

The Use of the Islamic Theory of Compensation in contemporary Medical Cases

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Abstract

Since the creation of systems and practical frameworks to activate these systems, there has been no field free of argument. The validity of the Islamic theory of compensation and its application is one of these arguments. The compensation theory has existed since the Prophetic Era, so far about 1,443 years, and is a legislative flexible framework that is applicable in all eras. However, most of the struggles over the compensation of contemporary medical cases result from the inadequate application of Islamic theory, not because of its validity and applicability. Based on the analysis of extant literature and the Qur'an and the Prophet's speech and using data from qualitative semi-structured interviews. This paper explains the most important theoretical aspects of Islamic compensation theory in modern cases and highlights the errors and weaknesses associated with the application of these systems. It came to conclude that most of the problems had arisen because the practical approach was not a reflection of the theory.

Keywords: Reparations, application, Health, Rate, Value.