Prophet's Brutality Accusation

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Abstract: Islam was always accused of being a harsh religion. Though it is completely the opposite. If we refer to the true teachings and life style of great leaders of this religion, we will realize that this accusation is not correct. Unfortunately, the holy prophet of Islam who is the role model of kindness is introduced as a negative personality. In the present article, the reasons of falsehood of this accusation have been given.

Keywords: brutality, logical/approved defense, criminal law

A contemplation on the accusation to Prophet as being harsh and cruel

According to the exact wording of Quran, the holy Prophet of Islam was the Prophet of mercy and envoy of peace.

وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِلْعَالَمِينَ

"We have not sent you (Prophet Muhammad) except as a mercy to all the worlds."(٢١: ١٠٧)

Or

فَبِمَا رَحْمَةٍ مِنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ

"It was by that Mercy of Allah that you (Prophet Muhammad) dealt so leniently with them. Had you been harsh and hardhearted, they would have surely deserted you."(٣: ١٥٩)

This kindness was a reason that people were attracted to him. In Quran, God mentions Prophet sympathy and says,

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لَقَدْ جَاءَكُمْ رَسُولٌ مِنْ أَنْفُسِكُمْ عَزِيزٌ عَلَيْهِ مَا عَنِتُّمْ حَرِيصٌ عَلَيْكُمْ بِالْمُؤْمِنِينَ رَءُوفٌ رَحِيمٌ

Indeed, there has come to you a Messenger from your own, he grieves for your suffering, and is anxious about you, and is gentle, merciful to the believers.(٩: ١٢٨)

The holy Prophet said, *my God ordered me to be kind with people as He obliged me to do obligatory religious actions*.[١]

Prophet of Islam avoided harshness; for example, when he was appointed to invite people to Islam, Quraysh resident bothered him a lot; there was not a nasty action that they did to Prophet, they called him names, so on and so forth. But Prophet prayed for them and said, Oh, God, forgive my tribe, they are not aware.[٢]

'Abdullah ibn Mas'ud said, I saw Prophet while people were hitting him and he was covered in his blood saying, Oh, God, forgive my tribe, they are not aware.[٣]

Now, how can we say this Prophet was cruel? Unfortunately, some biased people accused Prophet of being cruel. Here, we are going to review their reasons for their claim, but first a short explanation about the meaning of cruelty is given.

١. Analyzing the meaning of harshness

This word means cruelty, the opposite of softness. Sociologists and lawyers, each one, has separate definition for this word and no comprehensive definition has been given. Some interpreted violate and harshness to be against norms of society or an individual. And some others interpreted it as abusing power.

Some other said, any illegal attack to freedom which is accepted by society explicitly or inexplicitly. Sometimes harshness equals strictness and not ignoring criminals' errors. This usage against recklessness of law executives is used. Another usage of this word equals religious impatience and intolerance of others' opinions, misunderstanding opponent ideas, against religious or political tolerance and understanding. Harshness and violence means excluding or including others by force by illegal or illogical reasons.

٢. The axis of this accusation

A. Islamic rules and cruelty

Are these rules such as Hudud, Qisas, and jihad signs of violence in Islam? Answering this question, I would like to draw your attention to the followings:

Deterrent regulations:

First. Generally, criminal laws are issued in order to prohibit anarchies and disorders and spread justice and prosperity

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of public and individuals. Because of this, in Quran, Qisas is mentioned as revitalizing law for society:

وَلَكُمْ فِي الْقِصَاصِ حَيَاةٌ يَا أُولِي الْأَلْبَابِ لَعَلَّكُمْ تَتَّقُونَ

"O owners of minds, for you in retaliation is life, in order that you be cautious." (٢:١٧٩)

In fact setting some rules and regulations is to stop violations and anarchies, prevailing rights, and security, defending rights of people.There are some people whom Quran introduces them as animals.[٤] They put people's security in danger, kindness will not enter their hearts, guidance has no meaning to them, in these case we need deterrent solutions which is criminal laws. Some theorists like Hobbes knows human beings proud and selfish in nature and power of ruling is a means of controlling his selfishness. He believes that Human beings naturally are at war with other people and as a result a government which is dictator is needed to restrain these selfishness. It is natural that one of the important ways for controlling government is benefiting from deterrent laws. According to this, in all societies we have these kinds of rules, prisons, so on and so forth. Basically, if we don't have these rules, how can we establish a society based on mutual understanding and peace? The same policy makers who are theorizing against cruelty, set some rules which look violent in surface but they are named as legal cruelties or legal violence.

Tolerance in proving crimes:

Second: Islam in proving crimes uses tolerance. Islam tries to suggest some conditions through them stop any crimes. For example, to prove adultery, four just witnesses is necessary. In this way, proving this crime is less possible.

Third: the rule of "Dar'" regarding Hudud, is a sign of kindness of God. It means any doubt can hinder execution. The holy Prophet could set rules in a way that crimes can be proved easily. But proving crimes with special conditions shows that kindness of God outspeeds His Anger.

