

Captive

Islam came and the prevailing mores were either killing or enslaving the captive. Mores as old and ingrained as history itself, which people lived by at the advent of Islam. Wars then occurred between Islam and its enemies, which involved Muslims falling into captivity and having their freedom entirely taken away.

At that time, it would have been unwise on the part of Muslims to release the captives in their hands for nothing. This wrong policy would only embolden their enemy, at the time when their families, kindred, and followers of their religion were afflicted with horrible torment under that enemy. Like-for-like was the most just law, or perhaps the only law that could be followed in that case, while bearing in mind the profound difference in treatment between Islam and other regimes regarding war and war prisoners.

Wars in the non-Islamic world were waged – and still are – for the sole purposes of invasion, destruction, and enslavement. They might break for the desire of a nation to crush another and expand its territories, or to exploit its riches and resources and deprive its own people of them, or for revenge, or for a personal impulse of a king or a military leader to satisfy his ego, and other low, earthly purposes.

These wars had no ethics at all that forbade destruction of towns, rape, killing women, children and old people – which was only logical for they did not rise to defend faith, a just doctrine, or a noble cause.

When Islam came it annulled all this and prohibited all wars, except those for *Jihad* (striving) in the Way of Allah.¹

In the first battle of Islam, 'Umar bin Al-Khattab ؓ narrated:

When it was the day of the Battle of Badr, the Messenger of Allah ﷺ looked at the infidels, who were one thousand, while his Companions were three hundred and nineteen men. The Prophet of Allah ﷺ faced the *Qiblah* (Ka'bah direction faced in prayer), then he stretched his hands and began supplicating his Lord, "*O Allah, fulfill for me what You have promised me. O Allah, bring what You have promised me. O Allah, if this group from the people of Islam is destroyed, You will not be worshipped on the earth.*"

The mission demands to clear the way between the Messenger of Allah ﷺ and the people to deliver the message, "*They (Quraish) clear the way between me and the people.*"⁵ Then the Messenger ﷺ must struggle to clear the way between the people and their Lord so they can freely choose: ﴿*So whosoever accepts the guidance, it is only for his ownself, and whosoever goes astray, he goes astray only for his (own) loss.*﴾ [Az-Zumar 39: 41]

If the idolaters of Makkah should stand in the way of conveying the Message to people, the Messenger of Allah ﷺ declared, "*I will fight with them for this cause of mine until I get killed, and Allah will definitely make His Cause victorious.*"⁶

¹ Muhammad Qutb, *Shububat Hawl Al-Islam*. Islam and Slavery, p. 52-53.

⁵ Narrated by Al-Miswar bin Makhrumah and Marwan: Sahih Al-Bukhary, Book of *Al-Shurut* (Conditions), hadith no. 2529.

⁶ Narrated by Al-Miswar bin Makhrumah and Marwan: Sahih Al-Bukhary, Book of *Al-Shurut* (Conditions), hadith no. 2529.

This is the striving of Islam, not for the sake of occupation and exploitation, but in the Cause of Allah and for the sake of guiding mankind, after all peaceful means of conveying guidance were frustrated during thirteen long years. *«And fight in the Way of Allah those who fight you, but transgress not. Truly, Allah likes not the transgressors.»* [Al-Baqarah 2: 190]

Ethics of fighting

This principled recourse to force to uphold truth and stop aggression and oppression was governed by rules and ethics, which Muslims strictly adhered to and they led to the least possible casualties on both sides. In all the battles fought during the lifetime of the Prophet ﷺ the total number of the killed, from the two parties, believers and disbelievers, was in all three hundred and eighty-six men (203 infidels\183 Muslims).⁸

The Messenger of Allah ﷺ ordered his commanders saying:

- *“Go in the Name of Allah, by Allah, and on the religion of the Messenger of Allah. Do not kill a decrepit old man, or a baby, or a child, or a woman; and do not embezzle, but collect your booty, set right and do good. Indeed, Allah loves the good-doers.”*⁹

- *“Fight in the Name of Allah and in the Way of Allah. Fight those who disbelieve in Allah. Fight, but do not betray, do not embezzle (booty), do not mutilate and do not kill a child.”*¹⁰

- *“Do not kill the children or the people of hermitages.”*¹¹

⁸ Dr. Muhammad Imarah, *The West and Islam*.

⁹ Narrated by Anas bin Málík: Sunnan Abu Dáwûd, Book of *Jihad* (Striving), hadith no. 2247.

¹⁰ Narrated by Buraidah bin Al-Hasib: Sunnan Abu Dáwûd, Book of *Jihad* (Striving), hadith no. 2246; similar versions of the hadith are also reported by Muslim (3261), At-Tirmidhy (1328, 1542), Ibn Májah (2849), Ahmad (21952) and Ad-Dármý (2332).

