

Khutba – Prisoners of war (25/1/02)

Al hamdullilah, Al hamdilillahi Nahmadahu wa nasta'eenahu wa nastaghfiruhuu wa nu'minu bihi wa natawakkalu
alaih. Wa na'uzubillahi min shuroori anfusina wa min say'iaati a'maalina
Many yahdilillahi fala mudilalahu
Wa many yudlilahu fala hadialah
Wa nashadu an-laa illaha ilallah wahdahu laa shareeka lahu
Wa nashadu anna Muhammadan abduhu wa Rasuulahu
Amma ba'd, fa-uuzubillahi minashaytaanirajim bismillahi-rahmaanirahiim

YAA 'AYYUHAA 'ALLADHENA 'AAMANO ITTAQO 'ALLAAH H.AQQ TUQAAH -HU WA-
LAA TAMOTUNNA 'ILLAA WA- 'ANTUM MUSLIMON

YAA 'AYYUHAA 'ALLADHENA 'AAMANO KOONU QAWWAAMEN BI- AL- QIST.

Qaala Rasuulullah (saw): "Qullu amalin laysa alaihi amruna fahuwa ridd"

Ya Ma'sharal Muslimeen Itakullah!

- ◆ Allah (SWT) says in the ayah that I have just recited:

YAA 'AYYUHAA 'ALLADHENA 'AAMANO KOONU QAWWAAMEN BI- AL- QIST.

"O you who believe: Stand out firmly for justice, as witnesses to Allah, even as against yourselves, or your parents, or your kin, and whether it be (against) rich or poor. For Allah can best protect both. Follow not the lusts (of your hearts), lest you swerve, and if you distort (justice), verily Allah is well-acquainted with what you do."
[TMQ 4: 135]

- ◆ Recently there has been a lot of discussion about the Muslim prisoners who were taken to Guantanamo bay's camp X-ray from Afghanistan.
- ◆ They have been treated like animals and even worse. Their beards were forcefully shaven. On the long flight they were not allowed to use the toilet. They were muzzled with masks, they were forced to wear blacked out eye goggles and heavy gloves. They were humiliated. They have been placed in open air cages like animals in a Zoo so that the American public can satisfy they warped sense of revenge.
- ◆ We saw the reality of America's double standards how they contradict their own kufr laws and principles such as the Geneva convention and Human rights. They use and abuse the so-called international law and principles for their own purposes. So we found them contradicting their own Geneva convention which is based on kufr principles on the basis that these prisoners belong to an new category which are not classified as prisoners of war rather they termed them as **'unlawful combatants'**. Their playing with words to hide the truth has become clear for the whole world to see that there has even been a discussion in the international media which they try to dominate and mould

relating to this.

- ◆ America's believes in what the master of Nazi propoganda, Goebells once said during the 2nd World war, ***"If a lie is repeated enough times, it is taken as the truth"***.
- ◆ The war between Islam and Kufr today is open. America is like the Fir'awn of the past.
- ◆ Allah Azza wa Jal said in Surah Yunus:

"Firawn was an arrogant tyrant on the earth indeed he was one of the Musrifeen (transgressors)" [TMQ 10:83]

WA- 'INNA -HU LA- MINAL- MUSRIFEEN

- ◆ Brothers today we have many modern day Firawn's, many Musrifeen (transgressors) and tyrants.

One of the Kuffar Orientalists wrote named Dr. Joseph Adam Pearson, ***"People who worry that nuclear weaponry will one day fall in the hands of the Arabs, fail to realize that the Islamic bomb has been dropped already, it fell the day MUHAMMAD was born"***

- ◆ As Firawn, Aad, Iram and Thamud had they time and were destroyed by Allah's permission the same will happen to America. Allah (swt) said,

'A- LAM TARA KAYFA FA'ALA RABBU -KA BI- 'AAD
'IRAM DHAAT AL- 'IMAAD
'ALLATE LAM YUKHLAQ MITHL -HAA FE AL- BILAAD
WA- THAMOD 'ALLADHENA JAABO AS.- S.AKHR BI- AL- WAAD
WA- FIRcAWN DHE AL- AWTAAD
'ALLADHENA T.AGHAW FE AL- BILAAD
FA- AKTHARO FE -HAA AL- FASAAD
FA- SABBA ALAY -HIM RABB -KA SAWT.ADHAAB
'INNA RABB -KA LA- BI- AL- MIRS.AAD

