

# The Issue of the Prisoners and the Issue of Al-Masraa (المسرى) The Destination of the Prophetic Night Journey): Symptoms of One Disease, With the Cure Being One

(Translated)

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The issue of prisoners in the prisons of the criminal Jewish entity constitutes one of the most prominent aspects of the suffering of the Palestinian people. The criminal entity excels at practicing all forms of oppression and torture against them, a process that has not ceased since the occupation of Palestine and is almost a daily occurrence. Every day, its henchmen storm villages, cities, and camps to commit crimes of house demolitions, destruction, and the arrest of men, women, and children, in an attempt to break the will of the Palestinian people and their steadfastness and resistance to its sinful presence on the blessed land of Palestine.

Despite all the efforts made by various factions and popular groups to advocate for and support the prisoners—even establishing a Prisoner’s Day each year to amplify their voices and highlight their suffering across all platforms, including media outlets, educational institutions, masajid, streets, and public squares—and despite the holding of vigils, marches, speeches, seminars, conferences, and documentary programs, as well as the composition of stories and poems, and despite the importance of all these actions and activities—and without diminishing the effort invested in them—they have not and will not resolve the prisoners’ issue. They have not and will not be able to close this issue that haunts every home in Palestine, a wound that never ends and continues to bleed in the hearts of countless mothers, fathers, women, and children in Palestine. Their loved ones and dearest children are languishing in prisons for years on end, some even becoming inseparable from the prison walls and bars. They are starved and left naked in the bitter cold, their dignity violated, their humanity crushed, and disease ravaged. Their bodies are tortured, and they are denied medical treatment, leaving them to die slowly.

The Jewish criminal entity did not stop at torture, persecution, and the violation of their dignity; it escalated its crimes by enacting a law that mandates the execution of prisoners and legalizes their killing, disregarding all norms and laws. All of this occurs without any responsible action to alleviate their suffering, break their chains, and bring solace to their loved ones.

Historically, the Islamic Ummah has never been negligent or remiss in fulfilling its Shariah obligation towards Muslim prisoners held by its enemies, acting upon and adhering to the command of the Prophet Muhammad (saw) who said, «فَكُّوا الْعَالِيَّ وَأَطْعِمُوا الْجَائِعَ وَعَوِّدُوا الْمَرِيضَ» **“Free the captive, feed the hungry, and visit the sick.”**

The Shariah edicts of the ulema and imams of Muslims have unanimously emphasized the importance of freeing prisoners and the abhorrence of abandoning them.

Shaykh al-Islam Ibn Taymiyyah (may Allah have mercy on him) said, (إذا سُبِّبَتْ امْرَأَةٌ فِي الْمَشْرِقِ وَجَبَ عَلَى أَهْلِ الْمَغْرِبِ فَكُّ أَسْرَهَا) “If a woman is taken captive in the East, it is obligatory upon the people of the West to free her.” This means that the entire Islamic Ummah, from east to west, is obligated in Shariah to mobilize to liberate a captive woman who has fallen into the hands of the enemies of the Islamic Ummah. So, what about the dozens of female captives and thousands of male captives in the prisons of the criminal Jewish entity?!

Indeed, Imam al-Nawawi considered the capture of a Muslim to be an act of military aggression against Muslim lands, which necessitates a general mobilization to repel the aggression and free the captives. He (may Allah have mercy on him) said, (ولو أسروا مسلماً أو مسلمين فهل هو كدخول دار الإسلام؟ وجهان) “If they capture one or two Muslims, is it like invading the Abode of Islam (دار الإسلام Dar ul-Islam)? There are two opinions, the sounder of which is yes, because the sanctity of the Muslim is greater than the sanctity of the land.”

This was explicitly stated by the eminent alim al-Izz ibn Abd al-Salam (may Allah have mercy on him), who said, (وإنقاذ أسرى المسلمين من أيدي الكفار من أفضل القربات) “Rescuing Muslim captives from the hands of the disbelievers is among the best acts of worship.”

When Imam al-Qurtubi comments on verse 75 of Surah An-Nisa, which is the statement of Allah (swt) Who said, ﴿وَمَا لَكُمْ لَا تَقَاتِلُونَ فِي سَبِيلِ اللَّهِ وَالْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ الَّذِينَ يَقُولُونَ رَبَّنَا أَخْرِجْنَا مِنْ هَذِهِ الْقَرْيَةِ﴾

“**And what is the matter with you that you do not fight in the cause of Allah and [for the oppressed among men, women, and children who say, ‘Our Lord, take us out of this city of oppressive people and appoint for us from Yourself a protector and appoint for us from Yourself a helper?’]**” [TMQ Surah An-Nisaa: 75], Al-Qurtubi says, (وتخليص الأسارى واجب على جميع المسلمين إما بالقتال وإما بالأموال؛ وذلك أوجب لكونها دون النفوس إذ هي أهون منها، قال مالك: “The freeing of captives is a duty incumbent upon all Muslims—whether through combat or through financial means. This obligation is all the more imperative given that it involves the expenditure of wealth rather than lives, as the former is of lesser consequence than the latter. Malik stated: “It is incumbent upon the people to ransom captives using the entirety of their wealth”; and regarding this matter, there is no disagreement.”

