is also used to denote doubt and hypocrisy, as in the Quranic verse {فِي قُلُوبِهِمْ مَرَضٌ} (In their hearts is a disease) (Al-Baqara, 9). Here, "disease" refers to the doubt and hypocrisy in the hearts of the hypocrites.

Disease in Terminology:

Sharif Jurjani defines disease as: "هو ما يعرض للبدن فيخرجه عن الاعتدال" (10) "A disease is that which afflicts the body, disrupting its specific equilibrium."

The author of the Dorland's Medical Dictionary defines disease as: "Deviation from the natural state or function in any part, organ, or system of the body, characterized by a specific set of symptoms and signs, and may be known or unknown in its nature, course, and potential outcomes." (21)

Abu al-Hasan Ahmad ibn Faris, an Islamic scholar, defines disease as: "المرض كل ما خَرَجَ بِهِ الْإِنْسَانُ عَنْ حَذِّ الصَّحَةِ مِنْ عِلَّةٍ أَوْ نِفَاقٍ أَوْ تَقْرِيقٍ فِي" (3) "A disease is anything that takes a person out of the state of health, be it due to ailment, hypocrisy, or discord."

From these definitions, it is understood that disease is an abnormal condition in the body that prevents a person from performing their natural activities properly. What satisfies the author in defining disease is the recognition of its opposite, which is health. As scholars say, "Things are known by their opposites," we conclude that disease is the absence of complete physical, mental, and social well-being, not merely the presence of apparent health and capability. Ahmad ibn Faris explains this concept better than others because his definition includes both physical and mental diseases, unlike other definitions which primarily focus on physical ailments.

Types of Disease:

Islamic scholars, after studying the Quran, Hadiths, and medical literature, have classified disease into two types:

1. Psychological Illnesses

2. Physical Illnesses

"Alama Ibn Qayyim Al-Jawziyya wrote in his book 'Prophetic Medicine': 'Disease is of two types: disease of the hearts and disease of the bodies, both of which are mentioned in the Quran.' He later gives examples from the Quran regarding each type of disease.

'In their hearts is disease, so Allah has increased their disease; and for them is a painful punishment because they [habitually] used to lie.' (Quran 2:10)

In this verse, according to commentators, the disease refers to doubt and hypocrisy, which is a type of psychological disease. Regarding physical disease, it is mentioned:

'And there is no blame upon the sick.' (Quran 24:61)

This verse refers to someone who is afflicted with a physical illness. Hence, it is understood that disease is of two types: psychological and physical.

Rights of patients in terms of their living environment and their surroundings (Patient rights from their surroundings)

Islamic scholars, including Dr. Khalid bin Abdulrahman Al-Shaya, have divided patient rights in terms of their living environment and surroundings into four categories:

- (a) Rights of patients against the government (Ministry of Health).
- (b) Rights of patients against healthcare providers (doctors and healthcare staff).
- (c) Rights of patients against their families, relatives, neighbors, and friends.
- (d) Rights of patients upon themselves.

Before explaining and discussing the above points, it is necessary to mention prominent examples of patient rights that are explicitly mentioned in the Quran to reduce their religious obligations:

- 'And if you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and find no water, then seek clean earth and wipe over your faces and your hands [with it].' (Quran 5:6)
- 'So recite what is easy [for you] of the Quran. He knows that there will be among you those who are ill.' (Quran 73:20)
- 'So whoever among you is ill or has an ailment of the head [making shaving necessary must offer] a ransom of fasting [three days] or charity or sacrifice.' (Quran 2:196)
- 'There is not upon the weak or upon the ill or upon those who do not find anything to spend any discomfort when they are sincere to Allah and His Messenger. There is no cause for blame upon the doers of good.' (Quran 9:91)

These verses highlight certain rights of patients as outlined in the Quran, ensuring leniency and compassion in fulfilling their religious duties."

If you have more text or need further translation, feel free to share!

