A comparative study of Western and Islamic bioethics

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Medical Ethics

Medical ethics is defined as "Analytical activity in which concepts, assumptions, beliefs, attitudes, emotions, reasons, and arguments underlining medico-moral decision making are examined critically."

VALUES

 Principles and ideals that helps in making judgement of what is important.
 Example of values are power, reputation, responsibility, honesty

MORALS

•Formes out of values and are actual system of belieds that emerge out of a person's "Core values"

ETHICS

•Are the guiding principles which help the individual

or group

INTEGRITY

 Is the practice of being honest and showing a consistent and uncompromisi ng adherence to strong moral and ethical principles and values In Islam, ethics can be defined as the right principles and values based on the Islamic sources which include Al-Quran's teachings and Prophet Muhammad's Sunnah as well as numerous precedents set by Islamic jurists (Sharia and Figh).

In Quran, many terms describe the concept of ethics:

- >Khayr (goodness)
- >Maslahat (public interest)
- >Birr (righteousness)
- ≻Qist (equity)
- 'Adl (equilibrium and justice)
- >Haqq (truth and right)
- >Ma'ruf (approved),
- Nahi munkar (avoidance of bad and harmful things)
 Tagwa (niety)
- ≻Taqwa (piety).

>Above them, all Quran commands Muslims to not only do good but also to forbid evil actions.

➢In Islam, individuals have an apparent picture of what is right and wrong as enshrined in the Quran and Sunnah.

➢ For Muslims, being rational does not mean only to justify things intellectually but also to examine every single aspect of moral conduct to determine whether such behavior aligns with Islamic law.

- While the medicine practiced by Muslims and for Muslims is generally the same medicine practiced in the West today, the medical ethics may be different.
- The use or non-use of a renowned medical treatment by Muslim doctors will sometimes be guided more by ethics derived from Islamic law than by purely medical considerations.

Western ethics has developed into a philosophical science, to draw more upon human reason and experience as the arbiter between right and wrong action.

This development is not paralleled in Islamic intellectual discourse.

Islamic ethics incorporates various philosophical traditions it still holds a religious view and draws its resources mainly from religious texts.

> The modern person rarely thinks of medicine as having any religious or ethnic boundaries.

- A glance through medical libraries and catalogues of ethics reveals that there are Jewish medical ethics, Catholic medical ethics, etc.
- Islamic medical ethics is almost overlooked as a distinct branch of medical ethics but gained importance in the second half of the 20th century.

> Xenotransplantation. 2018 May;25(3):e12400. doi: 10.1111/xen.12400. Epub 2018 Apr 24.

Jewish, Christian and Muslim theological perspectives about xenotransplantation

Wayne Paris ¹, Rabbi Jerry H Seidler ², Kevin FitzGerald ³ ⁴, Aasim I Padela ⁵, Emanuele Cozzi ⁶, David K C Cooper ⁷

 Review
 > Aesthetic Plast Surg. 2018 Dec;42(6):1699-1703. doi: 10.1007/s00266-018-1196-9.

 Epub 2018 Jul 17.

Religion and the Plastic Surgeon: an Imam, a Minister, and a Rabbi Walk into a Surgical Centre

Amishav Y Bresler¹, Boris Paskhover²

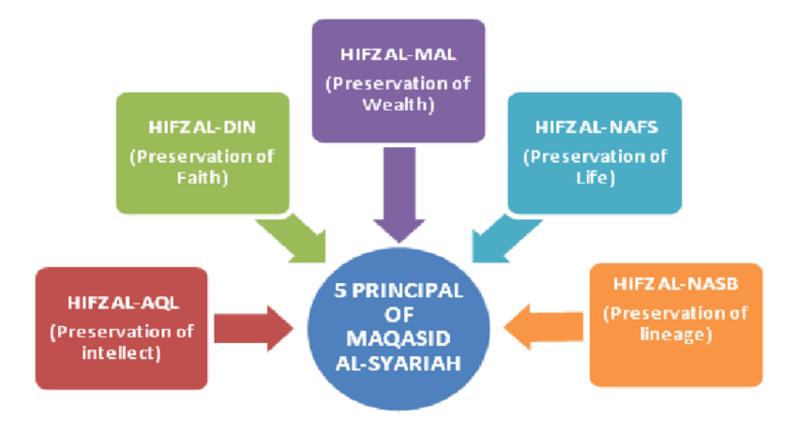
Bioethical deliberation is inseparable from the religion itself, which emphasizes continuities between body and mind, the material and spiritual realms and between ethics and jurisprudence.

