

Death & Dying from the Shi'i Islamic Perspective

Sayyid Muhammad Rizvi
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Palliative Care CPD Day



Introduction

- ❁ Islam is a **way of life** for Muslims.
- ❁ It governs all aspects of human life.
- ❁ Medical **ethics** covers many issues: family planning, contraceptives and abortion; new reproductive techniques and human cloning; organ donation and transplantation; and end-of-life issues.

Introduction (2)

- ❁ Main **sources** of Islamic teachings:
 - The Qur'an: the divine revelation.
 - The Sunnah: the Prophet's tradition as preserved by the Ahlul Bayt.
- ❁ Relying on **guiding principles** extracted from the Qur'an & the sunnah, the jurists formulated Procedural Principles that govern the new issues and problems.
 - ➔ This is known as **ijtihad**.

Human Life & Death

- ❁ Life and death are linked to one another.

*“Blessed is God ... He **created death & life** so that He may **try** who among you is best in good deeds;*

and He is Powerful & Most-Forgiving.” (67:1-2)

- ❁ Worldly life is a **test & trial**: we have been charged to maintain our spiritual & physical well-being.
- ❁ The **hereafter** is where we will reap what we sow here.

Human Life & Death (2)

- ❁ Between birth & death, we have been charged with the duty of maintaining our spiritual and physical well-being.
- ❁ Our **body** has a right upon us:
 - To **provide** (what is necessary...).
 - To **protect** (from what is harmful...).
 - To **treat** (whenever it is afflicted with a curable disease).

Human Life & Death (3)

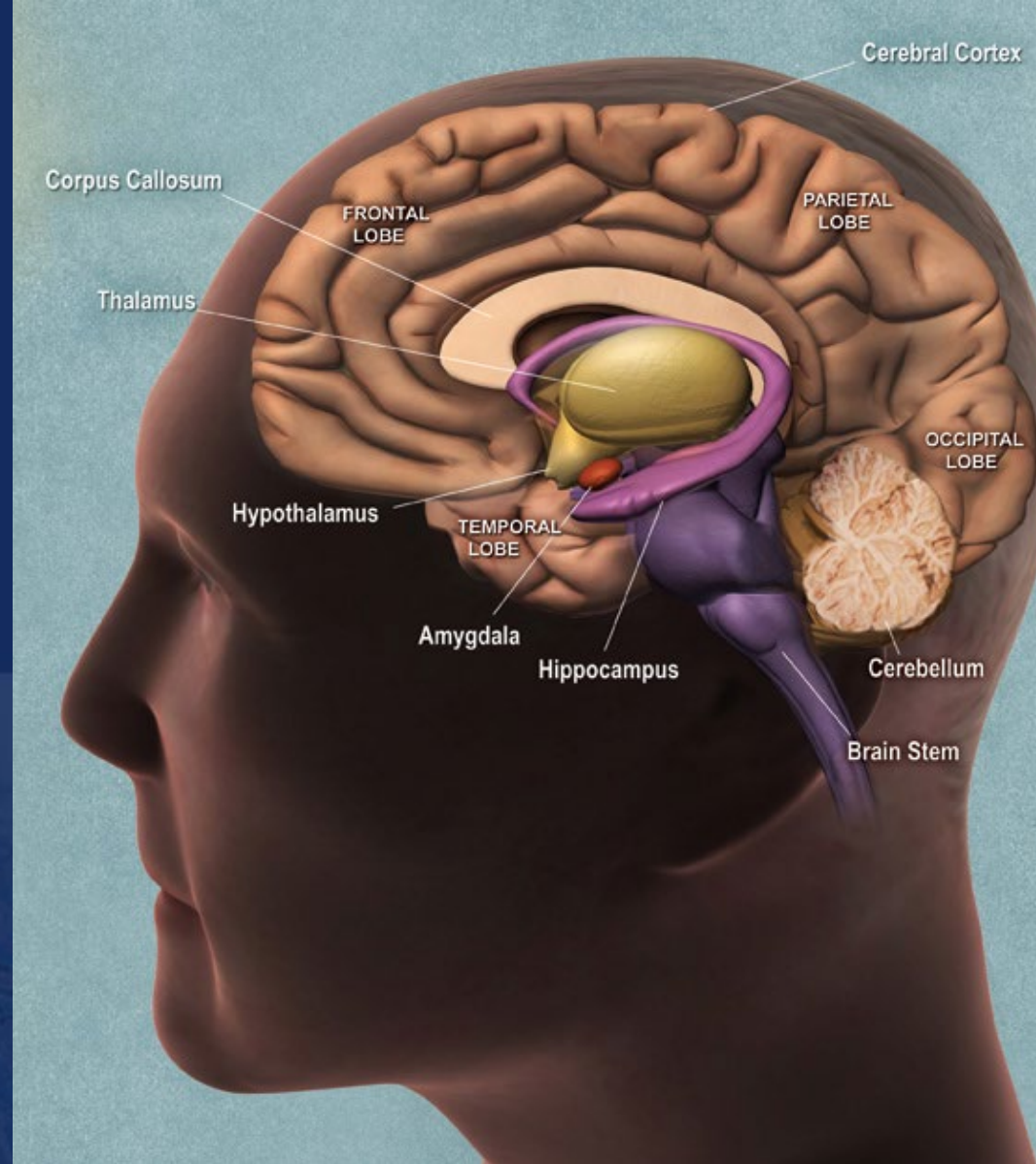
- ✿ Since this life is the life of **test and trial**, God tests us through various means, including sickness and disease.
- ✿ **Suffering** in illness is part of the broader scheme of this life and, therefore, the debate of “quality” versus “quantity” of life does not arise in Islam.
- ✿ So, **suicide** in any shape or form is forbidden in Islam.