And how profound are the words of Imam Ibn al-Arabi al-Maliki in his book, Ahkam al-Quran, when discussing the vulnerable Muslim captives, stated, (إن الولاية معهم قائمة، والنصرة لهم واجبة بالبدن بالأبقي، “The obligation to support them remains, and aiding them is a wajib (واجب) Shariah obligation), even to the point of sacrificing one’s life, so that not a single eye remains unblinking in horror, until we go out to rescue them, if our numbers allow for it, or we spend all our wealth to free them, until no one is left with a single dirham.”

Many instances document how the Islamic state acted to rescue its captives from the clutches of its enemies. For example, Umar ibn al-Khattab (ra) said, (لأن أستنقذ رجلا من المسلمين من أيدي المشركين أحب إليّ ) (من جزيرة العرب “To rescue a single Muslim man from the hands of the polytheists is dearer to me than the entire Arabian Peninsula.” His treatment of the case of Abdullah ibn Hudhafa al-Sahmi is well-known.

Another example is when al-Mansur ibn Abi Amir, one of the Muslim rulers of Andalusia, returned to his capital after his war and victory over the Franks. A Muslim woman greeted him, saying, “You and the people are rejoicing, while I am weeping and grieving!” He asked, “Why?” She replied, “My son is a prisoner of the Franks!” Al-Mansur did not go to his palace, but immediately dispatched armies, ordering them to fight the Franks until they freed her son. They brought him back free. The conquest of Amorium was a response to the cry of a Muslim woman who pleaded with him, crying out, (وا معتصماه) “O Mu’tasim!”

‘Umar ibn Abd al-Aziz, may Allah have mercy on him, wrote to the Muslim prisoners in Constantinople, (أما بعد: فإنكم تعدون أنفسكم الأسارى، ومعاذ الله، بل أنتم الحبساء في سبيل الله، واعلموا أنني لست أقسم شيئا بين رعيّتي، إلا خصصت أهلكم بأكثر من ذلك وأطيبه، وإنني قد بعثت إليكم فلان بن فلان بخمسة دنانير. ولولا أنني خشيت أن يحبسها عنكم طاغية الروم لزدتكم عليها. وقد بعثت إليكم فلان بن فلان يفادي صغيركم وكبيركم، وذكركم وأنثاكم، وحرّم ومملوككم، بما يسأل عنه؛ فأبشروا ثم أبشروا. “To proceed: You consider yourselves prisoners, but Allah forbid! Instead, you are those detained for the sake of Allah. Know that I do not distribute anything among my subjects without allocating more and better portions to your families. I have sent so-and-so with five dinars. Were it not for my fear that the Roman tyrant would withhold them from you, I would have given you more. I have also sent so-and-so to ransom your young and old, your males and females, your free men and slaves, with whatever is requested. So, rejoice, rejoice again! Peace be upon you.”

In examining the issue of prisoners and its resolution, we find that it is fundamentally linked to the Palestinian cause. The issue of prisoners and the issue of Al-Masjid Al-Aqsa are inseparable; both are symptoms of a single disease. The disease is the existence of the occupation and its criminal Jewish entity, which has seized the Blessed Land of Palestine. The solution and remedy are one: a unified mobilization of the Islamic Ummah to accomplish the task and resolve the issue completely. This requires mobilizing armies, fighting the Jews, uprooting their criminal entity, and cleansing the Blessed Land of Palestine of its injustice, darkness, tyranny, and oppression.

Therefore, the Shariah obligation of the Islamic Ummah today is the same Shariah obligation it has fulfilled throughout its history, from the time of ‘Umar ibn Abd al-Aziz, al-Mu’tasim, and Salahudin. The Islamic Ummah must move and mobilize its armies, not merely condemn and denounce, and remain silent about the treachery, cowardice, and conspiracy of its rulers against Palestine, Al-Masjid Al-Aqsa, and the prisoners. The Islamic Ummah must overthrow the rulers from their crooked thrones, and direct its armies towards Al-Masjid Al-Aqsa, liberating it and proclaiming Allah’s Greatness in takbeers, ﴿وَلْيَدْخُلُوا الْمَسْجِدَ كَمَا دَخَلُوهُ أَوَّلَ مَرَّةٍ وَلْيُتَبَرَّكُوا مَا عَلَوْا تَتْبِيرًا﴾ “**And let them enter the masjid as they entered it the first time, and let them utterly destroy what they have conquered**” [TMQ Surah Al-Israa: 7]. Any movement short of this Shariah obligation is a betrayal of Allah (swt), His Messenger (saw), the Night Journey of the Messenger of Allah (saw), and the blood of the people of Palestine and their prisoners.