

Preserving Human Dignity during War and Prohibiting Reprisals among Followers of Divine Messages

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Abstract

The research addresses an important issue of ethical values during wartime. This issue revolves around honoring human beings and prohibiting reprisals among followers of Islamic, Jewish, and Christian teachings. Many people still hold the view that followers of Islam are perpetrators of brutal and savage acts during conflicts. The reason for this perception is either

a lack of effort on their part to seek the truth about Islam and its followers or due to the distortion carried out by those with a hostile agenda against Islam, constructing a misleading image of the Islamic religion and its adherents. This has led to the imagination of a distorted image.

The research addresses this issue from a specific perspective, which is to elucidate Islam's condemnation of reprisals and its prohibition by advising its followers against committing such acts. It emphasizes that these legal principles have been put into practical application by Muslims throughout history. In contrast, the research also presents the actions of followers of Judaism and Christianity, highlighting the ethical atrocities committed against humanity during times of war.

Using the analytical approach to the texts of Islamic Sharia that address the prohibition of reprisals, as well as employing the historical approach by recounting practical events where Muslims applied the value of honoring human beings and refraining from reprisals as dictated by Islamic law, the research highlights the practical realities. It also presents instances where followers of Judaism and Christianity engaged in reprisals against the deceased in accordance with Jewish and Christian laws. The outcome of this research suggests that, for followers of Islam, war is a means to protect human values, whereas for followers of Judaism and Christianity, war violates human dignity.

Keywords: Human Dignity, War, Reprisals, Divine Messages.

Introduction

The preservation of human beings and the safeguarding of their dignity are among the most important characteristics of divine religions. If war becomes necessary, it must be approached with a proportional assessment of that necessity. War should be conducted within the narrowest framework possible, ensuring the protection of human dignity. Humanity, after reaching a level of maturity, has attempted to align itself with the Islamic approach in establishing ethical principles that uphold human dignity. However, the practical implementation of these principles is still an expansive challenge.

Preface

Islam has honored human nature and elevated it above mere animality. One aspect of Islam's respect for humanity is the prohibition of unjust aggression against individuals, recognizing their rights as a matter of dignity. Islam safeguards the body, whether alive or deceased. It prohibits the destruction of property without just cause, emphasizing that human life, in its essence, is more sacred. Islam instructs its followers to respect all humans, regardless of their religion, culture, ethnicity, or nationality. Assault is categorically rejected in Islamic law, and reprisals encompass all these reprehensible violations.

Reprisals aim to tarnish the essence of human beings as a form of revenge and punishment. It is an unethical act reflecting unrestrained desire for vengeance and retaliation. The least one can say is that reprisals lead to excessive aggression. Islam prohibits reprisals and condemns its followers for attempting to carry them out, even during the pre-Islamic era. Muslims have adhered to these divine teachings that prohibit the violation of human dignity, even in times of war, from the early days of Islam to the later periods of Islamic law implementation.

Contrastingly, an examination of historical records and religious texts from Judaism and Christianity reveals a departure from these noble values advocated by Islam. The sacred texts of Judaism and Christianity indicate a permission for morally reprehensible acts that violate

human dignity. These texts imply that such crimes committed by followers of Judaism and Christianity are not individual actions but are sanctioned by their sacred laws, making them religious acts. Consequently, the wars waged by them become more heinous and degrading to humanity.

Firstly: Prohibition of Reprisals in War among Followers of Islam

Reprisals against humans during or after war constitute an ethical crime that contradicts the teachings of Islamic Sharia. The Prophet explicitly forbade reprisals, as stated in the hadith: "The Prophet (peace be upon him) prohibited plundering and reprisals" (Bukhari, 2002)

The prohibition of reprisals was a clear directive from the Prophet to his followers and fighters during wars. An example of this guidance is found in a narration: "When the Messenger of Allah appointed someone as a leader of a military expedition, he advised him to fear Allah and treat well those who were with him among the Muslims. He then said, 'Fight in the name of Allah and in the cause of Allah. Fight those who disbelieve in Allah. Do not be treacherous, do not deceive, do not mutilate the dead, and do not kill children (Sajistani, 2009).

