

# The use of porcine derived material for health care need and the application of Islamic Ethical Principles

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## WHAT WE KNEW

- Quran and Hadith make Porcine Impermissible

## WHAT WE LEARNED

- There are many products use for healthcare purpose do contain porcine derivatives.
- Alternate permissible products are not always available

## WHAT WE TELL PATIENTS

- Porcine derivative medical products can not be used unless dire necessity and only in the absence of a permissible available product

## BACKGROUND

Muslim patients and doctors face clinical dilemma when deal with the contemporary medical issues when their belief and values contradict with their needs and necessities to maintain their lives and livelihood. This study is an attempt to bridge a gap between the current knowledge and need of the porcine derived material for healthcare purpose and their use within the Islamic legal maxims.

## METHODS

A search was performed to identify the health care products currently in use which contain porcine derivatives and classified them according to the route of their use. The objectives of Shari'a, the principles of Islamic Jurisprudence and the Islamic legal maxims were examined to evaluate the guidance as to when and where the impermissible material can be used to maintain life and livelihood.

## RESULTS

The Holy Quran

إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخَيْزِرِ وَمَا آجِلٌ بِهِ . يُغَيِّرُ اللَّهُ سَفِينًا مِّنْ ضَخْمٍ غَيْرِ بَاغٍ وَلَا عَادٍ فَلَا إِثْمَ عَلَيْهِ .

"He has only prohibited for you the carrion, the blood, the flesh of swine and that upon which a name of someone other than Allah' has been invoked. Then, whoever is compelled by necessity, neither seeking pleasure nor transgressing, there is no sin on him." (2:173)

حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخَيْزِرِ وَمَا آجِلٌ بِهِ .

"Prohibited for you are: carrion, blood, the flesh of swine, and those upon which (a name) other than that of Allah has been invoked (at the time of slaughter)" (5:3)

فَلَا آجِلٌ فِي مَا أُوجِيَ إِلَيَّ مَحْرَمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ ذَمًا مَشْفُوحًا أَوْ لَحْمَ خَيْرٍ فَإِنَّهُ رَجَسٌ أَوْ فَيْسَقًا أَوْ لَحْمَ الْخَيْزِرِ اللَّهُ بِهِ .

فَمَنْ آضَطُرَّ غَيْرَ بَاغٍ وَلَا عَادٍ

Say, "I do not find, in what has been revealed to me, anything (out of the cattle under discussion) prohibited for anyone who eats it, unless it be carrion or blood that pours forth, or flesh of swine - because it is impure - or there be an animal slaughtered sinfully by invoking on it the name of someone other than Allah. However, if anyone is compelled by necessity, neither seeking pleasure nor crossing the limit, then your Lord is Most-Forgiving, Very-Merciful." (6:148)

The Holy Quran

إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخَيْزِرِ وَمَا آجِلٌ بِهِ . سَفِينًا مِّنْ ضَخْمٍ غَيْرِ بَاغٍ وَلَا عَادٍ

He has but prohibited for you the carrion, the blood, the flesh of swine and what has been invoked upon with a name other than that of Allah. However, if anyone is compelled by necessity - neither seeking pleasure, nor crossing the limit (of necessity) - then, Allah is Most-Forgiving, Very-Merciful. (16:115).

فَلَنْ تَبْنِيَكُمْ بَشَرٌ مِّنْ ذَلِكَ مُتَوَبِّعًا عِنْدَ اللَّهِ . مَنْ لَعَنَهُ اللَّهُ وَغَضِبَ عَلَيْهِ وَجَعَلَ مِنْهُمُ الْقِرَدَةَ وَالْخَنَازِيرَ وَعَبَدَ الطَّاغُوتَ . أُولَئِكَ شَرٌّ مَّكَانًا وَأَضَلُّ عَن سَبِيلِ السَّبِيلِ

