

## Critique of the Tradition of the Permissibility of "Mass Murder" in War

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### Introduction

Jihad and struggle among human societies are inevitable due to human desire for power. Since Islam is considered the most perfect religion, it has paid special attention to the laws of war and established specific regulations for jihad aimed at seeking and upholding justice. From the perspective of the Holy Qur'an, adopting methods of combat that expose individuals to slaughter without distinguishing between combatants and non-combatants is not permissible. Despite this core principle, a tradition exists within the Shī'a tradition that allegedly permits mass killing in war, thus disregarding the principle of distinction. This tradition is transmitted by Ḥafṣ ibn Ghīyāth from Imam Ṣādiq (as). It was first recorded by Muḥammad ibn Ya'qūb al-Kulaynī in *al-Kāfi* and later, in the fourth century AH, by Muḥammad ibn al-Ḥasan al-Ṭūsī in *Tahdhīb al-Aḥkām*, with a slight variation in the chain of transmission (sanad). This paper undertakes a critical analysis of the aforementioned tradition in terms of its authenticity (sanad) and meaning (dalālah).

### Materials and Methods

In critiquing and analyzing any hadīth, the context of its issuance by the Immaculate Imam (as) must be ascertained, and its text (matn) must not contradict the verses of the Holy Qur'an. Accordingly, the present study is structured using a descriptive-analytical methodology. It first investigates the frequency of the tradition in Shī'a sources, then conducts a Isnad assessment (sanad analysis), and subsequently, examines the text (matn) of the tradition against Qur'anic verses, historical accounts, and jurisprudential rules.

Initially, a review of Shī'a ḥadīth collections, focusing on this specific tradition, indicated that its primary sources are al-Kulaynī's *al-Kāfi* and, with a different sanad, Shaykh Ṭūsī's *Tahdhīb al-Aḥkām*. Few later traditionists have transmitted it. Based on the reports in these two books, the transmitters in the respective chains of transmission were scrutinized.

The methodology for analyzing the sanad involved: first, identifying common titles in the chains of transmission, extracting potential individuals from biographical sources (Rijāl books), eliminating non-matching individuals by applying the transmitter sequence within the sanad, examining internal textual clues (vocabulary of the sanad, associated information with each name), and performing external analysis (comparative study of similar reports in other tradition sources). Finally, the reliability (wethāqah) and credibility of the transmitters were assessed using authoritative Rijāl sources. In the textual analysis section, the views of exegetes concerning the Qur'anic verses from which the principles and foundations related to the prohibition of mass killing in war can be inferred were gathered and classified. These interpretations were then comparatively assessed against the content of the studied tradition to determine the degree of harmony or conflict between the Qur'anic exegesis and the tradition implication. Similarly, this conceptual comparison was performed between the tradition and historical accounts, jurisprudential rules, and other related hadīths on jihad.

### **Results and Findings**

After examining all the individuals in the chains of transmission, it is concluded that the sanad is flawed due to 'Alī ibn Muḥammad al-Qāṣānī and Qāsim ibn Muḥammad, both of whom are considered weak transmitters. Notably, in both versions of the ḥadīth, Ḥafṣ ibn Ghīyāth and Sulaymān ibn Dāwūd al-Minqarī appear. A review of credible Rijāl books and transmitted reports reveals that these two individuals had Sunnī inclinations, suggesting they may have transmitted this ḥadīth in line with their own views. The textual assessment initially revealed that the tradition contradicts the Holy Qur'an. Specifically, Q2:190 (the Principle of Non-Aggression), Q48: 25 (the Principle of segregation), Q47:8 (the Principle of Peaceful Coexistence), and verses like Q6:164, Q17:15, and Q35:18 establish fundamental principles that collectively imply the prohibition of mass killing in war. For instance, Q2:190 refers to the Principle of Non-Aggression, a fundamental tenet of the laws of war. The phrase "Lā ta'tadū" (do not transgress) in this verse indicates that mass slaughter should not be committed when fighting enemies. Some exegetes have explicitly interpreted Lā ta'tadū as negating the killing of women, children, and the elderly. This stands in stark contrast to the studied tradition, which permits flooding the enemy, burning cities, and killing Muslim women, children, the elderly, and captives in war. The next step in the textual analysis involved comparing the concept of the ḥadīth with other traditions from the Shī'a Imams (as). These counter-traditions explicitly prohibit the killing of women, the elderly, and children, forbid mass killing, and restrict warfare to non-civilians, thus contradicting the tradition that permits mass killing in war. Similarly, the concept of the ḥadīth was compared with documented historical accounts, and the examined examples were found to be in contradiction with the tradition. Finally, the study of Islamic jurisprudence (fiqh) revealed that jurists based on the jurisprudential maxim "Lā yuqtalū ghayr al-muqātil" (civilians will not be killed), have also critiqued traditions that imply mass killing in war.

### **Conclusion**

The ḥadīth in question is considered a Shādhdh (anomalous) tradition which is only cited in al-Kulaynī's al-Kāfi and subsequently in Shaykh Tūsī's Tahdhīb al-Āḥkām, primarily being transmitted by later traditionalists, especially the Akhbārīs. The chain of transmission includes weak transmitters such as 'Alī ibn Muḥammad al-Qāsānī, Qāsim ibn Muḥammad, and al-Minqarī. Ḥafṣ ibn Ghīyāth and al-Minqarī are among the transmitters who had Sunnī inclinations, suggesting they may have transmitted this ḥadīth based on their own viewpoints. Furthermore, the text of the ḥadīth is in explicit contradiction with: Q2:190, which establish the Principle of Non-Aggression (a respected principle in international humanitarian law), Q48:25, which denotes the Principle of segregation in warfare. The content of the ḥadīth also contradicts other traditions from the Immaculate Imams (as), historical accounts, and the jurisprudential maxim, "Lā yuqtalū ghayr al-muqātil" (civilians will not be killed).

**Keywords:** Mass Murder, Flooding the Enemy, Burning Enemy Cities, Killing the Elderly in War, Killing Children and Women in War.