

# WHEN FEAR CAGES JUSTICE

24 YEARS OF GUANTANAMO BAY

## I. Core Themes

- The extrajudicial & unjust architecture of Guantánamo Bay has persisted for a quarter of a century
- The weaponisation of fear has built & sustained its infrastructure
- It epitomises the paradox of oppression flourishing in a part of the world where justice is supposedly championed
- Guantánamo is not a relic of history, rather it is a precedent which still holds hostages and has exported its model globally

## II. Essential Material

- [Chronological Guantánamo Timeline](#)
- [Ramadhan in Guantánamo](#)
- [Prisoner 552 – A Video Series by Shaykh Fayez Al-Kandary](#)
- [Voices From Guantánamo \(Booklet\)](#)
- [Desecration of Qur'anic and Islamic Rituals](#)
- [Basic Overview \(Britannica\)](#)
- [Cage Media Statements \(2022 & 2024\)](#)
- [Amnesty Article](#)
- [Top Facts](#)
- [Al-Jazeera Timeline](#)

### III. First Sermon

إِنَّ الْحَمْدَ لِلَّهِ، نَحْمَدُهُ وَنَسْتَعِينُهُ وَنَسْتَغْفِرُهُ، وَنَعُوذُ بِاللَّهِ مِنْ شَرْرِ أَنفُسِنَا وَمِنْ  
سَيِّئَاتِ أَعْمَالِنَا، مَنْ يَهْدِهِ اللَّهُ فَلَا مُضْلَلٌ لَهُ، وَمَنْ يَضْلِلُهُ فَلَا هَادِيٌ لَهُ، وَنَشَهِدُ  
أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَنَشَهِدُ أَنْ سَيِّدَنَا وَمَوْلَانَا مُحَمَّداً عَبْدَهُ وَرَسُولَهُ

أَمَّا بَعْدُ :

- This Sunday, on the 11<sup>th</sup> January, we mark a grim milestone: the 24<sup>th</sup> year of the US military detention camp, Guantanamo Bay prison.
- Far from commemorating an exclusively secular subject of social justice, the story of this Hell-on-earth is one intimately entwined with Muslimness, the exploitation of fear, the erosion of justice and our obligation to those unlawfully incarcerated.
- This is our, true narrative of the ‘Gulag of America’.

#### The Beginning:

- Wave of hysteria and rage swept across America after 9/11.
- US government capitalised on this charged climate and began dramatically ‘changing the rules’.
- Bush signed an order authorising the military to detain ‘foreign suspects’ (i.e. Muslims) indefinitely without charge or trial, somewhere outside of the law’s reach.

- This led to the fateful day of **11<sup>th</sup> January 2002**, when Camp X-Ray was opened in Guantanamo Bay, Cuba.
- A fair trial, Geneva Conventions, human rights; all were cast aside in the name of prosecuting Bush's new 'crusade' against the Muslim world, the 'War on Terror'.
- A dark web of CIA black sites (like Baghram & Abu Ghraib centres), rendition (global kidnapping) and torture programmes proliferated across the Muslim-sphere.
- American officials deployed fear to manufacture consent for their new gulag. The vice-president described the captives there as "**the worst of a very bad lot**", people who would "**kill millions of Americans**" if given the chance.
- These were, however, fear-fuelled generalisations, not based on any evidence.
- One human rights observer noted that Guantanamo was "**bound up with multiple layers of unlawful government conduct – secret transfers, incommunicado interrogations, forced feedings torture... and a complete lack of due process.**"
- In short, GTMO (shorthand for Guantanamo) became a symbol of the exploitation of fear and ignorance triumphing over justice.