"Have you not seen how your Lord dealt with Aad (people), of the city with lofty pillars the like of which were not produced in all the land. And with Thamud (people) who cut out huge rocks in the valley. And with Pharaoh, Lord of Stakes. All of those transgressed beyond bounds in the lands. And reaped therein mischief on mischief. Therefore did our Lord pour in them a source of diverse chastisements. For your Lord is watchful"

[TMQ 89:6-14]

- ◆ We have seen the barbaric way that America the prisoners of war. How does Islam view this issue? What are the Shariah rules relating to captives or prisoners of war?
- ◆ **It should not come as a surprise to us that Islam answered this question**

in detail as we should know that the Quran and Sunnah answer all questions relating our actions.

- ◆ If we look to the books of Fiqh we can see that this question is answered in detail. For example in the book *Shaksiya Islamiya* by Shaikh Taqi ud deen an Nabhani under the section of *al-Usra* (The Captives) he discusses the rules in detail.
- ◆ When the Muslims capture captives from their enemy, the matter of the captives is delegated to the Khaleefah's direct command nor is their any opinion for those who captured them, the battlefield commander or army leader. This is because once the fighter becomes a captive, the command regarding him is the Khaleefah's opinion and the Khaleefah follows in this Shari'ah rule on captives.
- ◆ The rule of the captives is established by a definite Qur'anic text is that the Khaleefah is given a choice between release or ransom due to the Supreme's statement: "***When you meet those who disbelieve, strike the neck(s) until when you have inflicted severe slaughter upon them then bind and bond firmly. Then afterwards either the release or the ransom until the war lays down its burdens***" [TMQ 47: 4]. This is explicit in the rule of the captives and it is a specified (*muta'ayyan*) rule in numerous ways: Of these (ways) is that this explicit text came in Surah Muhammad which is the first Surah revealed regarding the matter of fighting. Its revelation was after the Messenger arrived in Madinah from Makkah, and it is called the Surah of fighting. It was revealed after Surah Al-Hadeed and before the battle of Badr. It clarified the rule of captives before any battle had occurred or any captives (*yuhdath*). It becomes clear that it is the text of the rule of captives and the basis of this to which returns all other texts upon captives. And of these ways which specify this rule on captives is that the ayah came with the language of "***imma***" which indicates the choice between two things without any third to them. It said: "***Then bind a bond strongly. Then afterwards either the release or the ransom.***" When "***imma***" comes between two things, it restricts the choice between them and prevents there being other than them or that it is not one of them two. So there is specified due to specifying the choice in "***imma***" the impermissibility of there being either than what the Qur'an gave a choice in the rule of captives.

This is strengthened in that the Messenger (SAW) released Thamama bin Wail, the chief of the people of Yamamah, Abu 'Uzzah the poet, Abu Al-'As bin Ar-Rabi' and he said of the captives of Badr: "**If Mut'im bin Adiy were alive then talked to me about these (*nutna*), I would release them to him.**" He ransomed the captives of Badr and they were seventy three men, and ransomed the day of Badr two men for one man.

From Imran bin Husain "**that the Prophet (SAW) ransomed two men of the Muslims for one man of the polytheists from Banu 'Aqeel.**"

From ibn Abbas who said: "**There were people of the captives of Badr who had no ransom, so the Messenger of Allah (SAW) made their ransom to teach reading to the**

children of the Ansar.”