وَاكْتُبْ لَنَا فِي هَذِهِ الدُّنْيَا حَسَنَةً وَفِي الْآخِرَةِ إِنَّا هُدْنَا إِلَيْكَ قَالَ عَذَابِي أُصِيبُ بِهِ مَنْ أَشَاءُ وَرَحْمَتِي وَسِعَتْ كُلَّ شَيْءٍ فَسَأَكْتُبُهَا لِلَّذِينَ يَتَّقُونَ وَيُؤْتُونَ الزَّكَاةَ وَالَّذِينَ هُمْ بِآيَاتِنَا يُؤْمِنُونَ

"Write for us what is good in this life and in the Everlasting Life. To You alone we turn. ' He replied: 'I will smite with My punishment whom I will; yet My Mercy embraces all things. I will write it (My Mercy) to those who are cautious, give the obligatory charity, and believe in Our verses" (٧:١٥٦)

وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِلْعَالَمِينَ

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Programs to eradicate violence

Forth. In the teachings brought by Prophet, execution is not the first solution but it is the last one. In religious thought, rulers have the duty to take wise policies to eradicate poverty and the grounds of financial crimes. Imam 'Ali told Malik Ashtar,

Give sufficient income to your agents, to help them improve their spirituality, and do not extend their hands towards other people's properties which are at their hands.[٥]

Also it is duty of government to notice to cultural teachings and spread religious beliefs among people like believing in God, Hereafter, spirituality,... which are the factors of decreasing crimes.

Preparing facilities for marriage and other constructive programs to stabilize foundation of family, is one of the other missions of government. The public observance which is called Amr bil Ma'ruf and Nahi 'anil Munkir has fundamental role in decreasing crimes. On the other hand, religious leaders have the duty of guidance to stop crimes. In Islam, crime is a kind of illness which Islam emphasizes on its avoidance.

Forgiveness of rulers and regret of criminals

Fifth. forgiveness by government and regret from criminals are two important preventing factors of crimes , if some criminal laws of Islam can be proved by some ways like confession, and the criminal expresses his regret and promises not to repeat it , he will not be excused. And also ruler can give amnesty to criminals based on society or individual benefits.

According the above mentioned points, it can be said criminal laws and their execution are not being violent because the aim of this group of Ahkam is to stop breaking law and violating others' rights. In Islam, criminal laws do not establish to take revenge but to revive humanity and clearing society from abnormalities. It is due to this that Imam Sadiq recognized execution as raining which gives life to society. If one rule of rules of God proceeds on the earth, it is cleaner and useful than raining for ٤٠ days.[٦]

According to the conditions for proving crimes and execution, practically, the conditions for crimes would decrease and in its return, proving crimes would be less of importance. The truth is criminal laws are not examples of not religious violence and wise men know them logical and sometimes too much mercy can be the cause of crimes. Excessive mercy can decrease fear of people from persecution and punishment in a way that in years after the revolution of France, gangs of criminals were looting people comfortably. Some people like Montesquieu emphasized on the essentiality of execution but were against

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extreme punishment and some other believed that to what extent execution is heavier, the less crime would happen. It is worth saying that in ٩٤ countries of the world capital punishment is legal. Crimes such as murder, adultery,… are subject of capital punishment execution.

B.Jihad and brutality

Jihad and Islamic defense are not examples of brutality. Doubtlessly, attacking other countries is of the most hateful kinds of violation, Islam as well as other school of thoughts knows it illegal and invites all to live in peace. Islam recommends all to peace as Islam is the flag holder of peace. The defense regulations of Islam which are issued to defend life, and property of people against violation, are naturally logical. On the other hand, defending your life, property, are inborn attributes and tendencies, compatible with the system of creation. Do animals defend themselves? If there was not such a rule, human beings would not see more crimes? Whatever threatens societies is violation of rights. The intentional mixture of defense and violation cause some people think Islam's defending regulations are examples of violence. But what is valued in Islam is defense not attack. In Islam defense is the most valued phenomenon which is asserted in verses (٢:١٩٤) and traditions. Imam ‘Ali mentioned jihad as the factor of dignity and saving power against enemies and knew it as one of the doors of heaven.[٧] And leaving it the cause of humiliation. Islam does not accept humiliation and surrender in front of tyrants and said,

يَا أَيُّهَا النَّبِيُّ جَاهِدِ الْكُفَّارَ وَالْمُنَافِقِينَ وَاغْلُظْ عَلَيْهِمْ

O Prophet, struggle with the unbelievers and the hypocrites and be harsh with them.(٩:٧٣)

Defending suppressed ones are advised by Islam and it is accepted by wise people. Based on sound mind, anyone whose right is violated has this right to defend himself, even uses weapons to save his life.