## Facts vs Fear:

- A catalogue of damning facts has emerged over the last quarter of a century which starkly contrast the fearful narrative that built and sustained GTMO:
  - Almost **780** Muslim men and boys have been held there
  - **90%** were ultimately released **without charge**, but only after years of psyche-altering abuse and suffering
  - Only **eight** were ever convicted at the highly-partial GTMO military tribunals, with half later being **overturned**

- In fact, more detainees died there (nine) than were successfully convicted
- Most detainees were not captured on the battlefield fighting the US. **86% were handed over or sold to the US for bounties**
- US dropped reward flyers over Afghanistan and Pakistan offering \$5k for any '**suspicious persons**'. US officials later admitted they "**got it wrong most of the time**" and that too many "**Mickey Mouse**" detainees were being sent to them for trivial cases that did not belong there
- The Bush administration stripped away captives' legal rights and access to courts. Lawyers had to fight their way to the Supreme Court to win basic rights to challenge their detention
- The facts never lived up to the rhetoric of fear.
- Out of the many cautionary tales, GTMO shows how prejudice, bigotry and ultimately, the fear of the majority, are all weaponised by those with sinister motives to violate human dignity.
- In this new climate of collective guilt by association, Muslim men were rounded up based on phantom suspicions.
- Innocent lives were shattered, families were ripped asunder and a new ambience of fear was normalised.
- The US, a country that prided itself on the rule of law, deliberately created a zone where the law was abandoned, because of panic and Islamophobia.

## Islam and Justice:

- Our faith places a premium on justice and resists exactly this kind of fear-driven injustice baked into the walls of GTMO. Justice cannot be abandoned simply because of emotions or bias:

يَأَيُّهَا الَّذِينَ ءَامَنُوا كُوْنُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجِدُونَكُمْ شَيْئًا فَوْمٌ عَلَىٰ أَلَا تَعْدِلُواٰ أَعْدِلُواٰ  
هُوَ أَقْرَبُ لِلتَّقْوَىٰ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ خَيْرٌ بِمَا تَعْمَلُونَ

**“O believers! Stand firm for Allah and bear true testimony. Do not let the hatred of a people lead you to injustice. Be just! That is closer to righteousness. And be mindful of Allah. Surely Allah is All-Aware of what you do.”**

- Reflect on this profound verse. Even if we have enmity or valid grievances, we must uphold the law and never allow our emotions to lead us to the gates of oppression.
- Consider the background of this verse from Ṭabarī. The Jews of Khaybar had conspired to assassinate the Prophet (peace & blessings be upon him). Even after such a heinous plot on his life, Allah still calls for restraint from the believers, not allowing fear, acrimony and hatred to override and derail justice.
- Yet GTMO represents the manifestation of collective resentment, fearmongering and the renunciation of justice.
- Bayhaqī records a saying of the Prophet (peace & blessings upon him):

لَوْ يَعْطِي النَّاسُ بِدْعَوَاهُمْ لَادْعُى رِجَالٌ أَمْوَالَ قَوْمٍ وَدَمَاءَهُمْ، وَلَكِنَّ الْبَيْنَةَ عَلَى الْمُدْعِي وَالْيَمِينَ عَلَىٰ مَنْ أَنْكَرَ

**“If people were given whatever they claimed, some would claim others' lives and property, but the burden of proof is on the accuser”**

- Accusations alone are never enough. Due process & evidence are invaluable.

## **Treatment of Prisoners:**

- Islam categorically forbids torture and cruelty to prisoners.

- At the Battle of Badr, captives were treated humanely and with dignity, even after such an existential confrontation for the outnumbered Muslims, who risked everything on the battlefield.
- Allah praises a trait of the Companions thus:

وَيُطْعِمُونَ الْطَّعَامَ عَلَىٰ حِبَّهِ مِسْكِينًا وَيَتِيمًا وَأَسِيرًا إِنَّمَا نُطْعِمُكُمْ لِوَجْهِ اللَّهِ لَا نُرِيدُ مِنْكُمْ جَزَاءً وَلَا

شُكُورًا

**“And they give food, despite their desire for it, to the poor, the orphan, and the captive, (saying to themselves) “We feed you only for the sake of Allah, seeking neither reward nor thanks from you.”**