1. Patient Rights Towards the Government (Ministry of Health)

- The patient has the right to receive treatment and care, and under no circumstances should permission be granted to neglect the treatment of the patient, even in unusual situations, because according to the general principles of Islam, all Muslims, especially the government, are responsible. No one can shirk their responsibilities, as stated by the Prophet (peace be upon him): "Each of you is a shepherd and each of you is responsible for his flock. The leader is a shepherd and is responsible for his subjects; a man is a shepherd over his family and is responsible for them; a woman is a shepherd in the house of her husband and is responsible for her subjects... All of you are shepherds and each of you is responsible for his flock." (7)
- However, if a patient rejects prescribed instructions from their treating physician, seeks assistance from another physician without the consent of their treating physician, or if the condition of the patient is beyond their specialized expertise, the physician may discontinue treatment. (24)

2. Confidentiality of Patient Information

- The patient has the right to have all their secrets preserved, except in cases where Islamic law deems it permissible. Furthermore, the patient has the right not to be photographed or filmed without their consent, as this could potentially harm the patient, or it might involve a secret that the patient does not wish others to know, as narrated from Jabir bin Abdullah (may Allah be pleased with him), the Prophet (peace be upon him) said: "Meetings are based on trust except for three: a gathering that involves shedding blood unlawfully, a gathering that involves violating someone's honor unlawfully, or a gathering that involves wrongfully taking someone's property." (8) Hasan Al-Asqalani. (31)

3. Modesty of the Patient

- The patient has the right to preserve their modesty and not be exposed, except when necessary for treatment, as narrated by Abu Sa'id al-Khudri from the Prophet (peace be upon him): "A man should not look at the nakedness of another man, nor should a woman look at the nakedness of another woman..." (26) No man should look at the nakedness of another man and no woman should look at the nakedness of another woman. If they do, the government should punish them due to the hadith "Each of you is responsible for his subjects" mentioned above.

4. Complaint Against Medical Practitioner

- The patient has the right to lodge a complaint with the government if they are harmed by their treating physician, as Omar ibn Shu'aib narrated that the Prophet (peace be upon him) said: "Whoever practices medicine without having knowledge of it, if harm results, then he is liable." (8) Investigation by Al-Albani: (Hasan) See Hadith No. 6153 in Sahih Al-Jami.

5. Information on Medical Condition

The patient has the right to know about their illness, its causes, the benefits of diagnosis, and its treatment. It is mandatory for the physician to honestly explain to the patient or their representative about the type of illness, its causes, the benefits of its diagnosis and treatment. Considering the physical and mental condition of the patients, they should be fully informed about suitable alternatives in diagnosis and treatment in a transparent and clear manner. As Abu Huraira (may Allah be pleased with him) narrated from the Prophet (peace be upon him): "Whoever is asked about knowledge that he knows, then conceals it, he will be bridled on the Day of Resurrection with a bridle of fire." (4)

6. Patients suffering from incurable or life-threatening diseases have the right to receive all possible medical services until their last breath, and their treatment should continue. They should be kept hopeful until their last moments, as the Lord of the Worlds has commanded in the Noble Qur'an: "Do not despair of the mercy of Allah; indeed, Allah forgives all sins" (Surah Yusuf, 87). From the mercy of Allah, one should not lose hope, for only the disbeliever's despair of the mercy of Allah.
7. In emergency situations, a patient has the right to continue treatment until recovery, and the treating physician is obligated to continue treatment until the patient's need is met or refer the patient to another qualified physician, as explained by Abdullah ibn Umar (may Allah be pleased with him) (26).

