

## Health Care for Orphans in Islamic Law

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### Abstract

Health care is one of the most important aspects that a person needs in this universe. The problem of health care for orphans arose to preserve their health and protect them through appropriate vaccination and protection for them and to achieve full health care for orphans, which is provided to them through orphan institutions of all kinds, whether they are civil or governmental, local or international, and the research included three sections and a conclusion. The first topic: the interest of Islamic law in health care for orphans. Islam, as is well known, paid great attention to the orphan, and gave it special care. Taking into account his difficult circumstances by losing his father, because by losing his father, he will suffer some humiliation and break. Therefore, God Almighty urged the able Muslims from among the people of righteousness and charity to sponsor the orphan, be kind to him and be sympathetic to him, and made their sponsorship of the orphan one of the medicines that treat the diseases of the human soul. The second topic: Prevention is better than cure, health is among the blessings that God Almighty bestowed upon His servants; Because health enables a person to perform the acts of worship and obedience that God Almighty has commanded those in charge in the correct manner. The Prophet, may God bless him and grant him peace, referred to the importance of the blessing of health and wellness in more than one hadith. The third topic: the order to treat diseases and maintain the health of the orphan.

**Keywords:** Care, Health, Orphans, Islamic System

## Introduction

Praise be to God, Lord of the Worlds, and prayers and peace be upon the most honourable messengers, our prophet Muhammad SAW and all his family and companions. He called for charity to the orphan, and made attention and care for the orphan one of the best deeds that would achieve Paradise and satisfaction for its doer, thus achieving happiness for all members of society in this world and the Hereafter.

The pure Islam came to preserve human health and commanded everything that would achieve health for individuals, and warned and forbade everything that was harmful to the body, considering the body as a trust that must be preserved from harming or spoiling it. It forbids everything that corrupts the body and that negatively affects human health. Considering the orphan is a part of human society, Islamic law is concerned with health care for the orphan, and I have commanded to preserve it. God Almighty has made clear in His Noble Book the sponsorship of the Noble Prophet under the auspices of his grandfather and uncle, God Almighty said: (AL-Dhuha, 6).

Where the Prophet SAW (in ensuring his grandfather Abdul Muttalib, until he died and his age is eight years. (Ibn Katheer, 8\436). So, his uncle Abu Talib took care of him. Then did not stop hedging and promoted him and raises his capacity and goes. And he will stop harming his people from him after God sent him at the age of forty years of age) (Ibn Katheer, 8\ 436) And God Almighty commanded His Noble Messenger to be kind to the orphan.

(AL-Dhuha , 9)

And the meaning: Treat him as I treated you (Al-Razi, 31/200).

As God Almighty commanded to reform the conditions of orphans by providing everything that is good for them:

" وَيَسْأَلُونَكَ عَنِ الْيَتَامَىٰ قُلْ إِصْلَاحٌ لَهُمْ خَيْرٌ " (AL-Baqarah , 220)

The Holy Prophet also wanted to sponsor the orphan by saying:

“And I and the one who looks after an orphan in Paradise like this.” And he pointed with his index and middle fingers, and separated them by something (Bukhari , 3\95).

This is what we try to explain in this research by presenting and discussing aspects of Sharia’s interest in health care for orphans through organizing work within orphan care institutions.

Research problem: Health care is one of the most important aspects that people need in this universe. The problem of health care for orphans appeared to preserve their health and protect them through the appropriate vaccination and protection for them and to achieve full health care for orphans, which is provided to them through orphan institutions of all kinds, whether they are civil or governmental, local or international.

The importance of the research: health care for orphans is of great importance in maintaining the entity of the human society. Hence, the importance of research in shedding light on the health care provided to orphans in the orphanage of all kinds. We try, through this research, to show the importance of health care for orphans as ordered by Islamic law and Sharia provisions came to preserve them.

Research questions: The study aims to answer the following questions

- What is the role of the Orphan Care Foundation in achieving health care?
- What is meant by health care for orphans?

- How do we achieve health care for orphans?

