The use of dental materials in periodontal therapy in Malaysia: An Islamic legal maxim analysis

Wan Abdul Fattah Wan Ismail¹, Nadia Halib², Nik Salida Suhaila Nik Salleh¹, Setiyawan Gunardi¹, Haslinda Ramli², Nur Akilah Abdul Ghaffar¹, Shofian Ahmad²

¹Jabatan Syariah & Undang-Undang, Fakulti Syariah & Undang-Undang, Universiti Sains Islam Malaysia, 71800 Nilai, Negeri Sembilan, Malaysia, ²Fakulti Pergigian, Universiti Sains Islam Malaysia, 55100 Kuala Lumpur, Malaysia

Correspondence: Wan Abdul Fattah Wan Ismail (email: wanfattah@usim.edu.my)

Abstract

Malaysian Muslims are very sensitive to matters involving the law of halal and haram, especially in terms of food and drink. Quran and Hadith are the paramount basis for solving all problems, regardless of the places, circumstances and time range. Texts of the Quran and Sunnah are mostly of a general nature to facilitate the development of general principles and laws. These general principles will facilitate legal classification of the cases to date, including in connection with the treatment of materials or tools derived from the treatment of non-halal substances such as Biogide®, Emdogain® and Bio-Oss®. This study examined the current fatwas and principles of fiqh related to non-halal treatment that can be used as a guide for medical and dental practitioners. Information for this study was obtained from an analysis of fatwas, books of jurisprudence, medical scholars, Islamic jurists and experts’ opinion in connection with the use of dental treatment such as Biogide®, Emdogain® and Bio-Oss® in modern dental treatment. The study found a number of principles of jurisprudence that can be used in connection with necessity and limitations when performing a treatment using non-halal substances such as Biogide®, Emdogain® and Bio-Oss®, namely, Al-Darurat Tubihu al-Mahzurat (emergency justifies the unlawful means), Al-Darurat Tuqaddaru Biqadariha (something that is permissible due to emergency must be adapted equally with the rate of emergency) and Istihalah (changing one state to another i.e. from haram to halal).

Keywords: dental material, fatwa, fiqh, halal, periodontal, principle of emergency