“Go, Learn About Atoms”
Iranian Religious Discourse on Nuclear Weapons, 1962-Present

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Table of Contents

Introduction 3

Modern Fatwas and WMD Use 7

1962 Onwards: Khomeini, Khamenei, and the Shia Clerical Community 11

Warfare in Classical, Twelver Shia Islamic Law 18

Conclusion 22

Notes 25

Cover Photos: (Left) Islamic Republic founder Ayatullah Ruhollah Khomeini arrives in Tehran after exile in France, watched carefully by Ayatullah Morteza Motahhari (Center, Top).

(Right) Supreme Leader Ali Khamenei (then President of the Islamic Republic) pays homage at Motahhari’s mausoleum in Qom, mid-1980s.

Motahhari, a highly revered and populist religious personality, was assassinated in 1979 and to this day retains the moniker “Martyr (Shahid) Motahhari.” However, in the early-1970s, prior to the Islamic Revolution, theologically argued that Muslims should work to possess the “knowledge” to “build an atomic bomb” as a means of equivalence in warfare. At around this same time, however, Motahhari also denounced the American bombing of Hiroshima, and decried global, nuclear proliferation. Motahhari’s statements are perhaps the most important finding from a survey of Iranian religious discourse on nuclear weapons: They show that not only did leading intellectual figures of the Islamic Revolution not religiously disapprove of them, but that Iranian clerics can speak on dual “tracks” or “levels” when addressing WMDs – approving of them for defensive purposes against military entities alone, the “Iranian way,” while decrying the “Western paradigm” of warfare, which has a perceived history of targeting civilians and population centers.
Introduction

If a Muslim country is invaded or overtaken by the enemy, and the territory of Islam and its society are feared for, it is obligatory to defend it through any means possible, from wealth and lives...defense is obligatory upon every capable person, through any means, without restriction or condition.

– Ayatullah Ruhollah Khomeini, Founder of the Islamic Republic of Iran, 1964

The use of force against the enemy is required as much as possible. There was a time when a few blacksmiths could build the tools needed, using the empirical knowledge of their time. But, today it takes more knowledge. The knowledge to build an atomic bomb is necessary. You may say, the Prophet didn’t say, ‘O people, go, learn about atoms!’...But, we should do this, because it is in the spirit of that rule.

– Iranian Ayatullah Morteza Motahhari, 1972

Everyday, worse and more destructive weapons appear. It was only about 20 years ago when the atomic bomb fell on Hiroshima, but look at how the destructive power of human industry has multiplied...If there is a Third World War today, the loser will be earth and people, and the winner no one.

– Motahhari, 1970

Military and Strategic. As an “asymmetric” power that has relied upon voluntary mobilization and improvised tactics of warfare, WMDs have no place in Iran’s military vision. The United States and Soviet Union – both perceived as aggressive, hegemonic powers hostile to the “Islamic System” – possessed such weapons, but were unable to utilize them for their interests. Moreover, the IRI did not possess them, but was still able to neutralize existential threats from those who did. The Islamic Republic derives its legitimacy and military fortitude from “faith, determination, and unity,” rather than the latest weaponry. All of these facts serving to demonstrate that WMDs are strategically null and void in modern geopolitics and conflict.

Experience. As a corollary to this rationale, Iranian soldiers and cities were subjected to bombardment by chemical, and indiscriminate weaponry during the Iran-Iraq War. The high toll of the war, and the lived experience of victimization by WMDs, ensures that they can never be a part of the IRI’s military calculus. To even consider their production or use would be a betrayal to the memories and sacrifices of those who took part in the “Holy Defense.”

Economics. The “production and maintenance” of nuclear weapons is cost prohibitive, and an “unnecessary imposition” upon the Iranian people. This cost is “not permissible,” and one that Iran “does not need.”

Religion. The production, possession, and use of nuclear weapons (and all WMDs) is haram, or, prohibited in Islamic law. Because, by their nature, they lead to the harm of civilians, and also the corruption of land and destruction of property, which Islam prohibits. Moreover, they also cause harm to the environment, and “future generations.”

SINCE THE ASCENDENCY of the Iranian nuclear issue to international prominence in 2003, Supreme Leader Ayatullah Ali Khamenei has sought to convince the world community – through many means – of the Islamic Republic’s (IRI) peaceful intentions, and has publicly derided the pursuit of weapons of mass destruction (WMD) based on a number of rationales:
Throughout the saga over Iran’s nuclear intentions, however, one of these rationales has remained more constant, and attracted more speculation and commentary than others: The “religious argument.”

In fact, since the early-2000s, Khamenei has adduced this claim – by labeling WMDs a “sin,” “prohibited,” or against the “Islamic system” or “our beliefs” – on 17 separate occasions, including in meetings with UN Secretary General Ban Ki Moon, former IAEA Director General Mohamed ElBaradei, heads of state, and regional ambassadors, not to mention at the 2010 “Tehran International Conference on Disarmament and Non-Proliferation,” and the 2012 “16th Summit of the Non-Aligned Movement.”

In his most explicit, religious disavowal of WMDs, in a 2010 speech Khamenei stated:

The old, idle talk about Iran making an atomic bomb shows that even in terms of propaganda, the enemies of the nation have resorted to repeating themselves out of sheer weakness...We do not believe in atomic weapons, and would not go after them. According to our beliefs and religious principles, employing weapons of mass destruction is prohibited (mamnu’), and religiously impermissible (haram). They lead to the destruction of land and people, which the Qur’an forbids, and we do not go looking for this.

Moreover, in a lengthy 2004 speech, Khamenei cited the “corruption and abuse of science” inherent in the American development of nuclear weapons in World War II, and deemed them contrary to Qur’an, lamenting the, “Destructive effects of radiation poisoning, which leaves behind devastation for nations, and future generations.”

However, within the commentary and debate over the religious dynamics of Iran’s nuclear intentions, several important facts have been ignored (or, more accurately, not even discovered):

A. **Fatwas Authorizing WMD Use.** Contrary to Khamenei’s blanket assertions concerning “Islam’s” position on nuclear weapons, Iran’s Shia clerical community has reached no such consensus. In fact, several Iranian-based Ayatullahs, some with close physical and intellectual links to Khamenei, have explicitly authorized the production and use of nuclear, chemical, and biological weapons in their own fatwas. In this clerical, religious defense of WMDs, several rationales have been articulated, including their use as: An “equalizer” between sides during warfare; a “necessity” or “last resort” in order to save lives; a means to “secure victory” or “halt aggression;” and a tool to maintain the “public interest.”

B. **Khomeini, and Khamenei’s Early Rhetoric on WMDs.** Khamenei’s rhetoric against WMDs did not begin in 2003, and as President of the IRI in the 1980s, addressed them on numerous occasions. However, during this time period – while Khamenei did indeed speak out against their use, in the context of the Iran-Iraq War – strategic arguments alone were used, and religious appeals were never voiced. The same goes for IRI founder Ayatullah Ruhollah Khomeini, who, despite addressing topics as diverse as Hiroshima, the Cold War arms race, and Saddam Hussein’s chemical bombing of Halabjeh, never addressed WMDs in religious language. Moreover, Khomeini issued his own fatwa.
implicitly sanctioning their use, and during the Iran-Iraq War deviated from his public rhetoric in terms of weapons usage.

C. **Pre-1979 WMD Discourse, and Clerical Double-Speak.** Iranian religious discourse on nuclear weapons began far prior to the 1979 Islamic Revolution. In fact, the earliest extant reference (based on a fallible survey of the historical literature), is from 1962, by Ayatullah Naser Makarem Shirazi, who to this day remains a Khamenei loyalist and close adviser. In actuality, Shirazi has been the cleric most consistently and vociferously opposed to WMDs, and has even addressed them in regards to the Shia eschatological belief in the “Mahdi.” However, other pre-Revolutionary clerics, with equal or more influence, did sanction nuclear weapons use. In 1972, Ayatullah Morteza Motahhari – a highly populist religious figure, and close confidant of Khomeini (who is seen in the photos on the cover of this report) – urged that Muslims should work to possess an “atomic bomb,” as a means of “equivalence” in warfare. However, in a 1970 theological work, just two years earlier, Motahhari denounced the American bombing of Hiroshima, and global nuclear proliferation. Therefore, this pre-Revolutionary discourse exposes a grim reality: The Iranian religious establishment can address WMDs on dual “tracks,” or “levels,” criticizing their use against civilian populations – manifested by the American bombing of Hiroshima, the Cold War arms race, and eventually the Iran-Iraq War – while approving of them for purposes of defense, against military aggressors who pose a threat to the integrity of the “Islamic system.”

D. **Shia Islamic Law and WMD Use.** Contrary to Khamenei’s claims, classical, Twelver Shia Islamic law in-fact does not prohibit the use of weapons, or tactics of warfare that cause indiscriminate harm. Harmful weaponry does have ancient precedents, which were addressed in scholarly literature, including the use of catapults to launch rocks, flaming oil, and even poisonous snakes and scorpions. Other tactics included the diversion of rivers to flood towns, and the poisoning of wells and food supplies. However, while some scholarly authorities put limits on these tactics in regards to civilian populations (though, not all of them did), the Twelver Shia religious tradition does not address or limit the weaponry that can be employed against military entities. Moreover, none of the modern or classical religious material addresses or prohibits the possession of weapons for purposes of deterrence.

Whether analysis of public rhetoric, or military intelligence, deciphering the truth behind Iran’s nuclear intentions has seemingly proved difficult. However, the “religious rationale” – adduced time and again by Khamenei and the IRI political establishment – is a claim that can be subject to critical inquiry, and independently vetted. And, in this case, Khamenei’s rhetoric and claims have fallen far short of objective truth.

As has been briefly described, there are many factors at play that can significantly contextualize Khamenei’s assertions about the role of nuclear weapons in Islamic law. Whether fatwas from modern Iranian clerics; statements from Khomeini, the founder of the IRI, or even Khamenei during his time as
President in the 1980s; discourse from leading intellectual figures of the Iranian Revolution; or rulings from classical Shia Islamic law – there exists ample evidence that significantly challenges Khamenei’s assertions about Islam’s alleged nuclear weapons ban, and by extension the credibility of the IRI’s dialogue with the world community, and their military intentions.