- Ibn ‘Abbās adds that Allah is referring to the idolaters who were captured at the Battle of Badr. The Prophet (peace & blessings upon him) commanded his Companions to be generous to their prisoners. As a result, the Companions gave preference to them when it came to mealtime.
- Ṭabarānī records that Abū ‘Azīz Ibn ‘Umayr was a polytheist captive at the battle. He heard the Prophet (peace & blessings upon him) enjoin the Muslims with:

اَسْتَوْصُوا بِالْأَسْارَى خَيْرًا

**“I enjoin you to treat the captives well”**

- Abū ‘Azīz was so moved by this treatment that he accepted Islam. He later recalled that after conversion, whenever lunch or dinner was served, he would feed the prisoners dates just as he had been fed bread due to the command of the Prophet (peace & blessings upon him) at Badr.
- Ibn Kathīr wraps up this discussion by reminding us that one of the Prophet's last bequests, on his deathbed:

الصَّلَاةَ وَمَا مَلَكَتْ أَيْمَانُكُمْ

**“Be mindful of your prayers and treat humanely those whom your right hand possesses (slaves & prisoners)”**

- These were actual combatants who, only moments ago, had been rattling their sabres at the Muslim ranks, yet Islam still urged kindness towards them.
- The torture, rendition programmes, ‘enhanced interrogation techniques’ and other monstrous mechanisms have no place in our faith.

## **Resisting Fear-Based Governance:**

- The Qur'ān gives us a monstrous example of a leader, gripped by paranoia, who allowed fear to induce a genocide: the Pharaoh.
- He feared the growing Israelite population and the prophecy of a liberator from amongst them who would topple his exploitative regime.
- He decreed that all Israelite boys be slain:

إِنَّ فِرْعَوْنَ عَلَىٰ فِي الْأَرْضِ وَجَعَلَ أَهْلَهَا شِيَعًا يَسْتَضْعُفُ طَائِفَةً مِّنْهُمْ يُذَبِّحُ أَبْنَاءَهُمْ وَيَسْتَخْمِ

نِسَاءَهُمْ إِنَّهُ كَانَ مِنَ الْمُفْسِدِينَ

**“Pharaoh made himself high and mighty in the land and divided the people into different groups: one group he oppressed, slaughtering their sons and sparing their women. He was one of the agents of chaos”**

- The Pharaoh also explicitly admitted the fear-factor of his paranoid rampage:

وَقَالَ فِرْعَوْنُ ذَرُونِي أَقْتُلْ مُوسَى وَلْيَدْعُ رَبَّهُ إِنِّي أَخَافُ أَنْ يُظْهِرَ فِي الْأَرْضِ

الْفَسَادَ

**"And Pharaoh said, 'Leave me to kill Moses, let him call upon his Lord, for I fear he may cause you to change your religion, or spread disorder in the land'."**

- Thus, he was driven by the politics of fear, much like the birth of Guantánamo and the myths that nurtured it: fear of an ill-defined enemy, fear of any attempt to redress structural abuses of power, fear of being held accountable.
- All of these 'fears' were amplified to the point that anything seemed justified
- Yet, as Muslims, fear must not be allowed to muddy our moral clarity. It does not absolve us from the obligation of justice.
- We must not allow the architecture which midwifed GTMO to become the lens we perceive the world through.
- We must call out alarmist talk, denounce the crimes against humanity perpetrated in GTMO & transform debilitating fear, the weapon of Satan, into ferocity to resist injustice:

إِنَّمَا ذَلِكُمُ الشَّيْطَانُ يُحَوِّفُ أَوْلِيَاءَهُ فَلَا تَخَافُوهُمْ وَخَافُونِ إِنْ كُنْتُمْ مُؤْمِنِينَ

