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HUMAN PIG HEART TRANSPLANT: APPLICATION OF ABDULLAH SAEED'S CONTEXTUAL APPROACH TO QS. AL-MAIDAH VERSE 3

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Abstract

This paper discusses the contextualization of QS. al-Maidah: 3 regarding pig heart transplants in humans. This practice has become an interesting and viral issue on social media because a few months ago in the United States there was a medical finding about a pig heart transplant in humans which was successfully tested on the world's first patient. In responding to this there are differences of opinion, some allow and do not allow, of course it is very much influenced by the understanding of the text. Therefore, it is very important to review the interpretation of the text using Abdullah Saeed's contextual approach. The results of this study: 1) From a linguistic analysis point of view, the word *khinzir* means pig. Judging from the micro-macro *asbab an-nuzul*, pigs are not found in the midst of the Arab nation's historical life. 2) the interpretation of scholars from generation to generation towards the word *lahmun khinzir* has two main points. First, it is forbidden to eat pork. Second, the use of pig heart valves as a substitute for diseased human heart valves can be justified in an emergency. 3) contextualization. The use of pig heart in human heart transplantation is prohibited as long as there are other efforts that can be cured medically. However, if it is an emergency in order to protect one's life, then it is permissible on the condition that the recovery can only be done by means of a transplant and only done by a trusted specialist doctor.

Keywords: Transplants, Contextualization, QS. al-Maidah: 3

Abstrak

Tulisan ini membahas kontekstualisasi QS. al-Maidah: 3 terkait transplantasi jantung babi pada manusia. Praktik ini menjadi isu menarik dan viral di media sosial karena beberapa bulan yang lalu di Amerika Serikat ada temuan medis soal transplantasi jantung babi pada manusia yang berhasil diuji coba kepada pasien pertama di dunia. Dalam menyikapi hal tersebut terjadi perbedaan pendapat, ada yang memperbolehkan dan tidak memperbolehkan, tentunya sangat dipengaruhi oleh pemahaman terhadap teks. Oleh karena itu, sangat penting untuk meninjau ulang penafsiran terhadap teks dengan menggunakan pendekatan kontekstual Abdullah Saeed. Hasil penelitian ini: 1) Secara analisis linguistik, kata *khinzir* itu berarti hewan babi. Dilihat dari *asbab an-nuzul* mikro-makro, babi tidak ditemukan di tengah dan kehidupan sejarah bangsa Arab. 2) penafsiran ulama dari generasi ke generasi terhadap kata *lahmun khinzir* ini terdapat dua pokok besar. *Pertama*, diharamkan memakan daging babi. *Kedua*, penggunaan katup jantung babi sebagai pengganti katup jantung manusia yang sakit dapat dibenarkan apabila darurat. 3) kontekstualisasi. Penggunaan jantung babi dalam transplantasi ke jantung manusia diharamkan selama masih ada upaya lain yang secara medis dapat disembuhkan. Namun, jika dalam keadaan darurat dalam rangka menjaga nyawa, maka dibolehkan dengan syarat kesembuhannya hanya dapat dilakukan dengan cara transplantasi dan hanya dilakukan oleh dokter spesialis yang terpercaya.

Kata Kunci: Transplantasi; Kontekstualisasi; QS. al-Maidah: 3

Preface

The development of science in the current era of globalization is increasingly sophisticated and rapid, so that many modern technological discoveries have emerged that have benefits for human life, especially in the medical field. Amazing discoveries found in this field, namely regarding the practice of transplanting pig hearts in humans. This issue is interesting and viral on social media because a few months ago, researchers and a team of doctors from the University of Maryland School of Medicine, United States of America, for the first time in the world succeeded in transplanting a pig heart into a human.¹ This matter on the one hand some people consider it as a

¹A 57 year old patient with end-stage heart disease has been successfully received heart transplanta genetically modified pig on January 7, 2022. The transplant was the patient's only option for survival after being deemed ineligible for a traditional transplant. After 3 days post-surgery, the man is reportedly healthy and doing well. The historic operation was performed by a team of doctors from the University of Maryland School of Medicine, United States. See Ricky Jenihansen, "Pertama di Dunia, Transplantasi Jantung Babi Pada Manusia Berhasil," in [https://nationalgeographic.grid.id/read/133088494/pertama-di-dunia-transplantasi-jantung-babi-pada-human-berhasil?page=all/12 January 2022/](https://nationalgeographic.grid.id/read/133088494/pertama-di-dunia-transplantasi-jantung-babi-pada-human-berhasil?page=all/12%20January%202022/) accessed 20 December 2022.

breakthrough for the development of the medical world. But on the other hand some other people actually see it as a controversy. Controversy arose about the dangers of transplanting an animal's heart into the human body. In addition, this has also sparked debate among adherents of Islam in the world, because the donor of the transplant is an animal that is clearly stated in the Qur'an is forbidden.² This is the designation for qath'i verses when the editorial and contents of the Qur'anic verses are related to law.³