Say, "Shall I tell you about the ones whose retribution with Allah is worse than that (which you deem bad)? They are those whom Allah has subjected to His curse and to His wrath; and He has turned some of them into apes and swine, those who worshipped Tāghūt (Satan, the Rebel). Those are worse in their situation, and far more astray from the straight path." (5:60)

The Holy Quran (Declaration)

Forced by necessity

Without wilful disobedience

Nor Transgression

Forbidden Dead Meat Blood Flesh of Swine

The Sunnah ( Qawliyya, Filiyya, Taqririyya)

Ref: Sunnah.Com : Swine: 20 Ahadith

- Narrated Jabir bin 'Abdullah (RA): I heard Allah's Messenger (ﷺ) saying in the year of the Conquest, while he was in Makkah, "Allah and His Messenger have forbidden the sale of intoxicants, dead animals, swine and idols."
- He was asked, "O Allah's Messenger, what about the fat of a dead animal, for it is used for greasing ships, greasing the hides (of animals), and making oils for lamps?" He replied, "No, it is unlawful." Allah's Messenger (ﷺ) then added: "May Allah curse the Jews, when Allah the Most High declared the fat of such animals unlawful they melted it, then sold it and devoured its price (profit)." [Agreed upon]. ( Sahih Bukhari 2236)

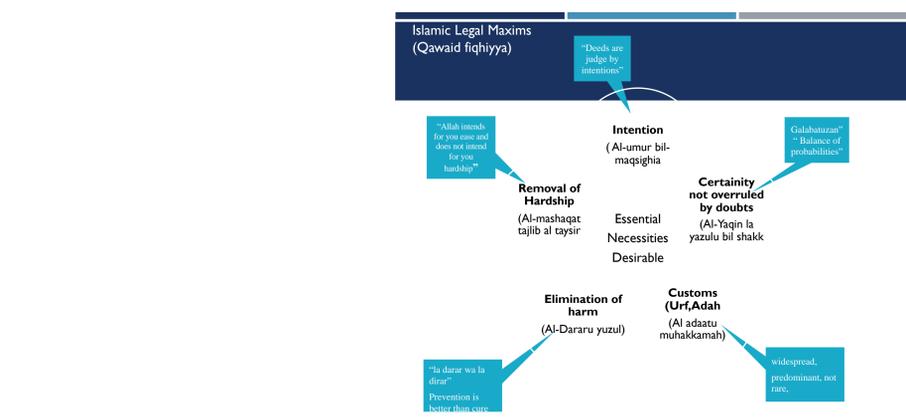
List Of The Material Used in Healthcare Industry

- Gelatin in Capsule
- Gelatin in Vaccine
  - Fluenz Tetra - a nasal spray vaccine which protects children against flu.
  - MMR VaxPro - measles, mumps and rubella.
  - Zostavax - shingles.
- Heparin ( LMWH)
- Blood Products/Plasma substitute
- Tablet coatings
- Suppositories
- Pastilles: Cough drops
- Surgical Implants:
  - Aortic heart valves ( porcine aortic valve)
  - Biological Mesh (skin)
  - Penile prosthesis material
- Hemostatic material e.g. Spongstan/Gelfoam
- Pancreatic enzymes
- Education and training
- Bacterial growth media

Ijma (The Consensus Of Majority Of The Jurist)

Gelatin: The Opinion Of Many Scholars Including The Sharia Board Of HMC

- OIC fiqh Academy Jeddah, resolution number 23 (1986), consider it is being non-halal.
- Fiqh Academy of India, Resolution number 66.1, 66.2 (2009).
- Islamic Organization of Medical Sciences , Kuwait, 1995.



## CONCLUSIONS

It's a unanimous Muslim belief that Quran declares porcine as an impermissible material in general unless dire necessity and in the absence of any alternative. However, there is a lack of consensus ("Ijma") among the Muslim scholars around the world about the permissibility of transformed porcine gelatine as a permissible product.