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Health and Its Importance in Islamic Law

Abstract

According to Islamic law, the role and importance of health in the performance of acts of worship is undeniably significant. For this reason, among the fundamental principles that all divine laws, from Prophet Adam onwards, have required to be preserved are the protection of life and intellect. This is because the prerequisite for a person who is religiously accountable to fulfill their duties first towards Allah Almighty and subsequently towards other beings is to be both spiritually and physically healthy. Within this framework, Islam has unequivocally commanded the preservation of health through conclusive evidence and has prohibited actions and harmful substances that may endanger health, categorizing them as unlawful and legally impermissible. The human being, created with superior qualities compared to other living creatures, possesses the ability to undertake missions such as believing, thinking, worshipping, and serving as the vicegerent of the earth—capabilities that necessitate good health. However, human nature, with its inherent mortality, fragility, and weakness, may sometimes be confronted with risks such as illness or disability. In this respect, even a single breath taken in good health should be regarded as the most valuable asset in the world, and applying appropriate treatment methods in times of illness should be considered a duty towards one's own body. The essence of this paper, entitled *Health and Its Importance in Islamic Law*, is as follows: the healthier the human being—whose ultimate purpose of creation is to worship—the more easily and with higher quality they can perform acts of worship. This, in turn, means attaining the pleasure and approval of Allah, the Lawgiver, who enacts commands and prohibitions for His servants.

Keywords: *Islamic law, health, illness, treatment*

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İslam hüququna görə sağlamlıq və onun əhəmiyyəti

Xülasə

İslam hüququ baxımından ibadətlərin icrasında sağlamlığın rolu və əhəmiyyəti danılmazdır. Bu səbəbdən, Həzrət Adəmdən başlayaraq bütün ilahi şəriətlərdə qorunması zəruri olan əsas prinsiplər arasında “nəfsin (canın) və aqlın mühafizəsi” xüsusi yer tutur. Çünki dini baxımdan mükəlləf sayılan insanın əvvəlcə Allah-Təalaya, daha sonra isə digər varlıqlara qarşı öhdəliklərini lazımı şəkildə yerinə yetirə bilməsinin ilkin şərti onun həm ruhi, həm də cismani baxımdan sağlam olmasıdır. İslam dini bu əsasdan çıxış edərək sağlamlığın qorunmasını şəri dəlillərlə vacib qılmış, insan sağlamlığını təhlükəyə ata biləcək davranışları və zərərli vasitələri isə bütövlükdə haram və hüquqa zidd əməllər sırasında təsbit etmişdir.

Digər varlıqlardan üstün şəkildə yaradılan insanın iman gətirmək, düşünmək, ibadət etmək və yer üzündə “xəlifəlik” vəzifəsini daşımaq kimi missiyaları onun sağlam olmasını zəruri edir. Bununla yanaşı, insan təbiətində mövcud olan fanilik, zəiflik və dözümsüzlük xüsusiyyətləri səbəbi ilə o, bəzən xəstəlik, əlillik və digər bədən zəiflikləri ilə qarşılaşa bilər. Bu baxımdan, sağlam halda alınan

tək bir nəfəs belə insan üçün dünyanın ən qiymətli neməti sayılmalıdır. Xəstəlik halında isə münasib müalicə üsullarının tətbiq olunması bədənə qarşı dini bir vəzifə olaraq qəbul edilməlidir.

Beləliklə, bu məqalənin mövzusu olan “İslam hüququna görə sağlamlıq və onun əhəmiyyəti” məsələsinin mahiyyəti bundan ibarətdir: yaradılışının əsas məqsədi ibadət olan insan nə qədər sağlam bir bədənə sahibdirsə, bir o qədər keyfiyyətli və rahat şəkildə ibadət edə bilər. Bu isə insanın, ona əmr və qadağalar qoyan Şəriət qanunvericisi olan Allah-Təalanın razılıq və məqbuliyyətini qazanmasına səbəb olur.

Açar sözlər: İslam hüququ, sağlamlıq, xəstəlik, müalicə

Introduction

When considered within the framework of the *usûl-i hamse* / “five essentials,” expressed as the *zarûriyyât-ı dîniyye*—namely, the preservation of life, property, intellect, religion, and progeny (İbn Âşûr, 1996, p. 139)—one of the two exceptionally important blessings loaned by Allah Most High to humankind is, without doubt, the blessing of “health” (Buhârî, 1981, Rikâk, 1). Unfortunately, most people come to understand the value of this blessing only after their health has deteriorated. Indeed, the following select, oft-quoted lines express this situation in the most concise manner:

“Unless one falls ill, man does not know the worth of health.”

[Fıtnat Hanım (1842–1911)]

“Among people there is nothing as esteemed as sovereignty;

Yet in this world there is no sovereignty like a single breath of health.”