A patient has the right that details related to them are not disclosed to unauthorized individuals or non-responsible persons, as safeguarding secrets is among the trusts highly regarded in the sacred religion of Islam. Allah the Almighty has commanded in the Glorious Qur'an: "Indeed, Allah commands you to render trusts to whom they are due and when you judge between people to judge with justice. Excellent is that which Allah instructs you. Indeed, Allah is ever Hearing and Seeing" (Surah An-Nisa, 58). Jabir ibn Abdullah (may Allah be pleased with him) narrated regarding the Prophet's (peace be upon him) emphasis on safeguarding secrets: "When someone speaks privately to another and then looks around, this speech is a trust" (16). Sheikh Mubarak explains this narration as: If someone speaks cautiously to another, mindful that no one else becomes aware of it, this speech is considered a trust and should not be disclosed (25). Therefore, serious and firm measures should be taken to prevent unauthorized access by other individuals and groups who do not have the right to obtain such information. If a physician discovers a patient's secret through their specialty and profession, it is not permissible to disclose it, even if the patient did not explicitly obtain their commitment.

Exceptions include: A: When the patient's consent in writing has been obtained for disclosure, or it is deemed in the patient's interest. B: When Islamic laws explicitly permit disclosure, or a Sharia court issues such a ruling. C: When the purpose of disclosure is to prevent crimes, it becomes the responsibility of the official committee appointed to handle such matters. D: When disclosure of the patient's secret is necessary for self-defense against judicial authority (if demanded). E: When the purpose of disclosure is to prevent harm to a spouse, contingent upon both spouses being present.

Before entering information into a computer system, the patient or their representative must be informed about the inclusion of this information and who can access it. Precautionary measures should be taken to limit access to sensitive patient information. Furthermore, a patient has the right to request the deletion of certain information within the framework of regulations to safeguard their secrets. When medical information about a patient is sent outside the healthcare institution, prior consent must be obtained from the patient or their representative and the treating physician. Specific medical information and confidential matters that can be accessed by individuals or committees covertly according to Islamic laws are exclusive to them, and no one else has the right to access them. Similarly, the sending of medical information serves only the purpose for which it was sent and is limited to the specific time it is required (24).

11- The patient has the right to refuse treatment, and treatment without the patient's consent is not permissible. This is evidenced in the noble hadith where Abu Rimthah (may Allah be pleased with him) said: "I came to Al-Madinah and had not seen the Messenger of Allah (peace be upon him) before. Suddenly, the Messenger of Allah (peace be upon him) appeared wearing two green garments. I said, 'By Allah, this is the Messenger of Allah (peace be upon him).' My son started to tremble out of awe for the Messenger of Allah (peace be upon him). I said, 'O Messenger of Allah, I am a physician, and so was my father. Our family are all people of medicine. Nothing is hidden from us in the body, neither vein nor bone. Show me this (illness) on your shoulder, and if there is a tumor, I will remove it and treat it.' He said, 'No, its physician is Allah.'" (Reported by At-Tirmidhi)

Ibn Hajar Al-Asqalani commented on this hadith, stating: "This hadith indicates that refusal of treatment is permissible."

Aisha (may Allah be pleased with her) said: "When Abu Bakr (may Allah be pleased with him) fell severely ill, people said to him, 'Shall we call a physician for you?' Abu Bakr (may Allah be pleased with him) said, 'Allah has seen me, and He said: 'I do whatever I will.'"

In situations where immediate medical intervention is necessary and obtaining the patient's consent is not possible, or where the illness threatens the health of others, medical intervention is conducted according to Islamic laws. If the patient is fully competent, consent is based on explicit or implied consent from the patient, or consent from a legally appointed representative. If the patient is unable to express consent due to incapacity, deafness, or lack of one of the conditions of legal competence, the consent of their representative must be clear, written, and based on a description of the surgical procedures and interventions.