- ‘Abdullâh bin Yazid Al-Ansari ؓ said, *“The Prophet ﷺ forbade pillage and mutilation.”*¹²

- Hanzalah Al-Kâtib narrated, “During one of the expeditions that we undertook with the Messenger of Allah ﷺ we passed by a killed woman, around whom the people were gathered. (Upon the arrival of the Prophet ﷺ) they (the people) made way for him and he said, *‘This (woman) was not fighting among those who were fighting!’* Then he (the Prophet ﷺ) addressed a man saying, *‘Run to Khalid bin Al-Walid and tell him that the Messenger of Allah ﷺ commands you saying: Do not kill offspring or a wage earner.’*”¹³

The rule is clear: there should be no killing of noncombatants; fighting should only be restricted to those who carry arms against Islam. No sabotage, no rape, no unleashing of violence and corruption: *﴿And desire not corruption in the land. Verily! Allah likes not corrupters.﴾* [Al-Qasas 28: 77]

Even the disbelievers who were forced to join the army of Quraish on the Battle of Badr, the Messenger of Allah ﷺ forbade his Companions from killing them. He said, *“I have learned that some men from Banu Hashim and others were made to go out, by force, they have no desire to fight us. Therefore, whoever among you meets anyone from Banu Hashim, should not kill him.”*¹⁴

﴿And be not like those who came out of their homes boastfully and to be seen of people﴾ [Al-Anfal 8: 47], this protects the

¹¹ Narrated by Ibn ‘Abbas: Musnad Ahmad, Book of *Banu Hashim*, hadith no. 2592.

¹² Sahîh Al-Bukhary, Book of *Al-Madhalim wa Al-Ghasb* (Grievances and Usurpation), hadith no. 2294; similar versions of the hadith are also reported by Al-Bukhary (5092) and Ahmad (17991).

¹³ Sunnan Ibn Mâjah, Book of *Jihad* (Striving), hadith no. 2832; similar versions of the hadith are also reported by Abu Dâwûd (2295) and Ahmad (16950).

¹⁴ Ibn Hisham, *As-Sirah An-Nabawîyyah*: The Prophet’s prohibition of killing some and its reason, vol. 2, p. 148.

believing party against setting out to fight as an arrogant despotic force, boasting at their power, and thus abuse the power given them by Allah. The believing party should come out for fighting only for the Sake of Allah; to establish the worship of Allah alone in human life. It should come out to destroy false gods usurping such right and free humanity from being slaves to other than their Lord. It should come out to defend people, their dignity and their freedom, not to oppress and enslave people and make an arrogant display of abusive power.¹⁸

﴿*And fight in the Way of Allah those who fight you, but transgress not. Truly, Allah likes not the transgressors.*﴾ [Al-Baqarah 2: 190] The Divine Command is not to transgress; Ibn ‘Abbas explained it saying, “Do not kill the women and children, or an old man, or those who offer peace and restrain their hands (from fighting); if you do that, then you have transgressed.”³ And whenever the enemy inclines to peace, so should the Muslims: ﴿*But if they incline to peace, you also incline to it, and rely upon Allah. Verily, He is the All-Hearer, the All-Knower.*﴾ [Al-Anfal 8: 61]

The Prophet ﷺ exhorted his followers not to be anxious to engage in fighting and to supplicate for peace and security, saying, “*O people! Do not wish for meeting the enemy, and ask Allah for safety, but if you should meet them, then be patient and learn that Paradise is under the shades of swords.*” He then said, “*O Allah! The Revealer of the Book, the Mover of the clouds, and the Defeater of Confederates, defeat them and grant us victory over them.*”⁴

¹⁸ Sayyid Qutb, *In the Shade of the Qur’an*, Interpretation of Surat Al-Anfâl [8: 47].

³ Reported on the authority of Ibn Jarir, Ibn Al-Mundhir and Ibn Abu Hatim: Jalal Al-Din As-Suyuti, *Ad-Durr Al-Manthur*: Interpretation of Surat Al-Baqarah [2: 190].

⁴ Narrated by ‘Abdullah bin Abu Awfa: Sahih Al-Bukhary, Book of *Al-Jihad wa Al-Syar* (Striving and Marching Onwards), hadith no. 2744; similar versions of the hadith are also reported by Al-Bukhary (2607, 2621, 2716, 2801, 2802, 5913, 6696, 6935), Muslim (3275, 3276, 3277) and Abu Dawud (2261).