And, throughout this paper, these dynamics of how nuclear weapons have been manifested in Iranian religious discourse will be further explored, in an attempt to continue this contextualization of Khamenei’s claims, and offer an intellectual rebuttal to a topic that has not been adequately challenged.

**In Summary:** What are some immediate takeaways from this historical survey of Iranian religious discourse on WMDs?

1. The IRI religio-political leadership considers the use of weapons in defensive postures to be unconditional in nature. Any means can be used to secure the continued existence of the “Islamic system,” and the territorial integrity of “Muslim lands.”

2. If the IRI does seek operational WMD capability, they do not view themselves in the same mold as other world powers, who are perceived as having strategic outlooks that threaten to annihilate civilian population centers. If they are seeking WMD development, the IRI will look to use them in close quarters, against perceived military aggressors, in the Persian Gulf vincity. American and allied troops, bases, and strategic interests in the region are on the table as targets, especially those in isolated areas away from cities, that are perceived as existential threats during conflict. The exception to this, however, remains Israel, which IRI clerics have authorized WMD use against, which would undoubtedly include the targeting of civilians.

3. There are demonstrable examples of IRI figures apparently speaking on “dual-levels” or “tracks” when it comes to nuclear weapons: Disapproving of their use in the “Western paradigm” of military conflict (which is most publicly articulated), while approving of them for “holy defense,” the “Iranian way” (articulated more privately). This understanding of discourse can contextualize any “peaceful” rhetoric that emanates from the IRI.

4. Khamenei and Khomeini addressed WMDs prolifically, especially during the Iran-Iraq War. But, their quotes have been largely ignored in both internal and external IRI discourse. The main question is, why is the IRI not using these testimonials to their advantage? A compelling historical narrative could be made to show that since the inception of the IRI, the country’s religious leadership has confronted the reality of WMDs, and found them to be dangerous to world security and wellbeing. But, Khamenei has framed his disapproval in post-2003 language, and not even referenced his previous statements on the subject. The Iranians have not put in a full effort convincing the world community – purely on historical, rhetorical levels – of their peaceful intentions. And, this lack of a full effort could be telling about their true intentions.
Modern Fatwas and WMD Use

It is permissible to fight ‘disbelieving war makers’ (al-kuffar al-muharibeen) with every possible means and tools of warfare, in every age, according to the requirements of that era. *Jihad* with them is not limited in the tools of warfare...Yes, the Messenger of Allah prohibited deploying poison in their lands, but if there is a public interest (*maslaha ‘amma*) which requires it, such as to stop aggression, or achieve victory, then it is permissible. As for deploying it on the battlefield, on the front of the ‘disbelieving war makers,’ then there is no harm in it.

– Ayatullah Abu al-Qasim al-Khoei (d. 1992)\(^{12}\)

Commentary upon warfare in Islamic law is not limited to the past, and figures within the modern Shia clerical structure have also addressed the issue. And, as aptly articulated above, a consensus has emerged: It is not the “tools of warfare” (such as nuclear or chemical weapons in and of themselves) that are subject to religious regulation – but rather, the “population” that weapons target. And, while the targeting of civilians is considered religiously impermissible (or, *haram*) by most clerics, their use against military targets has been deemed unconditionally permissible. As Iranian Ayatullah Hossein Ali Montazeri – a former Khomeini confidant and onetime contender for Supreme Leadership – stated in a 2009 *fatwa*:

Employing nuclear weapons is rationally and religiously impermissible – if used against innocent people, even those in future generations – (though) not if against an invading military.\(^{13}\)

This understanding of WMDs in Islamic law has been articulated by several contemporary, high-ranking Ayatullahs, some with close physical and intellectual links to Khamenei. And, beyond the rationales expressed, equally as revealing are the diversity of clerical figures: Whether from Najaf or Qom; traditionalists or reformists; or independents or IRI loyalists – the same religious dynamics have been expressed, which shows the degree of clerical consensus on the issue, beyond Khamenei’s public statements.

Fatwas: Implicit or Explicit Endorsement of WMDs / Affiliation to IRI / Rationale

1. **Morteza Motahhari (d. 1979).** Explicit / Loyalist / Equivalence\(^{14}\)
2. **Ruhollah Khomeini (d. 1989).** Implicit / Loyalist / Defense\(^{15}\)
3. **Abu al-Qasim al-Khoei (d. 1992).** Implicit / Iraqi Traditionalist / Public Interest\(^{16}\)
4. **Muhammad Sadiq al-Sadr (d. 1999).** Explicit / Iraqi Traditionalist / Public Interest, Necessity\(^{17}\)
5. **Muhammad Taqi Bahjat (d. 2009).** Implicit / Loyalist / Achieve Victory, Halt Hostilities\(^{18}\)
6. **Hossein Ali Montazeri (d. 2009).** Explicit / Reformist / Defense\(^{19}\)
7. **Muhammad Sadiq Rohani (1926-Present).** Explicit / Independent / Achieve Victory\(^{20}\)
8. **Mohaqeq Kaboli (1928-Present).** Explicit / Loyalist / Defeat of Hostile Forces\(^{21}\)
9. **Sadiq Hussaini Shirazi (1942-Present).** Explicit / Opponent / Equivalence\(^{22}\)
10. **Mohammed Taqi al-Modarresi (1945-Present).** Explicit / Opponent / Equivalence, Necessity\(^{23}\)

Although some of these *fatwas* only implicitly sanction WMD use – one Ayatullah’s treatment of WMDs stands out from the rest and deserves
further analysis: Muhammad Sadiq Rohani. Below is the text of his fatwa, framed as an answer to a religious question that had been posed:

Question: With regard to the narration that the Prophet “prohibited the deployment of poison in the lands of the polytheists (mushrikeen),” which has been mentioned in various religious texts to prohibit the use of poison... in regards to weapons of mass destruction (today), such as a nuclear, chemical, or biological bomb, does the same ruling apply?

Response: As we have said before, the permission is given for all things on which victory depends. Through a mediator (vaseteh), I was asked for my decree about the Muslims' war with Israel, and I have permitted all such things if victory depends on them.24

Rohani is widely respected, and viewed as an independent and academically-minded jurist. Despite political differences (he is most well known for having been put under house arrest following the Islamic Revolution for advocating that Iran annex Bahrain), he is known to ideologically support the regime, though is intellectually independent from them. Based in Qom, his modern jurisprudential work, a 26-volume tome entitled Fiqh al-Sadiq, is highly regarded in the clerical community. Unlike many Ayatullahs, Rohani is known as a prolific issuer of fatwas, and maintains websites in both Farsi and Arabic where anyone can e-mail questions, and receive handwritten replies.25

Given this perception of openness, and his reputation as an independent, traditionalist, and intellectual – but also a tacit IRI supporter – it is likely that Rohani has been approached by IRI figures for religious rulings about nuclear weapons.

And, indeed, this is what his fatwa intimates. It is notable that Rohani stated that he had been “approached by an intermediary” (due to his political, but not intellectual fallout with the regime, this likely indicates contact with an IRI figure) and framed his answer in regards to Israel – clearly within the IRI's political purview, but not a typical answer within the purview of Islamic law alone. Moreover, he intimates that he has issued several past, similar fatwas on the issue. While this fatwa was published in a 2009 work, it cannot be known for sure when it was actually issued – though, it was likely between 2007-2009.

Along with the fatwa's content and context, Rohani's clerical and intellectual status almost certainly belies the notion that Khamenei is unaware that one of Qom's most respected clerics has sanctioned WMD use – against Israel no less, which would certainly include civilians as well.

Additionally, beyond directly sanctioning the use of WMDs, Rohani also issued a second fatwa, urging that the ideal goal of nuclear energy production should be for military use. It is difficult to fathom that such religious views were created in a vacuum, or that they haven’t penetrated into the IRI political ranks. And, like some of the other treatments that sanction WMD use, Rohani frames this argument with a Qur'anic verse specifically about warfare:

Question: What is your view of nuclear energy?

Response: My view is that the study of science and knowledge is good, and religiously desirable, especially if it can strengthen military forces, and the preservation and development of Islamic countries. And the Qur'anic verse: “Against them make ready your strength to the utmost of your power” (8:60), also indicates the same. But, after gaining knowledge in this specific case (obtaining nuclear energy), it should be used carefully, in accordance with Islamic law (ahkam-i shari).26
Rationales for *Jihad*

To better understand the rationales that Shia clerics have articulated in their *fatwas* justifying WMD use (such as “public interest,” or, like above, “preservation of Islamic countries”), it is necessary to understand how warfare is conceived in modern clerical thought. And, although many high-ranking clerics have articulated the same dynamics, this analysis will specifically be taken from Rohani’s work, *Fiqh al-Sadiq*.

Rather than conceiving of warfare as a static entity, Rohani divided *jihad* into five types, including the physical defense of the Islamic territory, and as a means of “liberation” — in which he specifically singles out Israel. Like his *fatwa* on WMD use, Rohani’s language is couched in contemporary politics. Although that is not rare among the IRI’s religious establishment, the extent to which Rohani melds classical Islamic law, and seemingly the “IRI worldview,” is notable — making him all the more an intellectual asset for the regime.

On the types of *jihad*, he states:

*Jihad* is of different types...First, there is *jihad* to preserve the territory of Islam if the unbelievers seek to attack Muslim lands, and their cities and villages. They have prepared for this, and seek to solidify themselves to establish the word of disbelief, and vanquish the word of Islam.

Second, there is *jihad* to defend from the authoritarianism of the unbelievers upon the blood and honor of the Muslims, such as adultery with (Muslim) women, and sodomy with their children.

Third, there is *jihad* to defend the Muslim community from mixing with the community of the unbelievers, in the fear that they will take them over.

Fourth, there is *jihad* to defend Muslim countries, and their villages and lands, and expel (the unbelievers) from them after their domination, and repairing the territory of Islam after it has been broken, and striving for the salvation of the Muslims from the hands of the unbelievers. And, this is like the *jihad* with Israel and their usurpation of Palestine...and this is the best kind of *jihad*.

