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## **A Jurisprudential Approach to Certain Categories of Non-Muslims under the Circumstance of Food Necessity: In the Balance of Islamic Human Rights**

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### **Abstract**

Undoubtedly, the manner in which the followers of any religion or school of thought interact with others reflects the teachings of that tradition and indicates the extent to which that intellectual current embraces tolerance and fairness. In this regard, the behavior and beliefs of the faithful can often be regarded as a reflection of religious law; hence, believers are required, by employing criteria derived from reason and Sharia, to adopt authentic religious teachings while maintaining a critical perspective toward non-definitive beliefs. Given the necessity of this inquiry, and since none of the existing fatwas in the jurisprudential literature appeared free of controversy, this study seeks to evaluate and critique one such ruling. According to this relatively well-known opinion, the taking of life from certain categories of non-Muslims, in order to prevent starvation and under circumstances of necessity, is considered permissible. The present research, however, rejects such a view, and by precisely identifying and extracting the subject matter and establishing the foundational principle, analyzes the issue in the light of the principle of human dignity—the golden rule of ethics—alongside the principle of justice, and weighs it against reason and the principle of disrepute and discouragement of religion. Consequently, the attribution of this fatwa to Sharia is regarded as questionable, if not entirely invalid.

**Keywords:** Imami Jurisprudence; Non-Muslim; Necessity; Taking of Life; Dignity; Justice.

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