Furthermore, the Prophet Muhammad, the humanitarian leader, described the people of faith as those who refrain from committing such moral atrocities. He stated, "The most decent of the people in killing are the people of faith (Shaybani, 2001).

A believer abstains from seeking revenge against the deceased, guided by the ethics and values instilled by the Quran. Such behavior is deemed disgraceful and goes against the noble principles upheld by the believer.

Reprisals against humans, in general, are prohibited, contravening the fundamental tenets of Islam as a religion of mercy and compassion. As for the arguments put forth by some jurists regarding the permissibility under necessity, I believe there is no real necessity except in the case of retribution (qisas). If it is a case of retribution, then reprisals are eliminated. Retribution is known to involve a proportional response, without dismemberment, burning, or disfigurement. An incident occurred that refutes any claim of the permissibility of reprisals.

It is narrated that the polytheists reprised against the Muslims on the Day of Uhud by gutting their stomachs and cut off their private parts. Every Muslim except Hanzalah ibn Ar-Rahib was subjected to reprisal. When the Prophet Muhammad saw Hamzah, who had been mutilated, he said, "By the One whom I swear by, if Allah grants me victory over them, I will mutilate seventy of them in return." Then the verse was revealed, " And if you punish (your enemy,O you believers in the Oneness of Allāh), then punish them with the like of that with which you were afflicted. But if you endure patiently,verily, it is better for Aṣ-Ṣābirūn (the patient)." (Sūrat An-Naḥl:126). The Prophet then disavowed his oath and abandoned what he had intended. There is no disagreement on the prohibition of reprisals, and numerous reports emphasize the prohibition, even against a rabid dog (Al-Zamakhshari, 1987).

A prohibition for him (peace be upon him) is a prohibition for his nation,so he prohibited transgressing the limits in taking one's rights, which includes reprisals and retaliation (an eye for an eye) (your enemy,O you believers in the Oneness of Allāh), then punish them with the like of that with which you were afflicted). The Quran emphasizes the importance of patience and forgiveness, But if you endure patiently,verily, it is better for Aṣ-Ṣābirūn (the patient).And endure you patiently(O Muḥammad), your patience is not but from Allāh. And grieve not over

them (polytheists and pagans), and be not distressed because of what they plot. (Sūrat An-Naḥl:126,127).The prohibition extends to many scholars who consider it preferable to follow this path.

The Islamic nation has adhered to this principle in its wars and struggles. The righteous caliphs followed the Prophet's approach in dealing with such situations. From 'Uqbah ibn 'Amir, he came to Abu Bakr As-Siddiq (may Allah be pleased with him) with the head of Yannaq Al Bitreeq, and Abu Bakr disapproved of that. He said, "O Caliph of the Messenger of Allah, they do this to us." Abu Bakr replied, "Do you follow the Persians and Romans? Do not bring any head to me, for only a book and authentic reports are sufficient." [Ibn Mansur, 1982].

In this way, Abu Bakr rejected that disgraceful practice to be carried out by the hands of the Muslim fighters. He criticized those who engaged in it and ordered them not to return to such actions. When they rationalized their behavior by pointing out that the disbelievers also did such things, he disapproved, saying, "Do you follow the Persians and Romans?" He prohibited them from repeating the act of carrying heads, emphasizing that correspondence and spreading news about the destruction of the aggressor disbelievers would be sufficient, saying, "for only a book and authentic reports are sufficient."

This approach was followed after the rightly guided caliphs. However, deviations occurred, marring the nobility of that virtuous generation that preserved human dignity. Wars adopted some of the customs of the Persians and Romans, including the practice of carrying heads. Yet, this act went against the intentions of Islamic law and constituted a clear violation by its followers. The deviation mentioned here is a deviation by followers, not a crisis in the legislation itself.