Fifth, there is the *jihad* against disbelief, to go out and defend Islam (in belief) and heed the (sanctity) of the teachings of the Prophet.27

Moreover, in a 2002 *fatwa*, at the height of the Second Intifada, Rohani articulated these same rationales in sanctioning the “operations” carried out by Palestinian militants, similarly melding classical Islamic law, and contemporary geopolitics:

*Jihad* is one of the doors of paradise, the clothing of piety, and the armor of God...*Jihad* (is necessary) to defend against the unbelievers attacking the lands, countries, and villages of the Muslims, seeking domination over them, and to repair the territory of the Muslims after being broken, and striving for the salvation of the Muslims from the hands of the unbelievers...

Therefore, it is not befitting that a Muslim doubt the goodness of the operations carried out by the Palestinian ‘*mujahideen*’ in occupied lands, and its binding religious obligation (*wujubha ‘ala al-kifaya*). And it is necessary to create ways to aid them, from money and building up forces, and similar things, for these operations — particularly because of the decline of the defense of Islam and the Muslims, as a result of America’s unlimited support of Israel.28

Through this combination of Rohani’s *fatwas* on nuclear energy and WMD production, the rationales for *jihad* to defend Islamic lands, and his endorsement of suicide bombings in
Israel – all the while seeking to implicate the United States as part and parcel of these dynamics – beyond the plain text of the fatwas, we can now better sense the convoluted linkage of how WMDs, Islamic law, and “the West” fit together in the “IRI worldview” of conflict, and the threats to countries and strategic interests in the Middle East as a result of it.

**Historical Context**

Finally, as alluded to in Rohani’s original fatwa, the Twelver Shia religious tradition does address the use of weapons that cause indiscriminate harm – especially the use of poison (*ilqaa al-samm*), common during antiquity – which in the modern day has been analogized with WMD use. However, while limits were put on such tactics of warfare – they were never fully prohibited in scholarly literature, much less deemed a “sin” – as the IRI leadership claims in Islam’s name today. While this will be explored more in the last chapter, the following anecdote – from an esteemed Twelver Shia scholar of the classical Islamic period – will better help to frame this reality:

If the leader (*imam*) descends upon a territory, it is permissible for him to surround it, to prevent means of entry and exit. He can train catapults on them, and launch stones, to destroy walls, fortresses, and castles. This can even be done if there are women and children inside, due to necessity. However, if these (methods) are not depended upon, then it is best to leave them, but it is still permissible. If there are Muslim captives inside, and the leader fears that they will be hit, it is still permissible to launch stones.

And, it is permissible to set fire, and launch it at them, and stones (covered with) oil. But, it is disliked. And, it is permissible to fight them with every means of killing, including launching poisonous snakes, and scorpions, and everything that brings great harm. And, flooding them with water, and opening rivers upon them. However, it is disliked if the ability exists (to accomplish the objective) otherwise. And, is it permissible to deploy poison in their lands? It is disliked. – Allamah al-Hilli (d. 726 AH/1325 CE)²⁹

In addition the earlier *fatwa* by Khomeini (at the beginning of this paper), the statements by Motahhari, and the dynamics present in Rohani’s statements on weapons and warfare, these religious rulings clearly and explicitly contradict, and challenge Khamenei’s assertions about how Shia Islamic law – and Iranian, Revolutionary thought – conceives of nuclear weapons use. Moreover, as shown, these *fatwas* are not rare, and encapsulate the broad legal reasoning present in modern Shia jurisprudence, across the clerical spectrum.

Despite this, some voices from the high-ranking Shia clerical community, with close ties to Khamenei, in actuality have consistently opposed WMDs, even prior to the Islamic Revolution. Their voices, and a critical analysis of Khamenei’s clerical supporters, will be explored next.
1962 Onwards: Khomeini, Khamenei, and the Shia Clerical Community

If Khamenei is seeking to deceive others about Islam’s posture towards WMDs, then he is doing a good job. Despite the fatwas translated previously, popular Iranian religious opposition to nuclear weapons remains very high. The nuclear weapons debate is not a “hush-hush” topic in Iran, and in the press, academia, and religious discourse, Khamenei’s rationale is supported. In short, despite offering key insights into the debate over Iran’s nuclear aspirations, the fatwas that permit the use of nuclear weapons are not popularly known.

Moreover, Khamenei’s rhetoric against nuclear weaponry is not a new phenomenon. As President of the Islamic Republic in the 1980s, he addressed both WMDs, and nuclear energy on numerous occasions.

In a September 1992 speech, as newly-minted Supreme Leader, Khamenei dismissed nuclear weapons on several grounds, with reasoning and rhetoric reminiscent of that today:

The loudspeakers of American and Zionist propaganda for some time have accused the Islamic Republic of seeking militarism and more weapons. They say the Islamic Republic is making weapons of mass destruction, atomic weapons, and has imported nuclear warheads from some country.

These are things that any sane person in the world understands is a lie. Is an atomic bomb something that can be transferred from country to country secretly? They understand these are lies, but make rumors so as to make it seem like the Islamic Republic is against world peace. This is one of the evil campaigns of the US and Zionism against the Islamic Republic.

I say: You’re wrong to assume the Islamic Republic’s power depends on buying nuclear weapons or building them inside the country. Our power does not lie in that. If our power depended on making nuclear bombs, then great countries would have hundreds of such bombs. If someone could win with the atomic bomb, then the US and Soviet Union and other powers of evil in the world would have already destroyed the Islamic Republic many times over.

An atomic bomb does not give power to a regime. The power of the Islamic regime that America, the former Soviet Union, and other world powers, large and small, could never defeat and never will, is the power of faith among ‘Hezbollahi’ forces. The Islamic Republic must preserve this enormous power and energy.30

Moreover, in a 1987 speech as President of the Islamic Republic – delivered to the Atomic Energy Organization of Iran (AEOI) – equally reminiscent of today, Khamenei lauded domestic progress in nuclear energy as key to safeguarding the independence of the country:

We have been held back in the field of atomic energy, just like in other scientific and research fields. Maybe there used to be a mindset that since our nation is rich in oil and natural gas, there is no need for other energy sources, but this is a wrong assumption. Our need for energy consumption might be lower than many other countries, but we feel that atomic energy is needed for the growth and development of science in our country.

For more than a century, they worked against our nation to dissuade it from gaining independence and self-sufficiency, to make it
weak in all fields. This is a big treason they committed against our nation, and human history, because maybe we would have been in a different situation today had they not made such efforts to dishearten world nations.

Our need for nuclear energy is important because our nation is trying to embark on the path to modern industries and such a move requires ceaseless effort of our brothers and experts, and a large scale investment in all areas. Your scientific work is like a very effective weapon which is of the utmost importance for the political, scientific, and technological future of this nation. One of the important duties of every nation is to preserve its precious resources and to make the most of them. One of the most prominent values of a nation is its ability to discover human talents and creative minds. These are some of the greatest resources a nation can have.\textsuperscript{31}

However, it must be noted that despite this prolific rhetoric against WMD use, especially in the context of the Iran-Iraq War, throughout this period there is no record of Khamenei utilizing religious language or arguments – which has seemingly only begun in the last decade, with escalating international attention over Iran’s nuclear aspirations. All of Khamenei (and even Khomeini’s) rhetoric was purely secular and strategic in nature. For instance, in an April 1985 interview, Khamenei denounced the Iraqi use of chemical weapons as an “illegal action” – however, the secular term “\textit{ghayr qanuni}” (lit. “not lawful”) was used, rather than a religious phrase with equivalent meaning, such as “\textit{haram},” or the lesser “\textit{mamnu’}.”

The use of destructive, chemical weapons is an illegal action (\textit{amal ghayr qanuni}) that has been condemned around the world.\textsuperscript{32}

And, it is actually Makarem Shirazi – an extremely close Khamenei confidant – who has been most prolific and consistent in the religious opposition to WMD use. His statements on the topic, which date back to the 1960s, appear to support the notion that within the high-ranking clerical community, there is a faction that truly, religiously opposes WMD use, and which existed even prior to the Islamic Revolution. If Khamenei does in fact believe in their blanket prohibition, it would not be a stretch to claim that he follows the “Makarem Shirazi school” of Islamic jurisprudence – which seemingly combines a mixture of feigned traditionalism and recourse to the Shia legal tradition, along with a heavy dose of political expediency, and pride in the foundations of the Islamic Revolution.

For instance, Shirazi stated in a 1988 commentary of the Qur’an:

\begin{quote}
The Prophet prohibited the deployment of poison in the lands of the polytheists, therefore employing poisonous gases, poisonous drugs, or any kind of chemical weapon is prohibited.\textsuperscript{35}
\end{quote}
Moreover, in a 1962 popular theological work, Shirazi expounded on mathematics and science, and discussed the development of nuclear weapons. After describing their use during World War II, he went on to state:

Unfortunately, the power of the atom has been abused by humans in many ways...this was the first civilized, human exploitation of natural resources. Today, God only knows what destructive weaponry superpowers have in their arsenals. It is strange that despite this terrible situation, with the growing number of arms, they repeat slogans like, ‘Atoms for peace.’ We all know that the nuclear arms race is a terrible realization of human aspirations, and (its claim to progress) is no more than an illusion.36

Finally, Shirazi even addressed nuclear weapons with regards to “Imam Mahdi” – the “Shia messiah” who will return at the “end times” to implement ideal Islamic rule over earth. Throughout the Western debate over Iran’s nuclear intentions, some commentators have sought to implicate the Iranian regime by tying this messianic, eschatological belief into a possible quest for WMD development. However, regardless of the IRI’s nuclear intentions – this belief has little to do with their decision-making calculus. And, this was aptly expressed by Shirazi, who – instead of claiming that Iran needs to possess nuclear weapons in order to “lay the groundwork” for the Mahdi’s return – incredulously claimed that the Mahdi would possess “superior weapons,” and moreover be able to neutralize lesser weaponry. In one fatwa, Shirazi stated:

Question: How will Imam Mahdi, after His emergence, fight with chemical weapons, atomic bombs, and other heavy weaponry?

Answer: Some evidence suggests that His Eminence will have at his disposal tools and instruments which are superior to their weapons, and will disable them.37

In another work, Shirazi explained the rationale behind this answer, and speculated that the “tool” the Mahdi possesses will be:

Unknown and mysterious rays beyond all current weapons...which might operate in mysterious psychological or intellectual ways. Even current weapons are not based on (the power of) thought...this will thwart the superpowers and leave them sterile.38

This goes to show that the connection between the theological belief in the Mahdi and end times, and real world, strategic decision making in the IRI’s religio-political circles, is tenuous at best.

