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Apostasy Major and Minor

By Dr. Yusuf Al-Qaradawi**

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Facing Apostasy: The Role of Muslims

The greatest kind of danger that faces Muslims is that which threatens their moral aspect of existence, i.e., their belief. That is why apostasy from Islam is regarded as one of the most dangerous threats to the Muslim community. The ugliest intrigue the enemies of Islam have plotted against Islam has been to try to lure its followers away from it; they have even used force for this purpose. In this regard, Almighty Allah says, **[And they will not cease from fighting against you till they have made you renegades from your religion, if they can.]** (Al-Baqarah 2:217)

In the contemporary age, the Muslim community has been exposed to horrendous invasions and aggressive attacks, one of which is the missionary invasion that aims at uprooting the Muslim community altogether. This invasion began its missions with the Western colonialism (of the Muslim world), and it still exercises its activities in the Muslim world and among the Muslim communities and minorities (in non-Muslim countries). One of its goals is to entice Muslims to convert to Christianity. This goal was made clear in the North American Conference on Muslim Evangelization (that was held in Colorado in 1978). Forty studies about Islam and Muslims and how to spread Christianity among them were submitted to that conference, and US\$1 billion was allocated for this purpose. In addition, the Zwemer Institute (in South Carolina) was established to train missionaries to preach Christianity to Muslims.

Another example is the communist invasion that spread through many Muslim countries in Asia and Europe and made every effort to put an end to Islam and grow generations who know nothing about Islam at all.

The third and most dangerous and cunning kind is the secular invasion, which still plays its role in the Muslim world, sometimes openly, and sometimes in disguise. It seeks to undermine true Islam and approves of the superstitious manifestations that are falsely claimed to belong to Islam.

The duty of the Muslim community — in order to preserve its identity — is to combat apostasy in all its forms and wherefrom it comes, giving it no chance to pervade in the Muslim world.

That was what Abu Bakr and the Prophet's Companions (may Allah be pleased with them) did when they fought against the apostates who followed Musaiemah the Liar, Sijah, and Al-Aswad Al-'Ansi, who falsely claimed to be Allah's prophets after the demise of Prophet Muhammad (peace and blessings be upon him). Those apostates had been about to nip the Islamic call in the bud.

It is extremely dangerous to see apostasy prevailing in the Muslim community without facing it. A contemporary scholar described the apostasy prevailing in this age saying, "What an apostasy; yet no Abu Bakr is there to (deal with) it."¹

Muslims are to seriously resist individual apostasy before it seriously intensifies and develops into a collective one.

That is why the Muslim jurists are unanimous that apostates must be punished, yet they differ as to determining the kind of punishment to be inflicted upon them. The majority of them, including the four main schools of jurisprudence (Hanafi, Maliki, Shafi'i, and Hanbali) as well as the other four schools of jurisprudence (the four Shiite schools of Az-Zaidiyyah, Al-Ithna-'ashriyyah, Al-Ja'fariyyah, and Az-Zaheriyah) agree that apostates must be executed.

In this regard, many hadiths were reported in different wordings on the authority of a number of Companions, such as Ibn 'Abbas, Abu Musa, Mu'adh, 'Ali, 'Uthman, Ibn Mas'ud, 'A'ishah, Anas, Abu Hurairah, and Mu'awiyah ibn Haidah.

For example, Ibn 'Abbas quoted the Prophet (peace and blessings be upon him) as having said, **"Whoever changes his religion, then kill him."**

A similar wording of the hadith was reported on the authority of Abu Hurairah and Mu'awiyah ibn Haidah

with a sound chain of transmission. Also, Ibn Mas'ud reported the Prophet (peace and blessings be upon him) as having said, "**The blood of a Muslim who testifies that there is no god but Allah and that I am the Messenger of Allah is not lawful to shed unless he be one of three: a married adulterer, someone killed in retaliation for killing another, or someone who abandons his religion and the Muslim community.**"

Another version of this hadith was reported by `Uthman, "**The blood of a Muslim is not lawful to shed unless he be one of three, a person that turned apostate after (embracing) Islam or committed adultery after having married, or killed a person without just cause.**"

The eminent scholar Ibn Rajab said, "Punishing a person by death for committing any of these sins is agreed upon among Muslims."²