For the message is peaceful and invites to the Home of Peace: ﴿And Allah invites to the Home of Peace and guides whom He wills to a straight path.﴾ [Yunus 10: 25]

Thus, it was an enemy fighting for paganism, eager to annihilate Islam, and a Prophet ﷺ striving to deliver the Message. For his idolatrous people to say, *“There is no god but Allah.”* It was for sake of guidance, not for supermacy or revenge. The Prophet ﷺ said, *“I have been commanded to fight the people, so that they say, ‘La illah ila Allah (There is no god but Allah).’ Whoever says, ‘La illah ila Allah,’ has protected from me his soul and property, except for its right, and his reckoning will be with Allah.”*⁷

Taking Captives

﴿So when you meet those who disbelieve (in battle), strike (their) necks until when you have decimated (inflicted heavy casualties on) them, tighten the bonds. Thereafter, free (them) as a favour or free (them) with ransom, until the war lays down its burdens.﴾ [Muhammad 47: 4]

Captives should not be taken before or while subduing the enemy. Inflicting heavy casualties to crush and subdue the might of the enemy should first take place, afterwards captives could be taken. The wisdom behind this is evident. Putting an end to the forces aggressive and hostile to Islam is the primary goal of war, especially when the enemy had numerical superiority. Any warrior killed weighed much in the balance of power at that time.²²

⁷ Narrated by Abu Hurairah: Sahih Al-Bukhary, Book of *Al-Jihad wa Al-Siyar* (Striving and Marching Onwards), hadith no. 2727; similar versions of the hadith are also reported by Muslim (30, 31, 32), An-Nasa'iy (2531, 3039, 3044, 3908, 3911, 3913, 3914, 3915), Abu Dawud (2270), Ibn Majah (70, 3917) and Ahmad (64, 8550, 9109, 10114, 10420).

²² Sayyid Qutb, *In the Shade of the Qur'an*, Interpretation of Surat Muhammad [47: 4].

The gist of these *Ayat* is that it was not the tradition of the prophets or of those who followed them to have captives whom he ransoms or releases except after gaining some ascendancy over the enemies of Allah.²³

When the number of Muslims increased after the Battle of Badr and they became powerful, Allah revealed the ruling regarding captives (which means): *«Thereafter, free (them) as a favour or free (them) with ransom»* [47: 4] whereby the Muslim commander has the choice either to act graciously towards the captives by setting them free for nothing, or ransom them for money, or for Muslim captives (prisoner exchange). The ransom can also be teaching writing to illiterate children, as the Messenger of Allah ﷺ did with some captives of Badr, who were poor and had nothing to ransom themselves, so he made them ransom themselves by teaching the children of the *Ansar* how to write.²⁴

The aforesaid *Ayah* is the only Qur'anic text that give a ruling regarding captives: *«Thereafter, free (them) as a favour or free (them) with ransom»* [47: 4] It does not mention a third choice, namely the killing or enslavement of captives; the Qur'anic text explicitly forbids it by limiting the choice to only two alternatives – free dismissal or ransoming – without referring to killing or enslavement.²⁵

However, there were special cases in which the captives incurred upon themselves the death penalty for certain crimes they had committed, and not for engaging in fighting and then

²³ Islamtoday.com: Islamic Law and Prisoners of War; Sheikh Rashid Rida in his commentary of the Qur'an entitled Tafsir Al-Manar.

²⁴ See Musnad Ahmad, Book of *Banu Hashim*, hadith no. 2106.

²⁵ Excerpted with modification from Islamonline.net: *Islam's Stance on Prisoners of War*, IOL Shari'ah Researchers.

falling into captivity, like the two arch criminals: ‘Uqbah bin Abu Mu‘ait and An-Nadr bin Al-Harith, who flagrantly transgressed all bounds in their war against the Messenger of Allah ﷺ and his Call.²⁶

Also for the treason committed by Quraizah, the Jewish tribe, when they breached the covenant they had made with the Prophet ﷺ, and joined the enemy against the Muslims. In so doing they were likely to bring about the ruin of the Muslims altogether.²⁷

As for enslavement, Islam never legalizes it unless forced to treat the enemy by like-for-like policy. It was not possible for Islam to apply in all cases the general rule: *«Thereafter, free (them) as a favour or free (them) with ransom»* at the time when the enemies of Islam enslaved the Muslim captives. If the enemy started treating the Muslim captives in this way, Muslims responded with the like; as it was not fair that the Muslim captives should be enslaved, while enemy captives should enjoy their freedom. When an agreement of non-enslavement of captives binding on all parties is concluded, Islam returns to its only positive law regarding captives: *«Thereafter, free (them) as a favour or free (them) with ransom»*.²⁸

Captive Women

If no ransoming and exchange of captives took place and the Imam did not issue a pardon, but decided to follow like-for-like stratagem with the enemy, each captive woman, in that case,

²⁶ Sayyid Qutb, *In the Shade of the Qur'an*, Interpretation of Surat Muhammad [47: 4]. Islamonline.net: Enslavement of POWs.

²⁷ Islamonline.net: Enslavement of POWs.

²⁸ Sayyid Qutb, *In the Shade of the Qur'an*, Interpretation of Surat Muhammad [47: 4].

became possessed by the right hand of a Muslim man, lawful only to him and he was responsible for providing her with good accommodation and living conditions.

This way she was protected, in wartime, from other men and from greater evils like prostitution trade. The captive woman could free herself through *Mukatabah* or be freed through the various outlets of manumission.

