

Foundations, Scope, and Mechanisms for Supporting the World's Oppressed in the Legal System of the Islamic Republic of Iran and the Jurisprudence of Islamic Schools

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Article Info

Article type:
Research Article

Article history:
Received
07 March 2024
Received in revised form
01 May 2024
Accepted
07 June 2024
Available online
22 June 2026

Keywords:
support for the oppressed,
humanitarian intervention,
Islamic Revolution,
Islamic schools,
non-intervention

ABSTRACT

Supporting oppressed and vulnerable peoples is a fundamental principle of Islamic governance and a distinctive aspiration of the Islamic Republic of Iran. It clearly appears in Iranian constitutional law and in the jurisprudence of Islamic schools as a duty of the Islamic government. International law, however, generally recognizes non-intervention in the domestic affairs of states. This article therefore asks what foundations support the duty, how far it extends, which mechanisms may lawfully implement it, and how it can be reconciled with non-intervention. Using a descriptive-analytical and library-based method, the study examines the Qur'an, Sunna, reason, the jurisprudence of the Islamic schools, Iranian constitutional principles, and relevant international legal materials. It finds that the duty has religious, rational, ethical, and constitutional foundations; its beneficiaries are not limited to Muslims; and its principal mechanisms are political, economic, and legal, with military assistance confined to exceptional conditions. Properly designed support does not intrinsically violate non-intervention because assistance, advocacy, lawful sanctions, judicial recourse, and narrowly justified collective protection differ from coercive imposition of political will.

Cite this article: Hosseini-Nejad, S. A. M., Habib-Nejad, S. A., & Javan-Arasteh, H. (2026). Foundations, scope, and mechanisms for supporting the world's oppressed in the legal system of the Islamic Republic of Iran and the jurisprudence of Islamic schools. *Studies of Islamic Jurisprudence and Basis of Law*, 20(1), 333-360. <https://doi.org/10.22034/fvh.2024.18171.1920>



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DOI: <https://doi.org/10.22034/fvh.2024.18171.1920>

Introduction

Assistance to the oppressed is more than an ethical recommendation in Islamic political thought. Both Shi'i and Sunni traditions recognize support of the wronged as a communal obligation and, where organized capacity is needed, as a governmental duty. The Iranian Revolution elevated this principle into constitutional and foreign-policy commitments, especially Article 154 of the Constitution. At the same time, sovereignty and non-intervention are foundational norms of the contemporary international order. The apparent tension raises questions about the legal bases, beneficiaries, and permissible instruments of support.

Methodology

The research is fundamental and applied, descriptive-analytical, and critical. It uses primary Imami and Sunni fiqhi sources, the Iranian Constitution and related legislation, the Charter of the United Nations and international resolutions, and scholarship in political jurisprudence and international law. Key concepts such as *mustad'af*, oppression, humanitarian intervention, and sovereignty are clarified. The positions of the five major Islamic schools are compared, constitutional principles are analyzed, and proposed mechanisms are tested against non-intervention, necessity, proportionality, and the prohibition of aggression.

Literature Review

Existing works frequently approach support for the oppressed as a general moral ideal or examine humanitarian intervention exclusively through Western international-law categories. Other studies analyze Article 154 or Islamic foreign policy without integrating the jurisprudence of several schools and the operational limits imposed by non-intervention. The present study combines these dimensions and distinguishes the intrinsic objective of support from the legal means by which a state may pursue it.

Findings

The foundations are Qur'ānic commands to defend the oppressed, Prophetic and juristic teachings on assisting the wronged, rational and ethical requirements of justice, and constitutional principles including Articles 2, 3, 152, and 154. The category of the oppressed is human and functional rather than exclusively confessional; it may include non-Muslims subjected to aggression or systematic deprivation. Lawful mechanisms operate at four levels: political and diplomatic advocacy; economic and humanitarian assistance and proportionate non-forcible measures; legal action before international institutions and courts; and strictly limited military or emergency assistance.

Discussion

The key distinction is between support and unlawful intervention. Political advocacy, relief, capacity-building, lawful economic measures, and international litigation generally do not impose a foreign political will and therefore do not breach the core of non-intervention. Force requires a much narrower analysis. The study identifies three potentially lawful settings: an express request by the lawful government of the affected state; urgent protection against genocide or crimes against humanity under a legally defensible collective framework; and assistance pursuant to a valid mutual-defense arrangement. Outside such settings, unilateral force risks aggression and disruption of international security. Islamic law therefore favors the least costly and least coercive effective means.

Conclusion

Support for the world's oppressed in Iranian law and Islamic jurisprudence has three dimensions: firm religious, rational, and constitutional foundations; a universal and transreligious scope; and a graded set of political, economic, legal, humanitarian, and exceptionally military mechanisms. The duty is not incompatible with non-intervention when the government distinguishes ends from means, uses lawful multilateral channels, and applies necessity and proportionality. Future policy should translate this multilevel theory into an operational charter for legal and diplomatic action so that support remains effective, principled, and consistent with international obligations.

Declarations

Author Contributions: The authors jointly collected the sources, compared the positions of Islamic schools, analyzed the relationship with non-intervention, and prepared the final manuscript.

Data Availability Statement: Not applicable.

Acknowledgements: The authors declared no acknowledgement.

Ethical Considerations: The authors observed professional ethics, including accurate attribution, impartial analysis, and scholarly originality.

Funding: This research received no specific grant from public, commercial, or not-for-profit funding bodies.

Conflict of Interest: The authors declared no conflict of interest.

Declaration of Generative AI and AI-assisted Technologies: The authors declared that no generative artificial intelligence was used to produce the article.