

Patterns and Trends of Religious Edicts (Fatwa Mufti Kerajaan & Irsyad Hukum) on Medical Matters in Brunei Darussalam 1962-2005

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Abstract

This paper reports analysis of published religious edicts relating to medicine in Brunei for the period 1962-1995 showing the patterns and trends of medically-related fatwa. In The most popular types of medical fatwa in descending order of frequency were medicines, modern (new) medical issues, physical acts of worship, surgery, normal conditions and ethico-legal issues.

Introduction

The objective of this study is to identify medico-legal issues that are of importance from an Islamic perspective in the Bruneian society. This information will be used in designing educational and training curricula for health care givers in Brunei to make sure they can communicate effectively with their Muslim patients and can give them quality care based on comprehensive understanding of the Bruneian socio-religious context. The study covered religious edicts on medical matters issued by the Mufti Kerajaan in the period 1962-2005.

The Mufti of Brunei gave religious edicts, *fatwas*, on a wide range of questions addressed to him. These were published in an annual volume called *Fatwa Mufti Kerajaan*. A fatwa is issued if a specific question is addressed to the Mufti by an individual or an organization. Government departments often seek guidance from the Mufti on matters concerning their field of activity. In addition to fatwas, the office of the Mufti took the initiative to write about issues that needed clarification and these writings are published as *Irsyad Hukum* on an annual basis. Medical issues take a significant portion of both publications and are put under sections titled *Perubatan* or *Rawatan & Kesihatan* [1-24]. There were however other matters of implicitly medical importance found scattered in other parts of the publications. The scope of the study is limited to identification and

classification of the edicts as explicitly medical or implicitly medical and then to further classify them according to general medical diagnostic categories that also correspond to specific sections of the medical curriculum.

Methods

The following official publications were bought from the publication unit of the Mufti's office: *Fatwa Mufti Kerajaan* 1994-2003 in Bahasa Melayu [1-9], *Fatwas of the State Mufti* 1994-1995 in English [10], *Fatawa Mufti al Dawlat* 1994-1995 in Arabic [11], *Fatwa Mufti Kerajaan: Rawatan & Kesihatan* 1962-2005 in Bahasa Melayu [12], *Ibadat Korban* [13], *Hukum Rokok & Merokok* in Bahasa Melayu [14], and *Irsyad Hukum* 1995-2002 in Bahasa Melayu [15-24]. The questions and answers were read carefully and essential information on each edict was abstracted using a uniform and pre-tested data abstraction form. Each edict was classified in one of 3 ways: non-medical, implicitly medical, or explicitly medical. Edicts of medical nature were classified as either normal physiological conditions or disease conditions. Both categories were then classified further according to the organ system and the physiological or pathological process.

Results

Tables 1-2 show the results of data analysis. There was no significant increase in medical fatwas as a percentage of the total fatwas for the two periods 1962-1999 and 2000-2004. The proportion of medically-related irsyad hukum increased between the 1995-1999 and the 2000-2004. The most popular types of medical fatwa in

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descending order of frequency were medicines, modern (new) medical issues, physical acts of worship, surgery, normal conditions and ethico-legal issues. Fatwas on medicines addressed questions on therapeutic drugs and spiritual approaches to disease treatment. Fatwas on modern issues addressed questions on abortion, AIDS, blood transfusion, contraception, cosmetic surgery, drug abuse, artificial life support and transplantation. Fatwas on physical acts of worship were about fasting (*puasa*), ablution (*taharat*) and pilgrimage (*hajj & umrah*). Fatwas on surgery addressed use of artificial teeth, blood transfusion, contact lenses and dental fillings. Fatwas on normal physiological conditions covered menstruation, pregnancy, and the postnatal period. There was only one fatwa that could have been classified as ethico-legal.

Table 1 Fatwa mufti kerajaan edicts by time period

	Explicitly Medical	Implicitly Medical	Non- Medical	Total
1995-1999	1(0.6%)	17(9.7%)	158(89.8%)	176(100%)
2000-2004	5(2.2%)	17(7.5%)	204(90.3%)	226(100%)
Total	6(1.5%)	34(8.5%)	362(90.0%)	402(100%)

Table 2 Irshad hukum edicts by time period

	Explicitly Medical	Implicitly Medical	Non- Medical	Total
1995-1999	1(1.1%)	12(13.6%)	75(85.2%)	88(100%)
2000-2004	6(5.7%)	17(16.0%)	83(78.3%)	106(100%)
Total	7(3.6%)	29(14.9%)	158(81.4%)	194(100%)

Discussion and recommendations

The paper has identified the most frequent issues that Bruneians seek answers to and that religious officials address. The range of medical fatwas was diverse indicating sophistication of medical services and preparedness of the religious authorities to venture into the area of medicine. Religious authorities played a commendable role in tobacco control by issuing a whole book about it instead of issuing one fatwa. This indicated their preparedness to keep pace with modern trends in public health and their role in disease control. The fatwas on medical matters appear to

be well researched with a good understanding of the underlying medical issues. It is recommended that these issues be included in educational curricula of medical, nursing and allied health students as well as continuing medical education programs for practicing physicians and nurses. This will improve communication between caregivers and Muslim patients and result in more patient compliance and cooperation. Compilations of fatwas of medical relevance are made in many Muslim countries and are published as books or online. No statistical analysis of patterns of medically related *fatwas* has, to the best of the author's knowledge, been carried out in any other Muslim country.