The occurrence of differences of opinion, there are those who allow and do not allow, of course it is very influenced by the understanding of the text. Therefore, it is very important to review the interpretation of the text using Abdullah Saeed's contextual approach because it is very relevant to be applied in solving the problem of pig heart transplants in humans. In the Qur'an there are no explicit verses regarding pig heart transplantation in humans, so it is necessary to study relevant verses related to this discussion. To discuss the issue of pig heart transplants to humans, verses relating to pigs in general will be examined. There are four verses related to it, including QS. al-Baqarah: 173, QS. al-Maidah: 3, QS. al-An'am: 145 and QS. an-Nahl: 115.⁴ In this case, the researcher chose QS. al-Maidah: 3, because this verse was revealed last among the verses for prohibiting pigs, so it is representative enough to study the issue of pig heart transplants to humans.

Regarding the study of organ transplants, quite a lot has been done, such as the research of Ihsan Nurmansyah,⁵ Aliffia Setyawibowo Putri et al.⁶ Hudzaifah Achmad Qotadah and Maisyatusy Syarifah,⁷ Muhammad Ilham,

²Jack Hunter, "Cangkok Jantung Babi ke Manusia Berbuah Kontroversi, dari Masalah Etis hingga Agama," in [https://www.bbc.com/indonesia/dunia-59962171/12 January 2022/](https://www.bbc.com/indonesia/dunia-59962171/12%20January%202022/) accessed 20 December 2022.

³Zarul Arifin, Maisyarah Rahmi Hasan and Abdurrahman Raden Aji Haqqi, "Qat'i dan Zanni Debate From The Perspective of Qur'anic Studies," *Qist: Journal of Qur'an and Tafseer Studies* 2, no. 1, (2023): 63, doi: 10.23917/qist.v2i1.1248.

⁴Muhammad Fuad 'Abd al-Baqi, *Mu'jam al-Mufahras li Alfaz al-Qur'an al-Karim*, (Cairo: Darul Hadith, 1364), 246.

⁵Ihsan Nurmansyah, "Dialektika Tafsir dan Kemajuan Pengetahuan dalam Transplantasi Organ Babi Pada Manusia," *Jurnal Studi Ilmu-Ilmu al-Qur'an dan Hadis* 21, no. 1, (2020): 1-22, doi: 10.14421/qh.2020.2101-01.

⁶Aliffia Setyawibowo Putri, Piping Ardiato, Alessandro Melanio Putra Pratama, Faridita Khoirun Nisa, Ryllia Nurul Ash Shiddieqy, Nur Azhari and S. Sulistyani, "Xenotransplantasi Organ Babi dalam Tinjauan Bioetik, Hukum Negara, dan Maqosid Syariah," *Proceeding Book Call for Papers Fakultas Kedokteran Universitas Muhammadiyah Surakarta (Thalamus)*, (2021): 74-81.

⁷Hudzaifah Achmad Qotadah and Maisyatusy Syarifah, "Pig Kidney Xenotransplantation As An Alternative Solution Of Hifdz Al-Nafs," *International Journal of Islamic Khazanah* 12, no. 2, (2022): 94-102, doi: 10.15575/ijik.v12i2.17358.

Lisda Ariany and Kaharuddin.⁸ Judging from the material object, this research is the same as the research carried out by all of the works previously stated, namely making the issue of pig organ transplantation to humans the object of study. However, what makes the difference between previous studies is that this research focuses on human pig heart transplants. Meanwhile, from the perspective of the formal object, researchers have not found studies on pig heart transplants in humans from the perspective of Abdullah Saeed's contextual approach. Thus, the research that the researcher will do is different from previous studies, because they want to explore messages in the Qur'an in the form of goals, wisdom, or the deepest meaning in a text of the Qur'an.⁹

The purpose of this study was to see how pig heart transplants to humans in QS. al-Maidah: 3 with Abdullah Saeed's contextual approach. This departs from the assumption that differences of opinion and views are influenced by understanding, both textually and contextually towards the text. To analyze QS. al-Maidah: 3 using Abdullah Saed's contextual approach which includes, micro and macro contexts because of the revelation of verses related to human organ transplantation which is termed "macro context 1"; the interpretation of the scholars from generation to generation which is termed the "connecting context"; and the contextualization of verses relating to human pig heart transplantation which is termed "macro context 2". The contextual interpretation proposed by Abdullah Saeed was chosen as an analysis because it is considered to be able to provide a comprehensive understanding of the context of the verse in determining its legal significance and then reinterpreting it so that it is relevant to the current context without eliminating the universal value of the Qur'an.¹⁰

⁸Muhammad Ilham, Lisda Ariany and Kaharuddin, "Transplantasi Babi dalam Perspektif Al-Qur'an (Studi Analisis Tafsir Quraish Shihab dan Ibnu Katsir)," *Al-Qalam: Jurnal Ilmiah Keagamaan dan Kemasyarakatan* 16, no. 5, (2022): 1911-1920, doi: 10.35931/aq.v16i5.1407.