(B) Patients' Rights Regarding Medical Service Providers (Physicians and Healthcare Staff)

12. A patient has the right to obtain a detailed report about their health condition from their physician, based on their own examinations. The physician does not have permission to write a report or issue a certificate that does not correspond to their specialty. This means that the physician's report must be based on actual findings obtained during the examination, not on assumptions or guesswork, as failure to report or incorrect reporting could harm the patient, which is prohibited in Islam. Abdullah ibn Abbas narrated from the Prophet (peace be upon him): "There should be neither harming nor reciprocating harm." Harming oneself or others is not permissible. Islamic jurists have commented on this hadith saying that if harm occurs, it is obligatory to compensate for it, as Islamic law is based on promoting benefits and preventing harm.
13. If a patient finds that a particular treatment plan is ineffective, they have the right to be satisfied with the physician's explanation of its ineffectiveness. Islam always encourages people to be honest in various fields and not to conceal knowledge. Tameem al-Dari narrated from the Prophet (peace be upon him): "Religion is sincere advice." Abu Huraira narrated that the Prophet (peace be upon him) said: "Whoever is asked about knowledge and conceals it, will be bridled on the Day of Resurrection with a bridle of fire."
14. A patient has the right to seek treatment from another physician for their condition, and the treating physician must not hesitate or delay in referring the patient to another specialist in the same condition, or to a physician equipped with advanced facilities and capabilities, taking into account the patient's health status that necessitates it. Allah says in the Quran: "And do not pursue that of which you have no knowledge. Indeed, the hearing, the sight, and the heart - about all those [one] will be questioned."

Abdullah ibn Umar said: When Umar ibn al-Khattab suffered a wound, he requested a physician to be brought to observe and treat his injuries. People brought an Arab physician, who examined the wounds and began treatment with dates' extract, but it was not completely effective. Then Abdullah, Umar's son, invited another physician from among the Ansar, who also tried treating him with dates' extract but it did not have much effect. If the patient or their family desires to consult another physician or seek advice without the agreement of the treating physician, the physician is obliged not to continue treating them if sending the patient is in the patient's interest. Abu Huraira narrated from the Prophet (peace be upon him): "Hasten to perform good deeds."

Still, the physician is obliged to provide the patient with all the necessary information that he knows is necessary for the patient's treatment and to provide a complete medical report indicating his health status. Allah says in the Quran: "And do good; perhaps you will be successful." The patient or their family have the right to invite another physician for consultation (and benefit from their

opinions) after obtaining the consent of the treating physician, but if the patient or their family insists on inviting another physician whom the treating physician does not agree with, the treating physician can discontinue treating the patient.

15. A patient has the right to refuse unnecessary examinations that their condition does not require, and it is necessary for the physician to perform only those medical examinations that the patient's condition necessitates, refraining from unnecessary additional examinations. Similarly, the physician must establish the entire process of diagnosis and treatment with transparency and avoid using invalid, unconventional, or informal diagnostic or treatment methods. Furthermore, he must limit the prescription of medicines and surgical procedures to what the patient's condition requires, as excessive treatment is unjust, and injustice is forbidden in the sacred religion of Islam.

Abu Dhar narrated that the Prophet (peace be upon him) said in a divine hadith: "O My servants, I have forbidden injustice for Myself and have made it forbidden among you, so do not oppress one another."

16. A patient has the right to have their suffering and pain alleviated, and the physician is obliged to alleviate the patient's suffering and pain using all possible physical, material, and spiritual means available to them and to assure the patient that the physician understands their condition. The physician is also obliged to employ their skills to comfort the patient and alleviate their illness.

Allah, the Lord of the Worlds, says in the Quran: "There has certainly come to you a Messenger from among yourselves. Grievous to him is what you suffer; [he is] concerned over you and to the believers is kind and merciful."

Based on the narration of Na'man bin Bashir (may Allah be pleased with him), the Messenger of Allah (peace be upon him) said: "The example of the believers in their affection, mercy, and compassion for each other is that of a body. When any limb aches, the whole body reacts with sleeplessness and fever." This signifies that believers are like a single body, empathetic and caring towards one another. When one part suffers, the entire community feels the pain and shows concern.