In case the captive woman was pregnant or married, Abu Sa'id Al-Khudri narrated that the Prophet ﷺ said regarding the captives of Awtas, *"There should be no intercourse with a pregnant woman until she delivers (her child) or a non-pregnant woman until she completes one menstrual cycle."*²⁸ (i.e., to verify that she was not pregnant)

If the captive woman became pregnant by her captor, she became *"Umm walad"* (the mother of the master's child), subject to the same rulings as a wife: her child was born free and legitimate and was ascribed to her master. If she was not freed so far by her master, she was freed upon his death.

The Third Ayah regarding Captives

﴿O Prophet! Say to the captives that are in your hands: "If Allah knows any good in your hearts, He will give you something better than what has been taken from you, and He will forgive you, and Allah is Oft-Forgiving, Most Merciful."﴾ [Al-Anfal, 8: 70]

This noble Ayah is a kind address to the captives who paid to ransom themselves on the Day of Badr. They were told not to be

²⁸ Sunnan Abu Dawud, Book of *An-Nikah* (Marriage), hadith no. 1843; similar versions of the hadith are also reported by Ahmad (10796, 11168, 11396) and Ad-Darmy (2193).

sorry over the ransom they had paid and they were promised better than what they had lost and above it, forgiveness for their disbelief in Allah and fighting against His Messenger, and mercy as well, if only they would amend their hearts for faith to come in and Allah see goodness in them.

Islam does not retain captives for revenge or labour, but it tries to reach out to the hidden goodness and righteousness within their hearts and awaken the faculties of responding to guidance,²⁹ by living close to Islam during the temporal period of their captivity, that would definitely end by freedom, either by pardon, ransom, or *Mukatabah*.

Jubair bin Mut'im bin 'Adi, who came to ransom the captives of Badr, narrated, "I heard the Prophet ﷺ reciting in *Maghrib* (Sunset) Prayer Surat At-Tur, and that was the time when belief first settled in my heart."³⁰

Jubair said, "My heart was about to fly when he ﷺ reached this Ayah (which means): *﴿Or were they created by nothing, or were they the creators (of themselves)? Or did they create the heavens and the earth? Rather, they are not certain. Or have they the treasuries of your Lord? Or are they the controllers (of them)?﴾* (At-Tur, 52: 35-37)."³¹

Thumamah, the Captive

Abu Hurairah ؓ narrated:

²⁹ Sayyid Qutb, *In the Shade of the Qur'an*, Interpretation of Surat Al-Anfal [8: 70].

³⁰ Sahih Al-Bukhary, Book of *Al-Maghazī* (Expeditions), hadith no. 3719; similar versions of the hadith are also reported by Al-Bukhary (4476) and Ahmad (16161).

³¹ Sahih Al-Bukhary, Book of *Tafsir Al-Qur'an* (Interpretation of the Qur'an), hadith no. 4476; similar versions of the hadith are also reported by Al-Bukhary (3719) and Ahmad (16161).

The Prophet ﷺ sent some horsemen towards Najd and they brought a man from the tribe of Banu Hanifah, called Thumamah bin Uthal. They fastened him to one of the pillars of the Masjid. The Prophet ﷺ went to him and said, *“What have you got, O Thumamah?”* He replied, *“I have got goodness, O Muhammad! If you should kill me, you would kill a person who has shed blood, and if you should do a favour (i.e., set me free), you would do a favour to one who would be grateful (if you did), and if you want wealth, ask of it whatever you want.”*

He was left till the next day, when the Prophet ﷺ said to him, *“What have you got, O Thumamah?”* He said, *“What I have told you, if you should do a favour, you would do a favour to one who would be grateful.”* The Prophet ﷺ left him till the day after, when he said, *“What have you got, O Thumamah?”* He said, *“I have got what I told you.”* On that the Prophet ﷺ said, *“Release Thumamah.”*

Thumamah went to a palm-grove near the Masjid, took a bath and then entered the Masjid and said, *“I testify that there is no god but Allah, and I testify that Muhammad is the Messenger of Allah! O Muhammad! By Allah, there was no face on the surface of the earth more hateful to me than yours, but now your face has become the most beloved face to me. And by Allah, there was no religion more hateful to me than yours, but now your religion has become the most beloved religion to me. And by Allah, there was no town more hateful to me than yours, but now your town has become the most beloved town to me. Your hoersmen took me when I was intending to perform ‘Umrah. And now what do you think?”*

The Messenger of ﷻ Allah gave him glad tidings and ordered him to perform ‘Umrah. When he arrived in Makkah, someone

said to him, “Have you apostatized?” Thumamah replied, “No! By Allah, I have embraced Islam with Muhammad, the Messenger of Allah. No, by Allah! Not a single grain of wheat will come to you from Yamamah (Jamaica) unless the Prophet ﷺ gives his permission.”³²

About Thumamah and other captives who were attracted to Islam, while in chains, Abu Hurairah narrated that he heard the Messenger of Allah ﷺ saying, “*Our Lord, the Exalted and the Glorious, wonders at a people who are led to Paradise in chains.*”³³

Treatment of Captives in Islam

The noble and humane treatment of captives in Islam is crystallized in the merciful injunction of the Prophet ﷺ, “*I call upon you to be kind to the captives,*” which he gave on the day of the Battle of Badr, after distributing the captives over his Companions to guard them.³⁴

Muslims by this overall rule became duty-bound to generalize kindness in all domains of treating captives, and fulfill for them their natural as well as their moral rights.