**"It is Satan who urges you to fear his followers; do not fear them, but fear Me, if you are true believers."**

## IV. Second Sermon

الحمد لله رب العالمين، أمر بالعدل والإحسان، ونهى عن الظلم والطغيان

وأشهد أن لا إله إلا الله وحده لا شريك له، وأشهد أن محمداً عبده ورسوله

بعثه الله رحمة للعالمين، ونصرة للمستضعفين، أمّا بعد

- My fellow believers, do not be deluded by the lack of media coverage into assuming GTMO is now a derelict ghost town or is a relic of the past. It is alive and kicking.
- Our duty to those still languishing in captivity remains hovering over our hearts.
- Allow us to shed light on their plight and humanise their stories.

### The Forever Prisoners:

- GTMO is still operational. As of early 2025, 15 men are still held there. They have not been charged with a crime, cannot go home and represent the remnants of the world of unresolved justice which many assumed no longer existed.
- More than half of these men had been cleared by the US for release years ago but still remain behind bars. **Muieen Abd Al-Sattar** was approved for release in 2010 yet the authorities refuse to honour that.
- These men are the 'forever prisoners'. This chilling term means that they have never been charged with a crime, yet the government claims they cannot be released. They are corralled in kennels like animals.

- Indefinite torment is the new norm for them. The US says they are too ‘dangerous’ to be released but too ‘unprosecutable’ to be convicted, mainly because most ‘evidence’ is tainted by torture methods.
- They are prisoners of fear and politics, not justice.
- Nine of the 15 have been embroiled in GTMO’s flawed ‘military trials’. Many are stuck in legal limbo, some in pre-trial hearings for over a decade, one captive was even ruled mentally unfit to stand trial because of the trauma he had endured.
- A ‘miscarriage of justice’ would be a misnomer because justice did not feature anywhere in this protracted ordeal.

## The Human Toll:

- In this American concentration camp, humans are reduced to numbers. Yet, behind every nameless, faceless case is a broken human heart, a wife living like a widow, children growing into adulthood fatherless, elderly parents facing their twilight years with the heavy uncertainty of a missing child.
- The human toll is heartbreaking. But if the stories of these captives are let out of the bag, the politics of fear would collapse under the weight of their fragile humanity:
  - **Mansoor Adayfi** was 18 when he was kidnapped by warlords and sold to the CIA. He spent 15 years there without charge, His youth was snatched from him. His description of physical and psychological torture is harrowing, saying he “lost everything” in that place. After being released in 2016, he was refused repatriation to his native Yemen and forced to make ends meet in Serbia, a bastion of Islamophobia and the perpetrators of the Bosnian Genocide in the 90s

- At least 60 children (under 18) were kidnapped and imprisoned there, with the youngest being only a few months old. One of them, 14-year-old **Mohammed El-Gharani** from Chad was abused by guards, had his head slammed on the floor and had cigarettes put out on his arm. A US judge recognised his innocence after seven years and he was released in 2009. He would never be the same.
- **Saifulla Paracha** was one of the oldest detainees, in his 70s (the oldest was a staggering 105 years old). He was a Pakistani businessman with an acute heart condition. He was locked up for 17 years, and, despite being cleared for release for many years, was only ever freed because of deteriorating health.
- Some have had their very brain chemistry altered by years of conditioning. **Ramzi Bin al-Shibh's** nightmare left him with deep psychological scars. The damage was irreversible. A court even found him incompetent to stand trial as a result of the torture.
- We cannot afford to shrug off the plight of the remaining 'forever prisoners'.

