

Reasons for The Prohibition of Foods: A Hadith Jurisprudential Study

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Abstract

The issue of halal (permissible) and haram (forbidden) foods, drinks, and medicine holds significant importance in the life of a Muslim. The Prophet emphasized that consuming halal is crucial for prayers to be accepted. Meat sourced from forbidden means is strongly condemned, with the expression that such meat is more rightful for fire than consumption. Prohibited substances in foods, drinks, and medications may be forbidden outright or due to how they were obtained, in accordance with Sharia law. The study discussed both historical and contemporary as Islamic jurisprudence specifies prohibitions, permissions, and areas where it remains silent. The study examines the reasons for food prohibitions based on the Quran and Sunnah. It addresses challenges posed by modern foods that are not present during the time of revelation, aiming to clarify regulations, rules, and the rationale behind the prohibition of certain foods. The study identifies four main reasons for food prohibitions: impurity, intoxication, harm, and violations of dignity. Foods forbidden include explicitly impure items or specific categories like animals with fangs or birds with talons, as well as those known or suspected of being harmful. Prohibited foods also encompass those commanded to be killed or prohibited from being killed, carrion, products generated through improper means, and items not explicitly permitted by Sharia, such as usury or stolen property. Overall, the research aims to elucidate the principles behind food prohibitions in Islam, particularly concerning modern foods to ensure adherence to Islamic dietary laws and principles

Keywords: Prohibition, Foods, Impurity, Intoxication, Harm, Dignity.

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Introduction

The Meanings of Related Terms

(1) ‘*As-Sababu*’ Cause: Linguistically, ‘*Al-Habl*’ (the rope), and it refers to anything through which something is connected to another. (al-Razi: 1420 AH), or the direct cause: the agent from which an action emanates without mediation. For example, one might say: “The cause was severed by so-and-so.”: The cause of his death was health reasons. Also, one might say: “I have no cause to you,” meaning no way or path. And one might say: “For that cause,” meaning for that reason. (Mukhtar: 1429 AH). Cause, in terminology: what necessitates its existence,

Islamic Principle: Not Restricting the Forbidden Foods

The Quran has specified some forbidden items, as Allah says: “Say (O Muḥammad) :I find not in that which has been revealed to me anything forbidden to be eaten by one who wishes to eat it, unless it be *Maitah* (a dead animal) or blood poured forth (by slaughtering or the like), or the flesh of swine (pork); for that surely is impure or impious (unlawful) meat (of an animal) which is slaughtered as a sacrifice for other than Allāh (or has been slaughtered for idols or on which Allāh’s Name has not been mentioned while slaughtering). But whosoever is forced by necessity without wilful disobedience, nor transgressing due limits; (for him certainly), your Lord is Oft-Forgiving, Most Merciful.” (Al-An'am: 145).

The meaning of: “I do not find in what has been revealed to me anything forbidden except these things, not what you prohibit based on your desires.” This verse is from the Meccan period. At that time, nothing else was forbidden in the Sharia except for these things. Then the Surah “Al-Ma'idah” was revealed in Medina, adding more forbidden items such as strangled animals, beaten to death, fallen from height, gored, and wine, among others. The Prophet Muhammad, peace be upon him, also prohibited in Medina the consumption of every beast with fangs and every bird with talons. (Al-Qurtubi: 1384 AH)

Hence, the intention is not to restrict the forbidden items later in these mentions, but the meaning is: I do not find anything among what you have forbidden as prohibited except these things. Then the Quran mentions other types of forbidden items, as Allah says: “Forbidden to you (as food) are: *Al-Maitah* (the dead animals —cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh’s Name has not been mentioned while slaughtering, (that which has been slaughtered as a sacrifice for other than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by the goring of horns, and that which has been (partly) eaten by a wild animal, unless you are able to slaughter it (before its death), and that which is sacrificed (slaughtered) on An-Nuṣub(1) (stone-altars). (Forbidden) also is to use arrows seeking luck or decision; “ (Al-Ma'idah: 3). Upon reflection on the reasons for prohibiting these forbidden items in themselves, one finds that they can be almost confined to four, which will be discussed in four Sections.

