

Maqasid al-Shari`ah in Medical Decision Making

Assoc. Prof. Dr. Ibrahim Shogar

Kulliyyah of Science, IIUM-Kuantan

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Objectives

- At the end of the lecture, the audience should be able to understand and explain:
 1. Importance of decision making in medical and clinical practice
 2. The basic elements of medical decision making
 3. Modes of medical /clinical decision making
 4. Role of Maqasid theory in making a suitable decision making

Importance of Decision Making in Medical and Clinical Practice

- Medical decision is the process that converts information into action.
- Suitable decision is one of the most important factors of quality medical care and controlling the cost.
- Making clinical decision needs balance of experience, awareness, knowledge and information gathering, using appropriate assessment tools, and evidence-based practice to guide.
- Clinical decision making can be divided into different types such as intuitive, heuristic, and evidence-based decisions.
- Decisions can be on simple or complex cases where the level of uncertainty is high and an analytical approach is needed
- The theory of Maqasid al-Shariah can play an important role to make a suitable medical decision in complicated cases.

The Basic Elements of Medical Decision Making

- 1. The subject matter (case):** medical intervention/ policy related to medicine or health.
- 2. The decision maker:** person or persons who have the authority to making the decision (the patient, the guardian, the doctor, the government)
- 3. A set of facts:** information / knowledge that enables / support to make a suitable decision;
- 4. The decision:** the conclusion or the process that determines the action (to do or not)
- 5. The outcome:** results / consequences of the decision (positive or negative)

Models of Clinical Decision Making

• **Based on authority, there are three basic models of clinical decision making:**

1. **Paternalistic model:** a doctor-centered decision making, where the patient plays only a passive role.
 - In this mode doctors make decisions to their patients almost in the same way parents make decisions to their children,.
 - The major advantage of this model / approach is that a patient do not have to bear the burden decision making.
2. **Consumerist (patient`s rights) model:** the patient plays a major role in making decision
 - The patient should be given all the relevant information that derived through modern technology so that he can make his own decision about the case.
 - Medical practice in this model is seen as a service-oriented business and patients are considered as consumers who bring certain expectations to the relation (case)
 - The advantage of this model is that patients are empowered to be active participants in the decision making process.
 - The disadvantage of this model is that doctor`s expertise is not fully appreciated.
3. **Collaborative model:** this shared decision making, where both the doctor and patient contribute.
 - It is a collaborative model, which based on mutual respect and trust between patients and doctors.
 - Here both participant are seen as bringing vital expertise to the relationship: doctor`s medical experts and patient`s personal experts are joined. Doctor knows about the disease and treatment, patient knows about himself.
 - Each participant is seen as having limited knowledge of the other`s area of expertise, yet being capable of learning from one another and using that gained knowledge to arrive at a usually agreeable treatment plan.

Sources of Knowledge for Medical Decision

1. Understanding the basic mechanisms of disease and pathophysiologic principles
2. Diagnostic tests and empirically derived evidence
3. systematic observation
4. Clinical experience and the development of clinical instinct
5. The historical and social background of the patient
6. Environmental factors
7. Understanding certain rules of evidence
8. Having a combination of thorough traditional medical training and common sense

