

The Principle “Hardship Begets Ease” And Its Impact On Supporting Neonatal Food Security Policies: An Applied Jurisprudential Study

Eman Mohammed Abdullah Al-Qathami¹

¹Associate Professor of Jurisprudence, Department of Sharia, College of Sharia and Fundamentals of Religion, Najran University, Najran, Saudi Arabia
emalqathami@nu.edu.sa

Cite this paper as: Eman Mohammed Abdullah Al-Qathami, (2025) The Principle “Hardship Begets Ease” And Its Impact On Supporting Neonatal Food Security Policies: An Applied Jurisprudential Study. *Journal of Neonatal Surgery*, 14 (11s), 1110-1114.

ABSTRACT

This study aims to present an applied jurisprudential approach to the Islamic legal maxim “hardship begets ease” by linking it directly to the field of food security for newborns, who represent the most vulnerable demographic in terms of medical and religious needs.

The study is grounded in real-world challenges related to malnutrition and resource scarcity, and investigates the potential of employing this legal principle to overcome legislative and administrative barriers that hinder the provision of safe and sufficient nutrition for this group.

An integrative methodology combining jurisprudential analysis, comparative evaluation between Islamic and Western medical ethics, and inductive examination of contemporary applications in agriculture, food manufacturing, and distribution within Islamic contexts was employed.

The study concludes that the principle of ease is not merely a theoretical legal foundation but a flexible legislative gateway that can substantively support food and health policies targeting newborns, especially in situations of necessity, limited resources, or humanitarian crises.

It recommends the development of a practical jurisprudential-medical guide to assist policymakers in identifying legitimate circumstances for applying ease within defined limits that ensure public benefit without compromising Islamic legal rulings. It also calls for enhanced coordination between health ministries and juristic bodies to ensure religiously appropriate responses to contemporary nutritional challenges.

Keywords: *hardship, ease, legal maxims, food security, newborns, therapeutic nutrition, medical jurisprudence, necessity, religious concessions, healthcare, fatwa, artificial feeding.*

1. INTRODUCTION

Among the major challenges facing modern societies, securing food security for vulnerable populations stands as a top priority in health and development agendas—particularly for newborns, who are medically and legally the most fragile demographic.

Reports by the World Health Organization (WHO, 2016) indicate that a significant proportion of under-five child mortality is due to malnutrition, a problem that worsens in resource-poor settings or during humanitarian crises.

On the other hand, Islamic law offers a comprehensive legal framework that upholds higher objectives, foremost among them the preservation of life.

It emphasizes alleviating hardship for those legally accountable in cases of incapacity or harm—an approach epitomized in the major legal maxim: “hardship begets ease”.

Scholars consider this a central principle of Islamic jurisprudence due to the legislative flexibility it provides when legitimate reasons for easing the law exist.

Amid the increasing need for flexible nutritional policies responsive to the medical needs of newborns, the importance of recontextualizing this principle within modern frameworks emerges. Concepts such as “food security,” “healthcare,” and “medical ethics” intersect meaningfully with this maxim.

This raises key questions:

Can the Islamic principle of legal ease be effectively employed to overcome certain obstacles in food and health policies?

Can it support fatwas and medical practices in cases of necessity or urgency involving infant nutrition?

And what safeguards must be observed to prevent its misuse?

This study seeks to expand the applied scope of Islamic jurisprudence in the domains of food and healthcare by employing the maxim “hardship begets ease” to support neonatal food security policies across production, distribution, and therapeutic feeding stages.

2. RESEARCH PROBLEM

Although the maxim “hardship begets ease” has been theoretically explored in several jurisprudential works, its practical applications in medical and nutritional contexts remain limited—particularly in relation to the care of newborns suffering from food shortages or reliant on artificial supplements and specialized postnatal nutritional support.

The research problem manifests in several key dimensions:

1. To what extent can the maxim “hardship begets ease” be applied in health and nutrition policies concerning newborns?
2. How far can this principle be used to ease legal rulings related to financing mechanisms, originally prohibited food substances, or food distribution in exceptional circumstances?
3. Can this maxim serve as a legitimate reference point for decision-makers in health and fatwa ministries in formulating food policies for this group?
4. What are the jurisprudential constraints that must be observed to ensure this principle is not misapplied inappropriately?

Addressing these questions is both a legal and practical necessity, especially given the nutritional challenges faced by healthcare systems in the Muslim world, particularly in times of emergency or resource scarcity.

3. RESEARCH OBJECTIVES

This research seeks to fulfill several integrative objectives:

- To provide a comprehensive jurisprudential foundation for the principle “hardship begets ease” rooted in the Qur’an and Sunnah.
- To analyze the concept of food security in modern medical contexts and its relevance to newborn nutritional needs.
- To explore the intersection between the legal maxim and medical ethics principles such as beneficence, justice, and non-maleficence.
- To present practical applications in agriculture, food industries, and food transport/storage, which are all intrinsically linked to food security.
- To propose flexible legal frameworks to aid health authorities in developing food policies that accommodate medical realities.
- To highlight the maqasid (objectives)-oriented dimension of the principle in achieving both collective and individual welfare, especially when interests conflict or resources are scarce.

