



Freedom of Religion & Apostasy in Islam

Religious Advisory

by Islamic Religious Council Of Singapore

1 Islam recognizes the freedom of religion as a right for every individual. This is founded on the following Quranic principles:

a.

لَا إِكْرَاهَ فِي الدِّينِ

Which means: “*Let there be no compulsion in religion.*” (Al-Baqarah, verse 256)

b.

فَمَنْ شَاءَ فَلْيُؤْمِنْ وَمَنْ شَاءَ فَلْيُكْفِرْ

Which means: “*Whoever so wishes, let him believe, and whoever so wishes, let him disbelieve.*” (Al-Kahfi, verse 29)

2 The jurist Ibn Ashur includes the protection of the freedom of belief as one of the five main objectives of the Islamic law (Maqasid al-Shari'ah).

3 The Prophet Muhammad s.a.w. exemplified this teaching in his lifetime. He did not enforce Islam on anyone, including his family members but brought people to the fold of Islam through his message of social justice, equality of humankind before God and other enduring values to humanity such as compassion and kindness. He engaged others on Islamic teachings and belief through good words and deeds, and through exemplary conduct and virtuous mannerisms. In his covenant (social contract) with the inhabitants

of the city of Madinah, the Prophet s.a.w. allowed non-Muslims to remain in their faith and accepted everyone as members of the same community.

RELIGIOUS VIEWS ON PUNISHMENT TO THOSE WHO LEFT ISLAM

4 As to those who decided to leave Islam, the Prophet Muhammad s.a.w. did not implement any form of punishments. In a hadith narrated by Bukhari, a Bedouin who had pledged allegiance to the Prophet s.a.w. withdrew his pledge a day after he made it. The Prophet s.a.w. left him alone and did not order any form of punishments on the individual.¹ There are also many other instances of those who left Islam but were not punished by the Prophet s.a.w.²

5 Notwithstanding the facts mentioned above, there are other religious texts which seem to suggest that religious freedom is not in line with the teachings of Islam. One example is the hadith narrated by Ibn Abbas: "*Whoever changes their religion, kill them*". Such narrations must be understood in the right context as a literal reading will lead to confusion and a misguided application of the rules of Islam.

6 Eminent Muslim scholars such as Ramadan Al-Buti, Ahmad al-Raysuni, Habib Al-Jufri, and Muhammad Imarah, explain that the hadith should be understood in light of the Quranic principle of freedom of religion and in relation to all other hadiths on the subject. Their conclusion is that this hadith was in relation to those who left the Muslim community and conspired with the enemy to destroy Muslims. There are also other hadiths (narrated by Bukhari and Muslim) where the Prophet s.a.w. spoke of both the act of leaving the religion and the political crime of treason. For example, Abdullah Ibn Masud reported that the Prophet s.a.w. applied legal punishment for "*the one who leaves his religion and separates from the community*" (Sahih Muslim). Al-Buti also explains that such legal punishment is only carried out if there are other associated crimes such as rebellion (*al-Hirabah*), as this significantly undermines and threatens the harmony and stability of

¹ Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no. hadith 7209.

² Anas r.a. said: "There was a Christian who embraced Islam and read Surah Al-Baqarah and Al-Imran and used to write (the revelations) for the Prophet. The man later apostatized and returned to Christianity. He would say: 'Muhammad knows nothing but what I have written for him.'" Then he died. On the morning after his burial, the people found that the earth had expelled his body." Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, hadith no. 3617; See also, Muslim bin al-Ḥajjāj, *Ṣaḥīḥ Muslim*, no. hadith 2781.

society.³ This is a view held by earlier jurists such as Ibn Rushd and al-Shirazi.⁴ According to Shaltut, the hadith only applies when there is aggression and assault against Muslim.⁵

7 The Maliki jurist al-Baji states that apostasy is a sin which carries no *hudud* penalty but the discretionary punishment of *ta'zir*.⁶ According to Sufyan al-Thawri and al-Nakha'i, those who leave Islam should be brought back to Islam through persuasion and not be killed.⁷

OPINION OF OFFICE OF THE MUFTI

8 In light of the Islamic principles and juristic views on the matter explained above, Office of the Mufti wishes to emphasise that freedom of religion is the general rule in the Quran and a fundamental principle in Islam. The treatment of apostasy as a crime punishable by death came about later during the period where Islam gained political ascendancy. As such, the act of apostasy was not treated as a purely theological issue, but as an act of treason because the apostate is seen as having abandoned his or her loyalty and allegiance to the Muslim community.

9 The punishment by death stated in a hadith quoted above should be understood within this specific context. The sin of leaving the religion is purely between the individual and God, and hence worldly punishments do not apply in a situation where treason does not exist.

OFFICE OF THE MUFTI

ISLAMIC RELIGIOUS COUNCIL OF SINGAPORE

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³ Al-Būtī, *Ḥurriyyah al-Insān fi Zīl al-'Ubudiyyah lillāh*, pp. 85-87.

⁴ Ibn Rushd, *Bidāyah al-Mujtahid wa Nihāyah al-Muqtaṣid*, vol. 2, p. 383; See also, Al-Syirāzī, *al-Muhadhab*, vol. 5, p. 206.

⁵ Maḥmūd Shaltūt, *al-Islām: 'Aqīdah wa Sharī'ah*, p. 281; See also, al-Sarkhasī, *al-Mabsūt*, vol. 10, pp. 98-124.

⁶ Al-Bājī, *al-Muntaqā Syarḥ al-Muwaṭṭa'*, vol. 5, p. 282.

⁷ Al-Ṣan'anī, *al-Muṣannaf*, vol. 10, p. 166.