1-Feeding the Captive

Starving the captive is one of the grievous sins in Islam; the Messenger of Allah ﷺ said, “*A woman was tortured because of a*

³² Sahih Al-Bukhary, Book of *Al-Maghazi* (Expeditions), hadith no. 4024; similar versions of the hadith are also reported by Al-Bukhary (442, 2244, 2245), Muslim (3310), An-Nasa’iy (189), Abu Dawud (2304) and Ahmad (9457).

³³ Sunnan Abu Dawud, Book of Jihad (Striving), hadith no. 2302; similar versions of the hadith are also reported by Al-Bukhary (3788) and Ahmad (7671, 8903, 9406, 9509).

³⁴ Ibn Hisham, *As-Sirah Nabawiyyah: The Great Battle of Badr*, vol. 2, p. 157.

*cat which she had imprisoned until it died, thus she entered Hellfire because of it. She neither fed it nor watered it when she locked it up; nor did she leave it to eat from the vermin of the earth.”*³⁵ It should go without saying that the punishment awaiting those who starve, let alone torture, a human captive to death is far more horrible.

In the Noble Qur’an Allah ﷻ joins the captive’s right to food and water with the poor and the orphan to urge the believers to provide the captive with food, good and enough, and treat him kindly as those in need, saying in His description of the pious (what means):

﴿And they give food in spite of love for it to the needy, the orphan, and the captive, (saying), “We feed you only for the Countenance of Allah. No reward do we desire from you, nor thanks. Indeed, we fear from our Lord a Day austere and distressful.” So Allah saved them from the evil of that Day, and gave them radiance and joy.﴾ [Al-Insan 76: 8-11]

﴿They give food in spite of love for it﴾, indicates that they do not feed the captive from leftovers, but from their best food, in spite of needing or desiring it.

﴿We feed you only for the Countenance of Allah﴾, indicates that the believers give preference to the captive over themselves for the Sake of Allah, alone; although a while ago they were in the battlefield and he might have killed their brothers.

³⁵ Sahih Al-Bukhary, Book of *Abadiith Al-Anbiya'* (Narratives of the Prophets), hadith no. 3223; similar versions of the hadith are also reported by Al-Bukhary (2192, 3071), Muslim (4160, 4749, 4750) and Ad-Darmy (2693).

Thus, Islam has endowed the act of giving food to the captive with a kind of sacredness, rendering it a way of getting closer to Allah ﷻ and seeking His reward and averting His punishment.

Allah ﷻ has made this altruism towards the captive an attribute of the pious, who offer the enemy food when they are in need of it; by doing so they seek nothing but the Good Pleasure of Allah and rescue themselves from *a Day whose evil will be wide-spreading*.

Although the first Muslims were in straitened circumstances, this did not hinder them from favouring their captives with the little they had, as happened with Abu Aziz, the brother of Mus'ab bin 'Umair, who was one of the captives in the Battle of Badr. About his captors Abu Aziz narrated:

*I was lodged with a group of the Ansar after they brought me from Badr. Whenever they served their dinner and supper, they would favour me with bread and they themselves ate dates, acting upon the behest of the Messenger of Allah ﷺ regarding us. Any crumb of bread that fell into the hand of any man among them, he granted it to me, which made me ashamed; so I would hand it back to one of them, but he would give it back to me untouched.*³⁶

The *Ansar* preferred bread to dates, for the scarcity of wheat and the abundance of dates; therefore, favouring the captive with bread was an act of generosity.

2-Clothing the Captive

³⁶ Ibn Hisham, *As-Sirah Nabawiyah: The Great Battle of Badr*, vol. 2, pp. 157-158.

Providing the captive with appropriate clothing is an imperative duty, dictated by *Shari'ah* [Islamic law]. The Prophet ﷺ guarded the dignity and chastity of the captives by providing them with decent clothes.

Jabir bin 'Abdullah narrated, "When it was the Day (of the Battle) of Badr, the captives were brought, among them Al-'Abbas with no garment upon him. The Prophet ﷺ looked for a shirt for him. They found that the shirt of 'Abdullah bin Ubai would suit him, so the Prophet ﷺ clothed him with it."³⁷

3- Sheltering the Captive

Like food and clothing, the Prophet ﷺ secured a healthy, populated shelter for the captive at the heart of the Muslim community.