The First Reason of Prohibition: Impurity and Filth

All filthy and scavenging animals, such as those that consume filth, human and animal waste, like pigs and the like, and all corrupt animals (*mustakhabath*) like mice, hedgehogs, rats, weasels, and the like, and anything from birds that is inherently corrupt, like bats and the like, or is corrupt because it eats carrion, like vultures and crows – it is prohibited to consume them. Similarly, all types of insects are prohibited for consumption because they are considered corrupt, such as beetles, locusts, cockroaches, fleas, lice, flies, worms, mosquitoes, and the like. Allah says: “He allows them as lawful aṭ-Ṭayyibāt (i.e. all good and lawful as regards things, deeds, beliefs, persons, foods), and prohibits them as unlawful Al-Khabā'ith (i.e. all evil and unlawful as regards things, deeds, beliefs, persons and foods.” (Al-A'raf: 157).

The term '*al-Tayyibat*' refers to what pleases and is desired by the soul, as food, being the source of nourishment, has an impact on one's temperament and character. Thus, good food has a positive effect, while impure food has a negative effect. Therefore, Allah, in His wisdom, permits what is good and pure in terms of food and prohibits what is impure. The general principle regarding permissible foods is that they are lawful unless explicitly prohibited by the wise legislation. Allah says: "while He has explained to you in detail what is forbidden to you, except under compulsion of necessity?" (Al-An'am: 119).

Whatever, the Sharia has not explicitly prohibited and there is no explicit prohibition, and if it is pleasing to the souls, it is considered permissible because the default state for things is permissibility. This is indicated by Allah's statement: "He it is Who created for you all that is on earth" (Al-Baqarah: 29).

The Prophet, peace be upon him says: "Whatever Allah has made lawful in His Book is halal (permissible), and whatever He has forbidden is haram (prohibited), and whatever He has remained silent about is a concession." (Al-Hakim: 1411 AH)

Some say we refer to the Arabs; if they find this animal pleasing, it is halal, and if they find it distasteful, it is haram, as they were the first to receive the legislation and were the people to whom the Prophet, peace be upon him, was sent and among them, the Quran was revealed. Ibn Abbas, may Allah be pleased with them, said: "*Whatever He remains silent about is a concession.*" Some of our scholars say: It is not permissible to eat it because the default state for animals is prohibited, and if there is doubt, it remains on the default state." (Ash-Shirazi: n.d)

Prohibition of Domesticated Donkeys

In the hadith narrated by Anas ibn Malik, may Allah be pleased with him, someone came to Allah's Messenger (ﷺ) and said, "The donkeys have been eaten (by the Muslims)." The Prophet kept quiet. Then the man came again and said, "The donkeys have been eaten." The Prophet (ﷺ) kept quiet. The man came to him the third time and said, "The donkeys have been consumed." On that the Prophet (ﷺ) ordered an announcer to announce to the people, "Allah and His Apostle forbid you to eat the meat of donkeys." Then the cooking pots were upset while the meat was still boiling in them. (Bukhari: 1422 AH)

Thus, the narration of Anas indicates the reason for the prohibition, which is impurity, as they are considered impure. Ibn Hazm said: "It is correct that all of it is impure, and the pouring out of the pots by the Companions in the presence of the Prophet, peace be upon him, clearly shows that its meat, fat, bones, and everything from it is forbidden." (Ibn Hazm: n.d)

Prohibition of Eating Animals with Fangs and Birds with Claws

The prohibition of consuming every animal with fangs from the wild animals and every bird with claws is evidenced by the hadith of Abu Tha'labah, may Allah be pleased with him, who reported that the Prophet, peace be upon him, forbade eating every animal with fangs from wild animals. (Bukhari: 1422 AH, Muslim: n.d) Another hadith narrated by Ibn Abbas states: "The Messenger of Allah, peace be upon him, prohibited eating every animal with fangs from the

wild animals and every bird with claws.” (Muslim: n.d). This prohibition includes all birds of prey, such as eagles, hawks, falcons, vultures, and owls, among others.