The rights of the sick upon their families, relatives, neighbors, and friends have been derived by Islamic scholars from the following textual sources:

1. **Kindness to Relatives:** "And those with close relationship are more entitled to inheritance in the decree of Allah." (Quran, Surah Al-Anfal, 8:75)
2. **Brotherhood among Believers:** "The believers are but brothers." (Quran, Surah Al-Hujurat, 49:10)
3. **Duty towards Others:** "Worship Allah and associate nothing with Him, and to parents do good, and to relatives, orphans, the needy, the near neighbor, the neighbor farther away, the companion at your side, the traveler, and those whom your right hands possess."

Indeed, Allah does not like those who are self-deluding and boastful." (Quran, Surah An-Nisa, 4:36)

4. **Justice and Kindness:** "Allah does not forbid you from those who do not fight you because of religion and do not expel you from your homes - from being righteous toward them and acting justly toward them. Indeed, Allah loves those who act justly." (Quran, Surah Al-Mumtahanah, 60:8)

Therefore, the most important rights of the sick upon their families, relatives, neighbors, and friends are outlined as follows:

1. **Seeking Medical Treatment:** The sick have the right to be taken to a physician for treatment. The Prophet (peace be upon him) said: "Treat your sick ones with charity." (Reported by Abu Umamah, authenticated as Hasan by Al-Albani)
2. **Visiting the Sick:** It is the right of the sick to be visited. Abu Sa'id Al-Khudri reported that the Messenger of Allah (peace be upon him) said: "Visit the sick and follow the funeral procession, and it will remind you of the Hereafter." (Sahih Muslim)
3. **Praying for Recovery:** Others have the right to pray for the recovery of the sick. Aisha (may Allah be pleased with her) reported that whenever the Messenger of Allah (peace be upon him) visited a sick person or a person brought to him as sick, he would supplicate: "Remove the harm, O Lord of the people, and heal him, for You are the Healer. There is no healing but Yours, a healing that leaves no trace of illness." (Sahih Muslim)
4. **Respect for Dietary Restrictions:** It is the right of the sick not to be forced to eat or drink certain things. The Prophet (peace be upon him) said: "Do not force your sick ones to eat or drink." (Reported by Aqabah ibn 'Amir, authenticated as Hasan by Al-Albani)

These rights emphasize compassion, care, and practical support for the sick in Islamic teachings, ensuring their physical well-being while upholding their dignity and spiritual comfort.

"The rights of patients upon themselves: After Islam established human rights fourteen centuries ago, the people of the world were able to declare the Universal Declaration of Human Rights. However, they have not yet been able to declare an announcement regarding bodily rights, asserting that the human body has rights upon itself, such as feeding it during hunger, providing comfort during fatigue, and seeking treatment when ill.

All that has been mentioned are obligatory rights, neglecting which is not permissible in Islam, with the most important textual evidences for them being: (a) 'And do not throw [yourselves] with your [own] hands into destruction.' [Quran 2:195] (b) 'And do not kill yourselves [or one another]. Indeed, Allah is to you ever Merciful.' 'And whoever does that in aggression and injustice – then We will drive him into a Fire. And that, for Allah, is [always] easy.' [Quran 4:29-30] (c) The Prophet's saying: 'Indeed, your own self has a right over you.' [Hadith agreed upon]

Certainly, your life and soul have rights upon you.

Based on the above texts, Islamic scholars have enumerated the rights of patients upon themselves as follows:

