



# COLLATERAL CARNAGE

Allah ﷻ revealed the Shari'ah to the Prophet ﷺ, giving people a complete way to live their lives. Unlike man-made systems, the law of the Shari'ah is divine and flawless. There is no doubt in its authority and no suspicion of its perfection. Allah ﷻ said, "We have not neglected anything in the Book" (Al-An'am 38). Likewise, He said, "Do that which is good" (Al-Hajj 77), showing that anything Allah commands is good and its outcome should not be regretted.

Allah ﷻ has ordered the killing of all mushrikin<sup>1</sup> – whether military or civilian – in His saying, "Then kill the mushrikin wherever you find them" (At-Tawbah 5), which was reiterated by the Prophet ﷺ, who said, "I have been ordered to fight mankind until they testify that nothing is worthy of worship except Allah and that Muhammad is the Messenger of Allah..." (Reported by al-Bukhari and Muslim from Ibn 'Umar). Like many other rulings in the Shari'ah, this general obligation to kill the mushrikin has its specific exceptions, among which is women and children. In one of the Prophet's raids, a woman was found killed, upon which he ﷺ denounced and for-

bade the killing of women and children (Reported by al-Bukhari and Muslim from Ibn 'Umar), thereby setting the principle of prohibition in this issue.

Commenting on this principle, ash-Shafi'i said, "Our opinion regarding this – and Allah knows best – is that the restriction exists so that they can become slaves, which is more beneficial than killing them" (Al-Umm). This is supported by the statement of the Prophet ﷺ, "Allah dislikes that you do three things: gossiping, excessive questioning, and wasting wealth" (Reported by al-Bukhari and Muslim from al-Mughirah Ibn Shu'bah), and women and children of the uncovenanted kuffar are wealth – and wasted if killed.

However, this principle also has its exceptions. There is no disagreement amongst Muslims that women are eligible to be killed for crimes like murder and adultery. Likewise, both women and children who participate in fighting against Muslims are exempted from this prohibition. That is, killing those women and children who participate in the war against Muslims is not forbidden – but rather even necessary. Ibn Battal said, "The majority agreed that women and children who fight are to be killed, and such is the opinion of Malik, al-Layth, Abu Hanifah, ath-Thawri, al-Awza'i, ash-Shafi'i, Ahmad,

1 For more, see Rumiyaah, issue 1, "The Kafir's Blood Is Halal for You, So Shed It."

Ishaq, and Abu Thawr” (Sharh Sahih al-Bukhari).

This was demonstrated in the Sirah of the Prophet ﷺ, who killed female participants in the war against Islam. Bunanah, the Jewish wife of al-Hakam al-Quradhi, killed the companion Khallad Ibn Suwayd on the Day of Bani Quraydhah. The Prophet ﷺ called for her and then had her neck struck in retaliation for the blood of Khallad (Tarikh at-Tabari). Likewise, on the Day of al-Fath, the Prophet ﷺ ordered that the two songstresses of Ibn Khatal be killed along with their master. This was because they would sing poetry in support of the kuffar against Allah’s Messenger (Sirat Ibn Hisham), showing that participation in hostile war is not limited to physical combat, but includes any major show of support therein.<sup>2</sup>

As for kafir women and children who do not fight or otherwise partake in hostilities, then the principle stands that they should not be deliberately killed, meaning that one should not single them out for targeting. However, when they are not distinctly isolated from the kafir men or when they are not easily distinguishable from them, then their collateral killing is a justified part of the jihad against the kuffar, especially as both the modes of attack and the types of weaponry executed and utilized by the Prophet ﷺ and his followers have necessitated such.

With this in mind, the best practice when conducting raids is to start during the night or at the break of dawn, before the sun rises, while the enemy is asleep. At such a time, it is very likely to enter buildings where no light shines and an adult male is not easily distinguishable from women and children. Indeed, it is from the Sunnah of Allah to attack His enemies while they are asleep, whether at night or during the day. Allah said, “How many villages have We destroyed, as Our might came to them overnight or while they took a midday sleep” (Al-Araf 4).

Such was the conduct of the Sahabah even during the life of the Prophet ﷺ. As-Sa’b Ibn Jaththamah said, “The Prophet ﷺ passed by me at Abwa or Waddan. He was asked about the people of an area who were raided at night, with their women and children being killed and wounded. He said, ‘They are from them’” (Reported by al-Bukhari and Muslim).