Islamic bioethics is an extension of Shari'ah
 (Islamic law) which is based on two foundations:
 The Qur'an and the Sunna.

> Development of Shari'ah over the ages has also required Ijmaa (consensus of all competent jurists after the death of the prophet) and qiyas (analogy) using the human reason when no clear rule is found in the Quran or Sunna, resulting in 4 major Sunni schools of jurisprudence.

➢Where appropriate, consideration is also given to maslaha (public interest) and urf (local customary precedent).

Maqasid Al-Shariah



>In absence of an organized "church" and ordained "clergy" in Islam, the resolution of bioethical issues is left to qualified scholars of religious law, who are called upon to provide rulings on whether a proposed action is forbidden, discouraged, neutral, recommended or obligatory.

➢ To respond to new medical technology, Islamic jurists, informed by technical experts, have regular conferences at which emerging issues are explored and consensus is sought.

> Over the past few decades, these conferences have dealt with such issues as organ transplantation, brain death, assisted reproduction, and even genetic engineering and stem cell therapy.

Secular Western bioethics can be described as rights-based, with a strong emphasis on individual rights.

Islamic bioethics is based on duties and obligations (e.g., to preserve life, seek treatment), although rights (of God, the community and the individual) do feature in bioethics, as does a call to virtue (lhsan). JOURNAL OF GOVERNANCE AND INTEGRITY (JGI) ISSN: 2600-7479 e-ISSN: 2600-786X VOL. 4, ISSUE 1, 12 – 28 DOI: https://doi.org/10.15282/jgi.4.1.2020.5609

ORIGINAL ARTICLE



WESTERN AND ISLAMIC VALUES AND ETHICS: ARE THEY DIFFERENT?

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ABSTRACT – Values are fundamental paradigms that shape attitudes and guide behaviour of human. Values shape morals, where morals help in shaping ethics. The first objective of this paper is to reviews values and ethics based on western and Islamic perspectives. The second objective specifically compares western and Islamic values. For comparison purposes, western values are

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- There are a lot of similarities between western and Islamic values.
- >Both values have the same intention of nurturing better mankind.
- Two western values, namely "Power" and "Hedonism" have no direct link with Islamic values.
- >Muslims believe that only Allah SWT has the ultimate will and power over life and death.
- Islam encourages the attitude of promoting "maslahah" rather than focusing on worldly pleasures.

JOURNAL OF GOVERNANCE AND INTEGRITY 2020, 4,1, 12 - 28

➢ In Islamic Ethics, the basic assumption is faith in God (with other pillars of Islam) and morality is the attempt of each individual as well as a society to approach him as far as possible.

>Two broad tendencies in Islamic ethics.

- ➢ The first is a tendency toward theological voluntarism, i.e., that God alone defines the standard of right and wrong.
- ➢God's commands are purposeful and His will extends to all areas of life and every field of action.
- Chamsi-Pasha H, Albar MA.Avicenna J Med. 2013 Jan;3(1):8-14.

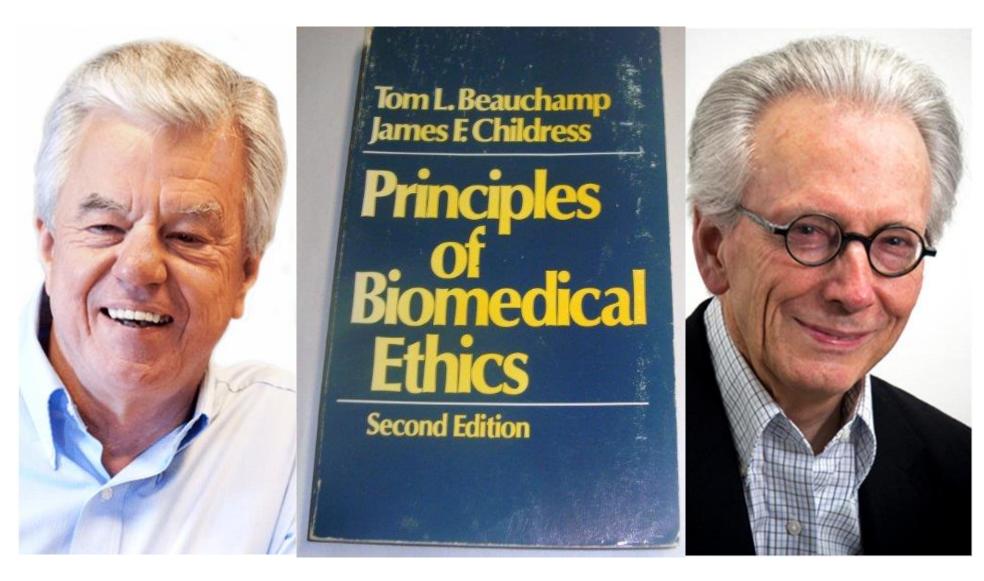
>In medicine, there are sometimes difficult decision-making options for the patient's care.