Khomeini and Nuclear Weapons

However, much of Khamenei’s contemporary and historical rhetoric (and perhaps that of Shirazi as well) ultimately has its roots with Khomeini, the founder of the Islamic Republic. Both during the 1980s as president, and today, Khamenei’s speeches and language highly mirrors that of Khomeini. Therefore, it is pertinent to understand Khomeini’s views of nuclear weapons, which can actually contextualize these above remarks.

While there is no fatwa on record, Khomeini – impacted by his experiences with the Soviet Union, and Iran-Iraq War – did not speak highly of nuclear rivalries, and chemical weapons. In fact, based on official archives of his speeches and correspondence, Khomeini specifically addressed nuclear weapons (not including other WMDs), both before and after the Islamic Revolution, on no less than five different occasions. Despite this, his words on the subject have never been adduced in the
public domain, nor even widely disseminated in their original Farsi.

In a 1983 speech to the Iranian parliament, on the independence day of the Islamic Republic, Khomeini denounced the “havoc and competition” between the United States and Soviet Union, and claimed that the race for nuclear weapons stems from a “satanic and unrestrained soul.” In ending, he called upon an “invisible hand to come out and save humanity:”

Knowledge and specialization without self-purification and training is a blight that has afflicted humankind today, and is on the verge of setting the world on fire. What havoc can the competition and rivalry of the two superpowers and their arming themselves with modern atomic and nuclear weapons, that originate from a satanic and unrestrained soul, wreak upon humankind, unless some invisible hand comes out and saves humanity?

Khomeini is also on record lamenting the use of chemical weapons in the Iran-Iraq War and their effects on Iranian youth; Saddam Hussein’s use of chemical weapons against civilians in Halabjeh; the dangers of a “third world war;” and the American bombing of Hiroshima, which “set fire to the world” and “turned it upside down,” despite the United States claiming nuclear technology as “progress” and an “achievement.”

However, in his most extensive commentary on the subject, a November 1982 speech to local religious leaders and war refugees, Khomeini denounced the production and potential use of nuclear weapons, but paradoxically also called for the “destruction of America” as the solution to global nuclear proliferation:

The problem that threatens the world today is the problem of these two superpowers, that have kept the whole world under their wings, and are exploiting them. They are busy with plans to make certain weapons, which are dangerous to the future of humanity...

If, God forbid, there is a war between these two superpowers today, they will destroy the world. These are the problems of the world today...There are rumors making the rounds...(about) the elimination of these nuclear weapons, of wanting to arrive at a consensus to prevent the construction of these nuclear weapons, and these enormous missiles that have been produced recently...with a single press of the button the world can be destroyed.

Moreover, if God forbid something happens all of a sudden, then there will neither be any nation in place nor any human being – except a few. The world must think about it...

The world must destroy America; otherwise, as long as they are existing, these tragedies will be present in the world, if not here, then somewhere else...they will never halt the production of these weapons that they claim to halt and to limit. They are lying and they never speak the truth. Therefore, we must cry out against them as much as we can.

However, there are indications that despite Khomeini’s rhetoric – like the modern fatwas – he was not opposed to types of weaponry in and of themselves, but rather the populations they target. For instance, in a 1982 speech Khomeini decried the use of “cluster and incendiary” bombs against Lebanese civilians. In a 1984 speech, he even equated the use of “incendiary bombs” to “weapons of mass destruction:”

Those pretending to love peace and defend human rights struggle to foment the fire of sedition and war everywhere, particularly in Iran. They unsparingly supply the enemies of Islam with weapons of mass destruction, and incendiary and chemical bombs.
However, in 1980, Khomeini authorized the use of napalm – an incendiary device – to save a battalion of Iranian troops under siege. Khomeini’s communication, a phone call with President Abolhassan Banisadr, which urged that the troops be saved “no matter what the consequences are,” is telling, and aligns with the modern fatwas permitting the use of all types of weaponry, if they are used to secure victory, save lives, or as a “last resort” in combat. This reasoning, and these gaps in his public statements, explain how – despite Khomeini’s seemingly harsh rhetoric against WMDs – there could have been the nascent development of nuclear, chemical, or biological weapons programs under his watch:

Banisadr: “A battalion of 300 soldiers is under siege in Kurdistan, and 65 of them are wounded. There are two options: We can drop napalm bombs, which will carry negative propaganda consequences, or the battalion can remain under siege and most likely perish. What should we do?”

Khomeini: “The besieged should be saved no matter what the consequences are.”42

This reasoning – which sanctions the unconditional use of weaponry for national defense – was also articulated by Khomeini in one of his most prominent legal works. It is notable that Khomeini authorized defense “through any means, without restriction or condition” – clearly setting a precedent which could allow for WMD development or use.43 And, in actuality, this articulation by Khomeini broadly aligns with historical Shia jurisprudence, and demonstrates the scholarly consensus on the issue:

1. If a Muslim country is invaded or overtaken by the enemy, and the territory of Islam and its society are feared for, it is obligatory to defend it through any means possible, from wealth and lives.

2. This does not depend upon the presence of an Infallible Imam, or the permission of his deputy – defense is obligatory upon every capable person, through any means, without restriction or condition.44

The Shia Clerical Community

Despite this evidence, however, clerics and politicians loyal to Khamenei have still sought to use religious arguments to bolster his stance on the nuclear issue. On the foreign policy level, in 2010 Iran hosted the “Tehran International Conference on Disarmament and Non-Proliferation.” Moreover, internally, a Fall 2013 conference (although it has been delayed once already) entitled “The Conference on the Ban of Weapons of Mass Destruction in Islamic Jurisprudence” is scheduled in the “holy city” of Qom.45 However, smaller conferences have also been held, including one in May 2012, intended to advance and propagate the IRI position that WMDs are prohibited in Islamic law. One of the main presenters, a mid-ranking Iranian cleric and IRI apologist, offered deeper insights into how some regime supporters seek to publicly defend Khamenei’s religious verdict:

Our success has been due primarily to asymmetric warfare. The enemy has weapons of mass destruction, but we will win due to our asymmetric warfare. We have God, they have biological weapons. We have the evening prayer, they have chemical weapons. This has been shown by the 33-day war, and the 8-year war. Our approach is fighting asymmetric wars, it is not because of nuclear weapons, but because of ideology, morality, and spirituality in our school of thought. The spirituality of the debate is more than the destruction of an atomic bomb...How would (our possession of a WMD) make us any different than Saddam, or America, which caused the catastrophic (event) of Hiroshima?46
Moreover, as demonstrated by the above remarks (which were only delivered to a group of Iranian clerics, not an international audience) – very little of the Iranian rhetoric has been “externally” focused. Rather, like Khomeini’s speeches, much has been geared towards internal, religious, Farsi-speaking audiences, and articulated by the establishment (not from reformists). Within much of the religious establishment, the sentiments expressed have been uniform, and clear:

A higher level of violence in conflict, resulting from weapons, is not only against human dignity, but is inconsistent with principles of justice, and also common sense...the use of unconventional, nuclear, biological, and chemical weapons, from the perspective of Islamic teachings in many facets, is prohibited.  

Clerical Double-Speak: “Dual-Track” Rhetoric

Despite these pronouncements, however, these propagandistic arguments have their limits, and their shortcomings and contradictions are readily apparent. Returning to the topic of “napalm” – despite its use in the Iran-Iraq War, and Khomeini’s explicit approval of it as a means of military defense – some high-ranking Iranian clerics, in their rhetoric on the nuclear issue, have derided its use. This simply goes to show that despite the existence of a “liberal faction” within the Iranian clerical establishment that employs rhetoric against WMD use, and advocates for Islam’s “peaceful” stance towards “harmful” weaponry – history shows that when pressed, the Iranian regime has felt no qualms using them. Ayatullah Jafar Sobhani, part of the IRI’s religious establishment, stated in one work:

The superpowers (today) have no qualms bombing oppressed people with napalm bombs, and other weapons of mass destruction. And how can it be forgotten what the United States did in World War II, when it bombed Hiroshima and Nagasaki with atomic bombs, which wiped out nearly half a million people and deleted those countries from the map on the pretext of accelerating the end of the war, as Truman said in 1945.

While Sobhani might have some misunderstandings about modern Japanese geography and history (Japan is in fact still “on the map”), this account also demonstrates the contradictions and half-truths advanced by many of Khamenei’s clerical supporters on the nuclear issue (Sobhani went on to offer a truncated excerpt from an Islamic legal text as proof of Islam’s “WMD ban,” which also typifies the penchant of Khamenei’s clerical supporters at selectively quoting Islamic law).

Moreover, although high-ranking clerics like Makarem Shirazi seemingly denounced WMDs, even prior to the Islamic Revolution – other, equally high-ranking religious figures did not. For instance, Morteza Motahhari – a highly-regarded and populist Iranian Ayatullah who was close to Khomeini, and a prolific writer whose works are considered to encompass the foundations of modern Iranian religious, Revolutionary thought – explicitly stated in a 1972 theological work that Muslims had an obligation to learn how to build nuclear weapons:

Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into (the hearts of) the enemies, of Allah and your enemies. (Qur’an 8:60)

The use of force against the enemy is required as much as possible. There was a time when a few blacksmiths could build the tools needed, using the empirical knowledge of their time. But, today it takes more knowledge. The knowledge
to build an atomic bomb is necessary. You may say, the Prophet didn’t say, “O people, go, learn about atoms!”...But, we should do this, because it is in the spirit of that rule.49

Despite this explicit pronouncement, however, in another work, published just two years before in 1970, Motahhari denounced the American bombing of Hiroshima (as have Khamenei, Khomeini, and Shirazi), and warned against the consequences of nuclear proliferation:

Everyday, worse and more destructive weapons appear. It was only about 20 years ago when the atomic bomb fell on Hiroshima, but look at how the destructive power of human industry has multiplied...If there is a Third World War today, the loser will be earth and people, and the winner no one.50