⁹Siti Khotijah and Kurdi Fadal, "Maqashid al-Qur'an dan Interpretasi Wasfi 'Asyur Abu Zayd," *Qist: Journal of Qur'an and Tafseer Studies* 1, no. 2, (2022): 157, doi: 10.23917/qist.v1i1.626.

¹⁰Abdullah Saeed, *al-Qur'an Abad 21: Tafsir Kontekstual*, Terj. Ervan Nurtawab, (Bandung: PT. Mizan Pustaka, 2015), 14-15.

Discussion

Definition of Transplant and its Kinds

The term transplant comes from the English language transplant, the noun form of the verb transplant, which means transplanting organs, plants, animals and so on.¹¹ In the Law of the Republic of Indonesia Number 23 of 1992, Concerning Health, inside Chapter 1 General Provisions, Article 1 Paragraph 5 is defined that transplantation is a series of medical measures to remove organs and or tissues of the human body originating from another person's body or one's own body in the framework of treatment to replace organs and or body tissues that are not functioning properly.¹² According to Masjfuk Zuhdi, transplantation is the transfer of organs that have a healthy vitality to replace organs that are unhealthy and not functioning properly, when treated with ordinary medical procedures, there is no hope for the patient to survive.¹³

Based on the description above, it can be concluded that organ transplantation is the transfer of functioning human or animal organs or tissues to replace non-functioning organs in the context of treatment and efforts to save the lives of donor recipients. In the implementation of organ transplants, there are three parties associated with it: first, donors, namely people who donate healthy organs to be attached to other people whose organs suffer from disease or abnormalities. Second, recipients are people who receive organs from donors whose organs must be replaced. Third, a team of experts, namely doctors who handle transplant operations from the donor to the recipient.¹⁴

Judging from the genetic relationship between the donor and the recipient, Kutbuddin Aibak divides transplants into 3 types, namely: 1) Auto-transplants, namely transplants in which the donor and recipient are one individual. Like a person whose cheeks are operated on to restore shape, then the flesh is taken from other parts of his body in his own body; 2) Homo transplantation, namely where the transplant between the donor and the recipient is an individual of the same sex (human to human). 3) Hetero

¹¹Fatya Permata Anbiya, Rani Andriani Koswara and Yelvi Andri Z, *Kamus Saku Inggris-Indonesia; Indonesia-Inggris*, (Jakarta: TransMedia, 2013), 227.

¹²Undang-undang Republik Indonesia Nomor 23 Tahun 1992 Tentang Kesehatan dan Undang-undang Republik Indonesia Nomor 29 Tahun 2004 Tentang Praktik Kedokteran, (Jakarta: Visimedia, 2007), 2.

¹³Masyfuk Zuhdi, *Masail Fiqhiyah: Kapita Selektta Hukum Islam* (Jakarta: PT. Toko Gunung Agung, 1997), 86.

¹⁴Abuddin Nata, *Masail Al-Fiqhiyah* (Jakarta: Kencana Prenada Media Grup, 2014), 101.

transplantation, namely the donor and the recipient are two individuals of different types. Like a transplant where the donor is an animal while the recipient is a human.¹⁵ There is also a fiqh reality book: Ma'had Aly's Response to Contemporary Islamic Law Discourse.

Abdullah Saeed's Contextual Approach Application to QS. al-Maidah: 3

To discuss the issue of pig heart transplants to humans, verses relating to pigs in general will be examined. As stated in the introduction, the researcher chooses one verse out of four that talks about it, namely, QS. al-Maidah: 3 because this verse was revealed last among the verses for prohibiting pigs, so it is representative enough to study the issue of pig heart transplants to humans. The verse is as follows:

حُرِّمَتْ عَلَيْكُمْ أَلْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أُهْلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَبِقَةُ وَالْمُتَرَدِّيَةُ
وَالتَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ وَمَا ذُبِحَ عَلَى التُّصْبِ وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَمِ ذَٰلِكُمْ فِسْقٌ
الْيَوْمَ يَئِسَ الَّذِينَ كَفَرُوا مِنْ دِينِكُمْ فَلَا تَخْشَوْهُمْ وَاخْشَوْنَ الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتَمَمْتُ
عَلَيْكُمْ نِعْمَتِي وَرَضِيْتُ لَكُمُ الْإِسْلَامَ دِينًا فَمَنِ اضْطُرَّ فِي مَخْمَصَةٍ غَيْرِ مُتَجَانِفٍ لِإِثْمٍ فَإِنَّ اللَّهَ غَفُورٌ
رَّحِيمٌ

Prohibited for you carrion, blood, pork, slaughtered in the name of other than Allah...(QS. al-Maidah: 3).