A physician may have to decide for his/her patient in light of available knowledge, his/her experience, his/her peers and consensus of the community.

➢In addition, a Muslim physician derives his/her conclusion from rules of Islamic laws (Shari'ah) and Islamic medical ethics.

➢ The first main principle of Islamic Medicine is emphasis on sanctity of human life which derives from the Qur'an: "If anyone saved a life, it would be as if he saved the life of all mankind".

> The second main principle is the emphasis on seeking a cure.

➢ The Prophet Muhammad (PBUH) said: "Seek treatment, for God the Exalted did not create a disease for which He did not create a treatment, except senility". 

The principalist approach

- The principalist approach to biomedical ethics, proposed by two American bioethicist (Beauchamp and Childress), as a cultural sensitive approach, is broadly accepted and discussed among Muslim scholars.
- According to this approach, the four general principles of biomedical ethics are: (1) Respect for autonomy, (2) Beneficence, (3) Non-maleficence, and (4) Justice.



>Islamic medical ethics also upholds the four basic principles of biomedical ethics.

A Muslim physician should make a decision in the best interest of the patient, whether Muslim or non-Muslim, and without imposing his/her religious views on the patient.

One can easily find all these universal principles, not only in the Holy Qur'an and among the "sayings" of the Prophet (PBUH), but also in teachings of many other great Muslim scholars throughout the history.



Editorial

Saudi Med J 2013; Vol. 34 (7) :673-5

Islamic medical ethics a thousand years ago

Hassan Chamsi-Pasha, FRCP (Glasg), FACC, Mohammed A. Albar, MD, FRCP.

> The distinction of Islamic medical ethics vis-à-vis principilism-based medical ethics lies in it giving a religious basis to morality.

Philosophical or secular ethics starts with "the psychological constitution of man's nature and the obligation laid on him (like the "four principles" [of Beauchamp and Childress]) as a social being.

Autonomy

- ➢ Autonomy literally means self-rule. Beauchamp and Childress use the phrase "respect for autonomy".
- The Qur'an declares "there is no compulsion in religion" and each person has the full will to accept Islam or refuse it "Then whosoever wills, let him believe, and whosoever wills, let him disbelieve" فَمَنْ شَاءَ فَلْيَكْفُرْ"
- ➢ The Qur'an said to the Prophet "So, will you (O Muhammad) then compel mankind, until they become believers."
- ➢ The Qur'an is replete with verses that orders freedom of faith and human personal responsibility.

- ➢ Religious morality is not incompatible with human freedom and responsibility.
- ➢ The Qur'an puts its trust in the rational power of human beings to distinguish between truth and falsehood.
- ➢ Islam does not permit man to act as he wishes but limits him with certain rules. These rules are basically from the scripture and the life of the prophet.

>Muslims feel very strong that it is God who does the actual healing, the doctor being only the agent for the will of God. >For a Muslim patient, absolute autonomy is very rare, there will be a feeling of responsibility towards God.

- >A Muslim patient lives in social coherence, in which influences of the relatives play their role.
- ➢In Asia, Africa, and the Middle-East the family plays a major role in medical decisions. The patient has to listen to the opinion of his close family about the way of treatment he/she is going to accept.
- >The Western attitude of individualism is not accepted in many societies.