Ibn al-Qayyim said what has been prohibited is what possesses both characteristics: having fangs and being a wild animal by nature, such as lions, wolves, tigers, and leopards. (Ibn al-Qayyim: 1411 AH) while Ibn Taymiyyah stated it is said: He prohibited eating every animal with fangs from the wild animals and every bird with claws due to their aggressive and predatory nature, as their characteristics are inherited by those who consume them. (Ibn Taymiyyah: 1412 AH)

Prohibition of Eating Animals That are Fasiq (Corrupt):

The evidence for this prohibition is found in the saying of the Prophet, peace be upon him: “Snakes are corrupt, scorpions are corrupt, mice are corrupt, and crows are corrupt.” It was asked, “Can we eat crows?” He replied, “Who would eat it after the statement of the Messenger of Allah declaring it corrupt?” (Ibn Majah: n.d)

Ibn Hazm said it is confirmed that these animals are corrupt, and corruption is forbidden. Allah says: Say (O Muḥammad: I find not in that which has been revealed to me anything forbidden to be eaten by one who wishes to eat it, unless it be Maitah (a dead animal) or blood poured forth (by slaughtering or the like), or the flesh of swine (pork); for that surely is impure or impious (unlawful) meat (of an animal) which is slaughtered as a sacrifice for other than Allāh (or has been slaughtered for idols or on which Allāh’s Name has not been mentioned while slaughtering)” (Al-An'am: 145). If what is in it is slaughtered as corrupt, it becomes something allowed for other than Allah, as slaughtering what is not permissible to eat is an act of disobedience, and disobedience is directed towards something other than Allah.” (Ibn Hazm: n.d).

Prohibition of Eating (*al-Gallalah*) and Drinking Its Milk

The term (*Al Gallalah*) refers to an animal that primarily feeds on impurities and filth, whether it is a camel, cow, sheep, chicken, pigeon, or any other animal, until its odor changes. Prohibition is mentioned regarding eating its meat, drinking its milk, riding it without a saddle, and consuming its eggs. The evidence for this is found in the narration of Ibn Umar: “The Messenger of Allah, peace be upon him, prohibited eating the meat and drinking the milk of (*Al Gallalah*)” (As-Sijistani: 1969). In another narration: “To ride on it or to drink its milk” (As-Sijistani: 1969).

Al-Khattabi explained that (*Al Gallalah*) refers to camels that consume filth and impurities. The prohibition of eating its meat and drinking its milk is to avoid contamination and impurity. This is because if they feed on it, the smell of the impurities can be found in their meat. This occurs when the predominant part of their food consists of such impurities. (Al-Khattabi: 1351 AH). Imam Malik said, “There is no harm in (*Al Gallalah*),” and he also said, “If I disliked it, I would dislike birds that eat filth” (Malik: 1415 AH).

Ibn Rushd stated, as for (*Al Gallalah*), which is the one that feeds impurities, there is a difference of opinion regarding its permissibility. The reason for their disagreement is the

conflicting analogy with the evidence. The evidence is what is narrated that the Prophet, peace be upon him, prohibited the meat and milk of (*Al Gallalah*)“ (Ibn Rushd: 1425 AH). The opposing analogy is based on the principle that what is found in the stomach of an animal is transformed into meat and other parts of that animal. If we consider the meat of the animal as halal, then the rule should apply to what it transforms into, which is the meat. The disagreement among scholars is reflected in the fact that while Ash-Shafi'i prohibits (*Al Gallalah*),' Malik dislikes it (Ibn Rushd: 1425 AH). However, if (*Al Gallalah*) is confined and fed with pure and lawful substances, then its milk, meat, and riding become permissible.

Ibn al-Qayyim mentioned, “Muslims unanimously agree that if an animal, such as a camel, is initially fed with impurities, and then it is confined and fed with pure substances, its milk and meat become permissible” (Ibn al-Qayyim: 1411 AH). As for the prohibition of riding it, Ash-Shawkani explains, “The reason for the prohibition is that it sweats, causing its sweat to soil what is on it. This applies when it is not confined. However, if it is confined, then riding it is permissible according to the consensus of scholars” (Ash-Shawkani: 1413 AH).

Prohibition of Eating Mules Meat

Jabir ibn Abdullah reported, “We used to eat the meat of horses.” I asked, “Including mules?” He replied, “No” [Ibn Majah: Not specified]. Mules are born from the mating of a mare with a male donkey, making them a combination of permissible and impermissible lineage, with the prohibition prevailing.