1. Linguistic Analysis of Lahmun Khinzir in the Context of QS. al-Maidah: 3

The term lahmun khinzir in QS. al-Maidah: 3 is juxtaposed with the word maitah, ad-dam. Lahmun khinzir is a phrase formed from two words, takni lahmun and khinzir. The word lahmun means meat and the plural of the word is lahamun, walahumun, walahmanun.¹⁶ While the word khinzir is a certain type of animal, namely pigs. There are also those who argue that the meaning is a person whose behavior and actions resemble those of a pig, not someone who has a physical form similar to that of a pig.¹⁷ Most linguists argue that khinzir comes from four letters (kha', nun, zai, ra'). Meanwhile, Ibnu Sidah narrated that some linguists said that the word khinzir comes from the word khazara, because that's how most pigs have eyes. Thus, this word comes from three letters.

¹⁵Kutbuddin Aibak, *Kajian Fiqh Kontemporer* (Yogyakarta: TERAS, 2009), 122-123.

¹⁶Ar-Raghib al-Ashfahani, *Kamus al Qur'an*, Jilid 3, Terj. Ahmad Zaini Dahlan (Depok: Pustaka Khazanah Fawa'id),407.

¹⁷Al-Ashfahani, *Kamus al Qur'an*, Jilid 1 ... 697.

If the word *khinzir* is used as a verb, it means someone who squints his eyes to focus his eyes more. Meanwhile, if it is used for a noun, it means narrow and small eyes. There are also those who argue that the meaning of this word is as if someone is looking with the corner of his eye. The plural form of the word *khinzir* is *khinaziri*. The word *khinaziri* in Arabic is also used to refer to a well-known disease, namely a hard swelling of the neck.¹⁸

2. Early Islamic Context: An Analysis of Micro-Macro Asbab an-Nuzul

Surah al-Maidah: 3 in a narrow context or *asbab an-nuzul* micro, Jalaluddin as-Syuyuti states that Ibn Mandah narrated in the book *ash-shahaabah* from Abdullah bin Jabalah bin Hibban bin Abjar from his father from his grandfather, Hibban, he said, "Once upon a time we were with Rasulullah SAW and at that time he lit a fire to cook carrion meat in a pot. Then Allah sent down the prohibition of carrion. Immediately he spilled the pot."¹⁹

If drawn into a wider realm. The condition of fauna in Arab society in the era of the Prophet Muhammad. In the world of fauna known several vocabulary such as *namir*, *fahd*, *hyne*, *wolf*, *fox* and *lizards*. The lion, often quoted by the ancient poets of the Arabian Peninsula, is now extinct. Several species of monkeys can be found in Yemen. Among birds of prey, *'uqab*, *hubara*, *eagle*, *great eagle* and *owl* can be found on the peninsula. Crows, *hoopoes*, *gulls*, *nightingales*, *doves*, and one species of *quail*. The most commonly kept animals are *camels*, *donkeys*, *guard dogs*, *hunting dogs*, *cats*, *sheep* and *goats*. The desert gave birth to several new species of *grasshoppers*, *venomous snakes*, *horses*.²⁰ This shows that pigs were not found in the middle and historical life of the Arabs.

As has been stated, that pig heart transplants in humans that are practiced now have never happened at the time of the Prophet, so there is no hadith that specifically discusses this transplant. It's just that at the time of the prophet there were friends who replaced their damaged organs with something else. The hadith is:

¹⁸Syaikh Imam al-Qurthubi, *Tafsir al-Qurthubi*, Jilid 2, Terj. Fathurrahman, Ahmad Hotib, (Jakarta: Pustaka Azzam, 2007), 514.

¹⁹Imam Suyuthi, *Asbabun Nuzul: Sebab-sebab Turunnya Ayat al-Qur'an*, Terj. Ali Nurdin, (Jakarta: Qisthi Press, 2017), 155.

²⁰Philip K. Hiti, *History of The Arabs*, Terj. R. Cecep Lukman Yasin dan Dedi Slamet Riyadi, (Jakarta: PT Serambi Ilmu Semesta, 2006), 24-25.

حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ وَمُحَمَّدُ بْنُ عَبْدِ اللَّهِ الْخُزَاعِيُّ الْمَعْنَى قَالَا حَدَّثَنَا أَبُو الْأَشْهَبِ عَنْ عَبْدِ الرَّحْمَنِ بْنِ طَرْفَةَ أَنَّ جَدَّهُ عَرْفَجَةَ بْنَ أَسْعَدَ قُطِعَ أَنْفُهُ يَوْمَ الْكِلَابِ فَأَتَّخَذَ أَنْفًا مِنْ وَرِقٍ فَأَنْتَنَ عَلَيْهِ فَأَمَرَهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَتَّخَذَ أَنْفًا مِنْ ذَهَبٍ.

