

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ



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Shaykh Abdool Rahman Khan, IL

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Islam condemns torture

إِنَّ الْحَمْدَ لِلَّهِ نَحْمَدُهُ وَنَسْتَعِينُهُ وَنَسْتَغْفِرُهُ وَنَسْتَهْدِيهِ وَنَتُوبُ إِلَيْهِ وَنَعُوذُ بِاللَّهِ مِنْ
 شُرُورِ أَنْفُسِنَا وَمِنْ سَيِّئَاتِ أَعْمَالِنَا مَنْ يَهْدِهِ اللَّهُ فَلَا مُضِلَّ لَهُ وَمَنْ يَضِلَّهُ فَلَا هَادِيَ لَهُ
 وَأَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ وَأَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ أَمَا بَعْدُ: فَيَا عِبَادَ
 اللَّهِ أَوْصِي نَفْسِي وَأَوْصِيكُمْ بِتَقْوَى اللَّهِ عَزَّ وَجَلَّ:
قَالَ اللَّهُ تَبَارَكَ وَتَعَالَى فِي الْقُرْآنِ الْعَظِيمِ:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ ۗ وَلَا يَجْرِمَنَّكُمْ شَنَا نُ قَوْمٍ عَلَى
 أَلَّا تَعْدِلُوا ۗ اعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَى ۗ وَاتَّقُوا اللَّهَ ۗ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ



All Praises are for Allah SWT we thank Him and His help we seek. I testify to the fact that no one is worthy of worship but Allah SWT. He is alone and has no partner and I also testify to the fact that Muhammad (SAS) is His true servant and final Messenger; whose teachings and guidance are what we are commanded to follow if we want

happiness in this life as well as in the Hereafter. The topic of this Khutbah is: How Islam condemns torture.

Torture in Islam is considered a major violation to the fundamental rights of someone or of some living being. It occurs when unduly pain or suffering is inflicted upon a living creature; a creation of Allah Almighty. Muslims know that every act of aggression done to others, no matter how small or how large, will be questioned on the Day of Judgment. It is because of this thorough questioning in the court of justice of Allah Almighty on this day that a Muslim should avoid harm and injury to others less he brings himself to total ruin.

The Messenger of Allah Muhammad (Peace be upon him) said:

عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ أَتَدْرُونَ مَا الْمُفْلِسُ قَالُوا الْمُفْلِسُ
 فِينَا مَنْ لَا دِرْهَمَ لَهُ وَلَا مَتَاعَ فَقَالَ إِنَّ الْمُفْلِسَ مِنْ أُمَّتِي يَأْتِي يَوْمَ الْقِيَامَةِ بِصَلَاةٍ وَصِيَامٍ
 وَزَكَاةٍ وَيَأْتِي قَدْ شَتَمَ هَذَا وَقَذَفَ هَذَا وَأَكَلَ مَالَ هَذَا وَسَفَكَ دَمَ هَذَا وَضْرَبَ هَذَا فَيُعْطَى
 هَذَا مِنْ حَسَنَاتِهِ وَهَذَا مِنْ حَسَنَاتِهِ فَإِنْ فَنِيَتْ حَسَنَاتُهُ قَبْلَ أَنْ يُقْضَى مَا عَلَيْهِ أُخِذَ مِنْ
 خَطَايَاهُمْ فَطُرِحَتْ عَلَيْهِ ثُمَّ طُرِحَ فِي النَّارِ

Abu Hurayrah narrated that Rasoolullah SAS asked his companions: "Do you know who is the one who is bankrupt?" They said, 'The bankrupt is the one who has no money and no possessions.' He said, 'Among my Ummah (nation), the one who is bankrupt is the one who will come on the Day of Resurrection with prayer and fasting and Zakaah (to his credit), but he will come having insulted this one, slandered that one, consumed the wealth of this one and shed the blood of that one, and beaten that one. So they will all be given some of his good deeds, and when his good deeds run out, before judgment is passed, some of their sins will be taken and cast onto him, then he will be cast into the Fire.'" (Muslim)

The United Nations has defined torture as:

... any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind.

While this definition seems more specific to human beings, Islam has condemned all forms of torture even against animals and other living creatures. So before addressing the issue of torture to human beings I would like to reflect on Islam's position with regards to torturing animals and other creations of God.

Prophet Muhammad (Peace be upon him) was sent as "Rahmatul-lil Aalameen" or as a mercy for all that exists. No situation passed by in which mercy was deprived except that he would address it. On many instances he would reprimand his companions if they caused pain or suffering to birds and animals and examples are in abundance but I will mention a few.

Once he passed by a man who had his sheep on the ground and was sharpening his knife. He rebuked: "Do you want to kill it twice. Wouldn't it be more appropriate if you sharpened your blade before laying the sheep down".