In most countries of Asia, Africa and the Middle East there is no health insurance for the public at large.

>Usually the family bears the burden of any cost of medical intervention.

In different minorities in the West (Chinese, Indians, Pakistanis, etc., the role of family should be respected as the patients agree to this role.

Health providers have to understand different cultures do not give priority to autonomy, as it is understood in the West. > Beauchamp and Childress defended the right of patients to choose whatever they find appropriate.

> They can delegate decision-making to a member of the family, a proxy or even to the treating physician.

Patients have the right to choose, as well as the right to accept or to decline information.

> Forced information, forced choice and evasive disclosures are inconsistent with this obligation.

> The physician should give his sincere advice to the patient.

- ➢ Health provider should explain all facts and possibilities of management, salient side effects and leave decision to the competent adult patient or his guardian (non-competent).
- ➢ If the patient himself asks the health provider for his advice, he should give it.

- >The human being in Islamic teaching is entrusted with his body, his faculties, his youth, and his fortune.
- > He cannot mutilate himself, or do harm to himself by smoking, taking drugs or imbibing alcohol.
- ➢ Health provider should, in Islamic teachings, encourage the patient to avoid risky behavior and lifestyle which would encroach on his health.
- ➢He is not only a by-stander providing data alone, but a caring person for his patient or client.

This attitude is different from the Western type of autonomy which keeps a distance between the health provider and the patient.

The norms are changing rapidly and with expansion of education and globalization, the Western attitudes towards autonomy, privacy and personal liberty are going to be more acceptable especially to the young educated generation.

- Does this Islamic autonomy authorize Muslims to make their own decisions about life and death?
- Life is given by God and cannot be taken away except by Him or with His permission.
- Preservation of life is one of the five basic purposes of sacred law. The Qur'an says "... if anyone killed a person, not in retaliation of murder, or (and) to spread mischief in the land - It would be as if he killed all mankind, and if anyone saved a life, it would be as if he saved the life of all mankind...".

Assisted dying: Islamic View

21 August 2015

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http://www.bmj.com/content/351/bmj.h4481/rr-1





> One cannot take one's own life: "And do not kill yourselves (nor kill one another). Surely, God is Most Merciful to you".

- ➤The physician has no right to terminate any human life under his care.
- ➢ There is pain and suffering at the terminal end of an illness, but Muslims believe there is immeasurable reward from God for those who patiently persevere in suffering. "Only those who are patient shall receive their rewards in full, without reckoning."
- ➢Giving pain-killers including morphine derivatives is acceptable if the pain is severe.

Intersex people are born with sex characteristics (such as genitals, gonads, and chromosome patterns) that "do not fit the typical definitions for male or female bodies"

Transsexuals are people who experience a gender identity that is inconsistent with their assigned sex and desire to permanently transition to the sex or gender with which they identify, usually seeking medical assistance (including sex reassignment therapies, such as hormone replacement therapy and sex reassignment surgery) to help them align their body with their identified sex or gender.

Ethics of human cloning: A comparative study of Western secular and Islamic bioethics perspectives

Islam Sharmin, Bin Nordin Rusli, Bin Mohd Noor Hanapi, B. Rani

> The comparative approach regarding the ethics of surrogacy from the Western secular and Islamic bioethical view reveals both commensurable and incommensurable relationship.

Islamic bioethics is straight-forward in prohibiting reproductive cloning on its own features and also guess social chaos and anarchy.

> Western secular bioethics has both arguments and counter arguments both for and against this scientific innovation.

At What Age Does Gender Identity Develop?

Medical Reviewer: Dan Brennan, MD Medically Reviewed on 8/18/2021



TRANSGENDER ISSUES

Is Three Too Young for Children to Know They're a Different Gender? Transgender Researchers Disagree



Beneficence

- Beneficence is so intimate to the principle of non-maleficence.
- Beneficence implies acts of mercy, kindness, charity, altruism, love, and humanity.
- Central theme of ethical theories such as utilitarianism (the principle of utility) and common morality theories.

what are other words for beneficence?