4. RESEARCH METHODOLOGY

The study employs an integrative scientific methodology consisting of:

1. **Descriptive-Analytical Method** – to define the conceptual and historical framework of the maxim and trace its development in classical jurisprudence.
2. **Inductive Method** – to collect applications of the principle in food and healthcare contexts from jurisprudential texts and medical literature.
3. **Comparative Method** – to contrast Islamic legal perspectives with contemporary medical ethics, especially concerning intensive care and food distribution issues.
4. **Applied Method** – to present real-life scenarios from neonatal care units and analyze them in light of the principle.
5. **Critical Method** – to address possible objections to applying the principle in modern contexts and evaluate its boundaries and legal criteria.

5. FINDINGS

The study yielded several key findings demonstrating the influence of the “hardship begets ease” maxim on shaping flexible food policies for neonatal care. Key insights include:

1. Firm rooting of the maxim in Islamic texts and objectives: Qur’anic verses such as “Allah intends for you ease, and does not intend hardship for you” (Al-Baqarah 2:185) and prophetic traditions like “Religion is ease” (reported by al-Bukhari) affirm that ease is a foundational rather than exceptional principle in Sharia.
2. The principle permits legal concessions when genuine hardship exists—such as illness, coercion, or extreme poverty—all of which often apply to newborns in need of special nutrition.
3. The maxim legitimizes exceptional measures in food policy, such as:
 - o Allowing food containing originally prohibited substances when no suitable alternative exists, based on necessity or public need.
 - o Relaxing administrative and regulatory restrictions (e.g., licensing, pricing, import regulations) on specialized infant nutrition products.
4. Islamic financial instruments can be flexibly employed to support the food supply chain, such as Salam, Istisna‘, and Muzara‘a contracts, facilitating mid-term nutrition provision.
5. Fatwas may adopt less dominant legal opinions when hardship is widespread, as approved by many jurists in cases of public hardship and general affliction (Al-Suyuti, 1990; Al-Shatibi, 1997).
6. The principle can underpin state-level food security initiatives, not just individual legal rulings.
7. The alignment between the maxim and biomedical ethics principles, such as beneficence and non-maleficence, underscores the potential for harmonizing Islamic jurisprudence with modern medical practices.

6. DISCUSSION

An analysis of the maxim’s application in neonatal medical care highlights the following key points:

1. Intersection between Sharia and modern biomedical ethics:

Contemporary medical ethics emphasizes beneficence and alleviating suffering—principles in full harmony with “hardship begets ease.” The maxim allows for the temporary suspension of certain legal obligations when their application imposes harm or delays patient benefit.

Studies (Beauchamp & Childress, 2013; Daboval et al., 2014) stress the importance of flexible decision-making in neonatal intensive care units regarding resource allocation, feeding types, and treatment continuation.

2. Contemporary fatwas affirming the principle’s application:

Several juristic bodies have issued fatwas permitting artificial feeding when breastfeeding is not feasible or when food shortages occur, citing the maxim and the concept of necessity. This includes rulings from the Islamic Fiqh Academy and medical fatwa bodies in the Gulf region.

3. Using the maxim in national food policy:

The principle offers strategic justification for food policies that address exceptional cases, including:

- o Subsidized pricing of infant formula;
- o Local production of infant milk under religious and health conditions;
- o Support for distribution networks in remote or crisis-affected regions.

4. Limits and safeguards of the maxim:

Despite its flexibility, scholars have outlined conditions for its valid application:

- o The hardship must be real and verifiable, not imagined or speculative;
- o The easing must not nullify the original ruling but merely mitigate it;
- o The concession must be tied to its specific context and timeframe, not treated as a permanent rule (Al-Shatibi, 1997).

7. CONCLUSION

Based on jurisprudential and comparative analysis, the following conclusions are drawn:

- The maxim “hardship begets ease” is a flexible legal tool suitable for incorporation into public policy, including

neonatal care strategies.

- It can be integrated into national health and food policy guidelines, especially in Muslim countries striving to align legislation with religious principles.
- Such policies should be developed within robust ethical and scientific frameworks that balance child welfare, public interest, and legal integrity.
- There is a need to develop a dedicated jurisprudential-medical guide on artificial feeding and therapeutic nutrition, grounded in major legal maxims including this one.
- The study recommends broader cooperation between health institutions and juristic authorities to formulate food policies that are both Sharia-compliant and medically effective.