[Sultan Suleiman the Magnificent (1495–1566)]

A person’s state of health may at times deteriorate due to congenital or acquired conditions (Atar, 2008, p. 147 ff.). In such circumstances, believing that Allah is the One who truly grants healing, the treatment of the illness in question should be pursued patiently and diligently in light of all legitimate therapeutic methods (Şu‘arâ 26/80). The verse, “*And We will surely test you with something of fear and hunger and a loss of wealth, lives, and fruits; but give glad tidings to the patient*” (Bakara 2/155), also points to this.

Research

The most important “preventive medicine” recommendation of Islam regarding health is the principle that “a person should not endanger their own health with their own hands, should take care of their well-being, and must strictly avoid every harmful act and substance that would damage their health” (Bakara 2/195; Güneç, 1992, 2/238, p. 239; Armağan, 2001, p. 182; Beşer, 2001, pp. 341–356; Kiraz, 2007, pp. 290–296). Alongside this, there is another important principle: contributing to the protection of the lives of third parties is, in merit, as if saving the lives of all people (Mâide 5/32). For the “right to health” is among the fundamental rights that Islamic law recognizes for all human beings (Armağan, 2001, pp. 181–183; Ekşi, 2011, pp. 58–69; Ministry of Religious Affairs High Council, 2018: pp. 523–530). In the verse, “*Whoever kills a soul—unless for a soul or for corruption [done] in the land—it is as if he had slain mankind entirely; and whoever saves one, it is as if he had saved mankind entirely*” (Mâide 5/32), the word *nefs* (soul/life) is mentioned “absolutely,” that is, without qualification, and thus encompasses all innocent lives (Atar, 2008, p. 174, 175; Şa‘bân, 2014, pp. 316–326). Indeed, both in the time of the Prophet and in later periods, Muslims even received healthcare from non-Muslim physicians (Armağan, 2001, p. 182; Şirâzî, 1984, p. 409, p. 410). So much so that, in the era of ‘Omar b. Abdulaziz (d. 101/720) and thereafter, the clinic of a famous Christian physician stood immediately beneath the minaret of the Ka‘bah (Hamidullah, n.d.: 231). During the conquest of Istanbul, Sultan Mehmed the Conqueror visited the ailing wife of Loukas Notaras (1402–1453), the Grand Duke of the Byzantine Empire, and sought to console her, showing the compassion and care a son would display (Djevad, 1969–1974–1978, p. 124, p. 125). According to the statement of an Orientalist traveler, in the 18th century on Ottoman lands, “A master would not cast a plague-stricken slave out of the house; rather, as if it were the most insignificant illness, he would either care for the slave himself or have his children do so” (Gürkan, n.d., p. 200). These historical events clearly demonstrate that Muslims assisted the sick without regard to ethnic identity.

As Dr. A. Brayer, who had the opportunity to become closely acquainted with Muslim Turks over nine years, observes: “The Qur’ān is not only the religious, moral, civil, military, criminal, and political code of Muslims; it is also the most perfect public-health code known to date” (Kandemir, 1986, p. 241). The clear meaning of the legal maxims “*Hardship begets facility*” (Mecelle, Art. 16) and “*When a matter becomes constricted, it tends toward ease*” (Mecelle, Art. 17) is that states of difficulty open the door to ease and states of distress to relief. These general principles of Islamic law are universal rules that also apply to illness and health (Berki, 1978, p. 20). By contrast, with the words, “*It does not befit you to endanger your salvation by using medicines,*” Clairvaux’lu Bernard (1090–1153), the great preacher of the Crusades, succinctly summarized the approach of Christian theology to the issue (Sibaî, 1979, p. 158).

In 895, a Council of Priests decreed: “When a priest learns of the illness of one of his congregation, he must go to the patient, sprinkle holy water on him, and pray. To deliver him from his religious and worldly distress, he must remove him from his family and make him confess his sins openly. Without this confession, treatment cannot be undertaken.” In other words, physicians could not treat a patient unless the patient confessed. If a Christian patient sought treatment from a Jewish or Muslim doctor, he would likewise be excommunicated by the Church. In contrast to this understanding, in the 11th century the head of the physicians’ guild in Cairo explained the duties of doctors and thereby clarified the difference between the two civilizations as follows: “A physician must treat his enemies with the same spirit, the same concern, and the same diligence. He must love them as he strives to treat them” (Committee, 1984, pp. 29-30). Until the date of the French entry into Egypt in 1798, the muezzins of adjacent mosques would, two hours before daybreak, recite the call to prayer and hymns that would make those suffering from the length of the night forget their anguish (Sibaî, 1979, p. 158).