Research Objectives: The study aims to achieve a set of objectives, including

- Providing health care to orphans.
- Urging the community to take care of orphans, care for them, and provide them with aid.
- Statement of Islamic jurisprudence care for orphans' health care.

Study Methodology: The study relies on the inductive approach and the analytical approach, by collecting information and analyzing data that serve the subject.

Research plan: The research consists of an introduction to three sections and a conclusion:

### The first topic: the interest of Islamic law in health care for orphans

Islam, as is well known, paid great attention to the orphan, and gave it special care. Taking into account his difficult circumstances by losing his father, because by losing his father, he will suffer some humiliation and break. Therefore, God Almighty urged the able Muslims from among the people of righteousness and charity to sponsor the orphan, be kind to him and be sympathetic to him, and made their sponsorship of the orphan one of the medicines that treat the diseases of the human soul.

Sponsoring an orphan is considered one of the greatest chapters of righteousness that the Islamic law urges, and what confirms Islam's care for the orphan, and its continuous emphasis on taking care of him, preserving him and being kind to him, is the inclusion of the word "orphan" and its derivatives in twenty-three verses of the Holy Quran. We cite some verses, for example

" وَإِذْ أَخَذْنَا مِيثَاقَ بَنِي إِسْرَائِيلَ لَا تَعْبُدُونَ إِلَّا اللَّهَ وَالْبِالِدِينَ إِحْسَانًا وَذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينَ وَقُولُوا لِلنَّاسِ حُسْنًا " وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ ثُمَّ تَوَلَّيْتُمْ إِلَّا قَلِيلًا مِّنْكُمْ وَأَنْتُمْ مُّعْرِضُونَ "

(AL-Baqarah , 83)

First: The orphan's right to health care and treatment: Islam's keenness to pay attention to the health of the orphan and to preserve his body, in order to protect him from diseases, and the orphan is considered a trust with his guardian in charge of his affairs. Therefore, he must maintain the health of the orphan, and take care of him until he grows up strong and healthy from diseases. The Prophet SAW said: "All of you are shepherds, and each of you is responsible for his flock." (Bukhari, 17)

Second: Islam's interest in the health care of the orphan: One of the manifestations of the Islamic law's interest in the orphan is the interest in the health aspect of the orphan since his birth and the command to breastfeed him in compliance with the command of God Almighty: " وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُنَمِّئَهُنَّ وَالرَّضَاعَةُ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا نُضَارُّ وَالِدَةً بِوَلَدِهَا وَلَا مَوْلُودٌ لَهُ بِوَلَدِهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ فَإِنْ أَرَادَا فِضَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا آتَيْتُم بِالْمَعْرُوفِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ "

(AL-Baqarah ,233)

The Holy Quran warns of the mother's right to breastfeed her son; It is better than others in breastfeeding, and when God Almighty mentioned marriage and divorce, he mentioned the

child, because the spouses may separate and then a child will be born. So, the verse is about divorced women who have children from their husbands. It was said by Al-Suddi and Al-Dahhak and others, that is, they are more entitled to breast-feed their children than foreign women, because they are bent and insomnia, and taking the young child is harmful to him and her. (Al-Qurtubi, 3/253). It is well known that an orphan child in a state of cradle needs to be breastfed and taken care of. That is why Islamic law required this child to be breastfed and full custody as one of the rights of this newborn child.