Ibn Qudamah stated, “Mules meat is prohibited for everyone who prohibits the meat of domesticated donkeys because they are born from them. The ruling of prohibition extends to what is born from the forbidden lineage” [Ibn Qudamah: n.d]. Ibn Rushd mentioned, “The majority agree on the prohibition of eating mules meat. Some disliked it but did not declare it haram, and this is reported from Malik” (Ibn Rushd: 1425 AH).

Prohibition of Eating *al-Masbourah* and *al-Mujaththama*

Anas ibn Malik reported: The Messenger of Allah (ﷺ) forbade to kill an animal in confinement. (Sahih Bukhari: 1422 AH). Abud Darda' said God's messenger forbade eating the *mujaththama*, which is the animal kept as a target for arrows. (Sunan At-Tirmidhi: 1395 AH). Ibn Qudamah said, “*Al mujaththama* is the bird or rabbit that is set as a target and then thrown to be killed. *Al-Musburah* is similar, except that *Al mujaththama* is only applicable to birds, rabbits, and the like, while *Al-Musburah* applies to all animals. The origin of patience is restraint.” (Ibn Qudamah: n.d).

In other words, *Al-Musburah* is tied and thrown with the slingshot until it dies. If it dies from throwing, its consumption is prohibited.

The Second Reason for Prohibition: Intoxication (*Iskar*)

Definition of Drugs Linguistically and in Terminology

Drugs linguistically: The term “*Khudr*” has several meanings, including the languor and laziness that affects the drinker at the beginning of his intoxication. Al-Fayyumi said, “And the numbness of a limb is numbness due to fatigue; it relaxes, so it cannot endure movement.” (Al-Fayyumi: n.d). Drugs in terminology: “Anything that obscures the mind and senses without being accompanied by ecstasy and pleasure.”[Al-Qarafi:n.d]. Al-Haythami defined it as “the covering of the mind without severe intoxication.” (Al-Haythami: 1407 A.H).

Intoxicants and drugs: Any food or drink that causes the mind to go away, or numbs it, or weakens the body, or restrains it, is prohibited, whether it is in small or large quantities, whether it is food or other substances. Drugs: Plant or chemical substances that affect the mind and body, causing lethargy, sluggishness, paralysis of activity, and covering the human mind like alcohol due to the psychological collapse, physical and mental weakness, mental disorder, financial bankruptcy, and physical and mental illness they cause.

The Prohibition of A Small Amount of Intoxicants and its Abundance

The evidence for this is the saying of the Prophet (ﷺ): “Whatever intoxicates in large quantities, a small amount of it is also prohibited.” (As-Sijistani:1969) And his statement: “Every intoxicant is prohibited, and whatever intoxicates in large quantities, a handful of it is also prohibited.” (As-Sijistani:1969). All these texts explicitly state that both the abundant and the small amounts of what causes intoxication are prohibited. Al-Khattabi said: “This clarification indicates that the prohibition applies to all parts of the intoxicant, and that its small amount is as forbidden as its abundant quantity, and the state of intoxication.”(Al-Khattabi: 1351 A.H.).

Ibn Rushd said: “It is established by the consensus of Islamic jurisprudence that intoxicants are considered as a type, regardless of the quantity. Therefore, everything containing the cause of intoxication must be treated like alcohol.” (Ibn Rushd: 1425 A.H).

The Ruling of Drug Consumption

Drugs are prohibited, as stated by Umm Salamah, may Allah be pleased with her: “The Messenger of Allah, peace be upon him, forbade every intoxicating and mind-altering substance.” (As-Sijistani:1969). Al-Khattabi said: “Al-Muftir refers to any drink that induces lethargy and numbness in the limbs, and it is a precursor to intoxication. The Prophet forbade its consumption, lest it becomes a pathway to intoxication.” (Al-Khattabi: 1351 AH).

The prohibition of all drugs can be derived from this hadith, encompassing substances harmful to the body and mind, such as anaesthetic, opium, hashish, and similar substances. The prohibition implies the consensus of jurists, as the Prophet first prohibited intoxicants and then included mind-altering substances. The form of inclusion suggests that the rule for the mind-altering substance is the same as that for intoxicants, which is prohibited.