References

1. Yang Dimuliakan Lagi Dihormati Pehin Datu Seri Maharaja Dato Paduka Seri Setia Ustaz Haji Awang Abdul Aziz bin Juned. *Fatwa Mufti Kerajaan 1994-1995*. Terbitan Jabatan Mufti Kerajaan Jabatan Perdana Menteri Negara Brunei Darussalam. 1996 ISBN 99917-33-29-9. pp. 248.
- 2.--- Fatwa Mufti Kerajaan 1996. Terbitan Jabatan Mufti Kerajaan Jabatan Perdana Menteri Negara Brunei Darussalam. 2003 ISBN 99917-33-47-7 pp. 445.
- 3.--- Fatwa Mufti Kerajaan 1997. Terbitan Jabatan Mufti Kerajaan Jabatan Perdana Menteri Negara Brunei Darussalam. 1999. ISBN 99917-33-05-1. pp. 246.
- 4.--- Fatwa Mufti Kerajaan 1998. Terbitan Jabatan Mufti Kerajaan Jabatan Perdana Menteri Negara Brunei Darussalam. 1999. ISBN 99917-33-09-4. pp. 286.
- 5.--- Fatwa Mufti Kerajaan 1999. Terbitan Jabatan Mufti Kerajaan Jabatan Perdana Menteri Negara Brunei Darussalam. 2000. ISBN 99917-33-17-5 pp. 191.
- 6.--- Fatwa Mufti Kerajaan 2000. Terbitan Jabatan Mufti Kerajaan Jabatan Perdana Menteri Negara Brunei Darussalam. 2001. ISBN 99917-33-32-9. pp. 557.
- 7.--- Fatwa Mufti Kerajaan 2001. Terbitan Jabatan Mufti Kerajaan Jabatan Perdana Menteri Negara Brunei Darussalam. 2002. ISBN 99917-33-41-8. pp. 344.
- 8.--- Fatwa Mufti Kerajaan 2002. Terbitan Jabatan Mufti Kerajaan Jabatan Perdana Menteri Negara Brunei Darussalam. 2003. ISBN 99917-33-43-4. pp. 299.
- 9.--- Fatwa Mufti Kerajaan 2003. Terbitan Jabatan Mufti Kerajaan Jabatan Perdana Menteri Negara Brunei Darussalam. 2004. ISBN 99917-33-50-7. pp. 303.
- 10.--- Fatwa of the State Mufti. Published by State Mufti's Office, Prime Minister's Office, Brunei Darussalam 2001. ISBN 99917-33-24-8. pp. 268.
- 11.--- Fataawa Mufti al Dawlah 1994-1995. Idarat Mufti al dawlah bi idarat raiis al wuzaraa Brunei Dar al Salam 1422 H/ 2001 M. ISBN 99917-33-25-6. pp. 228
12. Anonymous. *Fatwa Mufti Kerajaan: Rawatan & Kesihatan*. Himpunan Fatwa Mufti Kerajaan Negara Brunei Darussalam Mengenai Amalan, Rawatan Dan Kesihatan 1962-2001. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri, Negara Brunei Darussalam 2002. ISBN 99917-33-40-X. pp. 291.
- 13.--- Ibadat Korban: Hukum & Cara Pengendaliannya. State Mufti's Office, Prime Minister's Office, Brunei Darussalam 2005. ISBN 99917-33-56-6. pp. 81.
- 14.--- Fatwa Mufti Kerajaan: Rokok & Merokok. Jabatan Mufti Kerajaan. Jabatan Perdana Menteri, Negara Brunei Darussalam 2004. ISBN 99917-33-46-9. pp. 101.
- 15.--- Irsyad Hukum 1995: Himpunan Siri Bimbingan Hukum Di Pelita Brunei. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri Negara Brunei Darussalam 1996. ISBN 99917-33-30-2. pp. 143.
- 16.--- Irsyad Hukum 1996: Himpunan Siri Bimbingan Hukum Di Pelita Brunei. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri Negara Brunei Darussalam 1997. ISBN 99917-33-28-0. pp. 291.
- 17.--- Irsyad Hukum 1997: Himpunan Siri Bimbingan Hukum Di Pelita Brunei. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri Negara Brunei Darussalam 1999. ISBN 99917-33-03-5. pp. 305.
- 18.--- Irsyad Hukum 1998: Himpunan Siri Bimbingan Hukum Di Pelita Brunei. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri Negara Brunei Darussalam 1999. ISBN 99917-33-01-9. pp. 232.
- 19.--- Irsyad Hukum 1999: Himpunan Siri Bimbingan Hukum Di Pelita Brunei. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri Negara Brunei Darussalam 2000. ISBN 99917-33-13-2. pp. 311.
- 20.--- Irsyad Hukum 2000: Himpunan Siri Bimbingan Hukum Di Pelita Brunei. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri Negara Brunei Darussalam 2001. ISBN 99917-33-33-7. pp. 285
- 21.--- Irsyad Hukum 2001: Himpunan Siri Bimbingan Hukum Di Pelita Brunei. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri Negara Brunei Darussalam 2002. ISBN 99917-33-42-6. pp. 291.
- 22.--- Irsyad Hukum 2003: Himpunan Siri Bimbingan Hukum Di Pelita Brunei. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri Negara Brunei Darussalam 2004. ISBN 99917-33-51-5. pp. 333.
- 23.--- Irsyad Hukum 2004: Himpunan Siri Bimbingan Hukum Di Pelita Brunei. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri Negara Brunei Darussalam 2005. ISBN 99917-33-55-8. pp. 291.
- 24.--- Irsyad Hukum 2002: Himpunan Siri Bimbingan Hukum Di Pelita Brunei. Jabatan Mufti Kerajaan, Jabatan Perdana Menteri Negara Brunei Darussalam 2006. ISBN 99917-33-45-0. pp. 318.