

Sarra Tlili (University of Florida), “Animals Would Follow Shafi’ism. Legitimate and Illegitimate Violence Done to Animals in Islamic Legal Literature”

Although Islamic tradition tends to prioritize the interests of human beings over those of other animals, the wellbeing of the latter was still a matter of deep concern to early and medieval Muslims. Islam, for example, permits humans to kill many animal species for food, an act which by almost universal standards is considered violent. On the other hand, the Ḥadīth generally proscribes the killing of animals for reasons other than food consumption and prohibits the mutilation of animals. In spite of this, the mere permissibility of killing animals to satisfy human needs was a source of disconcertment to many Muslim theologians, who attempted to account for it in various ways. It is also notable that at the hands of jurists the Ḥadīth’s teachings on animals were translated in various sets of rules. Whereas Ḥanafīs tended to make any benefit that humans may derive from other animals a legitimate reason to kill them, Shāfi‘īs were keen to restrict human’s privileges to the few permissions expressly stipulated in the Ḥadīth. Since according to Islamic tradition nonhuman animals are considered Muslim, one is inclined to believe that, had they been aware of the debate pertaining to them in Islamic texts and had they cared to follow the example of their human coreligionists in picking a *madhhab*, nonhuman animals would probably follow Shāfi‘ism.