Have told us Musa bin Isma'il and Muhammad bin Abdullah al-Khuza'i both said; told us Abu al-Asyhab from 'Abdurrahman bin Tharafah that his grandfather Arfajah bin As'ad, his nose was cut during the al-Kilab war. Then he made a fake nose out of silver, but it turned out to be rotten. The Prophet SAW then ordered him (to make a nose out of gold), so he made a nose out of gold (HR. Abu Daud).²¹

The above hadith describes 'Arfajah, a friend of the Prophet SAW whose nose was cut off in a battle and replaced with a silver fake nose. The silver fake nose some time later gave off an unpleasant odor, so he asked the Prophet SAW for advice and he advised him to replace the silver fake nose with another gold fake nose.

Another hadith related to this issue is the hadith which states the command to seek treatment when someone is sick, namely:

حَدَّثَنَا بِشْرُ بْنُ مُعَاذٍ الْعَقَدِيُّ حَدَّثَنَا أَبُو عَوَانَةَ عَنْ زِيَادِ بْنِ عِلَاقَةَ عَنْ أُسَامَةَ بْنِ شَرِيكٍ قَالَ قَالَتِ الْأَعْرَابُ يَا رَسُولَ اللَّهِ أَلَا نَتَدَاوَى قَالَ نَعَمْ يَا عِبَادَ اللَّهِ تَدَاوُوا فَإِنَّ اللَّهَ لَمْ يَضَعْ دَاءً إِلَّا وَضَعَ لَهُ شِفَاءً أَوْ قَالَ دَوَاءً إِلَّا دَاءً وَاحِدًا قَالُوا يَا رَسُولَ اللَّهِ وَمَا هُوَ قَالَ الْهَرَمُ.

Has told us Bisyr bin Mu'adz al-'Aqadi, has told us Abu 'Awanah from Ziyad bin Ilaqah from Usamah bin Syarik he said: The Bedouin Arabs said, "O Messenger of Allah, don't we have to seek treatment (if sick)?" he replied: "Yes, O servants of Allah, seek treatment, indeed Allah did not create a disease but also created a cure for it except for one disease." They asked, "What disease

²¹Sunan Abu Daud, in the book of rings, chapter of setting gold for teeth, with hadith number 3696. The search was carried out based on the Android version of the Hadith Encyclopedia Application – Book of 9 Imams.

is that O Messenger of Allah?" he replied: "That is old (senile) disease (HR. Tirmidhi).²²

This hadith encourages people to seek treatment if they are sick, because Allah gave the disease, and of course there is a cure for this disease, except for old sickness. And pig heart transplantation in humans is a type of modern medicine that has a good role in saving human souls, because it is related to vital organs.

3. Interpretation of Ulama from Generation to Generation

A mufasir in explaining the verses of the Qur'an cannot only rely on his own thoughts. There are times when the mufasir interprets by quoting or explaining in more detail the thoughts of the previous mufasir, so that a mufasir cannot be separated from the previous mufasir. In other words, a work of exegesis cannot be separated from previous exegesis texts.²³ These things can affect the mindset of a mufasir and will usually be present in coloring the interpretation he does.²⁴

Ibn Abbas in his interpretation of pork means that Allah has forbidden pork for you, both cross-breeding and mixed. As for pork, the outside is the same as the inside as well as the outside, all of which are haraam without being specified in the slightest.²⁵ Al-Qurtubi in his interpretation is that Allah has specified the mention of pork to be able to show the prohibition of substances from the pig animal, whether the pig is slaughtered or not. And to expand its meaning on fat, cartilage and so on.²⁶ Ibn Kathir in his commentary says that pork includes both tame and wild. What is clear, the word meat includes all parts, as understood

²²Sunan Tirmidhi, in the medical book, chapter on medicine and motivation, with hadith number 1961. This hadith is classified as authentic hadith according to Muhammad Nashiruddin al-Albani. The search was carried out based on the Android version of the Hadith Encyclopedia Application – Book of 9 Imams.

²³Ihsan Nurmansyah, *Pola Penafsiran Muhammad Basiuni Imran dalam Tafsir Tujuh Surah dan Ayat as-Siyam Terhadap Tafsir Muhammad Rasyid Ridha (Kajian Intertekstualitas)*, (Tesis, UIN Sunan Kalijaga Yogyakarta, 2020), 6; See also Ihsan Nurmansyah and Adib Sofia, "Paralel, Transformasi dan Haplologi Tafsir Tujuh Surah Karya Muhammad Basiuni Imran dengan Karya Tafsir Muhammad Rasyid Ridha: Kajian Intertekstualitas." *al-Bayan: Jurnal Studi Ilmu al-Qur'an dan Tafsir* 6, no. 2, (2021): 68-69, doi: 10.15575/al-bayan.v6i2.14685.