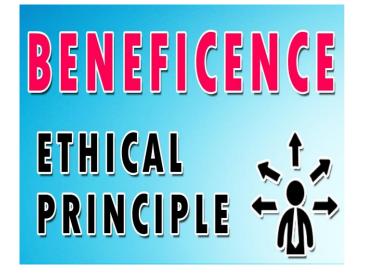


benevolence, charity, philanthropy, benefaction, kindness, generosity, charitableness, goodwill



🔰 Thesaurus.plus

قال تعالى : «وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ» البقرة 195



مال معليه وسلم : «إنَّ الله كتب الإحسانَ على وقال صلى الله عليه وسلم : «إنَّ الله كتب الإحسانَ على وقال صلى الله عليه وسلم : «إنَّ الله كتب الإحسانَ على كلِّ شيء . فإذا قتلتم فأحسنُوا القِتْلَةَ . وإذا ذبحتم فأحسنُوا مسلم فأحسنُوا مسلم . وإذا ذبيحته»

Verily Allah has prescribed ihsan (proficiency, perfection) in all things. So if you kill then kill well; and if you slaughter, then slaughter well. Let each one of you sharpen his blade and let him spare suffering to the animal he slaughters." [Muslim]

Beneficence in Islam

The whole Qur'an and Hadiths of the Prophet Muhammad are full of verses and sayings of the Prophet enjoining doing good and refraining from doing harm. The Qur'an says: "So whosoever does good equal to the weight of an atom (or a small ant), shall see it. And whosoever does evil equal to the weight of an atom (or a small ant), shall see it."

Prophet Muhammad says; "The best of you is the one who is most beneficial to others".

Jaber, one of the companions of the Prophet narrates; "When we were with the Prophet, a scorpion bit one of us. A companion asked, "O Prophet, may I do Rugga to him". The Prophet replied, "Whoever can do anything beneficial to one of his brothers, he should just do it".

- The Prophet (PBUH) ordered his companions to do charity daily. They said: Who can do that?
- He said: Removing a thorny bush, or bones or dirt from the way (street) is a charity; showing the right path for those lost is a charity, enjoining right, and forbidding wrong is a charity; helping those who are inefficient in their work is a charity."
- One of the companions said, "What if I didn't do any of these?" He said, "At least do no harm to others."

عَنِ ابْنِ عُمَرَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّ تَبَسُّمَكَ فِي وَجْهِ أَخِيكَ صَدَقَةٌ وَإِمَاطَتَكَ الْأَدَى عَنِ الطَّرِيقِ يُكْتَبُ لَكَ صَدَقَةٌ وَإِنَّ إِفْرَاغَكَ فِي دَلُو أَخِيكَ صَدَقَةٌ وَأَمْرَكَ بِالْمَعْرُوفِ وَنَهْيَكَ عَنِ الْمُنْكَرِ لَكَ صَدَقَةٌ وَإِرْشَادَكَ الضَّالَةَ صَدَقَةٌ

Non-maleficence

- Some moral Philosophers combine non-malefecence with beneficence in a simple principle.
- It is amazing to find a saying of the Prophet Muhammad (PBUH) ordering Muslims to:
- i. Do and promote good
- ii.Remove evil or harm
- iii.Prevent evil or harm and enjoin doing good and preventing harm, and the least thing one can do is not to inflict harm.

Nonmaleficence

First

The Prophet (PBUH) said: "There should be neither harming nor reciprocating harm." "لا ضرر ولا ضرار" Sunan Ibn Majah 2341 Do No Harm

- Al Izz ibn Abdul Salam (d 660H/1262 CE) a renowned Islamic jurist in his book
- "Qawaeed AlAhkam" "Basics of Rulings" said:
- "The aim of medicine is to preserve health,
- restore it when it is lost; remove ailment or
- reduce its effect. To reach that goal it may be
- essential to accept the lesser harm, in order
- to ward off a greater harm, or lose a certain
- benefit to procure a greater one."



In Islamic jurisprudence axioms: "Avoiding harm takes precedence over bringing good."

It simply means if a certain action end in both good and harm, then it is preferable first to thwart off harm.

Based on Islamic teachings, the physician has no right to recommend or administer any harmful material to his patients. The Qur'an says: "And He makes for them good things lawful, and bad things forbidden"

'ويحل لهم الطيبات ويحرم عليهم الخبائث''

Eating haram (forbidden) food is allowed for the purpose of protecting the health and life, and avoiding harm. >In case of hunger, if you are in a position to eat pork or even corpse of a man or to die, you are religiously obliged to eat necessary amount of haram food to stay alive.