Therefore – we can see that despite rhetoric against WMDs in Iranian discourse – there are contextual and ideological factors that constrain its true meaning. Either Motahhari contradicted himself – or, more likely, the Iranian religious establishment conceives of and addresses WMDs on different “tracks:” Approving of them for defensive purposes against perceived military aggressors in geographical theaters of war where civilians are unlikely to be present, while disapproving of them against cities and civilian populations, most pointedly manifested in the event of Hiroshima, the Cold War arms race, and the Iran-Iraq War.51

And, it does not seem that Motahhari’s words have been forgotten – neglected and left to wither away in an obsolete book. In fact, there is at least one Iranian cleric who seems to have a good deal of familiarity with them. In a 2003 work on the “Basics of Islamic Jurisprudence,” (which in 2011 was republished by a small publishing house owned by the IRGC) a mid-ranking Iranian cleric, and adamant IRI apologist, used Motahhari’s same rationale in advocating that the Iranian military should possess nuclear weapons:

It is a fixed and permanent need of human beings to defend against the enemy, and have a constant readiness to do so. The Qur’an states, “Against them make ready your strength to the utmost of your power...” (8:60)

Of course, during that era horse riding and archery were necessities of defense, but gradually newer tools of fighting were invented, and today such tools are atomic capabilities, aircraft, and advanced missiles. Thus according to the unchanging laws of Islamic jurisprudence, which stipulates the necessity of preparation against enemies, such tools must be obtained as much as possible.52

In ending, like the above treatments, some of Khamenei’s rank-and-file clerical supporters have been more direct in their discussion of Islamic law, and not minced words about how Islam conceives of WMD use. The following example concisely conveys the religious consensus that has been reached on the issue:

Concerning the use of chemical weapons to defeat the enemy, Imam Ali reported that the Prophet said, “It is prohibited to deploy poison in the lands of the polytheists.” According to this narration, some scholars do not permit in their fatwas the use of poison (chemical weapons) in order to fight the enemy in the lands of the polytheists. But on the battlefield, especially if its use ensures Muslim victory against the enemy, then there is no obstacle.53
Warfare in Classical, Twelver Shia Islamic Law

Despite the clear possibilities of contextualizing some of the religious rhetoric on the nuclear issue – there are still apparent conflicts between the high-ranking Ayatullahs who have permitted WMD use, and popular perceptions among Khamenei’s clerical loyalists, that denounce and dismiss them from the viewpoint of Islamic law. Therefore, is there religious evidence to support the perception that Islam bans weapons of mass destruction? The fact is that, unlike some of the treatments adduced thus far, there were some historical, Twelver Shia scholars who were not as incendiary, and did not sanction the indiscriminate use of weapons and tactics:

It is permissible to fight the unbelievers with any means of warfare, except the deployment of poison in their lands, that is disliked. Because that can lead to destruction of those who it is not permissible to kill, including children, women, and the insane.

– Muhammad ibn al-Hassan al-Tusi (d. 460 AH/1067 CE)54

It is permissible to fight the unbelievers with any means and causes of killing, except flooding their homes, launching fire, and the deployment of poison in their lands. It is not permissible to deploy poison in their lands.

– Ibn Idris al-Hilli (d. 598 AH/1201 CE)55

Therefore, there were some classical Shia scholars who did not consider it simply “disliked” to use such weapons and tactics, but haram. In this reading of Shia law, these tactics would be religiously impermissible, and sinful, as Khamenei has claimed. However, even the above treatments discuss the use of indiscriminate weaponry in targeting non-combatants – not hostile, military entities. Broadly, upon analysis, the only sentiment that can be gleaned is that it is best to avoid weapons that have the potential to target civilians (the “flooding of homes,” for instance, is certainly within a civilian, rather than military context). However, even this is contentious, and the overwhelming attitude in classical Shia discourse is that under normal circumstances, it “disliked,” and best to avoid the use of weapons against civilians, but if military objectives can only be accomplished by employing them, then it is permissible:

It is disliked (makruh) to use fire, and impermissible (haram) to deploy poison. And some say it is only disliked. But if they use children, the insane, and women as shields, and there is no way to achieve victory without killing them, then it is permissible.

Allah hath purchased of the believers their persons and their goods; for theirs (in return) is the garden (of Paradise): they fight in His cause, and slay and are slain. (Qur’an 9:111)

– Ibn Fahd al-Hilli (d. 841 AH/1437 CE)56

Contextualizing Khamenei

Ostensibly, classical and modern Shia scholars have deduced their rulings about warfare from hadith literature – which contains primary sayings from the Prophet Muhammad, and the 12 Shia Imams. Like their Sunni counterparts – the Twelver Shia also have their own books of hadith and law. And, two hadiths from Shia source material have informed the classical debate on weapons use.

The sixth Imam, Jafar al-Sadiq – reported from the first Imam, Ali ibn Abi Talib – that the Prophet prohibited the deployment of poison in the lands of the mushrikeen (polytheists).57
As has been referenced, this account that the Prophet Muhammad prohibited the “deployment of poison” forms the backbone of the modern, clerical debate about WMD use. It was recorded in one of the earliest and most well-known books of Shia hadith. Moreover, it is considered to have a relatively strong isnad – or, chain of narrators – and has been referenced in classical Shia works on the subject. It also closely resembles a hadith from Sunni sources, with nearly similar wording.\textsuperscript{58}

However, in Shia jurisprudence, scholars have disagreed over the meaning of the word “prohibit” (nahi). Some consider it to be synonymous with haram (prohibited, and sinful), while others consider it simply to be “disliked,” (makruh) or “not optimal.” This explains the differences among classical Shia jurists as to whether enemy lands could be “poisoned” – despite the hadith on the subject that seemingly prohibits it.

Are there any indications of where Khamenei fall on this jurisprudential scale? Has Khamenei considered the religious argument of “poisoning?” Although he is by and large a politician, rather than a religious jurist (while he does show familiarity with Islamic source material, he has not even authored his own risalah), according to one account, Khamenei has explored the religious dynamics of WMD use (beyond simply articulating that they are haram, with no underlying jurisprudential explanation).

According to Mohsen Esmaeili, a member of the Guardian Council – who wrote an article on the religious lessons (dars al-kharij) of Khamenei that he attended – allegedly, the issue of ilqaa al-samm (poisoning) was addressed, and Khamenei argued against its religious permissibility. This would conform with the earlier quotations from Shirazi, and be in opposition to the Ayatullahs who permitted it, and analogized it with WMD use today. However, unlike his contemporary statements on the subject since the Iranian nuclear issue rose to international prominence in the early-2000s – Esmaili claimed that Khamenei simply said WMDs have “legal problems” (ishkal sharai’), not that they are “unconditionally impermissible” (haram) or “sinful.” In clerical parlance, this expression does not convey absolute religious prohibition, as will be explored below.

The veracity of this claim cannot be confirmed (because the complete text or audio of Khamenei’s religious lessons are not readily available, much less from 1990, the year in which Esmaeili claims Khamenei addressed the issue, which would in fact be Khamenei’s earliest mention of the nuclear issue in a religious context). A truncated record of Khamenei’s religious lessons does exist – even on the topic of warfare (jihad) – but it makes no mention of poisoning, as Esmaeili has claimed.\textsuperscript{59} A lengthy compilation of Khamenei’s speeches to military commanders in the 1980s contains no such reference either.\textsuperscript{60} However, Esmaili’s explanation is telling. Not only does he concede that religious scholars might use the nuclear issue as a “political or social slogan,” but also limited himself to saying that Khamenei prohibited poison in “Muslim” lands – not the “land of polytheists” (i.e. non-Muslims) typically addressed in the jurisprudential debate on the issue. We must also note that Esmaeili, in seeking to adduce the support of clerics and classical Islamic law for Khamenei’s fatwa, clearly ignores the voices that permit the use of “poison:”

When he (Khamenei) arrived at the topic of jihad (religious scholars research the characteristics of jihad, its meritorious actions, and forbidden actions in jihad), he talked about the issue of “deploying poison” (ilqaa samm) in
the lands of the polytheists (mushrikeen), and this is a well known issue. In the same year, 1369 (1990), His Eminence declared his position on nuclear weapons, and deploying poison in Muslim lands. Based on the compelling jurisprudential (fiqh) evidence, His Eminence believed that to take advantage of destructive and deadly chemical and nuclear weapons, had problems/doubts (eshkal).

This has been analyzed and inspected by scholars looking at religious evidence, from a serious jurisprudential perspective, not as a political or social slogan. We now observe that after twenty years, the Supreme Leader has returned to the topic, and repeatedly emphasized that there are problems (moshkel) both jurisprudentially and religiously, regarding the ruling of nuclear weapons. The importance here is his consistency in decision making.61

On a further linguistic note, the Arabic translation of Esmaeili’s article used the more specific “ishkal sharai’” to describe Khamenei’s alleged characterization of nuclear weapons. Others have translated the Farsi eshkal as “ambiguities,” rather than “doubts” or “problems.” Though, regardless, the meaning and intent are clear: Nuclear weapons occupy a religious category below that of being “haram” or “sinful.”

**Ijtihad and the Limits of Legal Prohibition**

To better understand the meaning behind the concept of “legal problems,” a well established tenet of Shia Islamic law (usul al-fiqh) is that every conceivable action in life is by default halal – or lawful. That is, until there is definitive mention in the Qur’an, or other textual evidence (like in a hadith), that an action is haram (prohibited). One of the foremost Shia scholars of the classical Islamic period stated:

> Our belief is that all things are permitted, until there is evidence of its prohibition.

> – Ali ibn Babawaih al-Qummi (d. 381 AH/991 CE).62

For an Ayatullah, the default state of affairs in the world is that everything is permitted for a human to do – unless religious texts specifically and unconditionally prohibit it (such as murder, or the drinking of alcohol). Therefore, in the minds of Shia jurists – given that all actions have originally been sanctioned as halal by God – strong evidence must exist to declare something to be haram, or else they are unjustly prohibiting something that God has deemed licit. This is especially true with a modern issue of ijtihad, such as nuclear weapons – as its religious ruling would rest upon human interpretation, rather than a clear legal text from the Qur’an, or a hadith.