²⁴Ihsan Nurmansyah, "Kajian Intertekstualitas *Tafsir Ayat As-Siyam* Karya Muhammad Basiuni Imran dan *Tafsir al-Manar* Karya Muhammad Rasyid Ridha," *al-Bayan: Jurnal Studi Ilmu al-Qur'an dan Tafsir* 4, no. 1 (2019): 2, doi: 10.15575/al-bayan.v4i1.4792.

²⁵Abu Ja'far Muhammad bin Jarir ath-Thabari, *Tafsir ath-Thabari*, Jilid 8, Terj. Akhmad Affandi, (Jakarta: Pustaka Azzam, 2008), 294.

²⁶al-Qurthubi, *Tafsir al-Qurthubi*, Jilid 2 ... 512.

according to Arabic and according to existing customs. And in Sahih Muslim it is mentioned a hadith from Buraidah bin al-Khushaib al-Aslami, he said, Rasulullah SAW said: Whoever plays with dice, it is as if he has dipped his hand in pig meat and blood.

If the prohibition is only touching meat, then how about a strong threat of eating it. In this hadith there is an argument that shows the generality of the word, "meat" which includes all organs of the body including fat and others. In ash-shahihain (Bukhari and Muslim) it is stated that the Messenger of Allah said: Indeed, Allah has forbidden the buying and selling of khamr, carrion, pigs and statues. The Messenger of Allah asked, what do you think about carrion fat, in fact it is used to paint ships, oil skin and is used by humans as a lamp? So he replied: no, it is unlawful (selling and buying it is unlawful).²⁷

Wahbah Zuhaili Tafsir al-Wasith Pigs are forbidden because pigs are animals that eat dirt, contain lots of worms such as bristle, spiral, and tapeworms. In addition, pork is difficult to digest because of the large amount of fat, muscle fiber and fatty materials, causing bad character traits such as loss of jealousy towards the female.²⁸

According to Hamka in Tafsir al-Azhar, it is forbidden to eat pork because pork is the meat of one of the dirtiest types of animals and likes all that is dirty, including all animals such as dead rats, human excrement and soaking in muddy water.²⁹ Hamka continued that if all halal food was not available at that time, while we were almost dead and did not eat, it was permissible to eat carrion meat, or the blood or flesh of pigs or animals slaughtered for idols, it was permissible to eat them. Because what is guarded at that time is life itself. Or being forced by someone else, for example by pointing a gun, you have to eat this. If you don't eat you I will kill you. At that time, you can eat it. In that he is free from the law. To stay away from this transgression, then eating meat or eating unclean food is just to not die, and after you are full and avoid death, you should stop immediately. Maintaining the authority of the law so that it is not violated, it is named Azimah, and permission given out of necessity is called Rukhshah.³⁰

²⁷Ibn Katsir, *Tafsir Ibnu Katsir*, Jilid 3, Terj. M. Abdul Ghoffar, (Bogor: Pustaka Imam asy-Syafi'I, 2003), 12.

²⁸Wahbah az-Zuhaili, *Tafsir al-Wasith* Jilid 1 (Al-Fatihah – at-Taubah), Terj. Muhtadi dkk (Jakarta: Gema Insani, 2012), 379.

²⁹Hamka, *Tafsir al-Azhar*, Jilid 3, (Singapura: Pustaka Nasional PTE LTD, 2007), 1605-1606.

³⁰Hamka, *Tafsir al-Azhar*, Jilid 3 ... 1616-1617.

M. Quraish Shihab quoted Thahir Ibn 'Asyur's opinion that the combination of the word meat with pork implies the prohibition of eating pork. The mention of the word meat as a sign that apart from eating it, is like using its limbs, the law is the same as the laws of other animals, on the purity of the fur when it is plucked or the purity of the skin when it is tanned based on the views of Daud azh-Zhahiri and Abu Yusuf and the hadith of the Prophet SAW: "Skin whatever is tanned, it has become holy" (HR. Muslim and at-Tirmidhi through Ibn Abbas).³¹

It is on this basis that M. Quraish Shihab in *Tafsir al-Mishbah* said that the use of pork heart valves as a substitute for sick human heart valves can be justified because they are not used for food. In fact, even if it is unclean, because it is placed in the human body and even though its uncleanness is not completely the same as the uncleanness that is in the human body, it does not have a legal effect because the impurity that has a legal effect is the uncleanness of the human outer body. Even more so if it is realized that the replacement of the valve is to maintain human survival.³²

The discussion of the mufasir from the early generation to the modern generation shows that the interpretation of the word *lahmun khinzir* has two main points. First, it is forbidden to eat pork. Second, the use of pig heart valves as a substitute for diseased human heart valves can be justified in an emergency.

