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## THE HARMONY OF MEDICINE, LAW AND FIQH IN PROTECTING HUMAN LIFE AND DIGNITY

**Abstract.** *This article analyzes the interrelation and shared objectives of medicine, law, and fiqh (Islamic jurisprudence) in protecting human life and dignity. It examines the role of medicine in preserving human health, the function of the legal system in guaranteeing human rights, and the principles of Islamic law concerning the protection of human life and honor. On the basis of medical deontology, bioethics, national legislation, and juridical (fiqh) maxims, the article reveals the scientific and practical significance of these three domains.*

**Keywords:** *medicine, law, fiqh, bioethics, deontology, human life, human dignity, maqasid al-shari'a, medical law, ethics.*

### INTRODUCTION

Today, the development of science and technology is creating new opportunities for the preservation of human life and health. Achievements in the field of medicine serve to prevent diseases, refine methods of treatment, and improve the quality of human life. At the same time, in modern society, matters connected with human health are evaluated not only from a medical point of view but also on the basis of legal and religious–ethical criteria, because human life and dignity are regarded as a priority value across all fields.

Although medicine, law, and fiqh differ from one another in their orientation and methodology, their common aim is the protection of human interests. While medicine

serves to preserve and restore human health, law establishes the legal foundations of these processes, and fiqh evaluates them from the standpoint of ethical and religious criteria. For this reason, the harmony of these three domains is an important factor in the full protection of human rights.

## MAIN PART

### *1. Medicine and the Preservation of Human Life*

Medicine is an important social and practical field aimed at preserving human health, treating diseases, and improving the quality of human life. The principal goal of modern medicine is not only to eliminate illness but also to ensure a person's physical, mental, and social well-being.

In medical practice, the physician's principal duties toward the patient include the following:

**Preserving life and restoring health.** The physician's first and most important duty is to protect the patient's life and health and to provide the necessary medical care under any circumstances.

**Maintaining medical confidentiality.** Any information obtained about the patient, the medical history, or the diagnosis must be kept confidential. The physician may disclose such information only with the patient's consent or as required by law.

**Treating the patient with respect and courtesy.** In communicating with the patient, the physician must always show kindness, patience, and respect, and strive to understand the patient's condition (Sheraliyeva, 2025:2).

These aspects show that medicine is not only a scientific but also an ethical and practical field. Such matters are studied more deeply within the discipline of medical deontology.

Deontology (from a word meaning "duty") expresses the obligation of a medical worker toward the patient and the responsibility entrusted to them, that is, the work they are required to perform. Medical deontology comprises the professional ethics of medical workers and the standards of conduct aimed at enhancing the effect of medicines and of treatment in general. According to medical deontology, a medical worker must give great attention to the patient, devote all their knowledge to restoring the patient's health or relieving their suffering, share with the patient only such information about their health

as may be beneficial, and earn the patient's trust; discussing the patient's illness with colleagues in the patient's presence is improper (Irgasheva, 2025:2).

At the same time, the development of modern medicine led to the formation of the discipline of bioethics. Bioethics is a scientific direction that arose at the intersection of medicine and ethics. Within bioethics, physicians must act while taking into account not only scientific decisions but also human dignity, rights, and moral responsibility. Bioethics is a "philosophy of life" that ensures an ethical approach to human rights, personal choice, and the questions of life and death. Modern bioethics took shape as a distinct field in the middle of the twentieth century, especially in the 1960s–1970s. Today it is regarded as an interdisciplinary science based on the harmony of human rights, religious beliefs, scientific progress, and cultural values (G'uzorova et al., 2025:1).

Thus, medicine is an important field aimed at preserving human life and increasing its duration and quality. In this field, principles such as the physician's professional duty, the preservation of medical confidentiality, and a respectful and responsible attitude toward the patient occupy an important place. The legal system, in turn, prevents the violation of human rights by regulating such medical processes.

## ***2. The Legal Framework for Protecting Human Life and Dignity***

In the Republic of Uzbekistan, the principal legal act regulating the field of medicine is the Law "On the Protection of Citizens' Health," adopted on 29 August 1996. This law establishes the procedure for protecting citizens' health and for providing medical services. According to the law, all citizens have the right to receive medical care and may use medical services free of charge or under state guarantee. The law also clearly defines the duties of medical workers, the procedure for working with patients, and the activity of medical institutions (Law on the Protection of Citizens' Health, 1996).

Furthermore, the Constitution of the Republic of Uzbekistan and the relevant laws clearly establish the inviolability of a person's life, health, and dignity:

*Everyone has the right to the protection of their health and to qualified medical care. Citizens of the Republic of Uzbekistan are entitled to receive the guaranteed scope of medical care at the expense of the state in the manner prescribed by law. The state takes measures to develop the public health system in its state and non-state forms and various types of medical insurance, and to ensure the sanitary and epidemiological welfare of the population. The state creates conditions for developing physical culture and sport*

*and for fostering a healthy lifestyle among the population (Constitution of the Republic of Uzbekistan, art. 48).*

*The honor and dignity of a person are inviolable. Nothing may serve as grounds for their humiliation. No one may be subjected to torture, violence, or other cruel, inhuman, or degrading treatment or punishment. No one may be subjected to medical or scientific experiments without their consent (Constitution of the Republic of Uzbekistan, art. 26).*