`Ali ibn Abi Talib (may Allah be pleased with him) punished some people who apostatized from Islam and claimed that he was a god by putting them to fire after having reprimanded them and asked them to return to Islam but to no avail. He put them to fire saying these following lines of poetry:

When I saw the matter so flagrant,
I kindled fire and summoned for Qanbar"
Qanbar was the servant of Imam `Ali.³

Ibn `Abbas did not agree with `Ali about burning the apostates, quoting, as evidence for his opinion, the Prophet's hadith, "**Do not punish anybody with Allah's punishment (of fire).**" According to Ibn `Abbas, the apostates should have been killed by a means other than burning. Thus, Ibn `Abbas was not against killing the apostates in principle, but against killing them by fire.

Abu Musa and Mu`adh also punished a Jew by death, as he had embraced Islam and then reverted back to Judaism. Mu`adh said about that: "It is the verdict of Allah and His Messenger."

`Abdur-Raziq also reported, "Ibn Mas'ud held in custody some Iraqi people who had apostatized from Islam, and then wrote to Caliph `Umar asking him what to do with them. `Umar wrote him back, saying, 'Ask them to return to the true religion (of Islam) and the Testimony of Faith. If they are to accept this, set them free, and if they are to reject it, then kill them.' When Ibn Mas'ud did so, some of the apostates repented and some refused, and thus, he set free the repentant and killed those who renounced Islam after being believers."⁴

It is also reported on the authority of Abu `Umar Ash-Shaybani that when Al-Mustawrad Al-`Ajli converted to Christianity after having embraced Islam, `Utbah ibn Farqad sent him to `Ali, who asked him to return to Islam, but he refused, and thus `Ali killed him.⁵

The Prophet (PBUH) accepted the repentance of a group of apostates...

Major and Minor Apostasy

Ibn Taymiyah mentioned that the Prophet (peace and blessings be upon him) accepted the repentance of a group of apostates, and he ordered that another group of apostates, who had committed other harmful acts to Islam and the Muslims, be killed.

For instance, on the day of the conquest (*fath*) of Makkah, the Prophet (peace and blessings be upon him) ordered that Maqis ibn Subabah be killed, as he had not only apostatized from Islam but also insulted and killed a Muslim person. He (peace and blessings be upon him) also ordered that Ibn Abi Sarh be killed, as he had apostatized from Islam and also sought to spread falsehood and slander.

In this respect, Ibn Taymiyah differentiated between two kinds of apostasy, an apostasy which does not cause harm to the Muslim society and an apostasy in which apostates wage war against Allah and His Messenger and spread mischief in the land. The repentance of the apostates in the first kind is accepted; while in the second kind, it is not if it occurs after the apostates have fallen into the power of the Muslim authority.⁶

`Abdur-Raziq, Al-Baihaqi, and Ibn Hazm reported that Anas returned from a mission for jihad and went to `Umar, who asked him, "What has been done with the six people from (the tribe) of Bakr ibn Wa'il who have apostatized from Islam?" Anas said, "O Commander of the Believers, they are people who turned apostate and joined the polytheists, and thus they were killed in the battle." `Umar commented, "We belong to Allah and to Him we will return." Anas wondered, "Had their penalty been but death?" `Umar replied, "Yes. I would have asked them to return to Islam, and had they refused, I would have imprisoned them."⁷

Ibn Taymiyah differentiated between the harmful apostasy and the harmless one.

This attitude of `Umar was also held by Ibrahim An-Nakh'i, and Ath-Thawri, who said, "This is the viewpoint that we follow."⁸ Ath-Thawri also said, "The punishment of the apostate is to be deferred so long as there is a hope that he may return to Islam."⁹

In my point of view, as the scholars have differentiated between major and minor innovations in religion and between mere innovators and those who spread and call for their innovations in religion, we can also differentiate between major and minor apostasy, and between apostates who do not wage war against Islam and Muslims and those who proclaim their apostasy and call for it.

Major apostasy, which the apostate proclaims and openly calls for in speech or writing, is to be, with all the more reason, severely punished by the death penalty, according to the majority of scholars and the apparent meaning of the Prophet's hadiths. Otherwise, An-Nakh'i and Ath-Thawri's view which was built on `Umar's attitude may be followed.