The shelter used to be inside the house of one of the Companions of the Prophet ﷺ. Al-Hasan Al-Basrai said, "The captive was brought to the Messenger of Allah ﷺ who used to hand him over to some benefactors and say, 'Be kind to him.' Thus, he used to stay at his place for two to three days, during which he favoured him (the captive) over himself."³⁸

Or the captives were sheltered in the Masjid. Abu Hurairah said, "The Messenger of Allah ﷺ sent some horsemen to Najd and they brought a man from Banu Hanifah called Thumamah bin Uthal. They fastened him to one of the pillars of the Masjid."³⁹

³⁷ Sahih Al-Bukhary, Book of *Al-Jihad wa Al-Siyar* (Striving and Marching Onwards), hadith no. 2786.

³⁸ Muhammad 'Ali As-Sabuni, *Safwat At-Tafasir: Interpretation of Surat Al-Insan* [76: 8].

³⁹ Sahih Al-Bukhary, Book of *As-Salah* (Offering Prayer), hadith no. 449; similar versions of the hadith are also reported by Al-Bukhary (442, 2244, 2245, 4024), Muslim (3310), An-Nasa'iy (705), Abu Dawud (2304) and Ahmad (9457).

Thus, the shelter of the captives was the homes of the Companions or the Masjid, the two most honourable places to the Muslims. There was no such thing as prisons.

As to tying the captive to the pillar, it was only to prevent his escape, which could be dispensed with if it was possible to prevent the escape of the captive without tying him. The Prophet ﷺ allowed some literate captives to teach the children of the *Ansar* reading and writing in return for releasing them; and for the captive to teach he must be allowed freedom of movement, neither bound nor fettered.

Ibn 'Abbas said, "Among the captives on the Day of Badr were some people who had nothing to ransom themselves, so the Messenger of Allah ﷺ made their ransom the teaching of the children of the *Ansar* how to write. One day a boy came crying to his father. He said, *'What is the matter with you?'* He said, *'My teacher hit me.'* He said, *'The wicked! Seeking to avenge Badr. By Allah, you shall never go to him.'*"⁴⁰

4-Talking to the Captive

The noble treatment which the Prophet Muhammad ﷺ accorded to the captives included conversing with them. He ﷺ answered their inquiries as long as they did not go into the affairs of the state, and also fulfilled their needs, as long as they were within the Islamic law.

⁴⁰ Musnad Ahmad, Book of *Banu Hashim*, hadith no. 2106.

The Messenger of Allah ﷺ used to go to the captives by himself, and he either opened conversation with them or listened to them, while being kind and courteous.

Imran bin Husain ؓ narrated:

Banu Thaqif was the ally of Banu 'Uqail. Thaqif captured two men from among the Companions of the Messenger of Allah ﷺ, who in return captured a man from Banu 'Uqail, and captured along with him Al-'Adba' (she-camel). The Messenger of Allah ﷺ came to the man while he was tied up. He said, *"O Muhammad."* So he draw near him and asked, *"What is the matter with you?"* He said, *"For what have you taken me and for what have you taken the forerunner (the she-camel that runs ahead) of pilgrims?"* He said, emphasizing the gravity of that, *"I took you for the crime of your allies, Banu Thaqif."* He then left him, but again he called, *"O Muhammad! O Muhammad!"* Because the Messenger of Allah ﷺ was very merciful and tenderhearted, he returned to him and asked, *"What is the matter with you?"* He said, *"I am a Muslim,"* whereupon, he (the Prophet ﷺ) said, *"Had you said it when you mastered your own affair, you would have gained every success."* He then turned away. He called him again saying, *"O Muhammad! O Muhammad!"* He came to him and asked, *"What is the matter with you?"* He said, *"I am hungry, feed me; and I am thirsty, give me water."* He (the Prophet ﷺ) said, *"That is (to satisfy) your need."* He was then ransomed for the two men (captured by Thaqif).⁴¹

⁴¹ Sahih Muslim, Book of *An-Nadhr* (Vows), hadith no. 3099; similar versions of the hadith are also reported by Abu Dawud (2883), Ahmad (19010, 19017, 19033) and Ad-Darmy (2393).

The exchanged words, the kindness, the leniency and the Islamic ambiance that surrounded the captives sometimes opened their hearts to Islam as happened with Thumamah ؓ:

5-Keeping the Family Members together

Family members who fall into captivity must be kept together; it is forbidden to separate a mother from her child, or a father from his child, or a brother from his brother. The Messenger of Allah ﷺ cursed whoever did that.