In truth, followers of Islam, despite some of them committing this sin, are generally the least among people to engage in such acts. Most of them condemn it, and it is rarely practiced. This is because faith plays a crucial role in avoiding such actions. The Prophet Muhammad, peace be upon him, said, "The most decent of the people in killing are the people of faith (Al-Shaybani, 2001).

This narration carries the form of an prohibition, describing the believer and their ethics on one hand, and a prohibition against reprisals on the other. Though the occurrence of such acts among followers of Islam, both in the past and present, is not denied, they have been disapproved of. Even during the time of the rightly guided caliphs, may Allah be pleased with them, such incidents occurred, but they were disapproved of.

In later periods, such incidents occurred, but they are not a law followed by Islamic armies. Instead, they are ethical lapses that do not reflect the principles of Islamic law. For example, during the time of Sultan Mehmed II (Al Fatih) when Constantinople was conquered, a Serbian soldier brought the head of the emperor "Constantine", thinking it would please the Sultan, he said to him, "O Majesty, may Allah prolong your life. Here is the head of Constantine, and it has been thrown to the ground." However, the Sultan, upon seeing the head covered in blood and dust, refused to degrade the emperor in such a manner. He ordered the execution of the soldier who committed this act and commanded a dignified burial for Emperor Constantine, recognizing his status (Ar-Rashidi, 2013).

Sultan Mehmed II, the Conqueror, did not approve of what the soldier had done regarding the act of displaying the head, and he ordered punishment for those who engaged in such behavior. It should be noted that the sultan did not explicitly order the execution of the soldier, likely due to the absence of a specified Sharia punishment for such an act, unless it was done for political reasons or as a form of punishment. The main point is that the Conqueror disapproved of this unethical act.

Secondly, the prohibition of Reprisals among followers of Judaism and Christianity:

Mutilation, including burning, killing, and complete annihilation, as well as dismembering the enemy in the battlefield, is frequently mentioned in various forms in the Holy Scriptures and is presented as orders to be carried out. The sacred texts do not shy away from mentioning these atrocities, becoming an integral part of the beliefs of the People of the Book, including Jews and Christians. The Lord commands them with (Hiram) to devote and destroy, with the term (Hiram) "devote" being extensively used in the Old Testament and being associated with burning, destruction, killing, sabotage, extermination, and complete annihilation. This common usage aligns with the meanings referred to by the foreign-origin term "Holocaust." [Idris, 2001].

An example from the Bible illustrating the endorsement of burning as a form of punishment is found in the Book of Joshua: "They devoted everything in the city to destruction, both men and women, young and old, oxen, sheep, and donkeys, with the edge of the sword" (Joshua 6:21).

As previously mentioned, the prohibition is related to burning, and burning is a form of reprisals endorsed by their sacred texts. The sacred texts did not confine themselves to burning as a method of reprisals and retribution but added to the criminal ideas an extremely heinous concept: the crushing of children's bones and the cutting open of pregnant women's bellies.

In Hosea 13:16, the severity extended to even infants who had not yet reached an age of accountability: "Samaria shall bear her guilt because she has rebelled against her God. They shall fall by the sword; their little ones shall be dashed in pieces, and their pregnant women ripped open." This brutality is then directed at children who have not yet reached the age of understanding. The sacred text commands the smashing of children's bones by striking them against rocks. The intention is to show no mercy towards them, as expressed in Psalm 137:9, "Blessed shall he be who takes your little ones and dashes them against the rock."

This sacred text is read by the People of the Book, and it is not surprising that followers of Judaism and Christianity may act similarly towards their enemies when they triumph over them and hold positions of power. This text has a profound impact on shaping generations with a determined mindset to annihilate others if they come under their control.