Apostates who call for apostasy from Islam have not only become disbelievers in Islam but have also become enemies of Islam and the Muslim nation. They, by doing so, fall under the category of those who wage war against Almighty Allah and His Messenger and spread mischief in the land.

According to Ibn Taymiyah, waging war against something may be done by already attacking it or by speaking against it. The latter may be far more dangerous than the former with regard to religions. So is also the case with spreading mischief: it may be through causing physical damage or through causing moral harm, and the latter is, likewise, far more hazardous than the former with regard to religions. This

proves how much more harmful it is to wage war against Allah and His Messenger by speaking against them and seeking to spread mischief in the land.¹⁰

In Arab culture, we say that the pen is mightier than the tongue. Writing about something may be far more effective than merely speaking about it, especially in this day and age, as writings can be widely published.

On another hand, the apostate is deprived of its love, loyalty, and cooperation according to Almighty Allah's words, **[And he amongst you that turns to them (for friendship) is of them]** (Al-Ma'idah 5:51). This far exceeds the punishment of execution in the view of the people of common sense.

Why Is Apostasy Severely Punished in Islam?

The Muslim community is based on belief and faith. Belief is the basic foundation of its identity, pivot, and spirit of its life. That is why it does not allow anyone to harm this identity. Hence, proclaiming apostasy is considered the most flagrant crime in the eyes of Islam as it poses a danger to the identity of the Muslim community and its moral being. In other words, it jeopardizes the first five main objectives of the Shari'ah, which Islam with its moral and legislative systems seeks to preserve — religion, life, offspring, the intellect, and property. Religion occupies the very first place here as believers may sacrifice themselves, their country, and their wealth for the sake of their religion.

Islam does not compel people to join it nor does it force anybody to accept or to leave any other religion, but it places great importance upon conviction for those who embrace it. Almighty Allah says, **[Had your Lord willed, all the people on earth would have believed. So can you (Prophet) compel people to believe?]** (Yunus 10:99)

He Almighty also says, **[Let there be no compulsion in religion: truth stands out clear from error.]** (Al-Baqarah 2:256)

Almighty Allah does not accept that religion be taken lightly...

However, Almighty Allah does not accept that religion be taken lightly: a person joining it one day and forsaking it another day, in the like manner of the group of Jews about whom the Qur'an says, **[A section of the People of the Book say: believe in the morning what is revealed to the believers, but reject it at the end of the day; perchance they may (themselves) turn back.]** (Aal `Imran 3:72)

Besides, Islam does not call for the execution of apostates who do not proclaim their apostasy or call for it. Rather, it leaves the punishment for the hereafter if they die in the state of apostasy, as Almighty Allah says, **[And if any of you turn back from their faith and die in unbelief, their works will bear no fruit in this life and in the hereafter; they will be companions of the fire and will abide therein.]** (Al-Baqarah 2:217). However, this type of apostate may receive a discretionary punishment in this world.

The death penalty with regard to apostasy is to be applied only to those who proclaim their apostasy and call for others to do the same. Islam lays down this severe punishment in order to protect its unity and the identity of its community. Every community in this world has basic foundations that are to be kept inviolable, such as identity, loyalty, and allegiance. Accordingly, no community accepts that a member thereof changes its identity or turns his or her loyalty to its enemies. They consider betrayal of one's country a serious crime, and no one has ever called for giving people a right to change their loyalty from a country to another whenever they like.

Islam does not call for the execution of apostates who do not proclaim their apostasy or call for it.

Apostasy is not only an intellectual situation whose handling is confined to discussing the principle of freedom of belief; it also involves a change of loyalty and identity. People who apostatize from Islam give up their loyalty to the Muslim nation and pay allegiance, heart and soul, to its enemies. This is denoted in the agreed-upon hadith that clarifies the kinds of people whose blood is lawful to shed and describes among those people the apostate, by saying, **"Or someone who abandons his religion and the Muslim community"** (Ibn Mas'ud).

The phrase, "And the Muslim community," is part of the description of an apostate; this entails that every apostate from Islam by implication abandons the Muslim community.

Apostasy involves a change of loyalty and identity...