1. Mentally ill patients whose illness has reached the point of insanity are exempted from religious obligations such as performing prayers, fasting, paying zakat, etc. They have the right not to fulfill these duties, as Ali (may Allah be pleased with him) narrated from the Messenger of Allah (peace be upon him): 'The pen has been lifted from three: the sleeper until he awakens, the child until he reaches puberty, and the insane until he regains sanity.'
2. If performing ablution (wudu) or full ablution (ghusl) worsens the patient's condition, they have the right to perform tayammum (dry ablution) instead. Allah the Exalted has stated in the Quran: 'And if you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and find no water, then seek clean earth and wipe over your faces and your hands [with it].' [Quran 5:6] Islamic jurists have said that tayammum is permissible in two cases: firstly, when a person is healthy but cannot find water, and secondly, when water is available but its use may worsen their condition, which is considered a valid excuse in Islamic law.
3. A patient suffering from a serious illness that is incurable has the right to live and should not commit suicide, even if it is referred to by terms such as 'death with dignity,' etc., as Allah the Exalted has said: 'And do not kill yourselves. Indeed, Allah is to you ever Merciful.' [Quran 4:29] In a hadith narrated by Jundab (may Allah be pleased with him), the Messenger of Allah (peace be upon him) said: 'A man inflicted with wounds inflicted upon himself, and Allah said, "My slave has hastened his demise; I have forbidden Paradise for him."' In another hadith narrated by Thabit bin Ad-Dahhak (may Allah be pleased with him), the Messenger of Allah (peace be upon him) said: 'Whoever kills himself with something will be punished with it on the Day of Resurrection.'

Indeed, human life is a divine trust bestowed upon man for a specific purpose in this world, just as he had no role in creating his life or knowledge of its quality, so too he has no choice in its destruction.

In conclusion, it can be noted that patients in Islam have rights that must be observed. They also have obligations that must be fulfilled, the most important of which are listed below:

1. Patients are obliged to respect physicians and healthcare workers.
2. Patients are obliged not to cause harm or annoyance to others.
3. Patients are obliged to observe the order, discipline, and regulations of healthcare facilities.
4. Patients are obliged to clearly and explicitly explain their illness to treating physicians.

5. Patients are obliged not to unjustly disturb physicians and healthcare workers.

The above obligations also apply to the relatives of patients who are present with them or visit them."

Discussion

All the rights and responsibilities of patients mentioned above have been received and explained by Islamic scholars through religious texts, indicating that these rights generally existed at the forefront of Islam. However, why weren't these rights articulated in a material and detailed manner during that time? Research for the writer has confirmed that the Prophet Muhammad (peace be upon him) and his esteemed companions, due to their extensive engagements aimed at realizing monotheism, defending against imposed wars, and spreading the illuminating light of Islam to other parts of the world, passed on this responsibility to future generations, which has thankfully been fulfilled to this extent.

Final Result In terminology, "right" means truth, correctness, obligation, proof, and anything that is established, with falsehood being its opposite. In the context of Islamic jurisprudence, rights are established material and spiritual entitlements that a person deserves religiously. The rights of patients in Islam refer to observing the material and spiritual entitlements of patients, which Islamic scholars have received from clear religious texts and emphasized. The most important of these rights include the right to treatment, respect for patients and their opinions, visiting the sick, preserving their secrets, non-discrimination against them, and more. Paying attention to the rights of patients is a religious obligation upon the government, healthcare workers, relatives, neighbors, the patients themselves, and other Muslims, all of whom must observe these rights within the framework of Islamic teachings to the best of their ability.

Human life is a divine gift and trust granted to humans for a specific purpose in this world, just as they had no role in creating their own lives. They have no knowledge of its quality upon receiving it, nor do they have the choice to end it.

Thus, patients in Islam have rights that must be respected, and they also have responsibilities that they must fulfill. The most important of these responsibilities include: (a) Patients are obligated to respect physicians and healthcare workers. (b) Patients are obligated not to cause harm or annoyance to others. (c) Patients are obligated to observe the order, discipline, and regulations of healthcare facilities. (d) Patients are obligated to clearly and explicitly explain their illness to the treating physicians.

Patients are obligated not to unjustly interfere with the work of physicians and healthcare workers. These responsibilities also extend to relatives who are with patients or visit them.

Religious texts and their explanations testify that the sacred religion of Islam encourages Muslims to observe the rights of patients. It urges that the rights of patients, whether they are in hospitals or at home, be observed according to the guidance of Islam, so that they are pleasing to Allah and so that patients benefit from complete recovery sooner.