Anything that induces intoxication, numbness, or lethargy in the body is subject to the ruling of prohibition, regardless of its substance or name, if its essence is intoxicating or mind-altering based on the prohibition of all intoxicants and mind-altering substances.

All types and forms of drugs are prohibited, and their consumption in any form – whether eaten, drunk, inhaled, smoked, injected, or otherwise – is forbidden due to their significant harm to the body and mind. And because of the severe negative effects and harms resulting from them, greater than the effects of intoxicants, including the waste of time and money, fostering enmity and hatred, neglecting the remembrance of Allah and prayer, causing numerous physical, mental, and psychological diseases that are difficult to treat, fostering negligence and laziness in worship, leading to corruption, thefts, crime involvement, hindering interests, ruining families and children, and causing the loss of one's self, faith, dignity, intellect, wealth, time, and well-being in this world and the Hereafter. All these calamities and evils are orchestrated by Satan to lead humans astray and entice them in the pursuit of pleasure and happiness.

The Ruling on Treating with Alcohol and Drugs

Alcohol and drugs are not medications; therefore, just as it is not permissible to use them recreationally or for pleasure, it is also not permissible to use them for medical treatment. This is based on the hadith of Suwayd ibn Tarq, who asked the Prophet, may Allah's peace and blessings be upon him, about wine. The Prophet prohibited it, and Suwayd said, “*I make it as medicine.*” The Prophet, peace be upon him, responded: “*It is a disease and not a cure.*” (Ahmad: 1421 AH).

The implication from the hadith is that the Prophet prohibited the use of wine for medicinal purposes, and the prohibition implies its forbidding. Another hadith from Abu Huraira, may Allah be pleased with him, states: “The Messenger of Allah, peace be upon him, forbade using impure medicine.” (As-Sijistani: 1969).

The indication from this hadith is that it establishes the prohibition of using impure medicine. Al-Khattabi explained it, saying: “Impure medicine can be impure from two aspects: one is the impurity of filth, such as using what is prohibited, like wine and the flesh of animals not slaughtered in the prescribed manner...” (Al-Khattabi: 1351 AH). While Ash-Shawkani said: “Its apparent meaning is the prohibition of treating with every impure substance... and there is no doubt that what is prohibited and An-Najasu are impure.” (Ash-Shawkani: 1413 AH). The saying of the Prophet, peace be upon him, “Indeed, Allah has sent down both the disease and the cure, and He has made a cure for every disease, so seek treatment but do not seek treatment with something forbidden” (As-Sijistani: 1969).

The indication from this hadith is that the Prophet, peace be upon him, prohibited treating with what is forbidden, and since alcohol and drugs are forbidden, it is not permissible to use them for treatment, as the prohibition implies forbidding. Many scholars, however, have concluded that using drugs as medication is permissible if necessity or need dictates. Ibn Najim al-Hanafî said: “If one's mind is altered by substances like anaesthetic and opium, then his divorce counts as if he uses it for entertainment and introducing harm, but if used for treatment, then it is permissible.” (Ibn Najim: n.d).

Al-Nawawi, the Shafi'i scholar, stated: "Our scholars said: It is permissible to drink medicine that removes mental capacity out of necessity." (An-Nawawi: n.d). Al-Shirbini, another Shafi'i scholar, said: "It is permissible to treat it when there is a necessity for using it in the absence of alternatives even if it causes intoxication. What does not cause intoxication except in combination with something else makes its consumption alone permissible." (Ash-Shirbini: 1415 AH).

It is evident from the statements of these scholars that they permit such usage only in cases of necessity, suggesting that they interpret the prohibition considering specific circumstances. They base their stance on the Quranic verses that allow exceptions in times of necessity, such as the verse: "But, if one is forced by necessity without willful disobedience nor transgressing due limits, then there is no sin on him. Truly, Allāh is Oft-Forgiving, Most Merciful" (Al-Baqarah: 173).

Undoubtedly, a patient who cannot find an alternative medicine is compelled, and there is no sin on him. The verses "*and do not throw yourselves into destruction (by not spending your wealth in the Cause of Allāh)*", (Al-Baqarah: 195). and "*And do not kill yourselves (nor kill one another). Surely, Allāh is Most Merciful to you*" (An-Nisa': 29) emphasize the preservation of life.