In the era of the Abbasid Caliph al-Muktedir Billâh (d. 320/932), when a person died due to a wrongly prescribed medication, the Caliph ordered that all the physicians in Baghdad be re-examined. Thereupon, Sinân b. Sâbit (d. 331/943), the most renowned physician of the time, re-examined 860 physicians in Baghdad (Sibaî, 1979, p. 153). This elevated understanding in Islamic civilization later began to wane due to various factors, and the celebrated Islamic thinker Gazzâlî (1058–1111) criticized this situation in the following terms: “When we look at many cities, we see that the physicians are Jews or Christians. Yet in matters related to medicine, their testimony is not accepted in terms of religion and jurisprudence. Despite this, no one is inclined to learn medicine; they flock to study jurisprudence. What could be the reason for this other than that, through the science of medicine, one cannot attain the seizure of endowments, stipends, and the property of orphans, the acquisition of the office of judgeship, access to state administration, boasting superiority over peers, and the defeat and suppression of opponents?” (Nu‘mânî, 1972, p. 200).

2. Legal Ruling

In Islamic law, the preservation of life is one of the five indispensable fundamental values of religion (*maqāṣid al-sharī‘ah*) (Yaman, 2010, p. 508 ff.; Kaya, 2013, p. 301; Şa‘bân, 2014, p. 414). Accordingly, maintaining one’s health becomes obligatory (*farḍ*) when the medical treatment of an illness is certain to be effective. If the treatment is only probable, it is permissible (*mubāḥ*) and even recommended (*mandūb*) (Bakara 2/195; Karaman, 2002, p. 118). The Qur’anic verses, “*Do not throw yourselves into destruction with your own hands*” (Bakara 2/195), “*Do not kill yourselves*” (Nisâ 4/29), and “*In honey there is healing for mankind*” (Naḥl 16/69), together with the Prophetic traditions, “*There is a cure for every disease*” (Ebû Dâvûd, 1981: Ṭibb, 10) and “*Seek treatment, for Allah Almighty has not created a disease without also creating its cure, except for old age*” (Buhârî, 1981, Ṭibb, 1), are among the sources that establish the legitimacy of medical treatment (Kahraman, 2011, 40/255).

In principle, treatment with substances that are unlawful (*ḥarām*) or impure (*najis*) is not permissible. However, according to Ḥanafî jurists, if no lawful (*ḥalāl*) medicine is available, treatment in the necessary amount with something originally unlawful becomes permissible, provided it is prescribed by a competent Muslim physician who is an expert in the field (Bilmen, 1984, p. 447;

Kahraman, 2011, pp. 40/255–256; Mecelle, Art. 22). The moderate position of the Hānafi jurists on treatment with unlawful substances holds that if it is known with certainty that the unlawful substance will be beneficial, its use is permissible. However, if its benefit is not definitively known, treatment with such a substance is not permissible (*mubāh*) (Kāsānī, 1974, 1/61). The legal dispensation permitting this is based on the maxim, “Necessities render prohibited things permissible” (Mecelle, Art. 21; Kahraman, 2011: 40/255–256; Kaya, 2013, pp. 300–302).

3. Findings

- The positive and humanistic approach of Islamic law toward the issue of health is undoubtedly rooted in the teachings of the Qur’an (Māide 5/32) and the Sunnah (Buhārī, 1981: Ṭıbb, 1; Müslim, 1981: Şalāt, 37; Committee, 2006: 2/163 ff.).

- According to Islamic law, recourse to both material and spiritual solutions for the treatment and elimination of illness yields different rulings depending on the situation: if the treatment of an illness is certain, receiving treatment is *fard* (obligatory), and neglecting it is *harām* (forbidden). If treatment is probable, undergoing it is meritorious, but in such a case neglecting it is not *harām*. In cases such as *ruqyah* (faith healing) where the likelihood of cure is less than 50%, treatment has been deemed contrary to *tawakkul* (reliance upon God) (Karaman, 2002, p. 118). In this context, many treatment methods from modern medicine are considered permissible in Islamic law (Kaya, 2013, pp. 248–353; Committee, 2013, pp. 767–791; High Council of Religious Affairs, 2018, pp. 523–530).

- In accordance with scriptural injunctions such as “Whoever kills a soul—unless for a soul or for corruption [done] in the land—it is as if he had slain mankind entirely; and whoever saves one—it is as if he had saved mankind entirely” (Māide 5/32) and “The best of people are those who are most beneficial to others” (Buhārī, 1981: Meğâzî, 35), the famous physician Hūnayn b. Ishāq (d. 260/873) refused to prepare poison when asked to do so, stating: “I am concerned only with things beneficial to people and seek nothing else!” He explained that two things prevented him from producing the poison: “My religion and my profession. My religion commands me to do good to people, even if they are my enemies. As for my profession, this art (medicine), which exists for the happiness of mankind, prohibits harming our fellow humans. God has made us physicians swear not to prepare lethal drugs” (Kutluer, 1983, p. 79).