Abu Musa ؓ narrated that the Messenger of Allah ﷺ cursed whoever separated the mother from her child, and the brother from his brother.⁴³

‘Abdullah bin Mas‘ud said, “When the captives were brought to the Prophet ﷺ he used to hand the members of the one family together, for he loathed to separate between them.”⁴⁴

Abu Ayub ؓ narrated that he heard the Messenger of Allah ﷺ saying, *“He who separates the mother from her child, Allah will separate him from his beloved ones on the Day of Resurrection.”*⁴⁵

The same fear of tearing a family apart and the same command of keeping the family members together is also enjoined by the Prophet of Islam ﷺ towards other creatures. ‘Abdullah bin Mas‘ud ؓ said:

⁴³ Sunnan Ibn Majah, Book of *Al-Tijarat* (Trade), hadith no. 2241.

⁴⁴ Sunnan Ibn Majah, Book of *Al-Tijarat* (Trade), hadith no. 2239; a similar version of the hadith is also reported by Ahmad (3507).

⁴⁵ Sunnan At-Tirmidhy, Book of *Al-Buyy*’ (Transactions), hadith no. 1204; similar versions of the hadith are also reported by At-Tirmidhy (1491), Ahmad (22401, 22413) and Ad-Darmy (2368).

The Messenger of Allah ﷺ settled at a place (during travel) when a person went to a thicket and took out of it some eggs of a bird, whereupon the bird came fluttering its wings over the head of the Messenger of Allah ﷺ and over the heads of his Companions, so he said, *“Who aggrieved this?”* A man among the people said, *“I got some of its eggs.”* The Messenger of Allah ﷺ said, *“Return them out of mercy for it.”*⁴⁶

6-Restoring the Captive Home

The protection which the Prophet ﷺ granted to the captives continued even after releasing them, until they returned safely home.

The Prophet ﷺ provided the daughter of Hatim At-Ta'iy, who was among the captives of Tai', with clothing, a mount to ride and enough money for her return journey, after first making sure that the caravan taking her back was reliable.

'Ady bin Hatim ؓ narrated:

The daughter of Hatim was kept in a yard by the door of the Masjid, where the captives were confined. The Messenger of Allah ﷺ passed by her, so she got up to talk to him. She was an eloquent woman, she said, *“O Messenger of Allah! The father has died, and the caller (meaning her brother) has departed, so confer a favour upon me, may Allah confer a favour upon you.”* He said, *“Who is your caller?”* She said, *“'Ady bin Hatim.”* He said, *“The runaway from Allah and His Messenger?”*

⁴⁶ Musnad Ahmad, Book of *Al-Mukthrin* (The Companions who narrated many hadiths), hadith no. 3643; a similar version of the hadith is also reported by Abu Dawud (2300).

She said, “The Messenger of Allah ﷺ then went away and left me, until on the next day he passed by me and I said the same, and he said to me what he had told me yesterday. On the day after, he passed by me but I despaired of him, yet a man behind him signaled me to rise and talk to him. So I got up to him and said, *‘O Messenger of Allah! The father has died, and the caller has departed, so confer a favour upon me, may Allah confer a favour upon you.’* He said, *‘I did. But do not hasten your departure until you find from among your people those who can be trustworthy for you to get you to your country, and then inform me.’* I asked about the man who advised me to talk to him and it was said, *‘Ali bin Abu Talib.’* I stayed until a caravan came from *Bali* or *Qudha’ah*. I said, *‘I want to go to my brother in Ash-Sham (the Levant).’* I then came to the Messenger of Allah ﷺ and said, *‘O Messenger of Allah! A group from my people in whom I have trust, and have also communication, has come.’* So the Messenger of Allah ﷺ provided me with clothing, a mount to ride, and he also gave me money. I set out with them until I arrived in *Ash-Sham*.”⁴⁷

Pardon

Pardon is the greatest it can be when granted from a position of full power, as on the Day of the Conquest of Makkah, when the Prophet of Allah ﷺ set all the captives free for nothing. About the magnificence of that pardon Prof. K. S. Ramakrishna Rao wrote, saying:

At the conquest of Mecca, he stood at the zenith of his power. The city which had refused to listen to his mission, which had

⁴⁷ Ibn Hisham, *As-Sirah An-Nabawiyyah*: The story of ‘Ady bin Hatim, vol. 4, p. 124.

tortured him and his followers, which had driven him and his people into exile and which had unrelentingly persecuted and boycotted him even when he had taken refuge in a place more than 200 miles away, that city now lay at his feet. By the laws of war he could have justly avenged all the cruelties inflicted on him and his people. But what treatment did he accord to them? Muhammad's heart flowed with affection and he declared, *"This day, there is no reproof against you and you are all free."* This day he proclaimed, *"I trample under my feet all distinctions between man and man, all hatred between man and man."*

This was one of the chief objects why he permitted war in self defense, that is to unite human beings. And when once this object was achieved, even his worst enemies were pardoned. Even those who killed his beloved uncle, Hamzah, mangled his body, ripped it open, even chewed a piece of his liver.

