Islam, Mental Health and the Law: Ashah .M. Mwanga

Erving Goffman's groundbreaking book defined stigma (1963)as "the process by which the reaction of others spoils normal identity". These reactions come from prejudgment of a person based on limited information. Stigma results in labeling, prejudice, stereotyping, separation, status loss, and negative discrimination. This worsens the only chance of such people seeking mental health services

Against this background, it's important to have clear laws that protect people who are stigmatized by the wider population as weak as well as a source of shame and disgrace. The available literature (Rusch N, Angermeyer MC, Corrigan PW. Mental illness stigma: Concepts, consequences, and initiatives to reduce stigma. *European Psychiatry.* 2005;20:529–539 [PubMed] [Google Scholar][Ref list), indicates that many psychiatric patients are concerned about how people will view them if knowledge of their condition becomes public. At this point, the mental health law would stipulate and criminalize anybody found to stigmatize those who are mentally ill. From the law of torts, the law would at this point place the duty of care arising from the neighbor principle that places certain groups of people like friends, relatives or the "neighbor" in torts to care for the person with mental illness.
There is no one reason and justification as to why the already sick should suffer double sickness because they already have the dual burden of coping with the symptoms of mental illness, like hallucinations, depression, delusions, and anxiety. These can be prevented by having laws that protect such individuals while taking into consideration Islam and culture since we are proposing laws for majority Muslim countries.

Looking at UAE, I agree that Mental health laws help minimize stigmatization in Muslim-majority countries. Taking an example of UAE's federal law 28, it clarifies the types, conditions, and procedures for patient admission in mental health facilities. This would not be the case if there wasn't this law because the continued stigma and the existing culture of silence results in late diagnoses of psychiatric conditions. Even with the existence of laws such as the Mental Health Act that was developed through its Decree 28 (1981), Federal Law 43 (1993) addressing correctional institutions, and Federal Law 14 (1995) among others, UAE still has challenges of mental health due to myths and stereotypes connected to Islam as a religion.

If there were proper and well-stipulated metal health laws in terms of their provisions and actual implementation, UAE wouldn't see the current deficit of experts operating in this field that continues to reflect this attitude and stigma that mental health is contagious. Available

literature shows that this deficit has greatly contributed to the slow development of mental health standards, quality control, and availability of professional services. These are critical to a sustainable health sector particularly mental health that requires clear and progressive laws.

The article: Mental Health Laws and Reflections on Culture: The Case of the United Arab Emirates Amber Haque Doha Institute for Graduate Studies; it is shows that nonscientific methods of understanding and treating mental health problems like the power of the evil eye and the belief that mental health problems indicate a weakness in an individual's religious faith clearly show how deeply religion affects mental health as a health thematic area that need progressive laws while respective religion and culture of a given country.

All majority Muslim countries must adopt to having mental health laws to reduce stigmatization and discrimination. The external effects of public stigma refer mainly to discrimination against people with mental illness about housing, work, and social interactions. All these are against the major international human rights instruments such as the International Convention on Social and Economic Rights (ICESCR). I am optimistic that the proposed laws in Muslim majority countries would help to reduce the said stigmatization because if well stated and formalized. These laws may contain provisions with clear definitions of mental health-related terms and thematic areas such as; disability and the rights of persons with mental disabilities, definitions of persons with reduced mental abilities, and guarantees rights for services.

In conclusion, mental health laws can help minimize stigmatization in Muslim-majority countries while keeping in mind that the majority of Muslim countries differ from each other in several socio-cultural dimensions hence uniform solutions may not succeed. In addition, since the majority of individuals in these countries belong to the Muslim faith, consideration of the relevant religious teachings is important. Moreover, other important strategies that could help minimize stigmatization in Muslim-majority countries include; educating families to support their affected members in overcoming shame seeking treatment, and engaging religious leaders.