Recommendations:

1. Provide information to patients and their relatives regarding the rights and responsibilities of patients.
2. Develop specific guidelines for physicians and healthcare workers regarding the rights of patients according to the guidance of Islamic teachings, so that they can act accordingly.
3. Designate a representative from the Ministry of Health in all healthcare centers to report on the observance or non-observance of patients' rights.

Sources:

1. The Holy Quran.
2. Ibn Najim, Zain al-Din ibn Ibrahim (1311 AH) "Al-Bahr al-Raiq Sharh Kanz al-Daqa'iq," Dar al-Kutub al-Ilmiyyah, Beirut - Lebanon, first edition, p. 148.
3. Ibn Faris, Ahmad (1418 AH) "Al-Mujmal fi al-Lughah," Dar al-Kutub al-Ilmiyyah, Beirut - Lebanon, p. 13.
4. Ahmad ibn Hanbal, Abu Abdullah ibn Muhammad (2011 April/22) "Al-Musnad," electronic version, Cairo: Egyptian Ministry of Awqaf, retrieved from: <http://islamic-council.net>
5. Ibn Anas, Malik ibn Anas, ibn Malik Asbahi (n.d.) "Al-Muwatta'," electronic version, Cairo: Egyptian Ministry of Awqaf, retrieved from: <http://islamic-council.net>
6. Al-Albani, Muhammad Nasir al-Din (1/10/1426) "Al-Baith fi al-Hadith," Al-Albani Library, research, electronic version, retrieved from: <http://www.saa'id.net/book/open.php?cat=95&book=2119>
7. Al-Bukhari, Muhammad ibn Ismail (2011 April/22) "Sahih al-Bukhari," electronic version, Cairo: Egyptian Ministry of Awqaf, retrieved from: <http://islamic-council.net>
8. Al-Bayhaqi, Ahmad ibn al-Husayn ibn Ali ibn Musa al-Khurasani (2011 April/22) "Sunan al-Bayhaqi," retrieved from: <https://itunes.apple.com/sa/app/ayat-al-quran-ayat-alquran/id634325420?mt=8>
9. Al-Tirmidhi, Abu Isa Muhammad ibn Isa ibn Sawrah (2011 April/22) "Sunan al-Tirmidhi," electronic version, Cairo: Egyptian Ministry of Awqaf, retrieved from: <http://islamic-council.net>
10. Al-Jurjani, Mir Sayyid Sharif Ali ibn Muhammad (n.d.) "Al-Ta'rifat," al-Izal, Maktabah Mashkaat al-Islamiyyah, p. 110.
11. Al-Jawziyya, Shams al-Din Abu Abdullah Muhammad ibn Abi Bakr ibn Qayyim (1424 AH) "Al-Tibb al-Nabawi," Cairo, al-Safa Library, first edition, p. 17.
12. Hanani, Dr. Khalil al-Rahman (1385 AH) "Hamzisti Jahani, Karamat Insani," Kabul, Afghanistan, p. 85.
13. Al-Qazwini, Abu Abdullah Muhammad ibn Yazid ibn Majah (2011 April/22) "Sunan Ibn Majah," al-Nikah,