Al-Khattabi said, “His saying, ‘they are from them,’ means in regards to their hukm in the religion. So the son of a kafir is ruled as being a kafir as well. He did not mean by this statement that the children’s blood is lawful to spill deliberately... But if they are killed or wounded due to them being intermingled with the men, then there is nothing wrong with killing them. Allah’s Messenger ﷺ had prohibited the killing of women and children, if doing so was done deliberately and they were isolated from the adult males” (A’lam al-Hadith).

At-Tahawi said, “Since Allah’s Messenger ﷺ did not forbid them from making raids, even though they were killing and wounding women and children whom it was forbidden to kill deliberately, it proves that what is allowed based upon this report has a different meaning than that which the first report forbids. That is, the first report prohibits deliberately seeking to kill women and children, while it is allowed to deliberately seek killing the mushrik men, even if that means killing others whom it has been forbidden to deliberately kill” (Sharh Ma’ani al-Athar).

2 This includes rallying, lobbying, propagandizing, voting, and fundraising for the war on Islam.

Regarding the ruling on killing women and children of the kuffar, ash-Shafi’i said, “The Prophet ﷺ only prohibited deliberately killing them, on an individual basis, while their location is known.<sup>3</sup> If it is asked what proves this, it is said that his own raids and his command to perform raids proves this. As those who raid the enemy cannot avoid striking the women and children. And his saying, ‘they are from them,’ means that there is no kaffarah [expiation] for killing them. They are not protected by Islam or by a covenant, and there is no disagreement between Muslims – as far as I know – that whoever maims them during a raid, then there is no kaffarah upon him” (Al-Umm).

Furthermore, in the first century of the Hijrah, even during the life of the Prophet ﷺ himself, the use of catapults was common in siege warfare. Certainly, catapults – much like most missiles and explosives of today – do not distinguish between those whom they maim. Even though the intended target might be the enemy’s men, cities, or barracks walls, the undeniably known result of using a catapult is destruction over a particular radius. All those who happen to be in that radius are not spared the effects of this weapon’s impact. The scholars of the Sirah mentioned that Allah’s Messenger ﷺ first used catapults when attacking the town of Taif near Makkah (Sirat Ibn Hisham). ‘Amr Ibn al-‘As said likewise used catapults when attacking the city of Alexandria in Egypt (Ibn Qudamah: Al-Mughni).

Lastly, one should not grieve over the collateral killing of kafir women and children, for Allah ﷻ said, “Do not grieve over the disbelieving people” (Al-Maidah 68). Instead, he should realize that Allah, the Lord of creation, had decreed their deaths by His exact justice and great wisdom.<sup>4</sup> Moreover, in the hadith of as-Sa’b said, the Prophet ﷺ showed no remorse whatsoever for their collateral deaths nor did he censure the least bit those responsible for their killings in the raid. Accordingly, one should not avoid targeting gatherings of the kuffar – whether military or civilian – in which kafir women and children outnumber the kafir men. Rather, the mujahid must strive his utmost to do whatever is permissibly possible to further Allah’s cause, irrespective of the collateral carnage produced thereby amid the kafir masses.<sup>5</sup>

May Allah ﷻ bless the knights of the Khilafah lurking in the Crusader homelands and enable them to carry out massacres against the cross-worshiping populations therein. Amin.

3 Meaning when they are isolated and distinguished from the men, as he explained elsewhere that the Prophet ﷺ prohibited “deliberately killing them while they are distinguished and isolated from those he ordered to be killed” (Ar-Risalah).

4 One should also recall that the kuffar have killed far more Muslim women and children. However, even if the kuffar were to have never killed a single Muslim woman or child, it would still be permissible to target the kafir masses regardless of the collateral killing of kafir women and children caused thereby, as proven by the hadith reported from as-Sa’b said.

5 The blessed Nice attack in France is an excellent example of the collateral carnage wreaked during the course of jihad. The mujahid Mohamed Lahouaiej-Bouhlel did not allow the flimsy objections of the palace “scholars” and effeminate “reformers” to sway his resolve and instead, relied upon Allah ﷻ, followed the Sunnah of the Prophet ﷺ (as reported in the hadith from as-Sa’b said), and advanced upon the hordes of Christian filth, until he achieved martyrdom, after killing dozens of Crusader citizens and wounding multitudes more. May Allah accept him and all those who follow him in good. Amin.