Or another occasion:

عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ مَرَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِرَجُلٍ وَهُوَ يَجْرُ شَاةً بِأُذُنِهَا فَقَالَ
دَعْ أُذُنَهَا وَخُذْ بِسَالِفَتِهَا

Abu Saeed Al Khudri narrated that once Rasoolullah SAS passed by a man who pulling a sheep by its ear and he said to him: Stop dragging it by its ear and take it by its front legs.

The Prophet (Peace be upon him) forbade the practice of cutting tails and manes of horses, of branding animals at any soft spot, and of keeping horses saddled unnecessarily. If he saw any animal over-loaded or ill-fed he would pull up the owner and say, "*Fear Allah in your treatment of animals.*"

Even with birds, torturing them psychologically is not allowed. It is reported by Abdul Rahman bin Abdullah bin Mas'ud:

"We were on a journey with the Prophet (Peace be upon him), and he left us for a while. During his absence, we saw a bird called hummara with its two young and took the young ones. The mother bird was circling above us in the air, beating its wings in grief, when the Prophet (Peace be upon him), came back and said: "Who has hurt the FEELINGS of this bird by taking its young? Return them to her."

And even worse, torturing them and making them target for fun. When Ibn Umar, one of the companions of Prophet Muhammad saw some people practicing archery using a hen as a target, he said: "The Prophet cursed anyone who made a living thing into a target (for practice)."

Prophet Muhammad (Peace be upon him) also said:

"Whoever kills a bird or anything else without its due right, God would ask him about it." It was said: 'O Messenger of God! What is its due right?' He said: 'To kill it for food...and do not sever its head, and throw it!'" (Targheeb)

He would describe the act of doing good to a creature as being rewarded by Allah as in this narration:

Abu Hurayrah said: "The Messenger of Allah, may Allah bless him and grant him peace, said, 'While a man was walking on a road he became very thirsty. He found a well, went into it, drank, and came out. [Upon exiting he met] a dog panting and eating the dirt out of thirst. The man said: 'This dog has become stricken with the same degree of thirst which had stricken me.' He went down into the well and filled his shoe and then held it in his mouth until he climbed out and gave the dog water to drink. Allah thanked him (for his good deed) and forgave him.' They said, 'O Messenger of Allah, are we rewarded for taking care of beasts?' He said, 'There is a reward [for you] in every living creature.'" (Narrated by Muslim and Al-Bukhari)

On the other hand, The Messenger of Allah (Peace be upon him) reprimanded those who torture animals that there is a severe consequence for that.

Abu Hurayrah said: "The Messenger of Allah (Peace be upon him) said: 'A woman was punished because of a cat. She neither provided it with food nor drink, nor set it free so that it might eat the insects of the earth.'" (Narrated by Muslim and Al-Bukhari).

Jabir(R.A.) has reported that Prophet Muhammad (Peace be upon him) forbade striking the face or branding on the face of animals....The same companion of The Messenger of Allah (Peace be upon him) ,reported him as saying, when a donkey which had been branded in its face passed him by, He said : "*Allah curse the one who branded it.*" (Muslim).

Ibaadallah! If these are the consequences for animals and birds, how about human beings whom Allah SWT has honored? Human beings are considered as being the most exalted of all creation as Allah SWT says in The Quran 17/70

وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَىٰ
كَثِيرٍ مِّمَّنْ خَلَقْنَا تَفْضِيلًا ﴿٧٠﴾

And indeed We have honored the Children of Adam, and We have carried them on land and sea, and have provided them with At-Taiyibat (lawful good things), and have preferred them above many of those whom We have created with a marked preference. (70)

But despite the countless number of international agreements prohibiting torture we still witness the endless cycle of torture of human beings whether it is done by individuals, organizations or by nations. Today torture is given new names such as rendition or extraordinary rendition whereby someone is captured and often taken to various places to be tortured for information.

It is time that we stand up for what is right and just and call on the international community to be upholders of justice. Allah SWT commands 5/8:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ ۗ وَلَا يَجْرِمَنَّكُمْ شَنَا نُ قَوْمٍ عَلَىٰ
 أَلَّا تَعْدِلُوا ۗ اعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَىٰ ۗ وَاتَّقُوا اللَّهَ ۗ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ

O you who believe! Be upholders and standard-bearers of right for God's sake, being witnesses for (the establishment of) absolute justice. And by no means let your detestation for a people (or their detestation for you) move you to (commit the sin of) deviating from justice. Be just: this is nearer and more suited to righteousness and piety. Seek righteousness and piety, and always act in reverence for God. Surely God is fully aware of all that you do. (Al-Maidah 5:8)

For this very reason The Messenger of Allah (Peace be upon him) was exceptionally kind dealing with his bitterest of enemies. In the Battle of Badr which he won there were many prisoners of war. He took care of their needs, provided them with food and water until he decided that they were going to have their freedom after each one would teach 10 persons to read. The Messenger of Allah (Peace be upon him) laid a foundation for this Ummah to follow whenever they have gained victory over their enemies.