Although apostasy is a criminal act, apostates' rights are not to be violated, nor are they punished except for the things they do or proclaim, verbally or in writing (against Islam and the Muslims); as speaking or acting against Islam openly is a clear-cut disbelief and cannot be interpreted otherwise. Should there be any doubt in this regard, the person accused of apostasy would be given the benefit of the doubt.

Negligence in punishing apostates who proclaim and call for their apostasy jeopardizes the whole community and exposes it to afflictions whose consequences Almighty Allah only knows. This may lead to apostates' enticing other people, especially the gullible and those of weak faith, to join them. This, in turn, may lead to those apostates forming a group hostile to the Muslim nation and seeking the help of its enemies against it. In this way, the Muslim nation will fall into intellectual, social, and political disputes and disintegration, which may develop into bloody ones or even into a civil war that could destroy everything.

One scenario took place in Afghanistan when a group of people gave up their religion and adopted communist beliefs after they had studied in Russia. They were recruited by the Communist party. The Afghani people were heedless of this danger, which gave the chance for this group to hold power in Afghanistan; and by virtue of their authority, they set to wholly change the identity of the Muslim community there. But the Muslim Afghans did not give in; they resisted as much as they could and formed the valiant Afghani jihad against the communist apostates, who even dared to request Russian military help against their people and country. The Russian troops attacked Afghanistan with tanks and artillery and heavily bombarded it.

That was the scenario of the ten-year-long civil war that destroyed Afghanistan and caused the death and injury of millions of people there.

All that was a result of ignoring the issue of the apostates and remaining silent about their crime of apostasy from the beginning. Had those renegades been punished before the situation became serious,

the Afghani people would have been saved from the evils of this aggressive war and its destructive results.

Ideological Guidelines

I would like to lay down the following guidelines that are relevant to judging apostates:

1. Judging whether someone has apostatized from his or her religion is a very serious matter that entails being deprived of his or her family and community. When a married man apostatizes from Islam, he is separated from his wife and children, as it is not lawful for a Muslim woman to be married to a disbeliever;¹¹ and with regard to children, he is no longer trusted to take care of them. In addition, there is a material punishment to be inflicted upon him, according to the scholarly consensus. Hence, all kinds of certainty must be established when judging a person — who has been certainly known to be a Muslim — as an apostate. Mere doubt here is to be disregarded altogether. One of the most horrendous things which the Prophet's Sunnah seriously warned against is to label someone disbeliever without having any legal proof to say so.

2. Issuing fatwas about the apostasy of a certain person is within the competence of reputable scholars who are well-versed in Islamic jurisprudence and can differentiate between clear-cut evidences and those which are ambiguous, between the verses whose meanings are established and those whose meanings are allegorical, and between religious texts wherefrom possible deductions may be made and those which must be taken literally. They are not to label someone an apostate unless there is no alternative but to do so, such as (making sure that) he or she has denied a fundamentally established principle of religion or mocked at it, or insulted Almighty Allah and His Messenger publicly, verbally or in writing, and the like.

The gravity and seriousness of the issue of passing judgment in this regard dictates that it is not left at any rate to the discretion of unqualified scholars, who may give hasty and groundless judgments in this respect.

3. It is the Muslim ruler who should carry out the punishment of the apostate. The punishment should be decided according to the judgment of the Muslim judiciary. This judgment should be based only on Almighty Allah's Law, which derives its rulings from the evidences in Allah's Book and the Sunnah of His Messenger, as the Qur'an and Sunnah are the main sources to which people are to resort when they differ on something. Almighty Allah says in this respect, **[If ye have a dispute concerning any matter, refer it to Allah and the Messenger if ye are (in truth) believers in Allah and the Last Day]** (An-Nisaa' 4:59).

The qualification for being a competent judge in Islam requires that one possess knowledge of the rulings of Shari'ah by way of personal reasoning (*ijtihad*) from primary religious texts. And if a person lacks this qualification, he or she must seek the help of reputable scholars who are capable of *ijtihad*, so that they can uncover the truth and not issue groundless judgments or pass them out of whims, in which case he would be doomed to Hellfire (on the Day of Judgment).