Moreover, in Shia Islamic law, when there is a conflict between this principle, and unclear legal texts that might be hinting an action to be haram (like the disagreement that exists about the use of indiscriminate weaponry), most modern Shia jurists resort to saying that the action should be abandoned out of precaution (ihtiyat) for committing that sin. Commonly, this concept is known as “obligatory precaution” (ahwat wujuban or ihtiyat wajib). And in fact, this is what Khamenei’s assertion that nuclear weapons have “legal problems” alludes to. It is a statement of precaution, not prohibition. The precaution, in this case, being that one must be absolutely certain that such weapons are not directed towards innocent civilians. If that can be ensured – as the fatwas have made clear, such as against a military entity alone – then their use is permissible. However, by labeling an action as something which is doubtful, and should be avoided based on precaution – it is impossible for a religious scholar to then deem such action as haram – or sinful, as Khamenei
has sought to articulate (at least in the past decade) with nuclear weapons.

And, this understanding of WMDs in Shia jurisprudence has been explicitly expressed. Iraqi Ayatullah Muhammad Sadiq al-Sadr – a highly populist religious figure who was assassinated by Saddam Hussein in 1999, and father of Moqtada al-Sadr – authorized the use of WMDs in two separate fatwas. In one, he deemed them permissible if there is a “great public interest,” (maslaha adheema) while in another he termed them “haram based on precaution...except if there is an absolute necessity:”

It is permissible to fight disbelieving war makers (al-kuffar al-muharibeen) with every possible means, and with the weapons of war appropriate to any era. Jihad with them is not limited to ‘old weapons.’ It is prohibited (to use old weapons) against an army that is armed with powerful weapons, because this would mean there is lack of equivalence between the two sides, which would be an utter failure for the Muslims.

It is prohibited based on precaution (haram ala al-ahwat) to deploy poison against the disbelievers (kuffar), and this precaution includes deploying disease among them, with germ/biological bombs, or other (weapons) – except if there is an absolute necessity (darurah) to do so.63

Simply, from the standpoint of Islamic law alone, in multiple facets – which Khamenei has adduced time and again – the declaration of WMDs to be unconditionally haram is a juvenile and highly dubious claim to anyone acquainted with Shia Islamic legal methods. And, as the fatwas translated previously demonstrate – it seems the Shia clerical community knows this as well.

Finally, there is one further hadith in the Shia canon that has been adduced in classical treatments of warfare. While it is considered to have a weak chain of narrators, and is thus considered of disputable “authenticity” in religious circles – seemingly, it has nonetheless informed scholarly opinion.

The sixth Imam, Jafar al-Sadiq, was asked about a city, from the “cities of war,” is it permissible to flood it with water, burn it with fire, and use catapults, until it causes the death (of its inhabitants) – even though inside are women, children, old men, Muslim captives, and traders?

He replied: “Do those things to them, and do not withhold (the assault) because of them, and there is no blood money (diyah) for the Muslims among them, nor any compensation (kaffarah).”64

The rationale in the above hadith – which permits the indiscriminate use of weapons to achieve military objectives, even against cities with civilian and Muslim populations – was the exact rationale articulated by the Shia clerical community in 2006, to sanction Hezbollah’s use of unguided ordinance in targeting civilian areas. If they kill “the enemy,” then great...if they hurt Muslims, well...they will go to paradise. Such concerns have been discussed among Shia clerics, and these religious arguments have been adduced. Theoretical arguments about WMDs – from a religious perspective – can only be considered within the same context.65
Conclusion

After translation of this modern and classical religious material, and exploring the dynamics associated with it, is there any saving grace for Khamenei? Clearly, the claim that nuclear weapons are unconditionally haram—employed time and time again by the IRI political and religious leadership—was not only never seriously considered by the world community in the first place, but is also demonstrably false. Not only is this claim tenuous based on classical Islamic law and jurisprudence, but even living religious clerics within Iran’s borders, and with close ties to the Iranian leadership (not to mention personalities integral to the IRI’s intellectual history), have explicitly advocated for the production and use of WMDs. Simply, it is impossible to take Khamenei’s rhetoric at face value. In other parlance: Khamenei lied.

However, there might be one consolation: Religion is not the final determinant of Iran’s politics. Pragmatism is the name of the game in Iran, and religious rulings can be openly flaunted and violated when political considerations call for it.

As the quotes from Khomeini demonstrate, the Iranian political experience after 1979 is rooted in factors beyond Islamic law—including experiences and outcomes from the Cold War, the Iran-Iraq War, and Iranian culture. Iranian politics is rooted as much in these sources and contexts, as it is in Islamic law. To believe that every political decision in Iran is based on recourse to Islamic legal precedent is simply not the reality. We might note that “anti-colonialism”—a pillar of the IRI’s worldview—has no basis in Islamic law or history, as Islam, for the better part of a millennium, was one of the most hegemonic and “colonistic” forces the world has ever known. Simply, there exists little religious precedent for many political, social, and legal occurrences in modern Iran.

However, the “fatwa” issue does not seem to fit into this mold, by paying lip service to Islam or seeking to appease an internal audience. Khamenei has used this religious argument with the international community, and there does not seem to be any discernable motive behind his use of this rationale. Simply, there is no conceivable explanation for why Khamenei would be seeking to deceive the world community through religious rhetoric—unless he was really seeking to do so.

Moreover, even if Khamenei and the Iranian leadership are truly opposed to the production and use of WMDs, and religiously, politically, economically, and rationally oppose them in every way, shape, and form—as has been claimed many times—the disconcerting truth is that this case has not been made as strongly as it could have. As the quotes from Khomeini demonstrate (which have never been adduced in English before, and rarely even discussed in Farsi), Iran does have a unique history and outlook, that in many ways is not broadly rooted in Islamic law. A convincing historical narrative could be made to argue that since the inception of the Islamic Republic, its religious leadership has confronted the reality of nuclear weapons, and found them to be dangerous to the security of the world. Past condemnations about weapons use at Hiroshima, Halabjeh, and in the Iran-Iraq War, from the IRI’s founder, could form not only a compelling national story, but also narrative to pitch to the world community. However, strangely, Khomeini’s statements, by and large, have been neglected in internal and external Iranian discourse on their nuclear program. The same holds true for Khamenei’s denouncements of WMDs during the 1980s (which have not even been cited in Farsi on the Internet, much less
adduced by Khamenei or the Iranian government themselves). Rather, the only consolation the world community has been given is flimsy assurances of a “fatwa” from Iran’s contemporary leader, Khamenei (which actually turns out to have little basis or support). And, this lack of desire to put in a full effort is telling.

Finally, it must also be emphasized that the fatwas and religious dynamics related to nuclear weapons are not known to normal Iranians. Not only are few books of classical, Twelver Shia law even translated into Farsi, but there exists few belief systems on earth with a greater divide in religious practice and perceptions, than between the mainstream Shia community, and its clerical overlords. Ultimately, whatever the IRI religious establishment believes about nuclear weapons, they will still have to contend with the perceptions of normal Iranians, even those who serve in the military or political capacities. Simply, the vast majority of Iranians and the world’s Muslims possess no penchant for the legal minutiae that is part and parcel of religious discourse on nuclear weapons.

And, it is actually this linguistic divide that is most apparent. We might note that Saeed Jalili – former Iranian nuclear negotiator, and 2013 presidential candidate – in 1995 authored a book that claimed to “analyze” the “foreign policy” of the Prophet Muhammad. However, not only was not a single Arabic source included in his analysis, but Jalili also relied upon Farsi translations of several benign Sunni Muslim works in his understanding of the Prophetic biography (seerah). We might note that Al-Kafi, the Shia hadith work that contains the account of the Prophet Muhammad prohibiting the “deployment of poison” – which has played such a central role in the Shia clerical debate over WMD use – has never been fully published in Farsi. Despite discussing several, in-depth instances of Prophetic conduct in warfare, Jalili never addressed WMDs in Shia law, and was seemingly oblivious to this account. Simply, even those Iranians with an interest in Islamic law (which are few), do not necessarily possess the resources to fully and critically understand their belief system, in the same way a cleric would.

Despite this, however, Jalili did offer one statement, which can be interpreted to conform with the fatwas translated in this paper. We might note how closely it aligns with Motahhari, and other authors who stressed “equivalence” in warfare. Moreover, it is again framed as a commentary of the same Qur’anic verse:

*Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into (the hearts of) the enemies, of Allah and your enemies.* (Quran, 8:60)

In every battle the Prophet tried to employ the best weapons. For example, using catapults at the Battle of Ta’if, which were used to destroy their fortresses...we also know from the biography of the Prophet that weapons can be obtained from non-Muslims.

Overall, Jalili’s work is a bland, uncritical, and incomprehensive survey of general Islamic source material, which shows no acquaintance with the high-level, Shia legal reasoning present in the clerical debate over warfare and weapons use. Despite this, ignorance of the clerical debate seems to cut both ways: The broad, emotional religious themes embraced by most Iranians can engender negative feelings towards destructive weapons, while for others like Jalili who have a vested interest in the maintenance of the IRI political and religious system, precedents of any kind can be interpreted to sanction them.
However, in ending, as has been seen, it is clear that there is more behind the IRI’s religious claims about nuclear weapons than meets the eye. However, Khamenei has stated with conviction time and again that Islam prohibits these weapons – against civilian populations. In a 2006 speech, he stated emphatically:

How can a country whose social behavior is disciplined, which is courteous and has proper etiquette, and wealth and knowledge (i.e. science), at the same time use this wealth and science, and the discipline of its people, to work to destroy another nation? This is wrong, and not true in our logic. (Why would) science be used to create a weapon like a nuclear bomb? When it falls, it lands where there are (equally) the innocent and the guilty – both the armed, and also children, infants, and oppressed people. It does not consider what it destroys. For science to be used in this way is a failure, this is not the kind of change we want as a country. We do not approve of this and do not want such developments.68

Based on the rhetorical tools explored in this paper, however, understanding and contextualizing a statement like the one above becomes easier:

1. Khamenei, in fact, is telling the truth. He most likely believes the use of WMDs against civilian populations to be immoral, sinful, and religiously dubious. It is because of this that he can make such statements so frequently, to his own people and the international community, with confidence.

2. However, Khamenei most likely believes the use of WMDs in defensive postures, against military entities, to be not only religiously permissible, but strategically viable. Moreover, he considers the intentions and thought processes behind weapons in these different contexts to be a world apart.

3. Moreover, precedents exist from the IRI’s intellectual history that demonstrate that Iranian religious clerics often address WMDs on these dual “levels.”