If the Muslims capture their enemies they should not harm them or torture them with beatings, depriving them of food and water, leaving them out in the sun or the cold, burning them with fire, or putting covers over their mouths, ears and eyes and putting them in cages like animals. Rather they should treat them with kindness and mercy, feed them well and offer them to study Islam. What better example we have than that of Thumaamah ibn Uthaal

Thumaamah ibn Uthaal - the leader of Bani Haneefah - was brought (to Madeenah) as a prisoner and tied to one of the pillars of the mosque. The Messenger (peace and blessings of Allaah be upon him) came to him and said, "What do you think, O Thumaamah?" He said, "What I think, O Muhammad, is good. If you kill me, you will kill one with blood on his hands - i.e., I will deserve to be killed because I have killed Muslims - and if you release me you will release one who will be grateful. If you want money, then ask, and I will give you whatever you want." The Messenger of Allaah (peace and blessings of Allaah be upon him) left him for three days, and each day he would come and ask him similar questions, and Thumaamah would give similar answers. After the third day, he commanded that he should be released.

Thumaamah went to a stand of date-palms near the mosque where he washed himself, then he came to the Prophet (peace and blessings of Allaah be upon him) and said, “I bear witness that there is no god except Allaah and I bear witness that Muhammad is the slave of Allaah and His Messenger.” Then he said: “O Messenger of Allaah, by Allaah there was no one on earth whose face was more hateful to me than yours, but now your face is the most beloved of all faces to me. By Allaah, there was no religion that was more hateful to me than your religion, but now your religion has become the most beloved of all religions to me. By Allaah, there was no land more hateful to me than your land, but now your land has become the most beloved to me. ...?”

In the Qur’aan, Allaah commends the righteous saying:

وَيُطْعِمُونَ الطَّعَامَ عَلَىٰ حُبِّهِ مِسْكِينًا وَيَتِيمًا وَأَسِيرًا ﴿٨﴾ إِنَّمَا نُطْعِمُكُمْ لِوَجْهِ اللَّهِ لَا نُرِيدُ مِنْكُمْ جَزَاءً وَلَا شُكْرًا ﴿٩﴾

“And they give food, in spite of their love for it (or for the love of Him), to the Miskeen (the poor), the orphan, and the captive. (Saying): ‘We feed you seeking Allaah’s Countenance only. We wish for no reward, nor thanks from you’” [al-Insaaan 76:8-9]

Ibn Katheer (may Allaah have mercy on him) said: “Ibn ‘Abbaas said: in those days their prisoners were mushrikeen (idol worshippers); on the day of Badr the Messenger of Allaah (peace and blessings of Allaah be upon him) commanded them to be kind to their prisoners, so they used to put them before themselves when it came to food...

Mujaahid another commentator of The Quran said, this refers to the one who is detained, i.e., they would give food to these prisoners even though they themselves desired it and loved it.” They should be detained until it is decided what is the best move. On the other hand, the Romans and those who came before them the Assyrians and Pharaohs, all used to put out their prisoners’ eyes with hot irons, and whip them, feeding them to dogs or hungry lions, such that the prisoners preferred death to life. All these are totally forbidden in Islam.

Even in Islamic law a person cannot be tortured to confession. Such confession is not valid and he gives any information under duress then the information extracted cannot be used against him. On the authority of Ibn Abbas that the messenger of Allah said: "Allah has pardoned for me my people for [their] mistakes and [their] forgetfulness and for what they have done under duress."

Ibaadallah! Nations were destroyed when they violated the rights of others through torture and punishment. Allah SWT tells us

وَتِلْكَ الْقُرَىٰ أَهْلَكْنَاهُمْ لَمَّا ظَلَمُوا وَجَعَلْنَا لِمَهْلِكِهِم مَّوْعِدًا ﴿٥٩﴾

And these towns (population, 'Ad, Thamud, etc.) We destroyed when they did wrong. And We appointed a fixed time for their destruction.