The Criminal Code likewise contains a number of articles that express the inviolability of human life and dignity:

- Article 97: premeditated murder (Criminal Code of Uzbekistan, 2024:71);
- Article 98: premeditated murder committed in a state of strong emotional disturbance (Criminal Code of Uzbekistan, 2024:73);
- Article 104: intentional infliction of grievous bodily harm (Criminal Code of Uzbekistan, 2024:75);
- Article 106: intentional infliction of grievous or moderately grievous bodily harm in a state of strong emotional disturbance (Criminal Code of Uzbekistan, 2024:78);
- Article 139: defamation (Criminal Code of Uzbekistan, 2024:111);
- Article 140: insult (Criminal Code of Uzbekistan, 2024:112).
- In the Code of Administrative Responsibility:
  - Article 40: defamation (Code of Administrative Responsibility of Uzbekistan, 2023:31);
  - Article 41: insult (Code of Administrative Responsibility of Uzbekistan, 2023:31).

Thus, together with other fields, the legal system of the Republic of Uzbekistan protects the life, health, and dignity of patients by regulating the processes of the medical field. The aim of the Constitution and the relevant laws is to guarantee the inviolability of human life, health, honor, and dignity and, by protecting the duties of medical workers and the rights of patients, to ensure the harmony of legality and ethical norms in society.

### ***3. The Protection of Human Life and Dignity in Islamic Law (Fiqh)***

From the standpoint of Islamic law, human life is regarded as the most sacred value, and its protection is considered a fundamental religious and ethical principle. Islamic law contains foundational principles known as maqasid al-shari'a (the higher objectives of the Shari'a), one of which is the preservation of human life. Emphasizing this, the matter is clearly set out in the Holy Qur'an:

*Because of that, We decreed for the Children of Israel that whoever kills a soul – unless it be for a (murdered) soul or for corruption committed in the land (such as sedition and brigandage) – it is as though he had killed all of mankind; and whoever saves a life, it is as though he had saved all of mankind. Our messengers brought them clear proofs, yet even after that, many of them committed excesses in the land. (Note: although this ruling was originally addressed to the Children of Israel, it applies to all believers as well) (Mansur, 2021:113). (Surah al-Ma'ida, 5:32)*

In Islam, a soul that has not committed a crime deserving of capital punishment is held in very high esteem. Indeed, even capital punishment is decreed in order to safeguard the lives of other innocent souls. For this reason, a person who kills a single innocent human being is regarded as having committed a crime equivalent to killing the whole of humanity, because, although souls are many, the right to life is one. Every soul possesses the right to life; whoever kills one of those souls has assaulted the right to life of all souls, while whoever preserves the life of a single soul is as one who has preserved the right to life of all souls (Muhammad Sodiq Muhammad Yusuf, 2025:47).

This principle is also confirmed in the hadiths. In a narration of Ali ibn Talha from Ibn Abbas, it is stated:

Whoever declares that the unlawful killing of a living soul is forbidden – by this, all people are given life; and whoever deems the killing of a living soul permissible and kills, it is as though all people have been killed at his hands (Al-Hakim al-Tirmidhi, 2019:90).

In another hadith, the Prophet Muhammad (peace be upon him) likewise emphasized that the blood, property, and honor of people are sacred. Ibn Abbas (may Allah be pleased with him) narrated that, on the Day of Sacrifice (Nahr), the Messenger of Allah (peace be upon him) said in his sermon:

*“O people, what day is this?” They said, “A sacred day.” “What place is this?” he asked. They said, “A sacred place.” “What month is this?” he asked. They said, “A sacred month.” The Messenger of Allah said, “Verily, your blood, your property, and your honor are as sacred to one another as the sanctity of this day, this place, and this month.” He repeated this several times. Then he raised his head and added, “O Lord, have I conveyed (the message)?” By Allah, these words were his bequest to his community: “After me, do not turn to disbelief by shedding one another’s blood” (Al-Bukhari, 2021:729) (Bukhari, hadith no. 7078).*

The sources of fiqh maxims also state the prohibition of causing harm and the permitting of restrictions in cases of necessity. Among them are the maxims “There shall be no harm, nor the reciprocating of harm” (Khaydarov, 2024:62) and “Necessities render forbidden things permissible” (Khaydarov, 2024:62). Likewise, the Prophet (peace be upon him) said, “For every disease there is a cure; and when the cure reaches the disease, it is healed by the leave of Allah, the Mighty and Majestic” (narrated by Muslim, as cited in Xalq So’zi, n.d.).

This hadith supports medical activity from both a scientific and a religious standpoint. By encouraging the preservation of the human body and the restoration of health and by recommending the treatment of diseases, it emphasizes the sanctity of human life. Thus, in Islamic law, the preservation of human life and dignity is regarded as a religious obligation.

## CONCLUSION

In conclusion, medicine, law, and fiqh are interrelated and mutually complementary fields that work toward the protection of human life and dignity. Medicine restores human health, law regulates these processes, and fiqh provides them with an ethical and religious foundation. The harmony of these three directions is of significant scientific and practical importance for protecting human interests, ensuring the rights of patients, strengthening justice and stability in society, and developing the principles of humanism.

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