However, even if Khamenei does know the religious dynamics explored in this paper, but does not endorse them, the blanket use of religious rhetoric – which is not only demonstrably false, but was also never taken seriously by the world community in the first place – simply shows another side of the IRI’s dangerous incompetence and ineptitude, manifested time and again in its actions and discourse. Now that the world community can know the hard facts and context behind Khamenei’s rhetoric, hopefully it can act before a nuclear weapon falls into the hands of a world power that so routinely engages in deception, subterfuge, pseudo-intellectualism, and obfuscation of objective truth. As Khamenei once rhetorically asked in a 2009 speech, questioning why the Western world does not believe his claims about Iran’s military intentions, the same question could be asked of his own claims: “Why do they tell these lies...is that not an injustice?”69
Notes


*Tahrir al-Wasilah* served as Khomeini’s *risalah*, or manual of religious instruction. In contemporary Shia clerical practice, authorship of a *risalah* is deemed necessary, so lay Muslims can access the essentials of religious knowledge and practice. Written by Khomeini in 1964, in the process of his exile from Qom, to Bursa, Turkey, it is based on the book *Wasilah al-Najah*, by Abu al-Hasan al-Esfahani (d. 1946). However, this original work does not contain any religious instruction on warfare or “defense” – the *fatwa* on “defending Muslim lands” was therefore Khomeini’s own intellectual thought. Originally authored in Arabic, a Farsi translation (not done by Khomeini) seems to have only been publicly published after 1979.


Many of Motahhari’s books were not personally authored, but rather consist of lessons and lectures, which were tape recorded and transcribed by his students, and organized and published after his death in 1979. *Islam and the Circumstances of the Time* consists of a series of lectures delivered between 1966–1972. The second volume of the book, in which Motahhari expressed his religious approval of nuclear weapons, was compiled solely from the 1972 (1351) lectures.


Like the previous work, *A Glance at the Biographies of the Pure Imams* is also a compilation of Motahhari’s speeches, between 1970-1975. His disavowal of the event of Hiroshima, and global nuclear proliferation, is from October 1970 (Mehr 1349).

4 For different iterations of Khamenei’s military and strategic rationales in opposing WMDs, see:

- **July 13, 1992.** “Remarks in a Meeting with Battalion Commanders of the Islamic Revolution, and Basij Forces Across the Country.” (Online) http://farsi.khamenei.ir/FA/Speech/detail.jsp?id=710422A
- **September 17, 1997.** “Meeting of Iranian Revolutionary Guard Commanders and Officials of the Islamic Revolution.” (Online) http://farsi.khamenei.ir/FA/News/detail.jsp?id=760626A
- **January 28, 2004.** “Remarks in a Meeting with Officials.” (Online) http://farsi.khamenei.ir/speech-content?id=3202

5 For the rationale based on “experience,” which could also be termed the “victim” rationale, see:

- **June 28, 2009.** “The Supreme Leader’s Meeting with the Head, and Officials of the Judiciary.” (Online) http://farsi.khamenei.ir/news-content?id=7265
- **April 17, 2010.** “Message to the International Conference on Disarmament and Non-Proliferation.” (Online) http://farsi.khamenei.ir/message-content?id=9171

6 For Khamenei’s economic rationale against WMDs, see: “Remarks at the Anniversary Event of Imam Khomeini’s Death.” June 4, 2006. (Online) http://farsi.khamenei.ir/speech-content?id=3341&q

7 Herein is a chronological listing of Khamenei’s religious statements concerning WMDs:

- **August 6, 2003.** “Officials Meet with the Supreme Leader.” (Online) http://farsi.khamenei.ir/news-content?id=1021
- **August 18, 2003.** “Foreign Ministry Officials Meet with the Supreme Leader.” (Online) http://farsi.khamenei.ir/news-content?id=1022
- **March 23, 2004.** “Remarks in Meeting with Officials From Jahad Daneshgahi.” (Online) http://farsi.khamenei.ir/speech-content?id=3236
As part of this rationale, Khamenei directly cited a Qur’anic verse that disapproves of the “destruction of cattle and land.”

When he turns his back, His aim everywhere is to spread mischief through the earth and destroy crops and cattle. But Allah loveth not mischief. (2:205)

For a similar argument against WMDs, based on the same verse, which was written before 1979, see Muhammad Jawad Mughniyyah, Tafsir-i Kashif. Date of publication unknown. (Online) http://www.ghadeer.org/qoran/kashef1/243-0034.htm

While objectively true that classical, Twelver Shia Islamic law makes no mention of the possession of weapons for purposes of deterrence, for explicit articulation of this fact see the statement of Isfahan parliamentarian and cleric Hujjat al-Islam Mohammad Taqi Rahbar. RFERL: “Iran Report: November 23, 2004.” (Online) http://www.rferl.org/content/article/1342709.html

While the plain text of Montazeri’s fatwa does have some linguistic anomalies, it is still understandable. However, it was subject to commentary by Montazeri disciple Mohsen Kadivar (whose questions to Montazeri about nuclear weapons use prompted the original fatwa), who made the scope of it clear by stating, “The understanding of this fatwa is that the use of such weapons against invading forces is permitted, on the condition there is no risk to innocent civilians.” See, “Reflection on the Religious Ruling of Weapons of Mass Destruction.” (Online) http://kadivar.com/?p=8501

See in-text quotation associated with endnote #2.

See in-text quotation associated with endnote #1.
Until his death in 1992, Abu Al-Qasim al-Khoei served as the primary marja al-taqlid (scholar of imitation) for the world’s Twelver Shia Muslim community. He was based in Najaf, Iraq, rather than in Iran, and was only loosely affiliated with the Iranian religious hierarchy. However, his religious verdicts are still highly regarded, studied, and relied upon in Shia clerical circles. His risalah – which includes the above ruling – has been endorsed by Ayatullah Vahid Khorasani, the most senior Iranian religious scholar, and one of among six clerics whose religious credentials have been approved by the Iranian leadership.

Muhammad Sadiq al-Sadr – father of Iraqi cleric and politician Muqtada al-Sadr – was a highly-revered, populist Iraqi ayatullah, who was assassinated by Saddam Hussein in 1999. Although he maintained intellectual and physical independence from the IRI, his ruling on WMD use – which states that it’s prohibited, except if there is a “great public interest” – simply demonstrates another religious dynamic in the nuclear weapons debate. What does a “great public interest” constitute? The saving of lives at war? The defense and maintenance of a country’s religious system? As demonstrated by this fatwa – the notion that WMDs are unconditionally haram has caveats. Al-Sadr also pronounced a second fatwa authorizing WMD use, which will be explored in the last section.

For the second fatwa of Al-Sadr, see in-text quotation associated with endnote #63.

Muhammad Taqi Bahjat – prior to his death in 2009 – was similarly on the list of “approved clerics,” and upon his death, was eulogized by Khamenei, who called himself a “devotee of this great personality,” and allegedly visited him often in Qom.

Hossein Ali Montazeri was a close disciple of Khomeini and his potential successor, until he later fell out with him, and subsequently Khamenei, and became a self-styled religious reformist and critic of the regime. His fatwa is significant given his former prominence, close ties to Khomeini, and access to clerical circles – not to mention his insistence on the permissibility of nuclear weapons use, despite being a reformist. Although Montazeri oscillated about the jurisprudential details of the ruling (the “priority of importance” in deducing a religious ruling, while weighing competing interests), the verdict is clear: Nuclear weapons are religiously permissible so long as they are used against a military force, but not against civilians.


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Answer: The prohibition on deploying poison in the lands of the polytheists does not include against hostile forces (asakir-i harbi), it is meant to prohibit the killing of women, children, and old men—the use of weapons of mass destruction, such as a nuclear, chemical, or biological bomb, in order to defeat hostile forces, is permitted (belamane ast).

Mohaqeq Kaboli, an ethnic Hazara from Afghanistan, studied under Khomeini in Najaf during his exile, and currently teaches in Qom. While relatively unknown (comparatively speaking), he is one of many “grand Ayatullahs” who have emerged in recent years, is a regime loyalist, and is clearly aware of the juristic dynamics in Qom, which are undoubtedly reflected in his fatwa on nuclear weapons. Moreover, Kaboli is active in the affairs of Afghanistan’s Shia community. Although Kaboli could be viewed as a “neutral,” rather than IRI loyalist – in 2010 his website reports that he opened an “office” in Tehran, and met personally with Khamenei – overtures extended only to those clerics with a degree of fealty towards the regime.


*Fatwa* text: “Even for those with only a little knowledge of Islamic jurisprudence, the answer is clear...Atomic weapons, if used for defense, are necessary, and included in the general rule of Islam, from the Qur’an: ‘Against them make ready your strength to the utmost of your power’ (8:60), whereby Muslims are required to make themselves (equal) in in every respect against the enemies of Islam.”

Like Modarresi, below, Shirazi is an Iraqi Ayatullah and inheritor of a familial, clerical dynasty traditionally opposed to the IRI, and the theological concept of wilayah al-faqih. Shirazi has also taken strides to disseminate his works in English, via his website. Although he attempts to portray modern Shia Islam as a religion of “peace, non-violence, freedom, and pluralism,” in actuality the above Farsi work has been translated into English, the nuclear fatwa included as well. See: *What is Islam? Beliefs, Principles, and a Way of Life*, p. 105. (Online) http://imamshirazi.com/What%20is%20Islam.pdf


*Fatwa* text: “It is permissible to use all weapons in order to secure victory, with exceptions. The use of weapons should be done as much as possible to achieve victory, while minimizing destruction and killing. Weapons that corrupt the earth or kill the innocent should not be used. And, weapons of mass destruction, like nuclear, biological, and chemical weapons, should be avoided, except due to necessity, (such as): A. If the enemy uses those weapons. B. If it is judged that there is a necessity for it, for instance if (such weapons) would not be used, then it would increase harm and corruption (against Muslims), which would not have been inevitable otherwise.”