Abandoning treatment with anaesthetic under the supervision of a trustworthy Muslim doctor leads to the neglect and destruction of oneself. Preserving life aligns with the objectives of Islamic law. Similarly, they argue by analogy: as the Sharia permits consuming forbidden substances in cases of necessity to preserve life, the same principle can be applied to using prohibited substances for medical treatment to safeguard life.

The Third Reason for Prohibition: Harm

Consuming all poisonous animals, such as snakes, scorpions, lizards, venomous fish, and the like, is prohibited. The same applies to poisonous inanimate objects, like arsenic and the like. Al-Kasani, the Hanafi jurist, stated: "Anything that does not have blood fundamentally, and anything without liquid blood, and anything with liquid blood like Such as the locust, the wasp, the fly, the spider, the lizard, the beetle, the moth, the scorpion, and similar creatures – their consumption is not permissible, except for locusts specifically. This is because they are considered impure to avoid harming sound constitutions." (Al-Kasani: 1406 AH).

Al-Shirazi, the Shafi'i jurist, also mentioned: "It is not permissible to consume ground insects such as snakes, scorpions, mice, beetles, leeches, grasshoppers, spiders, lizards, venomous asps, toads, worms, wasps, ants, and locusts. This is based on the verse: {And prohibits for them the evil}. (Ash-Shirazi: n.d).

Prohibition of Ingesting Poison for its Harm and Detriment to the Self

The evidence for this is the hadith: "*Whoever ingests poison and kills himself, his poison will be in his hand, and he will keep ingesting it in the Hellfire, eternally and continually.*" (Al-Bukhari: 1422 AH, Muslim: n.d). The implication from this hadith is: since causing one's own

death by ingesting poison leads to the punishment of the person in the Hellfire, consuming it is considered a major sin, as preserving life is one of the five necessities safeguarded by Sharia.

Prohibition of Eating what the Prophet Prohibited Killing

The evidence for this is the hadith of Ibn Abbas: “The Prophet, may Allah's peace and blessings be upon him, prohibited killing four creatures: ants, bees, hoopoes, and frogs.” (As-Sijistani: n.d). Al-Khattabi commented: “It is said that the prohibition regarding ants is specific to a particular type, namely the larger ones with long legs, because they cause minimal harm and damage. The prohibition of killing bees is due to their benefit. As for hoopoes and frogs, the prohibition of killing them indicates the prohibition of eating their meat. This is because when an animal is prohibited to be killed, and it is not due to its sacredness or harm, it signifies the prohibition of consuming its flesh.” (Al-Khattabi: 1351 AH).

Prohibition of Eating Frogs

The evidence for this is the hadith of Abdul Rahman ibn Uthman: “A physician asked the Prophet, may Allah's peace and blessings be upon him, about frogs, intending to use them in medicine. The Prophet, may Allah's peace and blessings be upon him, prohibited killing them.” (As-Sijistani: n.d). Al-Khattabi remarked: “This serves as evidence that eating frogs is prohibited, and they are not included in the permissibility granted to water creatures.” (Al-Khattabi: 1351 AH). While Al-Shawkani stated: “In it, there is evidence of the prohibition of eating it after submission, as the prohibition of killing implies the prohibition of consumption.” (Ash-Shawkani: 1413 AH).

Prohibition of Eating Harmful Plants

Every harmful, poisonous, or malevolent plant is considered prohibited, and it is not permissible to eat, consume, cultivate, or trade in it. This includes flowers and toxic or narcotic leaves, such as tobacco and qat. (At-Tuwajjri: 1430 AH).

Dislike for Eating Onions, Garlic, and Leeks

The evidence for this is the hadith: “Whoever eats garlic or onions, let him keep away from us, or keep away from our mosque.” (Al-Bukhari: 1422 AH, Muslim: n.d). In another narration: “Whoever eats onions, garlic, or leeks should not approach our mosque. Verily, the angels are harmed by what harms the human.” (Muslim: n.d). Al-Khattabi commented: “His statement, 'let him keep away from our mosque,' is an order for him to refrain from the mosque as a punishment, and it is not an excuse that permits a person to be absent from the congregation, such as heavy rain or strong winds, and similar circumstances.” (Al-Khattabi: 1351 AH). Similarly, anything that causes harm is prohibited to be eaten, such as dust, clay, charcoal, manure, and the like, as consuming them is detrimental to human health.