4. The majority of scholars are of the opinion that apostates should be asked to repent and return to Islam before punishment is inflicted upon them. Moreover, Ibn Taymiyah, in his book, *As-Sarim Al-Maslul `ala Shatim Ar-Rasul*, wrote, "The Prophet's Companions (may Allah be pleased with them) were unanimous that the apostate be asked to repent and return to Islam before punishment is inflicted upon him."

Some jurists say that an apostate should be given a 3 day respite to repent; some say it is less than this, some say it is more, and some others say he is to be asked for this for as long as he lives. Some scholars, however, made exception of the hypocrite (*zandiq*), who pretends to be a Muslim never actually was. According to certain scholars, repentance cannot be accepted from hypocrites. This applies also to those who insult the Prophet (peace and blessings be upon him).

The purpose of the respite given to apostates here is to give them a chance to review their situation, as they may overcome their state of confusion and become convinced of Islam as the true religion; if they are really seekers of the truth. But if their apostasy is based on desires or an activity in the interest of the enemies of Islam, may Almighty Allah severely punish them.

Some contemporary intellectuals say that it is Almighty Allah, not man, who accepts (or refuses) repentance. But this has to do with the rulings of the hereafter. As with those of this world, the apparent repentance (of sinners), and declaring their Islam, is to be accepted by the concerned authorities. Almighty Allah orders us to judge people according to their apparent states, and their intentions are up to Him to decide upon. In this regard, an authentic hadith is reported to the effect that the blood and property of those who bear witness that there is no god but Allah will be inviolable and that their reckoning will be with Allah (concerning their intentions and what they harbor in their hearts).

Therefore, if individuals were to take it upon themselves to label people as apostates and judge them accordingly as deserving the death penalty, and, moreover, seek to implement the penalty themselves, it would pose a great danger to people's lives and properties. If this were to happen, it would entail that ordinary unqualified people would possess three authorities simultaneously: the authority of giving fatwas — by accusing certain people of being apostates — the authority of passing judgments, and the authority of carrying out those judgments. In other words, they would be acting as muftis, prosecutors, judges, and police all together.

Refuting Objection of Intellectuals

Some contemporary writers who are not versed in religious knowledge object to the penalty of proclaimed apostasy being death by saying that this penalty is not mentioned in the Qur'an. It is only mentioned in a hadith *ahad* (hadith that is narrated by people whose number does not reach that of the *mutawatir*, which is hadith that is narrated by such a large number of people that they cannot be expected to agree upon a lie, all of them together); and hadiths *ahad*, according to them, are not taken as evidences for the legal punishments prescribed by Shari'ah.

But this objection is refutable in many aspects as follows. First, according to the scholarly consensus, the

authentic Sunnah is a source for applied rulings in Shari`ah. Almighty Allah says, [**Say: Obey Allah and obey the Messenger.**] (An-Nur 24:54). He also says, [**Whoso obeyeth the Messenger obeyeth Allah.**] (An-Nisaa' 4:80)

As for the hadiths specifying the death penalty for apostates, they have been proven to be authentic. Besides, they were put into effect by the Companions in the era of the Rightly-Guided Caliphs.

In addition, claiming that hadiths *ahad* are not taken as evidences for the legally prescribed punishments is not tenable, as all the followed schools of jurisprudence have depended in prescribing the penalty for alcohol consumption on the hadiths *ahad* reporting the punishment thereof. However, the hadiths *ahad* which were reported about the penalty of apostasy are greater in number and more authentic than those reported about the punishment of alcohol consumption.

Had it been true that hadiths *ahad* were not to be applicable with regard to the legally prescribed penalties, this would have led to disregarding the Sunnah as the second primary source of Shari`ah right after the Qur'an, or at least disregarding 95 percent (if not 99 percent) thereof. This, in turn, would have also undermined the principle of abiding by Allah Almighty's Qur'an and the Sunnah of His Prophet. This is because, scholarly speaking, hadiths *ahad* constitute the majority of the hadiths tackling the rulings of Shari`ah; and *mutawatir* hadiths, which are analogous to *ahad* ones, are of such rarity that some eminent scholars of Hadith, as mentioned by Ibn As-Salah in his distinguished introduction of the Sciences of Hadith, said that they are hardly found.