### The Second Topic: Prevention is Better than Cure

Health is one of the blessings that God Almighty bestowed upon His servants. Because health enables a person to perform the acts of worship and obedience that God Almighty has commanded those in charge in the correct manner. The Prophet SAW referred to the importance of the blessing of health and wellness in more than one hadith of that which was narrated on the authority of Abdullah bin Abbas, may God be pleased with him, on the authority of the Prophet SAW when he said: (Two blessings which many people waste: health and free time) (Bukhari, 6412). The unfairness mentioned in the hadith means loss, as many people do not use the blessing of health and wellness in the correct places for it, and they do not value health. They do not give it any importance, and it is worth noting that the servants must use the members of their body in a way that pleases God Almighty, instead of using the tongue to backbite and gossip. So, it is worth using the tongue in reciting the verses of the Noble Quran, remembrance of God Almighty, and being careful to lower the gaze, instead of looking at taboos. Consideration can be used to contemplate the cosmic signs of God Almighty, and the feet can be used to walk to the works that God Almighty loves; like walking to mosques, or to the clinic of the sick, instead of walking to stir up rivalries between people. Health in the Quran and Sunnah, the phrase "cleanliness is part of faith" is well-known among the people. It is worth noting that it is not a hadith of the Prophet SAW, but that it urges the Muslim to observe the rules of health and hygiene. Among the phrases circulating among people is also the phrase: A healthy mind resides in a healthy body. God Almighty has bestowed the mind on man; to distinguish him from other creatures, and the evidence for this is the saying of God Almighty in his Noble Quran:

" وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَى كَثِيرٍ مِمَّنْ خَلَقْنَا تَفْضِيلًا "

(AL-Israa, 70)

Among the manifestations of Islam's care for health is that it has developed preventive means and treatment methods to preserve it and prevent diseases before they occur, so prevention is better than cure. The truth is that the position of Islam regarding health, prevention and safety of bodies is unparalleled in any religion. Cleanliness in it is worship and kinship, rather it is one of the obligations, as we find Sharia books in Islam that begin first with a chapter entitled "purity", namely cleanliness. This is the first thing that a Muslim man and a Muslim woman will study from the jurisprudence of Islam, because purity is the key to daily worship "prayer," and prayer is not valid except with purity and cleanliness of clothing and body, and the place of impurities and dirt.

What is meant by purity: is to remove impurity, which indicates the importance of purity in maintaining human health and protecting it from diseases and epidemics. The revelation of verses from the Noble Quran at the beginning of the revelation indicates cleanliness, as God Almighty said:

" يَا أَيُّهَا الْمُدَّثِّرُ \* قُمْ فَأَنْذِرْ \* وَرَبِّكَ فَكَبِيرٌ \* وَثِيَابِكَ فَطَهِّرْ \* وَالرُّجُزَ فَاهْبِزْ "

(AL-Mudathir, 1-5)

The previous verses indicated both types of purity. Whether it is sensual or moral, the impurity in the previous verse. It means the spiritual impurity that must be purified. Among the manifestations of concern for physical health. The requirement of ablution before prayer, as prayer is the second pillar of Islam, and it is the pillar and foundation of the religion. A servant's prayer is not valid without ablution, the God Almighty said:

" يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ وَإِنْ كُنْتُمْ جُنُبًا فَاطَّهَّرُوا... "

(AL- Mayida ,6)

Also, the Prophet SAW urged kindness in ablution, and the evidence for the saying of the Prophet SAW: (My nation will be called on the Day of Resurrection, without the traces of ablution, so whoever of you is able to make his ablution lengthy, let him do so) (Bukhari: 136). Just as *ghusl* by circulating water over the whole body is one of the manifestations of Islam's care for physical health. *Ghusl* is obligatory for both men and women from impurity, and it is obligatory for women after menstruation and postpartum.

The Prophet SAW was concerned with health in general and the health of the mouth and the human being in particular. It is well known that oral and human care has become one of the priorities of modern man everywhere. Likewise, the orphan must take full care of his health.

### **The Third Topic: The Order to Treat Diseases and Maintain the Health of the Orphan**

Health is a crown on the heads of healthy people that only the sick can see. For this reason, Islam legislated health etiquette and preventive means, and enjoined purity and cleanliness, which are the mainstays of health, and urged medicine and medicine and the pursuit of wellness. For every disease has a remedy, and there is a cure for every disease. On the authority of Usama bin Shareek, may God be pleased with him, he said: I came to the Prophet SAW, and his companions as if the birds were on their heads, and he died. So, I greeted and then sat, so the Bedouins came from here and here and said: "O Prophet SAW, take medication. Verily, God Almighty did not create a disease without appointing a cure for it, other than the one disease, the pyramid" (Al-Tirmidhi, 1961).