The Fourth Reason for Prohibition: Human Dignity

The Almgisea and, “And indeed We have honoured the human, and We have carried them on land and sea, and have provided them with Aṭ-Ṭayyibāt (lawful good things) and have preferred them to many of those whom We have created with a marked preferment.” [Sūrat Al-Isrā’:70]. Allah has honoured the human with a good appearance, balanced stature, intellect, and sound thinking about means of livelihood, authority over the earth, harnessing what is on the earth, and providing them with plant and animal-based sustenance. He has elevated them over many creatures with dominance, honour, and dignity.

As part of Allah's honour for the human, He has prohibited the consumption of their flesh, whether alive or dead, despite its purity. Scholars from various schools of thought unanimously agree that it is not permissible to kill a human or mutilate their body parts for the purpose of consumption because the human body is sacred. Therefore, consuming the flesh of a living person is not allowed, and unanimously, except in the Shafi'i school, consuming the flesh of a deceased person is also not allowed. This is based on the hadith: “Breaking the bone of the dead is like breaking it while alive.” (As-Sajistani: n.d).

The indication from this hadith is that breaking the bone of a living being is not permissible without a legitimate religious reason, and the same applies after death. If one person tells another, for example, to cut off their hand and eat it, it is not permissible because the flesh of a human is not allowed even in cases of necessity to preserve their dignity.

Hanafi School of Thought: The Hanafi school does not permit the consumption of human flesh in general, even in cases of necessity. Ibn Amir Hajj, a Hanafi scholar, said: “...the prohibition of eating human flesh is based on dignity, similar to the prohibition of eating the flesh of birds of prey due to impurity.” (Ibn Amir Hajj: 1403 AH). Ibn Abidin, another Hanafi scholar, stated: “If someone tells another to cut off his hand and eat it, it is not permissible because the flesh of a human is not allowed even in cases of necessity to preserve their dignity.” (Ibn Abidin: 1412 AH).

Al-Dardir al-Maliki mentioned in his book *Ash-Sharh Al Kabeer*: “As for humans, it is not permissible to consume it.” (Ad-Dusuki: n.d) It was mentioned in *Al-Taj Wa Al-Iklil fi Mukhtasar Khalil*: “The deceased from the human is not called impure or filthy, and the prohibition of consuming it is out of respect for it, not because it is impure.” (Al-Abdari: 1416 AH).

The Shafi'i school allows the consumption of the flesh of a dead human in cases of necessity if there is no alternative. The sanctity of the living takes precedence over the sanctity of the dead, except if the deceased is a prophet, in which case consumption is strictly forbidden. Similarly, if the dead person is a Muslim and the one in need is a non-Muslim, it is not permissible to consume the flesh due to the honour of Islam. (Ash-Sherbini: 1415 AH).

The Hanbali school also allows the consumption of a non-infallible human, meaning permissible [to spill] the blood, such as the combatant, the apostate, the adulterer who is married, and the one engaged in fighting. [Al-Buhuti: n.d] The Shafi'i and Hanbali schools permit the killing and consumption of a combatant in a state of necessity, but cutting off some of their body parts is not allowed. This is because, in the case of killing, they are not considered infallible, so killing them is permissible, and there is no sanctity for them, making them like

animals. A person in need can consume their flesh after death due to its lack of prohibition. It is evident from the above that the scholars who permit such actions derive their reasoning from the principle that the sanctity of the living is greater than that of the dead, and the flesh of the deceased will eventually decay. Thus, saving a blameless Muslim is more important than letting their flesh decompose, consumed by soil, worms, and decay.

Conclusion

In conclusion, the study underscores that Islamic dietary prohibitions are grounded in principles of impurity, intoxication, harm, and respect for human dignity. These guidelines encompass a wide range of forbidden foods, including those explicitly mentioned in Sharia as impure or categorically prohibited, creatures known for their impurity or dietary habits, and items associated with practices contrary to Islamic teachings, reinforcing the importance of adhering to these dietary laws for spiritual and physical well-being.

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