Many of the writers denying hadiths *ahad* as a source of the rulings of Shari`ah do not know what exactly hadiths *ahad* refer to. They think that they are those reported only by one transmitter of Hadith, which is wrong, as hadiths *ahad* are those related by groups of individuals fewer than those said to have related *mutawatir* hadiths at one or more stages of the transmission of the hadiths, though traced through contiguous, successive narrators back to the Prophet (peace and blessings be upon him). An *ahad* hadith may have been reported by two, three, four, or more Companions and still a multiple number of successors reported it on their authority.

In this respect, the hadith referring to inflicting the death penalty upon apostates was reported by a large number of the Companions, some of whom were referred to above. Hence, it is a clear well-known hadith in this respect.

Second, another considerable source of Shari`ah in Islam is scholarly consensus (on the rulings thereof). With regard to apostasy, all Muslim jurists of all schools of jurisprudence, Sunni and Shiite, agree that apostates must be punished. And most jurists, furthermore, agree, with the exception of `Umar, An-Nakh'i, and Ath-Thawri, that their punishment is death. Nevertheless, there is scholarly consensus that apostasy is considered a punishable crime.

Third, some early Muslim scholars are of the opinion that the following verse refers to how to deal with apostates, [**The punishment of those who wage war against Allah and His Messenger, and strive with might and main for mischief through the land is: execution**] (Al-Ma'idah 5:33). Of those scholars are Abu Qulabah and others.¹²

We have referred to Ibn Taymiyah's opinion to the effect that waging war against Allah and His Messenger by speaking openly against them is more dangerous to Islam than physically attacking its followers and that moral mischief in the land is more hazardous than physical mischief.

This is further supported by the fact that among the hadiths that say that the blood of a Muslim is not lawful to shed unless he be one of three persons, there is a hadith reported on the authority of `A'ishah to the same effect, but instead of saying, "**Someone who abandons his religion and the Muslim community,**" she reported, "**Or someone who goes out waging war against Allah and His Messenger, in which case he is to be killed, crucified, or expelled from the land.**" This proves that the immediately above-mentioned verse includes reference to the apostates.

Note also that Almighty Allah says, [**O ye who believe! Whoso of you becometh a renegade from his religion, (know that in his stead) Allah will bring a people whom He loveth and who love Him, humble toward believers, stern toward disbelievers, striving in the way of Allah, and fearing not the blame of any blamer. Such is the grace of Allah which He giveth unto whom He will. Allah is All-Embracing, All-Knowing.**] (Al-Ma'idah 5:54)

This verse indicates that Almighty Allah has prepared a group of believers, whose characteristics are referred to in the verse, to deal with apostates, by being "**stern toward disbelievers,**" as was the case with Abu Bakr and the believing Companions with him when they protected Islam against apostasy.

There are also a number of verses about the hypocrites indicating that they protected themselves against being killed because of their disbelief by way of making false oaths to the contrary to flatter the believers. Among these verses are the following, [**They have made their oaths a screen (for their misdeeds)**] (Al-Mujadilah 58:16); [**They will swear unto you that ye may be pleased with them**] (At-Tawbah 9:96); and [**They swear by Allah that they said nothing (wrong), yet they did say the word of disbelief**] (At-Tawbah 9:74).

According to these verses, the hypocrites denied their disbelief and swore to it, which indicates also that had there been clear proofs of their disbelief, their false oaths would not have protected them from being punished.¹³

Apostasy of Rulers

The most dangerous kind of apostasy is that of rulers, whom are supposed to protect the Muslim nation's beliefs, resist apostasy, and uproot apostates altogether from the Muslim community. However, we find that many rulers welcome apostasy secretly and openly; proclaim dissoluteness flagrantly and in disguise; and protect apostates and confer titles and decorations upon them.

These kinds of rulers favor Allah's enemies and are against Allah's true worshippers. They take religious beliefs lightly, belittle Shari`ah, disrespect divine and prophetic ordinances and prohibitions, and disdain the sacred emblems and symbols of the Muslim nation, namely, the members of the Prophet's household, his pious Companions, the Rightly-Guided Caliphs, the eminent religious scholars, and the heroes of Islam.