The same story is practically repeated in the Bible with the actions attributed to the Prophet David (as they claim). In 2 Samuel 12:31, it is described, "And he brought out the people who were in it and set them to work with saws and iron picks and iron axes."

Can a prophet's actions involve such brutality and mutilation against non-believing enemies ("set them to work with saws and iron picks and iron axes")? Such actions cannot be attributed to the ethics of a righteous and sinless prophet.

The Practical Implementation of these beliefs by Jews and Christians in the Modern and Contemporary Era:

During the Christian French occupation of Muslim Algeria in 1830 and afterward, followers of Christianity, under the sponsorship of European popes, engaged in mass killings, burning, and brutal acts against the Muslim Algerian citizens. It is documented that during this period, the following occurred: "The people of Ouled Riah in the Zuhara Mountains to the east of Mostaganem were killed. The inhabitants fled to caves out of fear of the brutality of Colonel Jean-Jacques Baisi's forces. However, the latter ordered the ignition of fires at all cave exits, leading to the suffocation and death of a thousand people, men, women, and children (As-Salabi, 2015).

This modern approach mirrors the ancient method of issuing orders for burning, killing, and not sparing any human, whether a child, woman or an elderly person. It represents collective execution accompanied by mutilation, indicative of a ruthless and vengeful mindset that lacks understanding of humanity. Such ethics neither offer goodness to people nor anticipate any good from them. Those who committed these heinous acts did not disown or disavow them. On the contrary, they considered them legitimate acts of war. The atrocity was even covered up by the Prime Minister, Marshal "Soulte," who justified it as an act of war, and no sanctions were imposed against Colonel Bélissie. Instead, he was promoted to the position of ambassador in Great Britain and later served as the Governor-General of Algeria from 1861 to 1864 (As-Salabi, 2015)

Those crimes were not isolated incidents or individual actions; rather, they represented a consistent approach adopted by followers of Christianity in their invasions of various territories.

"The killing of the Ouled Riah tribe was not isolated. Colonel Bélissie, as acknowledged by Marshal "Bugeaud," followed the same path and described how he ignited the fire. "Saint Arnaud" did the same in the land of tribes, just as "Bélissie" did in the Zuhara Mountains. In a dated message from August 15, 1845, it is narrated that he besieged the tribe, closed off all exits, and then set the fire ablaze, turning the village into a graveyard that allegedly accommodated 500 bandits, according to their claim" (As-Salabi, 2015).

In a more recent example, in 1992, an unjust and illegitimate war erupted against Muslims in Bosnia by Christian Serbs (followers of Christianity). They did not respect the kinship, neighborhood, or human sanctity of their Muslim brethren. Instead, they represented the epitome of evil, carrying out the worst forms of killing. They practically implemented what the sacred texts mentioned when they held power and dominance. Alija Izetbegović, the President of Bosnia and Herzegovina, declared that Serbian forces had taken a thousand Muslim children, closed them in a mosque in the Bosnian capital, and burned them with gas (Harb, 1993).

And this is not an unlikely scenario for those who received teachings from the Holy Scriptures advocating the stoning of children, killing every soul. What Alija Izetbegović, the President of Bosnia and Herzegovina, mentioned about burning children with gas is less than the actual truth of what the Serbs did to the Muslims in that war witnessed by the entire world. The reality is much greater than this, as it was just one of the scenes, not the entirety of the events involving children being burned.

Official records (1992) clarified that ten thousand children were killed or listed as missing during six months of fighting in Bosnia and Herzegovina. The Emergency Medical Center stated that out of 14,364 individuals killed, 1,447 were children. Additionally, 8,800 children out of 57,000 people were considered missing or presumed to have been liquidated, which the center clarified meant they were killed (Harb, 1993).