- ◆ These ahadith together with the ayah indicate explicitly that the rule of captives is release or ransom. So generally it is not allowed to kill the captives and they must be treated according to the rules of Shariah and not in a haram way. Under the Islamic state it is the Khaleefah (Amir al Mu'mineen) who decides whether to release the captives or ransom them.
- ◆ It has been narrated that in some of the battles some of the captives witnessing the justice of Islam embraced it and became Muslims. Do you think that the Muslims who are captured by the Kuffar would apostatise? No because they see through the illusion of Capitalism and Kufr. When Islam was applied in the past under the Khilafah people witnessed its system and its rules of war yet they still embraced Islam on mass.
- ◆ It was narrated that the Prophet (saw) also killed some people after the battles.
- ◆ As for what is narrated that the Prophet (SAW) killed the men of Banu Quraydha, all this is because of the ruling of the arbitrator in arbitration (*tahkeem*) not that they were captives of war.
- ◆ As for what is narrated that he (AS) killed An-Nadhr bin Al-Harith and 'Uqbah bin Abu Mu'ayt in custody (*sabra*) on the day of Badr, and Abu 'Uzzah on the day of Uhud, this does not indicate that this is the rule of captives as he did not do this for all captives or in every battle. Rather he did this in some battles with some persons, contrary to release and ransom which he did for all captives in all battles. What caused the killing of these persons specifically is that the Messenger saw in their personalities definite danger for Muslims; so it is the killing of specific persons for reasons specified to them, nor was it the killing of captives.

Ahmad and Al-Bukhari narrated from Abu Hurayrah who said: The Messenger of Allah (SAW) sent us on an expedition and said: **“If you find so and so (*fulan*) and so and so for two men of Quraysh, then burn them with fire. Then the Messenger of Allah (SAW) said when we intended to depart: I had commanded you to burn so and so and so and so. Verily none punishes with fire except Allah ‘azza wa jalla so if you find them, then kill both of them.”** Accordingly it is clarified that killing is not of the Shar'a rules on captives; rather killing is a Shar'a rule on specific persons from whom the Khaleefah views there is danger so he commands their killing even if they are captives.

So if we look at the we example of Abu Azza Shayr we can see this.

- **E.g. Abu Azza Shayr** was one of the poets in Mecca who use to write satire criticising the Muslims. After the **battle of Badr**, which the Muslims won, the Muslims took some prisoners of war. Amongst theses prisoners were some rich elite's of Mecca, like Abbas and Abu Lahab, who ransomed themselves to be freed. The prisoners who were poor,

but were literate, the Prophet (SAW) asked them to **teach ten Muslims** children of Medinah how to read and write. **Abu Azza** was an educated person, but he **pleaded** to Muhammad (SAW) to let him go. He said that he, Abu Azza, was a very poor man with lots of children. Muhammad (SAW) asked Abu Azza to promise that he would not write anymore satire and that he would not fight Muslims in the future. Abu Azza agreed to the terms.

- The following year, when the battle of Uhud occurred, he was captured as a prisoner of war once again. This time around, Abu Azza made the same excuse of being poor with lots of children and started to beg the Prophet (SAW) to let him go again. The Prophet (SAW) replied, **"I will not let you go to your tribe and boast amongst them that you fooled Muhammad (SAW) twice."** The Prophet (SAW) continued, **"A believer never gets bitten from the same hole twice."** Muhammad (SAW) sentenced Abu Azza to be killed. *(Reference: Nahagul Islam by Ibrahim Al-Kattan and Ali Hasan Aude, Jordan 1966)*
- ◆ The Muslims do not follow the warped concept of Human rights (Hakook al Insaan) that is propagated by the Kuffar, rather we only submit to the Shariah of Allah (swt).

This detailed Shariah that Allah (swt) has given us is not in the books of Fiqh and in the Quran and Sunnah not to be applied, rather it has come to be applied upon us.

وَلَا تَهِنُوا وَلَا تَحْزِنُوا وَأَنْتُمْ الْأَعْلَوْنَ إِنْ كُنْتُمْ مُؤْمِنِينَ

آل عمران 139

"So do not become weak (against your enemy), nor be sad, and you will be superior (in victory) if you are indeed (true) believers." [TMQ Ale-Imran: 139]

Allah humma innee aoodhu bikka min azabu Jahannum
 Wa aoodhu bika min azabul Kabr, wa aoodhu bika min fitnatul Maseehatid Dajjal. Wa aoodhu bika min fitnatul mahya wa mamaat. Allahumma innee aoodhoo bika mim matsima wal Maghram.

Rabbana laa tuakhizna inna seena aw akhtatna, rabbana wa la tahmill alayna isran ka ma hummaltahu allalladheen min Qablina,
 Rabbana wa la tuhammilna ma laa taaqta lana bih.
 Wa' fu anna waghfir lana war hamna anta mawlana fansurna alal Kawmil Kafireen.