- electronic version, Cairo: Egyptian Ministry of Awqaf, retrieved from: <http://islamic-council.net>
14. Diba'i, Amir (1381) "Chikideh Akhlaq va Qavanin Pezeshki," Razdari, Tehran: Tehran University Publications, p. 268.
 15. Al-Ghamdi, Dr. Abdul Latif (n.d.) "Human Rights in Islam, Right in Terms," downloaded from the Alukah Library website, p. 54.
 16. Abu Dawood al-Sijistani, Sulayman ibn Ash'ath (1414 AH) "Sunan Abu Dawood," al-Adab, electronic version, Cairo: Egyptian Ministry of Awqaf, retrieved from: <http://islamic-council.net>
 17. Al-Shayea, Dr. Khalid bin Abdul Rahman (16/3/1429 AH) "Patient Rights in Islam," Riyadh: King Fahd Medical City, slides, p. 1-19.
 18. Salabi, Dr. Ali (1431 AH) "Silsilah Khulafa Rashidin, Bazresi, Tajzieh va Tahqiq, Zendegei Khalife Aval Abu Bakr Sadiq (RA)," translated by Ibrahim Kiani, published by Ketabkhane Aqideh, p. 521.
 19. Asqalani, Abu al-Fadl Ahmad ibn Ali ibn Hajar (1379 AH) "Fath al-Bari Sharh Sahih al-Bukhari," al-Tibb, Dar al-Ma'arif, Beirut, Lebanon, p. 121.
 20. Al-Ghamdi, Dr. Abdul Latif (n.d.) "Human Rights in Islam, Right in Terms," retrieved from the Alukah Library website, p. 54.
 21. Dorland's Medical Dictionary, New Edition 32, authored by William Alexander Newman, translated by Dr. Hamid Namavar and Dr. Mohammad Javad Rezaii, p. 556.
 22. Gulen, Muhammad Fethullah (n.d.) "Workers' Rights in Islam, Concept of Rights and Rights in Islam," retrieved from: <https://www.fgulen.com/fa/fethullah-gulens-books/the-broken-jug/31705-relations-between-workers-and-employers-and-workers-rights-in-islam>
 23. Mohagheghzadeh, Abdul Ali (Khordad, 1391 AH) "Majallah-yi Teb-e Sonnat-i Islam va Iran," year 3, issue 3, review of patient rights in the history of immediate health care in Iran and Islam from the beginning to the 8th century AH, Shiraz University of Medical Sciences, Iran, p. 334.
 24. The World Islamic Medical Ethics Charter, retrieved from: <http://www.slideshare.net/ghaiath/ss-5459339>
 25. Al-Mubarakfuri, Muhammad ibn Abdul Rahman ibn Abdul Rahim (n.d.) "Tuhfat al-Ahwadhi," al-Tibb, published by Dar al-Kutub al-Ilmiyyah, vol. 6, p. 162.
 26. Nishapuri, Abu al-Husayn Muslim ibn Hajjaj Qushayri (2011 April/22) "Sahih Muslim," electronic version, Cairo: Egyptian Ministry of Awqaf, retrieved from: <http://islamic-council.net>
 27. Editorial Board (2012/August/11) "Mu'jam al-Ma'ani al-Jami', al-Haq," retrieved from: <http://www.almaany.com/ar/dict/ar-ar/%D8%AA>
 28. Fatwa regarding Islam, retrieved from: <http://fatwa.islamweb.net/fatwa/index.php?page=showfatwa&Option=FatwaId&Id=12549htt>
 29. Gamdi, Dr. Khalid (16/3/1429 AH) retrieved from: <https://www.saaidd.net/Doat/gamdi/7.htm> and <http://www.alukah.net/sharia/0/81564/>
 30. Dorar.net, retrieved from: <https://www.dorar.net/>
 31. Fatwa regarding Islam, retrieved from: <http://fatwa.islamweb.net/fatwa/index.php?page=showfatwa&Option=FatwaId&Id=125496>
 32. Fleischer Chiropractic, retrieved from: <http://fleischerchiropractic.com/articles/disease-vs-dis-ease>
 33. Way2Allah, retrieved from: <http://e3jaz.way2allah.com/modules.php?name=News&file=article&sid=88>
 34. Fatwa regarding Islam, retrieved from: <http://fatwa.islamweb.net/fatwa/index.php?page=showfatwa&Option=FatwaId&Id=132427>
 35. Archive.org, retrieved from: <https://archive.org/details/almosttraf>
 36. Naigo.ir, retrieved from: <http://www.naigo.ir/fa/article/27>
 37. Aiman, retrieved from: <http://www.saaidd.net/Doat/aiman/52.ht>