C. Order of killing some Jewish foes

In historical books some stories have been recorded that holy prophet ordered to kill some enemies from Jews. The enemies of Islam abused this order and accuse prophet of being brutal. While according to history, they were those who spread violence and murder in society and jeopardize the security of Muslim society. Prophet's decision was a reaction to their manner. For example the order of killing Ka‘ab ibn Ashraf:

He was one the toughest enemies of Islam. In his poems, he ridiculed Prophet and provoked Arabs and infidels to fight him. After Badr war, he came to Media as the envoy of Jews to Quraysh and encouraged them to fight Muslims to retaliate Badr war. Resident of Mecca were worried lest Hassan ibn Thabit, the poet of Prophet,

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composed a poet in response to Ka'ab or a poet ridiculing people of Mecca, so they asked Ka'ab leave Mecca. He left there, and wandered among Arab tribes, spreading hatred towards Prophet among them, when he settled down in Yathrib, in his poets, he attacked Muslim women, cursing them; he tried to make people rebel in Media.

The holy Prophet talked to his companions about killing him, it was decided to kill him. Muhammad ibn Muslamah, Abu Nailah Silkan ibn Salamah ibn Waqsh, 'Ibad ibn Bushr ibn Waqsh, Harith ibn Uos ibn Ma'ad, and Abu 'ba ibn Jabr were accepted this responsibility. He was killed in Rabi' Awal, third year of Hijri, near his place named Shi'b al-'ajwaz Outside of Yathrib.

Analysis of the claim: Some authors thought that those traditions narrated from Prophet about Fatk (killing abruptly and unexpectedly) which is forbidden completely, is in contrast with this historical event. Then they try to solve this discrepancy somehow. Several traditions have been narrated from Shia and Sunnite from holy Prophet who has said,

الايمان قيد الفتک و المومن لا يفتک

This tradition in Sunnite sources from Zubayr, Abuhurayrah and Mu'awiyah have been narrated and in Shia sources from Prophet. To be succinct, we refer to one of these traditions in Shia sources. Abu al-Sabah told imam Sadiq, in our neighborhood there is a man who gossips 'Ali, do you let me kill him? Imam said, Prophet prohibits killing others unexpectedly. Islam does not like assassination. Leave him alone. Someone else will kill him. Abu al-Sabah said, when I returned Kufa a snake bite him and he died.

In this part, we review some possible explanations:
One of the researchers solved this problem like this:

There is no disagreement between these two. Because Fatk means plotting to kill someone who is in your custody or you give shelter to him, or another tradition said, Fatk is not allowed unless by permission of Imam. Because if it is prevalent, security will be lost from society. 'Ubaydullah, for example, knew himself at security when he entered Hani 's home, and no war was declared. But about Jews was different, as they themselves broke their promise and wanted to trigger war against Prophet so plotting to kill them has no problem.

Another authors explained the difference between Fatk and Ghilah. According to him, Prophet prohibits Fatk, but killing those Jews was Ightiyal not Fatk. Then he brought a proof for his claim which are listed here.

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١. In none of the reports, the word fatk is not used. But words like Ghatl and Ghilah, are used.

٢. In traditions of infallible imams, difference between Fatk and Ghilah has mentioned, while Ghilah is confirmed. For example the ninth imam of Shia, Imam jawad avoided two persons and said, oh, Ishaq, relieve me from them. I said, am I permitted to kill them? He said, they are plotting against us, so their blood is not forbidden. But do not trick in killing them which is forbidden in Islam. I am afraid if you kill them in front of others, you will be arrested, but as you have no proof, you will be killed, a Muslim would be killed in return for a kafir. So do Ghilah.

The author after this concluded, from what we said, it is clear that whatever done by permission of Prophet or imams are not Fatk.

But it seems that above mentioned explanations can not solve this problem because still the question exists why is Fatk prohibited in any circumstance but not Ghilah? While both means unexpectedly-killing of others and in both the killers are not known. In reply, maybe the reason of Prophet to kill those Jews in private and avoid their public sentence is that they were out of Islamic territory and he had to condemn them in their absence and before they were informed to escape. Answering this problem we should say, prophets and infallible are innocent, far from any sins, and their words, actions, and writings are proof:

First, in defending yourself, if you have to hide in ambush or trick to fool your enemy, you should do that.

Second. Supposedly that Fatk is general including all situations like defending yourself, it is forbidden in cases which is without permission of imam and when Prophet ordered to it.

Third. The issue of Fatk is choosing between the most important and more important issue, which means if interests necessitate unexpectedly killing of enemies, doubtlessly it is proper to perform it. The example of Prophet's ordering to this kind of killing is example of the most important interest.

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[١] Usul Kafi, vol.٢,p.١١٧
[٢] Bihar al-Anwar, vol.٩٥, p.١٤٧
[٣] Sahih Bukhari, vol.٩,p.٢٠
[٤] ١٧:٤٤
[٥] Nahj, letter ٥٣
[٦] Vasail , vol.١٨,p.٣٠٨
[٧] Nahj, sermon ٢٧

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