3. Contextualization

This is the final stage of Abdullah Saeed's contextual approach. He stated that to carry out a contextualization of verses it is necessary to see and relate the understanding of the text in different contexts.³³ In this section, the current problems, problems and needs for human pig heart transplantation are determined. The social context when the verse prohibiting pork was revealed relates to when the companions and the Prophet were cooking carrion in a pot, then the verse was revealed. And pigs are not found in the middle and historical life of the Arab peoples.

If you look at the context of the occurrence of pig heart transplants in humans. Doctors treating Bennett's case said the operation was warranted

³¹M. Quraish Shihab, *Tafsir al-Mishbah: Pesan, Kesan dan Keserasian al-Qur'an*, Volume 3, (Jakarta: Lentera Hati, 2009), 20.

³²Shihab, *Tafsir al-Mishbah* ... 20.

³³Saeed, *al-Qur'an Abad 21* ... 178.

because he had no other treatment options and Bennett would die if he did not.³⁴ Then, if we take it backwards, the scholars differed in the law regarding the use of carcasses or things related to unclean things. Even the history of Imam Malik also mentions two opinions regarding this, one time he said its use was permissible, and on another occasion he said that the use of carcasses or things related to something unclean is not permissible in any form. The argument for its permissibility is a history from the Prophet SAW, one day he walked to Maimunah's house and passed a dead sheep that was just placed there, then he said: "Why don't you use its skin."³⁵

The argument for prohibiting it is the *zahir* word of Allah SWT (QS. Al-Maidah: 3). In this verse there is no specialization at all from the prohibition mentioned in the verse. And it cannot also be said that this verse is *mujmal*, because a *mujmal* verse is a verse whose meaning cannot be understood outwardly. Even though people who can speak Arabic must immediately know and understand the meaning of the word of Allah SWT. Moreover, Rasulullah SAW also said: "Do not take any benefit from animal carcasses." And a narration from Abdullah bin 'Ukaim mentions that Rasulullah SAW said:

لَا تَنْتَفِعُوا مِنَ الْمَيْتَةِ بِإِهَابٍ وَلَا عَصَبٍ

Do not take any benefit from the carcasses of animals, not the skin, not even the bones.

While Sahnun was of the opinion: it is not permissible to treat with carrion or with pigs. The reason is, because there are so many other halal things that can replace it. It's different if someone is starving, he can't find anything else, even if he finds a halal substitute, then this carcass will become haram again. Likewise with liquor, Muslims are not allowed to use it for medicinal purposes. This opinion was also followed by Malik, who was favored by the Shafi'i school and was also chosen by one of Shafi'i's followers, namely Abi Hurairah. Even some other scholars forbid treatment with something that is forbidden. The evidence for this is the words of the Prophet Muhammad: Verily, Allah does not cause the healing of my people from something that is forbidden for them.³⁶

If you look at the opinions of the madzhab scholars, they have agreed that originally transplants using organs that come from animals that are

³⁴Hunter, "Cangkok Jantung Babi ke Manusia Berbuah Kontroversi, dari Masalah Etis hingga Agama," in <https://www.bbc.com/indonesia/dunia-59962171/12> January 2022/ accessed 20 December 2022.

³⁵al-Qurthubi, *Tafsir al-Qurthubi*, Jilid 2 ... 502.

³⁶al-Qurthubi, *Tafsir al-Qurthubi*, Jilid 2 ... 532.

forbidden are unlawful. However, if in an emergency situation the scholars disagree. The largest group of mujtahid priests are of the opinion that it is forbidden to seek treatment with unclean or forbidden things. This opinion is held by the jumhur of madzhab scholars from the Malikiyah and Hanabilah circles and is a well-known opinion among the Hanafiyah school of thought. This is based on a hadith narrated by Abu Darda' which explains that the Messenger of Allah said:

إِنَّ اللَّهَ أَنْزَلَ الدَّاءَ وَالِدَّوَاءَ وَجَعَلَ لِكُلِّ دَاءٍ دَوَاءً فَتَدَاوَوْا وَلَا تَدَاوَوْا بِحَرَامٍ.