## Call to Action:

- Securing the release of political prisoners is such a noble endeavour that Allah even allows hallowed Zakāh funds to be used.
- Our Prophet emphatically stated, as recorded by Bukhārī:

أَطْعِمُوا الْجَائِعَ وَعُودُوا الْمَرِيضَ وَفَكُوا الْعَانِيَ

**“Feed the hungry, visit the sick, and set the captives free.”**

- The redoubtable 'Umar once remarked, as reported by Abū Yūsuf in Al-Kharāj:

لأن أستنقذ رجلاً من المسلمين من أيدي الكفار أحب إلي من جزيرة العرب

**"To rescue one man from among the Muslims from the hands of the disbelievers is more beloved to me than (owning) the whole of Arabia."**

- Al-Qurṭubī went so far as to say: "Ransoming the prisoners with money is obligatory, even if not a single penny (*dirham*) is left in the public treasury."
- What can we do?
  1. We should be aware, we should care, we must never despair.
    - The Late Shaykh Mufti Ebrahim Desai of South Africa emotionally pleaded: **"When Muslims are imprisoned unjustly, as is the case in Guantánamo, it is the mandatory duty of all the Muslims of the world to do whatever is in their capacity to free these oppressed brothers. Together with our efforts, it is our duty to continuously supplicate for them."**
  2. Support advocacy work like programmes and efforts organised by Cage, Reprieve & Amnesty. Assist with legal cases, grant the oppressed a voice and support captives after release. Cage runs an after-care project that also accepts Zakāh donations.
  3. Most importantly, appreciate your unique position within the belly of the neo-colonial beasts (America and the UK) and how we can overturn the rancid politics of fear from within.

عباد الله، إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَىٰ، وَيَنْهَا عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ،  
يَعْلَمُكُمْ لِعْلَمْكُمْ تَذَكَّرُونَ

فاذكروا الله العظيم بذكراكم، واسكروه على نعمه بذركم، ولذكر الله أكبر، والله يعلم ما تصنعون.

# V. Catalogue of Supplications

اللهم فرج هم المهمومين من المسلمين، وفنس كرب المكروبين، وفك أسر المؤسرين، ورد هم إلى أهلهم سالمين  
غائبين.

O Allah, relieve the pain of the distressed among the Muslims, lift the hardship of the afflicted, free the imprisoned, and return them safely to their families.

اللهم إنا نسألك للمظلومين في السجون فرجاً قريباً، ونصرًا عاجلاً، فإنك قلت وقولك الحق: وما ربيك بظلامٍ  
لبعيد

O Allah, we ask You to grant the oppressed in prisons a nearness of relief and a swift victory. For You have said, and Your word is the Truth, "Your Lord is never unjust to His servants."

معينا اللهم كن للمستضعفين حيثما كانوا في السجون والمعتقلات، وتحت القيود والأغلال  
اللهم لا ناصر لهم إلا أنت

O Allah, be the Protector of the oppressed wherever they may be, in prisons and detention cells, beneath chains and iron restraints. O Allah, they have no helper but You.

اللهم اربط على قلوبهم، وخفف عنهم ما نزل بهم، وكن لهم أئيساً في وحدتهم، وقوّةً في ضعفهم، وأملاً في ليتهم  
الطويل

O Allah, bind their hearts with steadfastness. Lighten the burden that has descended upon them. Be their companion in loneliness, their strength in weakness, and their hope in the long night that surrounds them.

اللهم احفظ كرامتهم، واسفِ جرائمهم، واجبر كسرهم، ولا تجعل للظالمين عليهم سبيلاً

O Allah, preserve their dignity. Heal their wounds. Mend what has been broken. And grant no dominion to the oppressors over them.

اللهم عليك بمن ظلم عبادك، وسفك الدماء، وانتهك الحرمات، فإنهم لا يعجزونك، ولا يفوتونك

O Allah, take to account those who have wronged Your servants, who have spilled blood and violated sanctities. They cannot escape You, nor can they elude Your grasp.

اللهم أخرجهم من ضيق السجون إلى سعة الحرية، ومن الذل إلى العز، ومن القهر إلى العافية، يا رب العالمين

O Allah, bring them forth from the constriction of prison into the vastness of freedom, from humiliation to honour, from subjugation to wholeness and peace, O Lord of all the worlds.