
BIOMEDICAL ISSUES IN ISLAMIC FAMILY LAW

Sayed Sikandar Shah Haneef



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in *brotherly affection*

Faculty of Islamic Studies
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with brotherly Affection

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Foreword

This book is a valuable addition to the literature written on Islamic medical issues in Islamic family law. While there are literature written on the subject of Islamic biomedical issues in general, what distinguishes this attempt from others is its specific focus on contemporary medical issues relevant to Muslim family in the age of globalization.

I found this book to be very well-written. Academically it is a result of serious research work done by the author. I am confident that it is also suitable for general reading.

Prof.Dr. Sayed Sikandar Shah Haneef is my colleague in the Department of *Fiqh* and *Usul al-Fiqh* at the International Islamic University Malaysia. He is well known as a serious academician who consistently updates his knowledge and contributes to publication on topical issues in contemporary Islamic jurisprudence.

In my opinion, this book will contribute to the development of knowledge in the field of Islamic family law generally, and in the field of Islamic biomedical law specifically.

May Allah bless this work, Amin.

Professor Emeritus Dato' Dr. Mahmud Zuhdi Haj Ab Majid
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Univeristy Malaysia
And SUHAKAM Malaysia Commissioner

About the Book

Islamic discourse on biomedical issues is one of the most topical themes in contemporary Islamic thought. However, literature espousing this subject demonstrates dichotomous approaches by treating issues either from ethical point of view or legal perspective. Moreover, the diversity of juristic pronouncements containing views less appreciative of the larger ethical implications of medical technology on core family value-system as envisioned by Islam proves confusing to common folk and paradoxical to research scholars. To remedy the situation, this book argues for an integrated approach by bringing together the immutable principles of Islamic family law as enshrined in the Qur'an and the Sunnah along with the underlying moral purposes of the law on marriage, procreation, paternity and medical care. Accordingly, it proposes that to thwart the ethico-juridical pitfalls on medical management of family issues, singular reliance on scientific experts may not be adequate. The experts specializing in this area should also acquaint themselves with the working knowledge of medical technologies and related disciplines. This approach would facilitate the accommodation of biomedical technologies into the legal parameters of Islamic family law in a more ethically consistent articulation which could be reassuring to ordinary folks and technically coherent to researchers in the field.

About the Author



Professor Dr. Sayed Sikandar Shah Haneef hails from Kabul, Afghanistan. He holds LLB (honors), Master of Comparative Law, Ph.D. in Law and Diploma in Human Sciences. To date, he has published five books and more than sixty journal articles, on various topical issues in Islamic law. He also has presented numerous papers in National and International conferences.

Currently, he is a Professor of Islamic Jurisprudence in the Department of Islamic Jurisprudence, Faculty of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia. In the year 2012, he was conferred with Isma'il Faruqi's Quality Publication Award as the main author for the book entitled: *Issues in Contemporary Zakah: A Juristic Analytical Evaluation*, by the University.