Mohammad Taqi al-Modarresi is an Iraqi “Grand Ayatullah” that is broadly aligned with the “Shirazi school,” a familial, clerical dynasty that has come to be defined by their religious and political opposition to the Islamic Republic, and the leadership of both Khomeini and Khamenei. Al-Modarresi’s rationale for the possession of nuclear weapons – which endorses them as an “equalizer” in warfare, and a deterrent to minimize harm to the Muslim community – adds another dynamic to the theological justification for nuclear weapons. Moreover, given Al-Modarresi’s political allegiances (which put him in a camp separate from religious reformists, Iraqi traditionalists, or “quietists”) simply shows the degree of religious consensus on the nuclear weapons issue in Shia clerical circles, above and beyond any political posturing that might be present.

Despite his *fatwa* (which, in actuality, was authored while living in exile in Tehran), Al-Modarresi (like Motahhari), is also on record addressing WMDs on “dual-tracks.” In a 2000 work (just a year before his nuclear *fatwa*), similar to public rhetoric employed by other IRI clerics, al-Modarresi denounced the US bombing of Hiroshima; labeled WMDs “huge, terrible, and lethal;” claimed nuclear weapons “do not distinguish between the attacking and defending parties,” and nearly word-for-word, like Khomeini (see endnote #37), stated that nuclear weapons possession means that “with the single press of a button the world can be destroyed.” See: *Al-Imam al-Mahdi Qudwah al-Sidiqeen (“Imam al-Mahdi: An Exemplar of the Truthful.”)* (Online) http://islamicdoc.org/Multimedia/fbook/4566/index.htm


See also: http://www.ghaemiyeh.com/library/category/ready/book/2198/Page-691
While the capacity to ask religious questions and receive replies from a marja is not rare, Rohani maintains a particularly adept system. Not only does he have active websites in Arabic and Farsi, and responds to questions in both languages, but the speed of his answers is unparalleled among other Grand Ayatullahs.


After the fatwa that clearly sanctioned the use of nuclear weapons, it is unclear what Rohani’s statement concerning nuclear energy not violating “the shariah” was intended to convey. Clearly, if he permitted the development and use of nuclear weapons, then there are no religious limits on energy use. It is very likely that given the implicit rhetoric tying nuclear energy to military endeavors – but still seeking to uphold the public rhetoric of the IRI – this ending statement (for unknown motives) was an act of religious dissimulation (taqiyya). This is especially given the fact that Rohani’s fatwa on nuclear energy is featured prominently on his website (intended to be seen by the public) – whereas the fatwa on nuclear weapons is buried deep in a multi-volume book of religious rulings.


It should be noted that while Rohani’s commentary on Israel was completely his own, the “rationales for jihad” enumerated were adopted verbatim from a work by Shia scholar Jafar Kashif al-Ghita (d. 1228 AH/1813 CE). However, it is notable that Rohani chose to adopt this specific classification, as the rationales expressed have strikingly similar parallels to the IRI’s rhetoric against Westernization (for instance, the fear of sexual corruption). Although this rationale is not Rohani’s own, neither is it a traditional rationale for jihad in classical Shia jurisprudence, where physical defense of the Muslim territory is usually expressed, rather than anything related to its “moral defense,” which Rohani seems keen to emphasize.


The notion that Iran was seeking to import nuclear weapons from abroad was first expressed in early 1992, and subsequently addressed by Khamenei in his September speech that year. For more, see Anoushiravan Ehteshami, After Khomeini: The Iranian Second Republic, p. 190.


Khamenei’s 1987 speech to the AEOI has been referenced in Western works, though, incompletely and inaccurately translated. See for instance, Journal of Defense and Diplomacy (1988), vol. 6, no. 6, p. 55, which posits that Khamenei stated, “The least we can do to face this danger is to let our enemies know that we can defend ourselves.” While the published version of the speech (from 1989) has seemingly been shortened and redacted, no extant version ties nuclear energy to defense.


For the religious arguments of Khamenei’s rank-and-file clerical supporters, see for instance:

- http://www.al-khechin.com/article/41
- http://www.hawzah.net/fa/article/articledview/87852
- http://borhan.ir/NSite/FullStory/News/?Id=3462
For public, contemporary statements from the IRI’s high-ranking clerical supporters, see:

- Hamedani: http://www.hawzah.net/fa/news/newsview/92755

Reaching out to the “offices” of these clerics, seeking more jurisprudential details concerning their ban on WMDs produced little results. Ayatullah Hossein Noori Hamedani replied:

“This topic is part of the affairs of government, and the view of the Vali-i Faqih (i.e. Khamenei) should be heeded.”

However, while he died in 2007, it was actually Ayatullah Mohammad Fazel Lankarani’s office (which still functions in order to disseminate his works, and answer religious questions from his followers) that provided the most detailed reply. The scope and length of the response, which had never been published before, clearly shows that the religious dynamics of WMD prohibition have been well-considered by some clerics, and on an in-depth level. The reply from Lankarani’s office might best encapsulate the religious arguments against WMD use, and the contemporary dynamics (such as environmental impact) that are part of it. Though it is interesting to note that the reply distinguishes between the level of prohibition in using “poison” in the “land of the enemy,” verses against the “residential areas,” which is deemed religiously impermissible (haram):

“According to Islam, war with the enemy has its own principles (usul), etiquette (adab), ethics (akhlaq), and rules (ahkam). And, during war, Muslims should uphold these principles and rules. For instance, not killing captives, and avoiding and preventing the destruction of the enemy’s trees, fields, and water supplies. Also among the rules of war are not using poison in the areas of the enemy, and the religious impermissibility of poisoning the residential areas of the enemy. The foundation and rules of warfare in Islam are derived from Qur’anic verses, Prophetic traditions, and the biographies of the Prophet and Pure Imams. And, these rules also prohibit the use of unconventional tools of war, such as nuclear and biological weapons. It is clear that during the era of the Prophet and Imam, chemical, biological, and nuclear weapons did not exist, and there is no tradition about them, but smaller types of unconventional weapons were used at that time, that in many ways are similar to today. Therefore, non-conventional weapons today are a part of this general rule. These included poisoning lands; burning trees, fields, and homes; and drowning the enemy, all of which are similar to non-conventional weapons today. And, the narration that is reported from the Prophet states, ‘The Prophet prohibited deploying poison in the lands of the polytheists.’ The narration about the use of poison does not specify any type of weapon (i.e. delivery system), but there is no distinction between them because poisoning air, water, or land is the same (i.e. has the same effects). Therefore, although the Prophet only specified poison, it refers to any weapon that kills innocents in overseas war zones, including humans and animals, and also causes damage to fields and the environment. The prohibition of weapons of mass destruction, and chemical weapons, is an absolute priority, because the use of poison (in warfare) is religiously impermissible (haram). The use of an atomic bomb, or chemical weapons, is haram. The mention of poison (in the Prophetic tradition) does not mean that it does not include property damage as well, it extends to all weapons of mass destruction.”

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34 For public, contemporary statements from the IRI’s high-ranking clerical supporters, see:


43 It is now generally acknowledged that the IRI developed chemical weapons capability in the last phase of the Iran-Iraq War. For admission of this fact, see the statement of Dr. G. Ali Khoshro, IRI Deputy Foreign Minister of Legal and International Affairs: “In the last phase we got the chemical capabilities, but we did not use it, and following the cease fire we decided to dismantle.” See: “CWC Review Conference, April 28 - May 9, 2003.” (Online) http://www.acronym.org.uk/cwc/03iran2.htm

Contrast this admission with Khamenei’s March 21, 2003 statement, less than a month earlier: “Even when we were invaded by Iraq, we did not attempt to produce chemical weapons. We do not agree with such matters in principle.” (Online) http://farsi.khamenei.ir/speech-content?id=3167

44 See footnote #1.


49 See footnote #2.

50 See footnote #3.

51 Refer to footnote #21, where another modern cleric, Mohammed Taqi al-Modarresi, employs “dual-track” rhetoric.


It is also notable that this work was re-printed in 2011, by a publishing house owned by the IRGC. For the 2011 (1390) version, see: Page 62, Namayandagi-i Valt-i Faqih dar Sipah (Publisher: “The Representation of the Supreme Leader in the Revolutionary Guards.”) (Online) http://serajnet.org/post/detail.aspx/2/57/2/1/3/0/lang/Fa.aspx


Despite Shabanniya’s claim, there appears to be few Shia clerics who expressed the outright prohibition of “poison” during conflict (that is, prior to the ascendancy of the Iranian nuclear issue to international prominence). In addition to Shirazi’s 1988 statement, see Muhammad Jawad Mughniyyah, Tafsir-i Kashif. (Online) http://www.ghadeer.org/qoran/kashef1/243-0034.htm


See also Muhammad ibn al-Hassan al-Tusi, Tadhhib al-Akhkam, vol. 6, p. 143.
58 In the Sunni iteration, the hadith is recorded as prohibiting "poisoning the wells (abaar) of the polytheists." See Sulayman ibn Ahmad al-Tabarani (d. 360 AH/970 CE). Musnad al-Shamiyin. (Online) http://islamport.com/d/1/mtn/1/103/3687.html


64 Muhammad ibn Yaqub al-Kulayni. Al-Kafi. Vol. 5, p. 28. (Online) http://www.yasoob.com/books/htm1/m012/09/no0983.html
See also Muhammad ibn al-Hassan al-Tusi, Tadhib al-Ahkam, vol. 6, p. 142.

65 Although he died in 2010, the “office” of Lebanese Grand Ayatullah Mohammad Hussein Fadlallah – the “spiritual mentor” of Hezbollah – still maintains staff to disseminate his views on religious issues. An e-mail to his office concerning the religious dynamics of WMD use provided an interesting reply, perhaps reflecting the pragmatism of both Hezbollah, and the wider clerical community loyal to the IRI. It is interesting to note that the reply contains reference to the “Islamic ruler,” a clear reference to Khamenei, the Wali al-Faqih. When asked whether it was permissible to use nuclear or chemical weapons “for purposes of defending an Islamic State,” they replied:

“Things like these are considered haram in principle (fi al-mabda), but the Muslim ruler (hakam al-Muslimeen) has the authority to deal with the developments of war, as appropriate.”

66 The exception to this appears to be a single quotation from Khomeini, which was included in materials submitted by the IRI to the IAEA in 2012. Though, clearly a single, truncated quotation is less than comprehensive. See: Ali Asghar Soltanieh, “Facts on Iran’s Nuclear Policy.” September 12, 2012. (Online) http://www.iaea.org/Publications/Documents/Infircs/2012/infirc842.pdf