وَكَذَٰلِكَ أَخَذَ رَبُّكَ إِذَا أَخَذَ الْقُرَىٰ وَهِيَ ظَالِمَةٌ ۖ إِنَّ أَخْذَهُ أَلِيمٌ شَدِيدٌ ﴿١٠٢﴾

Such is the Seizure of your Lord when He seizes the (population of) towns while they are doing wrong. Verily, His Seizure is painful, and severe. (102)

Torture, oppression and aggression are all strictly prohibited as we are told in a Hadith Qudsi in which Rasoolullah SAS said that Allah SWT says:

يَا عِبَادِي إِنِّي حَرَّمْتُ الظُّلْمَ عَلَىٰ نَفْسِي وَجَعَلْتُهُ بَيْنَكُمْ مُحَرَّمًا فَلَا تَظَالَمُوا يَا عِبَادِي ...

O My servants ! I have forbidden dhulm (oppression, aggression) for Myself, and I have made it forbidden amongst you, so do not oppress one another.

How to free ourselves from committing oppression and torturing others?

First off, try to avoid it.

On Day of Judgment those whom we torture in this world will be shades of darkness upon us as Rasoolullah SAS said:

عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ اتَّقُوا الظُّلْمَ فَإِنَّ الظُّلْمَ
ظُلُمَاتٌ يَوْمَ الْقِيَامَةِ وَاتَّقُوا الشُّحَّ فَإِنَّ الشُّحَّ أَهْلَكَ مَنْ كَانَ قَبْلَكُمْ حَمَلَهُمْ عَلَى أَنْ
سَفَكُوا دِمَاءَهُمْ وَاسْتَحَلُّوا مَحَارِمَهُمْ

"Beware of injustice, for oppression will be darkness on the Day of Resurrection; and beware of stinginess because it doomed those who were before you. It inclined them to shed blood and treat the unlawful as lawful." [Muslim]

Secondly seek forgiveness as Rasoolullah SAS advises:

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ كَانَتْ لَهُ
مَظْلَمَةٌ لِأَخِيهِ مِنْ عَرَضِهِ أَوْ شَيْءٍ فَلْيَتَحَلَّلْهُ مِنْهُ الْيَوْمَ قَبْلَ أَنْ لَا يَكُونَ دِينَارٌ وَلَا دِرْهَمٌ إِنْ
كَانَ لَهُ عَمَلٌ صَالِحٌ أَخَذَ مِنْهُ بِقَدْرِ مَظْلَمَتِهِ وَإِنْ لَمْ تَكُنْ لَهُ حَسَنَاتٌ أَخَذَ مِنْ سَيِّئَاتِ
صَاحِبِهِ فَحُمِلَ عَلَيْهِ

"Whoever wronged someone with regard to his honor or any other matter, should seek his forgiveness today, before there are no longer any dinars, or dirhams; and if he has any righteous deeds, they will be taken from him, in accordance with the wrong he did; and if he has no *hasanaa t* (good deeds), some of the *sayi`aat* (evil deeds) of his counterpart will be taken and added to his burden." [Bukhari]

Thirdly beware of the Divine court of justice. Allah SWT says:

وَنَضَعُ الْمَوَازِينَ الْقِسْطَ لِيَوْمِ الْقِيَامَةِ فَلَا تُظْلَمُ نَفْسٌ شَيْئًا ۖ وَإِنْ كَانَ مِثْقَالَ حَبَّةٍ مِّنْ خَرْدَلٍ أَتَيْنَا بِهَا ۖ وَكَفَىٰ بِنَا حَاسِبِينَ ﴿٤٧﴾

“And We shall set up Balances of justice on the Day of Resurrection, then none will be dealt with unjustly in anything. And if there be the weight of a mustard seed, We will bring it. And Sufficient are We to take account.” (Qur'an 21: 47).’”

Fourthly the supplication of the oppressed is answered by Allah SWT immediately:

عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَ مُعَاذًا إِلَى الْيَمَنِ فَقَالَ اتَّقِ دَعْوَةَ الْمَظْلُومِ فَإِنَّهَا لَيْسَ بَيْنَهَا وَبَيْنَ اللَّهِ حِجَابٌ

Beware of the supplication of the oppressed for there is no barrier between him and Allah.

A person who is being tortured can make a supplication against his torturer and by so doing the latter can be disgraced in this life as well as in the Hereafter.

Finally beware if the whisperings of Satan

The Messenger of Allah said:

عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِنَّ الشَّيْطَانَ قَدْ آيَسَ أَنْ يُعْبَدَ بِأَرْضِكُمْ هَذِهِ وَلَكِنَّهُ قَدْ رَضِيَ مِنْكُمْ بِمَا تَحْقِرُونَ

"The Satan has been disappointed that he would not be worshipped in the Arabian Peninsula, but he has not been disappointed from kindling the fire of fighting among the people."

(Ahmad)

It means that when wickedness takes roots in the hearts, when people start hating love and brotherhood, and when these are destroyed, people then revert to cruelty and enmity, and break all those relations and links which Allah has commanded to be kept; thus spreading corruption on this earth, fighting, killing and torturing each other.