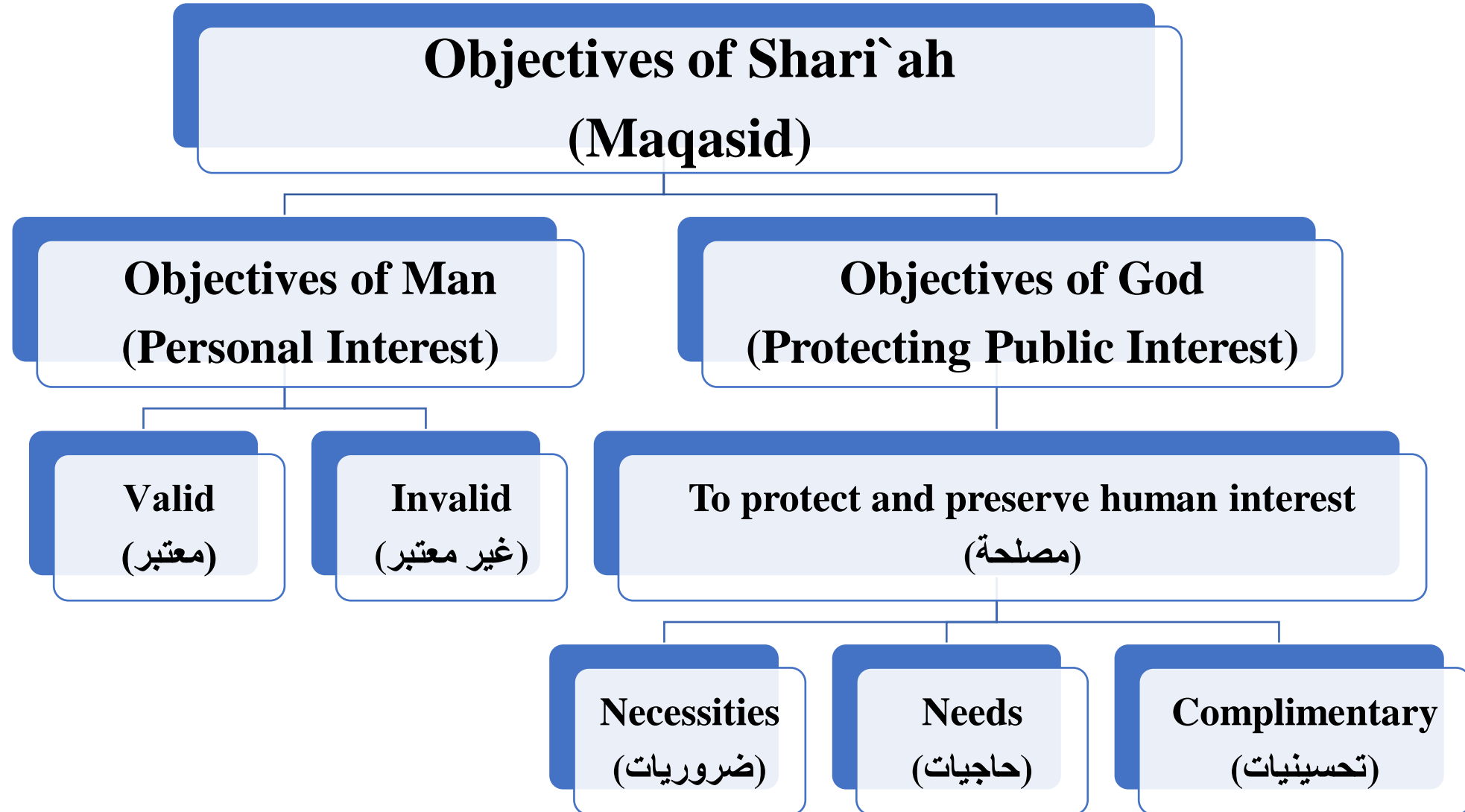
The Problem of Uncertainty in Clinical Practice

- Uncertainty (lack of Yaqin) is the major problem of clinical decision making
- How we able to attain Yaqin and reduce uncertainty in clinical decision making?

How the Maqasid Theory can Contribute?

- ✓ Overview on Maqasid theory
- ✓ The necessities (ضروريات)
- ✓ How maqasid theory can contribute in the medical decision making?
- ✓ The main objective of Maqasid al-Shariah is to determine the hierarchy of acts to protect and preserve human interest.

An Overview on Maqasid Theory



Necessities (ضروریات)

Religion

- Protection of faith

Life

- Protection of human life

Mind

- Protection of mind

Progeny

- Preservation of reproductivity

Property

- Protection of ownership

How Maqasid can contribute in Making Medical Decisions

1. Protection of life as base for decision making
2. Protection of faith (value-based) decision making
3. Protection of mind as a guideline for decision making
4. Protection of progeny as guideline for decision making
5. Protection of property as base / a guideline for decision making (economic factors as major bases for decision making)

The Ethico-Legal Hierarchy of Human Acts

- Human actions and conducts, in Islamic perspective are categorised into the following five levels:, recommended, indifferent, reprehensible and prohibited.
1. Wājib or farḍ: obligatory duties which are rewarded for fulfilling them, and punished for failing to fulfil them, in this world or in the afterlife .
 2. Mandūb or mustaḥabb: recommended actions, lead to reward when they are performed, but carry no punishment if they are not performed.
 3. Mubāḥ: denotes that which is permitted or allowed; this is an ‘indifferent’ category of actions in which one is neither rewarded nor punished for performing or abstaining from the action.
 4. Makrūh: actions are reprehensible or discouraged; one is rewarded for abstaining from these actions, but is not punished for performing them. All four of these aforementioned categories are considered ḥalāl, or permitted.
 5. Harām: prohibited actions: one is rewarded for abstaining from prohibited actions, and is punished for committing them..

The End

Thank you for your attention