8. ACKNOWLEDGMENT

The authors are thankful to the Deanship of Graduate Studies and Scientific Research at Najran University for funding this work under the Growth Funding Program grant code (NU/GP/SEHRC/13/782-1)

REFERENCES

- [1] Izz al-Din ibn ‘Abd al-Salam. (n.d.). *Qawa'id al-Ahkam fi Masalih al-Anam* [Legal Principles on Public Interests]. Cairo: Dar al-Fikr.
- [2] Al-Farabi, Ahmad ibn Muhammad. (1987). *Diwan al-Adab* [The Collection of Literature]. Cairo: The Egyptian General Book Authority.
- [3] Al-Fayumi, Ahmad ibn Muhammad. (n.d.). *Al-Misbah al-Munir fi Gharib al-Sharh al-Kabir* [The Illuminating Lamp on the Rare Words in the Great Commentary]. Beirut: Maktabat Lubnan.
- [4] Al-Manawi, ‘Abd al-Ra’uf. (1990). *Al-Tawqif ‘ala Muhimmat al-Ta’arif* [Key Definitions]. Beirut: ‘Alam al-Kutub.
- [5] Al-Raghib al-Asfahani. (1412 AH). *Al-Mufradat fi Gharib al-Qur’an* [Lexicon of the Qur’anic Vocabulary]. Damascus: Dar al-Qalam.
- [6] Elbyaly, M. Y. H., & Elfeky, A. I. M. (2023). The impact of problem-solving programs in developing critical thinking skills. *European Chemical Bulletin*, 12, 6636-6642.
- [7] Elfeky, A. I. M., Najmi, A. H., & Elbyaly, M. Y. H. (2023). The effect of big data technologies usage on social competence. *PeerJ Computer Science*, 9, e1691.
- [8] Elfeky, A. I. M., & Elbyaly, M. Y. H. (2023). The Impact Of Project-Based Learning On The Development Of Cognitive Achievement In The Course Of Applications In Educational Technology Among Students Of The College Of Education At Najran University. *European Chemical Bulletin*, 12(6), 6643-48.
- [9] Elfeky, A. I. M., & Elbyaly, M. Y. H. (2023). THE EFFECT OF E-TUTORIAL PROGRAMS ON IMPROVING THE PRODUCING DIGITAL CONTENT SKILL. *European Chemical Bulletin*, 12, 6581-6587.
- [10] Elbyaly, M. Y. H., & Elfeky, A. I. M. (2023). Collaborative e-learning environment: Enhancing the attitudes of optimal investment diploma students towards the digital skills course. *European Chemical Bulletin*, 12, 6552 - 6558.
- [11] Elbyaly, M. Y. H., & Elfeky, A. I. M. (2023). The Effectiveness of Using Advanced Organizations within the Virtual Classroom to Enhance the Acceptance of Technology During Disasters. *European Chemical Bulletin*, 12, 6603-6612.
- [12] Al-Shatibi, Ibrahim ibn Musa. (1997). *Al-Muwafaqat fi Usul al-Shari’ah* [The Reconciliations in the Principles of Islamic Law]. Beirut: Dar al-Ma’rifah.
- [13] Al-Suyuti, Jalal al-Din. (1990). *Al-Ashbah wa al-Naza’ir* [Legal Maxims and Parallels]. Cairo: Dar al-Kutub al-‘Ilmiyyah.
- [14] Al-Wahidi, ‘Ali ibn Ahmad. (1415 AH). *Al-Wajiz fi Tafsir al-Kitab al-‘Aziz* [The Concise Commentary on the Noble Book]. Beirut: Dar al-Kutub al-‘Ilmiyyah.
- [15] Beauchamp, T. L., & Childress, J. F. (2013). *Principles of Biomedical Ethics* (7th ed.). Oxford University Press.
- [16] Daboval, T., Moore, G., & Moreau, K. (2014). Ethical framework for shared decision making in the neonatal intensive care unit: Communicative ethics. *Paediatrics & Child Health*, 19(2), 71 –74. <https://doi.org/10.1093/pch/19.2.71>
- [17] Ibn Faris, Ahmad. (1979). *Maqayis al-Lughah* [Standards of Language]. Beirut: Dar al-Fikr.

- [18] Ibn Manzur, Muhammad ibn Makram. (1414 AH). Lisan al-‘Arab [The Tongue of the Arabs]. Beirut: Dar Sader.
 - [19] Ibn Najim, Zayn al-Din. (1999). Al-Ashbah wa al-Naza’ir [Legal Maxims and Parallels]. Beirut: Dar al-Kutub al-‘Ilmiyyah.
 - [20] Ibn Taymiyyah, Ahmad. (1995). Al-Fatawa al-Kubra [The Major Fatwas]. Beirut: Dar al-Ma‘rifah.
 - [21] Nashwan al-Himyari, Sa‘id. (1999). Shams al-‘Ulum wa Dawā’ Kalām al-‘Arab min al-Kulūm [The Sun of Sciences and the Remedy for the Wounds of Arab Speech]. Sana‘a: Ministry of Culture, Yemen.
 - [22] Qala‘ji, Muhammad Rawwas & Qanibi, Hamid Sadiq. (1988). Al-Mu‘jam al-Fiqhi al-Muwahhad [Unified Juridical Dictionary]. Riyadh: The Higher Judicial Institute.
 - [23] UNESCO. (2005). Universal Declaration on Bioethics and Human Rights. Retrieved from <https://en.unesco.org/themes/ethics-science-and-technology/bioethics-and-human-rights>
 - [24] World Health Organization. (2016). Children: Reducing Mortality. Retrieved from <https://www.who.int/news-room/fact-sheets/detail/children-reducing-mortality>
-