Truly, the life of the Prophet ﷺ was no other than one long series of generous acts of pardon, which tell much about his merciful person when assembled together with his teachings of magnanimity: *"Free the captive, feed the hungry and pay a visit to the sick."*⁴⁸

- In the Battle of Badr the Messenger of Allah ﷺ exhorted his Companions to pardon their enemies and accept ransom, saying, *"O people! Allah has given you power over them, and only yesterday, they were your brothers."*⁴⁹ His pardoning of his enemies who fell into captivity on that day was great. He ﷺ freed

⁴⁸ Sahih Al-Bukhary, Book of *Al-Jihad wa Al-Siyar* (Striving and Marching Onwards), hadith no. 2819; similar versions of the hadith are also reported by Al-Bukhary (4776, 4954, 5217, 6638), Abu Dawud (2699), Ahmad (18696, 18812) and Ad-Darimy (2356).

⁴⁹ Musnad Ahmad, Book of *Al-Mukathrin* (The Companions who narrated many hadiths), hadith no. 13066.

them for ransom, although he could have punished them, and he freed some captives for nothing.

- Lady 'Aishah (may Allah be pleased with her) narrated, "When the people of Makkah sent to ransom their captives, Zainab (may Allah be pleased with her), the daughter of the Messenger of Allah ﷺ, sent some money to ransom (her husband) Abul-'As bin Ar-Rabi' including a necklace of hers, which belonged to (her mother) Khadijah; she gave it to her at her wedding. Seeing it (this necklace), the Messenger of Allah ﷺ was deeply softened towards her and he said, *'If you deem it right to release her captive for her and give back to her what belongs to her, you may do that.'* They said, *'Yes, O Messenger of Allah.'* So they set him free and returned her belongings to her."⁵⁰

- In the Battle of Hunain, the Messenger of Allah ﷺ set free all the captives for nothing: six thousand captives from the tribe of Hawazin⁵¹, because he is the mercy sent to mankind.

Nafi' reported, "Umar gained two captive women from the captives of Hunain (so that people could directly deal with them on the principle of: *«Thereafter, free (them) as a favour or free (them) with ransom»*). He left them in one of the houses at Makkah. When the Messenger of Allah ﷺ freed the captives of Hunain for nothing, they came out walking in the streets. 'Umar said (to his son), *'O 'Abdullah! See what the matter is.'* 'Abdullah replied, *'The Messenger of Allah ﷺ has freed the captives for*

⁵⁰ Musnad Ahmad, book of *Al-Ansar*, hadith no. 25158; a similar version of the hadith is also reported by Abu Dawud (2317).

⁵¹ Safi-ur-Rahman Mubarakpuri, *Ar-Rabeeq Al-Makhtum (The Sealed Nectar): The Battle of Hunain*; Al-Qurtubi, *Al-Jami li-Ahkam Al-Qur'an*, Surat At-Tawbah [9: 26-27].

nothing.' He said (to him), *'Go and set free those two slave women.'*"⁵²

- On the year of *Al-Hudaibiyah* treaty Anas narrated that eighty men from the people of Makkah descended on the Prophet ﷺ and his Companions from Mount *At-Tan'im* at *Fajr* (Dawn) Prayer, to kill them. The Messenger of Allah ﷺ captured them without fighting and then the Messenger of Allah ﷺ set them free, whereupon, Allah, the Exalted and the Glorious, revealed (what means): *«And He it is Who has withheld their hands from you and your hands from them in the midst of Makkah, after He had made you victors over them.»* [Al-Fath, 48: 24].⁵³

- On the battle of *Dhat-ur-Riqā'* Jabir bin 'Abdullah ؓ narrated, "Ghwarath bin Al-Harith approached until he stood at the head of the Messenger of Allah ﷺ. Seizing the sword, he said, *'Who will protect you from me?'* He (the Prophet ﷺ) said, *'Allah, the Exalted and the Glorious,'* whereupon, the sword fell from his (Ghwarath's) hand. The Messenger of Allah ﷺ took it and said, *'Who will protect you from me?'* He said, *'Please forgive me.'* He said, *'Will you testify that there is no god but Allah?'* He said, *'No, but I promise you that I shall never fight you, nor be with a people who fight you.'* So he ؓ released him. He then went to his companions and said, *'I have come to you from the best of all people.'*"⁵⁴

⁵² Sahih Al-Bukhary, Book of *Fard Al-Khumus* (One Fifth of the Booty), hadith no. 2911; a similar version of the hadith is also reported by Muslim (3129).

⁵³ Sunnan Abu Dawud, Book of *Jihad* (Striving), hadith no. 2313; similar versions of the hadith are also reported by Muslim (3373), At-Tirmidhy (3187), and Ahmad (11806, 13576).

⁵⁴ Musnad Ahmad, Book of *Al-Mukthrin* (The Companions who narrated many hadiths), hadith no. 14401; similar versions of the hadith are also reported by Ahmad (13816, 14400, 14657), Al-Bukhary (2694, 2697, 3822, 3824) and Muslim (1391, 4231).