Some scholars argue that it is not only staying alive but also not causing permanent harm to health that should be the starting point for an eating obligation.

Since eating is a treatment itself in such cases, autonomous decision of the individual is irrelevant as there is a prevailing opinion that failing to act accordingly will harm health and life.

- Islam forbids all actions that may harm health and life.
- ➤God gives up or postpones His 'rights' on man.
- ➤The biggest 'right' of God imposed on man is to worship Him, and follow his orders, but He refrains from His 'rights' or postpones them in some cases.
- God commands in the Qur'an: "So every one of you who is present (at his home) during that month (Ramadan) should spend it in fasting, but if anyone is ill, or on a journey, the prescribed period (should be made up) by days later. God intends every facility for you; He does not want to put you to difficulties".



Islam directs not to be harmful or maleficent to others. Even in the case of being harmed, Islam advises not to reciprocate harm for vengeance.

The Prophet said: "I swear by God, that a person who inflict harm to his neighbor is not a believer of God."

Justice

- Justice is often regarded as being synonymous with fairness and can be summarized as the moral obligation to act on the basis of fair adjudication between competing claims.
- In health care ethics, the obligations of justice are subdivided into three categories: Fair distribution of scarce resources (distributive justice), respect for people's rights (rights based justice) and respect for morally acceptable laws (legal justice).





Equality of treatment for all patients avoiding distinction in medical care by variation of their literal or social statuses.



Health Insurance Coverage in the United States: 2018

NOVEMBER 08, 2019 REPORT NUMBER P60-267 (RV) EDWARD R. BERCHICK, JESSICA C. BARNETT, AND RACHEL D. UPTON



Highlights

• In 2018, 8.5 percent of people, or 27.5 million, did not have health insurance at any point during the year. The uninsured rate and number of uninsured increased from 2017 (7.9 percent or 25.6 million).

Justice

- A great importance is paid to justice by the Holy Qur'an. About sixteen verses of Holy Qur'an are about justice.
- The main purpose of sending the prophets was to establish justice in the world. القَدْ أَرْسَلْنَا رُسُلَنَا بِٱلْبَيِّنَتِ وَأَنزَلْنَا مَعَهُمُ ٱلْكِتَبَ وَٱلْمِيزَانَ لِيَقُومَ ٱلنَّاسُ بِٱلْقِسْطِ الْ
- The Qur'an says: "Indeed We have sent Our Messengers with clear proofs, and revealed with them the Scripture and the Balance (justice) that mankind may keep up justice."

Justice is not only a supreme virtue but also a command from God.

إِنَّ ٱللَّهَ يَأْمُرُ بِٱلْعَدْلِوَ ٱلْإِحْسَنِ وَإِيتَآيٍ ذِى ٱلْقُرْبَ وَيَنْهَىٰ عَنِ ٱلْفَحْشَآءِ وَٱلْمُنَكَرِ وَٱلْبَغْيَ يَعِظُكُمُ لَعَلَّكُمُ تَذَكَّرُونَ ()

>Qur'an says very openly that "God commands justice (principle of Justice), doing of good (principle of beneficence), and giving to kith and kin, and forbids all indecent deeds, and evil (principle of non-maleficence) and rebellion: He instructs you that may receive admonition".

إِنَّ ٱللَّهَ يَأْمُرُ بِٱلْعَدْلِوَ ٱلْإِحْسَنِ وَإِيتَامٍ ذِى ٱلْقُرْبَ وَيَنْهَى عَنِ ٱلْفَحْشَاءِ وَٱلْمُنْكَر وَٱلْبَغَىٰ يَعِظُكُمُ لَعَلَّكُمُ تَذَكَّرُونَ ٢

➢God has enjoined three most important things for establishment of a sound and healthy society: The first of these is justice. The second thing enjoined is "Ihsan" which has no equivalent in English. This means to be good, generous, sympathetic, tolerant, forgiving, polite, cooperative, selfless, etc.

➢In life, this is even more important than justice; for justice is the foundation of a sound society but Ihsan is its perfection.

>On one hand, justice protects society from bitterness and violation of rights.

>On the other, Ihsan makes it sweet and joyful and worth living.