From the point of view of the responsibility of the person in charge of sponsoring the orphan, in terms of: "All of you are a shepherd, so he is responsible for his flock, the ruler who is over the people is a shepherd and is responsible for them, the man is a shepherd over his family and is responsible for them, the woman is a shepherd over her husband's house and his children and is responsible for them, and the slave is a guardian of his master's money and is responsible for it, except that all of you are a shepherd and all of you are responsible for His flock" (previously narrated). He must take care of the orphan's health fully; because the orphan is a member of society and a building block of society. He must be prepared for the manifestations of strength and courage by providing complete health care to the orphan. Protect him from infectious diseases that may lead to death or harm to the orphan's body or soul. The person responsible for the care of the orphan must maintain the health of the orphan through:

Good management of drink, clothing, housing, air, sleep, wakefulness, movement, and stillness, as the Prophet's guidance sees that moderation of all these matters leads to lasting health and wellness. In addition to all that, prevention is necessary, as prevention is better than cure, and it was mentioned in the Prophetic Sunnah on the authority of Usamah bin Zaid, who said: The Prophet SAW said: Plague is an abomination, sent against a group of the Children of Israel, or against those who were before you, so if you hear of it in a land, do not

approach it, and if it occurs in a land while you are in it, do not go out fleeing from it (and in a narration) he will not bring you out except to flee from him. (Al-Bukhari: 45). On the authority of Abd al-Rahman ibn Awf, on the authority of Abdullah ibn Abbas, that Omar ibn al-Khattab, may God be pleased with him, He went out to the Syam, until, when he was in Surg, the commanders of the armies, Abu Ubaidah bin Al-Jarrah and his companions met him, and they told him that the epidemic had occurred in the land of the Levant. Ibn Abbas said: Omar said: Summon the first emigrants to me, so he called them and consulted them and told them that the epidemic had occurred in Syam, but they differed. Some of them said: You have gone out for a matter, and we do not think that you will return from it. Some of them said: With you are the rest of the people and the companions of the Prophet SAW. And we do not see that they are ahead of this epidemic, so he said: Rise from me. Then he said: Summon the Ansar for me, so I called them, so he consulted them, and they followed the path of the Emigrants, and they differed as they did. He said: Get away from me. Then he said: Summon for me the sheikhs of Quraish from the Emigrants of Conquest, so I called them. Two men did not differ from them about it, so they said: We think that you should take the people back and not precede them over this epidemic. So, Omar called out to the people: I am in the morning on my back, so they become on it. Abu Ubaidah bin Al-Jarrah said: Fleeing from God's decree. Omar said: If someone else said it, O Abu Ubaidah, yes, we fled from God's decree to God's decree. What if you had camels that would descend into a valley with two enemies, one of them is fertile and the other is barren? Is it not that if you graze the fertile, you graze it by the decree of God, and if you graze the barren, you graze it by the decree of God? He said: Abd al-Rahman ibn Awf came and was absent from some of his needs. He said: I have knowledge of this. I heard the Messenger of God, may God bless him and grant him peace, say: If you hear of it in a land, do not approach it and if it falls into a land while you are in it, do not go out fleeing from it. He said: Praise be to God Umar, then he left (AL- Bukhari, 30).

### **Conclusion and the Most Important Recommendations**

After completing this study on the health care of orphans, which was ordered by Islamic law, and the Shariah rulings came to achieve them and clarify the importance of the aspect of health care for orphans, which will achieve full health for them, which in turn achieves a balance between the members of society and achieves them mental and physical development. As stated in the wisdom "A healthy mind resides in a healthy body" and "Health is a crown on the heads of healthy people," we advise those in charge of orphan care institutions to do the following:

- Taking care of the health aspect of orphans until they achieve full physical health, which achieves the medical saying: Health is a crown on the heads of healthy people.
- Approved orphanages must provide full health care to orphans in the home.
- We recommend paying attention to immunizing orphans with the appropriate vaccination against Covid 19 and the diseases develops.

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