These statistics clearly indicate that what Alija Izetbegović, the President of Bosnia and Herzegovina, mentioned is not an exaggeration but rather a part of the truth. The Serbs did not stop at this; they also targeted scholars, elders, and prisoners, in front of their families subjecting them to humiliation and disgrace. For example, when they captured Sheikh Mustafa Muharemovic and learned that he was an imam, they took him to his mosque in front of his congregation intending to convert him to their faith, this is done in the Orthodox tradition with three fingers. Despite forcing him, he insisted on maintaining his belief in the oneness of God by lifting only one finger. As a result, they brought him in front of his wife and children, cut off his fingers, forcefully poured beer into his mouth, and then beheaded him. (Harb,1993).

In times of war, when they have the power to dominate others, there is no mercy or compassion. Life becomes a jungle where the weak are preyed upon, and human values are disregarded. Only the law of the jungle prevails. This was expressed by the Minister of Foreign Affairs of Bosnia and Herzegovina, who called on the international community to save his country from the massacre his people were facing. He described the situation in Bosnia as akin to a "slaughterhouse" where humans are being slaughtered instead of cattle (Al-Ahram, 1992)

A Bosnian psychologist, in an interview with German television, described the situation in the city of Delina, located 20 kilometers from the Serbian border, which recently fell into the hands of Serbian forces. She likened the situation to a collective concentration camp reminiscent of the Nazi era, where Serbian forces engage in mass killings of thousands of people in front of their families, engage in mass rape of Muslim women, and carry out torture operations (Harb, 1993).

In this way, I have presented a comparative analysis of the followers of divine messages in their legislative and practical stance towards reprisals. It is evident that Muslims, in consideration of human values and ethics, exhibit a higher legislative standard, prioritizing the preservation of human dignity.

Conclusion

After discussing the implementation of Islam's followers in upholding the value of human dignity and refraining from reprisals, the following conclusions can be drawn:

1. In Islam, war is fundamentally a humane endeavor that prioritizes the preservation of human dignity even when confronting an enemy.
2. Human behavior in war is influenced by culture, religion, and environment.
3. Wars conducted by followers of Judaism and Christianity appear to be characterized by a tendency to oppress others, lacking compassion and mercy, and often justified on religious grounds.

4. And this research has both intellectual and practical contributions. Intellectually, it demonstrates the theory of Islam and its ideas that it has inspired its followers to represent and implement. Practically, the research contributes to adapting and modifying the behavior of adherents of Judaism and Christianity, and those within their sphere, to adopt the concept of reprisals and return them to the Islamic idea, as it is the idea that serves human values.

Recommendations

1. I recommend that scholars and researchers reconsider how ethical values embedded in Sharia are presented to the public.
2. Efforts should be made to activate human values within international institutions concerned with human rights and matters of war, aligning their practices with Islamic principles that serve human values.

References

- Al-Bukhari, M. I. (2002). Al-Jami' Al-Musnad As-Sahih." Dar Tawq Al-Naja.
- As-Sijistani, S. A. (2009). Sunan Abi Dawood. Bairut: Dar Al-Risalah Al-Alamiyyah.
- Ash-Shaybani, A. M. (2001). Musnad Ahmad. Bairut: Ar-Risalah Foundation.
- Az-Zamakhshari, M. A. (1987). Al-Kashaf a'n Haqaiq Ghawamid Al-Tanzil. Bairut: Dar Al-Kitab Al-Arabi.
- Ibn Mansur, S. (1982). Sunan Saeed ibn Mansur. India: Dar Al-Salafiyah.
- Ar-Rashidi, M. S. (2013). As-Sultan Muhammad Al-Fatih. Egypt: Dar Al-Bashir lith-thaqafa wa al ulum.
- Idris, M. J. (2001). Philosophy of War in Israeli Religious Thought. Cairo: Center for Oriental Studies.
- The Holy Bible - Joshua, Hosea, Psalms, 2 Samuel.
- Harb, M. (1993). Bosnia and Herzegovina. Cairo: From Conquest to Catastrophe." Egyptian Center for Ottoman Studies.