Moreover, they consider adhering to the ordinances of Islam, such as the performing of prayers in mosques for men and the wearing of veils for women, a crime and a manifestation of extremism. Not only this, but they also seek to proclaim and apply the philosophy of "undermining the sources" (from which the true Muslims derive the right courses to follow) in the educational process, the media, and the culture, so as to hinder the construction of a true Muslim mentality. Furthermore, they pursue the true callers for Islam and obstruct every faithful call and movement that aims at reviving religion and upgrading this world on its basis.

However, it is strange that this kind of people, in spite of their flagrant apostasy, are interested in preserving the outward appearance of Islam, so that they cunningly use it in demolishing Islam; the Muslim nation thus treats them as Muslims, yet they seek to undermine its basic internal structure (of belief). They may even seek to have a connection with religion by encouraging false manifestations of religion and bringing close to them insincere religious scholars who flatter them and who are described by some as "the scholars of the (political) authority and agents of the police."

The situation is thus complicated, for if those people hold in their power the official bodies responsible for issuing fatwas and the judiciary, who may judge them as apostates or punish them for their open disbelief? The Prophet (peace and blessings be upon him) referred to the open disbelief of this kind of people in a hadith that states the following:

'Ubadah ibn As-Samit said, "We gave the Prophet the pledge of allegiance for Islam, and among the conditions on which he took the pledge from us, was that we were ... not to fight against the ruler unless we noticed him having open *kufr* (disbelief), for which we would have a proof with us from Allah." (Al-Bukhari and Muslim)¹⁴.

Here comes the role of the Muslim public opinion that is to be led by the reputable scholars and people who call people to Islam and unbiased intellectuals. Should it be hindered from exercising its role, its abhorring resistance will certainly lead someday to putting an end to those oppressive apostates; for it is not easy for the Muslim community to lose its identity or make concessions with regard to its beliefs and message.

French colonialism in Algeria and Russian colonialism in Muslim majority countries fiercely tried to uproot Muslim identity therein, although they had no effect. Colonialism and tyranny came to an end, while Islam and the Muslims remained. However, the war waged against Islam on the part of some secularist rulers of some Muslim countries, as well as some secularist Muslim immigrants, is proved to be fiercer and more dangerous than that which colonial powers waged against Islam and Muslims.

Hidden Apostasy

There is another kind of apostasy among people who do not declare their explicit disbelief and openly wage war against everything that is religious. Those apostates are far smarter than that. They wrap their apostasy in various coverings, sneaking in a very cunning manner into the mind, the same way that malignant tumors sneak into the body. These people are not noticed when they invade or begin to disseminate their falsehood, but they are mostly felt when they affect the minds. They do not use guns in their attacks; however, their attacks are fierce and cunning.

Reputable scholars and well-versed jurists are aware of this type of apostates, but they cannot take action in the face of such professional criminals, who have firmly established themselves and have not left a chance for law to be enforced on them. They are the hypocrites whose abode will be in the lowest level of Hellfire.

This is intellectual apostasy, whose traces are noticed everyday in circulated newspapers and books, in radio and TV programs, and in laws legislated to govern people's affairs. This kind of apostasy is — at least in my point of view — more dangerous than openly announced apostasy; for the former works continuously on a wide scale, at the same time, it cannot be easily resisted in the same manner as the latter, which always makes much fuss, attracts attention, and stirs up public opinion.

Hypocrisy is more dangerous than open disbelief. This fact will be clearly discerned when one reflects back to the great danger which the leader of Madinah's hypocrites, 'Abdullah ibn Ubayy, posed to Islam. The Madinah's hypocrites were more threatening to Islam than Abu Jahl and the pagans of Makkah. It is for this that the Qur'an specified only two verses for dispraising disbelievers at the beginning of Surat Al-Baqarah, while hypocrites were given a share of thirteen verses in the same surah.

Intellectual apostasy is continuously propagated night and day. We feel its relentless and ruthless effects on our society. It needs a wide-scale attack at the same level of power and thought. The positive religious obligation here is for Muslims to launch war against such a hidden enemy; to fight it with the same weapon it uses in waging attacks against the society. Here comes the role of reputable scholars who are well-versed in Islamic Jurisprudence.