What is Death?

- ❁ Modern definition: “brain death”
(When all upper-cortical functions of the brain cease to function, a person is pronounced dead.)
- ❁ Traditional definition: “heart death”
(When the lower brainstem ceases to function, the heart stops, and a person is pronounced dead.)

What is Death?

SM Rizvi



When Does Death Occur?

- ❁ The Qur'an uses the term “**tawaffa**” to describe the act of taking the soul.
- ❁ “**Tawaffa**” literally means “taking something **fully**.”

The main question:

- ❁ Would “the act of taking the soul **fully**” apply when the higher functions of the brain cease working?
- ❁ Or is “the soul **fully** taken” when the lower brainstem *also* ceases to function?

When Does Death Occur? (2)

- ❁ Since death is a common phenomenon, the majority of Shī'a jurists go with the 'urf 'āmm definition: i.e., when the heartbeat stops.
- ❁ Those who lean towards the brain death criterion **exercise caution** when giving a fatwa.
- ❁ In case of doubt, the mujtahid employs the principle of **istiṣḥāb**, “the presumption of continuity” – in this case, consider the person to be still alive until you become sure.

Exercising Precaution in Doubt

- ❁ Death **initiates** a series of religious rulings: ghusl, kafan, dafn; paying of the debts; division of the estate; in case a man, 'iddah for his wife, etc.
- ❁ This **precaution** that you see among the mujtahideen when there is doubt is based on the ahādīth of the Imams of Ahlul Bayt.

Exercising Precaution in Doubt (2)

- ❁ Imam al-Kazim (a) was asked about a person struck by lightning or who had drowned and looked dead. He said, “**You should keep him for three days unless his body starts changing before it [e.g., smell].**”
- ❁ Lightning strike often causes cardiac arrest, and the heart can spontaneously recover.
- ❁ Interestingly, the American Academy of Neurology guidelines suggest a **72-hour** wait as a predictor of poor prognosis of recovery.

Exercising Precaution in Doubt (3)

- ❁ Imam al-Kazim (a) also mentioned the example of a person who had drowned.
- ❁ You, as experts, know better that in case of drowning in cold water, the person might meet all the criteria for traditional death –no pulse, not breathing, the flat EKG line, with pupils fixed and unresponsive– yet they are not dead, because the cold protects the brain.

Sayyid Muhammad Rizvi

mrizvi57@gmail.com



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