➢ The third thing, which has been enjoined, is a good treatment towards one's relatives, which in fact is a specific form of Ihsan.

>Justice is a comprehensive term and may include all the virtues of philosophy.

Islam asks for something warmer and more human, the doing of good deeds even where perhaps they are not strictly demanded by justice, such as returning good for ill.

﴿ يَتَأَيُّهَا ٱلَّذِينَ ءَامَنُوا كُونُوا قَوَّمِينَ لِلَهِ شُهَدَاءَ بِٱلْقِسْطِ وَلَا فَرِ يَتَأَيُّهَا ٱلَّذِينَ مَنَكَانُ قَوْمٍ عَلَىٓ أَلَّا تَعْدِلُوا أَعْدِلُوا هُوَ أَقْدَرُبُ لِلتَّقُوَى وَٱتَقُوا ٱللَّهَ إِنَ ٱللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ ٥

سورة المائدة

➢ In the Qur'an, God says; "O, you who believe! Stand out firmly for God, as witnesses to fair dealing, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just: That is next to Piety: And fear God. For God is well acquainted with all that you do"

>In Kandahalawi's book "The life of the Companions" A Muslim and a Jew were judged before Caliph Umar. Umar decided that the Jew was right and judged in his favor. The Jew said to him; "By God, you judged justly." Umar touched his shoulder hardly and asked; "why do you say this?" The Jew replied; "By God, we read in the "Torah" that if a man is just, two angels one at the right and one at the left support him. The angels help him to remain in the right path as long as he holds justice. But they turn their faces from him and leave him alone if he ceases to be just."

Avicenna J Med. 2013 Jan;3(1):8-14

REVIEW ARTICLE

Western and Islamic bioethics: How close is the gap?

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ABSTRACT

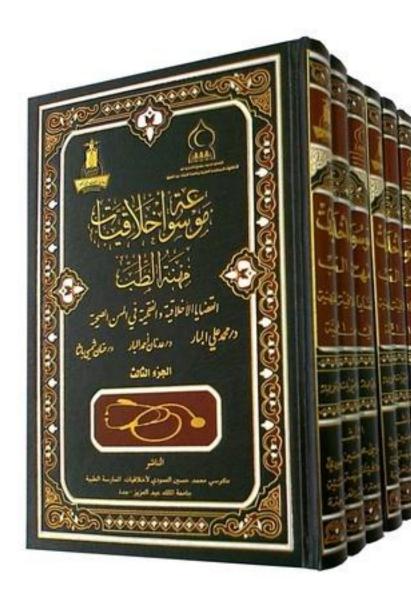
The relation between Islam and medicine has been described as intimate. Muslims are expected to be moderate and balanced in all matters, including health. Islamic law is based on a complete system of morality that can provide a moral context in medicine from a legal perspective. Islamic teaching is also very flexible and adaptable to many new and novel situations. Islamic Ethics also upholds "the four principles" of biomedical ethics proposed by Beauchamp and Childress. Several authors claim that the roots of these principles are clearly identifiable in Islamic teachings. However, there are some differences in the applications of these principles. This article shed light on the roots of the four principles in Islamic teachings and elaborates on the differences between Islamic and contemporary western bioethics.

Key words: Bioethics, ethics, Islam, principles, western

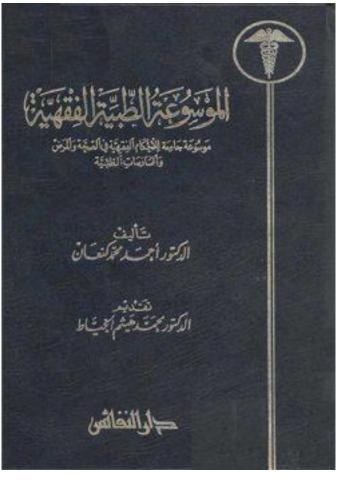
Conclusion

- ➢ It is fair to say that the roots of these "Four Principles of Bioethics" are present in Islamic teachings with different emphasis on individual ones compared with the classical understanding of them in the Western Bioethics.
- > There are certain differences in the understanding and applications of autonomy.
- ➢ It is hoped that this will make a contribution to the mutual dialogue and understanding between two radically different traditions namely Islamic and Western ones.











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