- Islam emphasizes preventive medicine, as seen in its recommendations to consume lawful and pure foods (Mü’minûn 23/51), avoid entering areas afflicted by contagious diseases (Buhārī, 1981: Ṭıbb, 19; Aḥmed b. Ḥanbel, 1982: 2/443), use medicines, undergo bloodletting, apply cauterization (Ekşi, 2011: 21; Kahraman, 2011: 40/255), maintain oral and bodily hygiene (Buhārī, 1981: Şavm, 27), and benefit from breastfeeding (Bakara 2/233; Çeker, 1990, p. 161) and honey (Nahl 16/68–69; Ateş, n.d., p. 303). Within this scope, an important corpus on *Ṭıbb al-Nabawī* (Prophetic Medicine) developed in Islamic civilization (Ebû Dâvûd, 1981: Diyât, 23; İbn Mâce, 1981: Ṭıbb, 16; Aḥmed b. Ḥanbel, 1982: 2/443; Ekşi, 2011: 25). One historical example is when a Persian king sent a skilled physician to treat Muslims. After a few years without a single patient, the physician complained to the Prophet ﷺ of having no work. The Prophet ﷺ replied: “This is the way of my Companions: they do not eat unless they are hungry, and when they still have an appetite, they stop eating.” The physician responded: “You have spoken the truth, O Messenger of Allah—this is indeed the foundation of health” (Şirâzî, 1984, pp. 409–410). The principle of ancient Greek medicine considered the foundation of modern medicine—“Let your food be your medicine, and your medicine be your food” (Canan, 1980: 217 ff.)—echoes this hadith.

- The Prophet ﷺ neither used nor recommended the use of medicines that were not prescribed by a physician or whose composition was unknown (Zebîdî, 1981: 11, 23 ff., Ḥadîth No. 1669; Dâğistânî, 1967: 768 ff., Ḥadîth No. 1114).

- During the Prophet’s time, wounds and injuries of the sick were dressed and treated even in the mosque (Sırma, n.d.: 28), showing the high value placed on health.

- Visiting the sick, keeping the visit brief, bringing the patient what they desire, offering encouraging words, praying for them, and later inquiring about their health from relatives are all *sunnah* practices (Buhārī, 1981: İsti’zân, 29; Aḥmed b. Ḥanbel, 1982: 3/48; İbn Mâce, 1981: Cenâiz,

1). For example, when Hilâl, a Companion who worked as a camel herder, fell ill and was lying in a corner of the camel pen, the Companions discouraged the Prophet ﷺ from entering the pen. The Prophet ﷺ said: “*I wish to see Hilâl where he lies. Do not deprive me of the reward my Lord will grant me for visiting the sick!*” He then visited Hilâl in his place, lifting his spirits (Uygun, 1973, pp. 19–20). Furthermore, when the Prophet ﷺ appointed Mu‘ādh b. Jabal (d. 18/639) as governor of Yemen, among his instructions was to visit the sick and meet their needs (Uygun, 1973, p. 109). Later, the saying became widespread: “*Inform the one who, despite having a high position in this world, does not care for the sick, that in the Hereafter he will find no rank or honor!*” (Şirâzî, 1984, p. 511).

• In Islamic-Turkish civilization, alongside the treatment of physical illnesses, the treatment of mental illnesses was not neglected; in this regard, the first mental hospital was built by Sultan Suleiman the Magnificent (İzmirli, 1981, p. 48, p. 51, p. 75).

Conclusion

Fulfilling one’s religious obligations is a necessity, and health plays a vital role in the performance of these duties. For this reason, in Islam, *preventive medicine* is regarded as a highly important precaution. Preventive medicine can be defined as “taking prior measures to avoid illness.” Exercising care and diligence to prevent the occurrence of something harmful is both easier and more economical than seeking to eliminate its harm after it has occurred.

In this context, the Prophet ﷺ identified health as “one of the two most important blessings.” Considering one’s life and health as sacred and valuable trusts is a religious responsibility. Therefore, benefiting from the methods of *Tıbb al-Nabawî* (Prophetic Medicine) does not require abandoning the knowledge and practices of modern medicine. Indeed, the Prophet ﷺ employed non-Muslim physicians. Furthermore, in Islamic law, treatment with prohibited substances in cases of necessity (*darūrah*) is recognized as a legal concession (*rukhsah*) within the framework of facilitation.

In summary, the essence of the topic “*Health and Its Importance in Islamic Law*” is this: a human being, whose sole purpose of creation is servitude to God, can worship with greater ease and quality if they possess a healthy constitution. This, in turn, represents a great opportunity to attain the pleasure and approval of Allah Almighty. This is the central reasoning behind the emphasis placed on health in Islam.

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