Indeed, Allah has sent down disease and medicine, and made for every disease there is a medicine, so seek treatment and do not seek treatment with something that is haram (HR. Abu Daud).³⁷

With the explanation of this hadith, the law has been analyzed by Fiqh scholars, namely Imam Hanafi and Imam Syafi'i:

1. Imam Shafi'i and Imam Hanafi forbid it under circumstances that are not forced to use it, because there are still other medicines that are holy and lawful as substitutes.
2. Imam Syafi'i and Imam Hanafi allow it in a very necessary situation because there is no other medicine to be used as a substitute, according to the advice of an expert Muslim doctor.³⁸

So, it can be concluded that transplantation of pig hearts to humans originating from animals that are unclean for consumption is permissible in an emergency, in accordance with the rules of Fiqh:

الضَّرُورَاتُ تُبَيِّحُ الْمَحْظُورَاتِ

"The state of emergency allows things that are forbidden"

According to this Islamic rule itself explains that something harmful must be removed. In the context of a disease that requires a pork heart transplant that is haram, because there is no other medicine, then treatment with a pig heart transplant that is haram for consumption is permissible, in order to eliminate the danger that threatens the sufferer. If it is not in an

³⁷Sunan Abu Daud, in the book of medicine, chapter on prohibited drugs, with hadith number 3376. This hadith is classified as a daif hadith according to Muhammad Nasiruddin al-Albani. The search was carried out based on the Android version of the Hadith Encyclopedia Application – Book of 9 Imams.

³⁸Imam Nawawi, *Majmu' Syarhul Muhadzab*, jilid. 16, (Daar 'Alaamil Kutub, Saudi Arabia), 467.

emergency and the purpose of the transplant is only to beautify oneself, then the transplant is forbidden. As for if the goal is just to beautify oneself, the scholars do not allow it, unless there is a negative psychological impact if not doing it.

Transplants carried out on an emergency basis (compulsion) can be categorized as acts that are permissible (permissible), based on the generality of God's word in QS. al-An'am: 119:

وَمَا لَكُمْ أَلَّا تَأْكُلُوا مِمَّا ذُكِرَ اسْمُ اللَّهِ عَلَيْهِ وَقَدْ فَصَّلَ لَكُمْ مَا حَرَّمَ عَلَيْكُمْ إِلَّا مَا اضْطُرِرْتُمْ إِلَيْهِ
وَإِنَّ كَثِيرًا لَيُضِلُّونَ بِأَهْوَاءِهِمْ بِغَيْرِ عِلْمٍ إِنَّ رَبَّكَ هُوَ أَعْلَمُ بِالْمُعْتَدِينَ

Why do you not want to eat (lawful animals) that are called by the name of Allah when slaughtering them, even though Allah has made it clear to you what He has made unlawful for you, except what you are forced to eat. and Verily most (of people) really want to mislead (others) with their passions without knowledge. Truly your Lord, He is the One who knows best those who transgress.

In Islam, religion itself allows to violate some of the forbidden for the sake of realizing benefit in preserving the soul and defending it from death. Based on QS. al-An'am: 119 and QS, al-Baqarah: 173. Based on these two verses, the scholars agree that everything that is forbidden is permissible because of an emergency (forced necessity) to avoid death. So someone who really needs the organs of animals in humans to maintain his life and protect him from death,³⁹ then this may be done, based on the ushul rule which states "ad-dararah tubihu al-mahzurat" urgent conditions allow various prohibitions.

Thus, several arguments allow pig heart transplants to humans. However, it is important to remember, this permit must meet very strict conditions, so as not to cause various restrictions on transplants. These conditions are:

- a) There is an emergency condition for recipients to obtain animal organ donors, in the sense that their recovery can only be done by means of organ transplants. Likewise, the benefits must be clear where healing with this transplant will not pose a greater danger to the post-transplant recipient.
- b) Transplantation of tools and tissues of the human body may only be carried out by a trusted specialist doctor who recommends that there is

³⁹Muhammad Amin, "Relasi Sosial dalam al-Qur'an," *Qist: Journal of Qur'an and Tafseer Studies* 1, no. 1, (2022): 38-39, doi: 10.23917/qist.v1i1.523.

no other way of healing the recipient except by implanting a tissue or organ of the body.

From the description above it can be concluded that the opinion that allows transplants. And this opinion, in general, is in line with the laws in force in Indonesia which allow tissue or organ transplants for emergency treatment as stated in Article 64 paragraph (1) of the Law of the Republic of Indonesia No. 36 of 2009 concerning Health, with strict conditions as stated in several articles of Government Regulation no. 18 of 1981 Concerning Clinical Post-mortem and Anatomical Post-mortem and Transplantation or human tissue.

Conclusion

Abdullah Saeed's contextual approach model is used as a lens to examine the problem of pig cornea transplants, along with research findings: 1) In linguistic analysis, the word *khinzir* means pig eyes and pigs. Judging from the *asbab an-nuzul*, micro-macro pigs are not found in the midst of the history and life of the Arab nation. 2) the interpretation of scholars from generation to generation towards the word *lahmun khinzir* has two main points. First, it is forbidden to eat pork. Second, the use of pig heart valves as a substitute for diseased human heart valves can be justified in an emergency. 3) contextualization. The use of pig eye cornea in transplantation into human eyes is prohibited as long as there are other efforts that can be cured medically. However, if it is an emergency in order to protect one's life, it is permissible on the condition that the recovery can only be done by means of an organ transplant and can only be done by a trusted specialist doctor.

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