It is true that the pioneers of this new form of apostasy are well supported on the media level, but the power of truth, the faith reposed in the hearts of believers, and Allah's support are more than enough to vanquish this falsehood and pierce the hearts of those who spread it with their own daggers. Here, we will feel joyful with this Divine victory and will really understand the following verse, [**Nay, We hurl the truth against falsehood, and it knocks out its brain, and behold, falsehood doth perish! Ah! Woe be to you for the (false) things ye ascribe (to Us)**] (Al-Anbiyaa' 21:18).

In conclusion, we have nothing to say but to recite the verse that reads, [**Thus doth Allah (by parables) show forth truth and vanity. For the scum disappears like forth cast out; while that which is for the good of mankind remains on the earth. Thus doth Allah set forth parables**] (Ar-Ra'd 13:17).

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[1] Title of a treatise by the eminent scholar Abu Al-Hasan An-Nadawi.

[2] *Majama' Az-Zawa'id*, vol. 6, p. 261.

[3] See the interpretation of "the fourteenth hadith" in *Jami' Al-'Ulum wa Al-Hikam*. Revised by Shu'aib Al-Ama'ut. (Dar As-Salam ed).

[4] See *Nail Al-Awtar*, vol. 8, p. 506, (Dar Al-Jil ed).

[5] Reported by 'Abdur-Raziq in his *Musannaf*, vol. 10, p. 168. saying no. 18707.

[6] *Ibid*, saying no. 18710.

[7] Ibn Taymiyah, *As-Sarim Al-Maslul*, p. 368 (As-Sa'adah ed, verified by Muhey Ad-Din 'Abdul-Hamid).

[8] 'Abdur-Raziq, *Al-Musanaf*, vol. 10, pp. 165-166, saying no. 18696; Al-Baihaqi, *As-Sunan*, vol. 8, p. 207; Sa'id ibn Mansur, p.3, saying no. 2573; Ibn Hazm, *Al-Muhalla*, vol. 11, p. 221 (Al-Imam ed). This attitude of 'Umar indicates that he did not see the death penalty as a regular punishment for apostasy to be applied in each case a person apostatizes from Islam; it might be cancelled or deferred if there was a necessity for this. The necessity in the accident quoted was the state of war and the close distance between those apostates and the disbelievers, which may expose the former to temptation and confusion by the latter. 'Umar might have based his judgment on holding analogy between this case and the one in which the Prophet (peace and blessings be upon him) was reported to have said, "**Hands (of thieves) are not to be cut off during wartime;**" this was for fear that the thief whose hand would be cut might get so distressed that he would join the enemy.

There might be another reason for 'Umar's judgment in that situation. He might have believed that when the Prophet (peace and blessings be upon him) said, "**Whoever changes his religion, then kill him**" as a leader of the Muslim nation. In other words, it was a decision of the executive authority and a matter of political legislation, not a revelation from Allah. Accordingly, putting the apostate to death is not a binding ruling to be followed in every case. Rather, it is a decision for those in authority in the government to take; if it orders that the apostate be executed, it must be put into effect, and vice versa. This is similar to what the Hanafis and Malikis derived from the hadith that reads, "**He (the soldier) who kills an enemy will take the possessions of this enemy;**" and to what the Hanafis concluded. from the hadith that says, "**He who reclaims a barren land will have it.**" See my book, *The General Characteristics of Islam*, p. 217.

[9] 'Abdur-Raziq, *Al-Musanaf*, vol. 10, saying no. 18697.

[10] Ibn Taymiyah, *As-Sarim Al-Maslul*, p. 321.

[11] Ibn Taymiyah, *As-Sarim Al-Maslul*, p. 385.

[12] The Egyptian judiciary had praiseworthy precedents in separating between spouses on the basis of the apostasy of one of them (having embraced the Bahai faith). There is a verdict issued in this respect by Judge 'Ali 'Ali Mansur; the verdict is published in a special treatise and supported by a verdict issued by the State's Tribunal on 11/7/1952. The verdict reads, "The rulings pertaining to apostasy [in Shari'ah] must be wholly applied even though the current penal law does not stipulate the capital punishment unto the apostates. Let the apostate (who converted to the Bahai faith) bear the responsibility (for his deeds) at least by annulling his marriage, so long as there are judiciary bodies in the state that have judicial authority by virtue of the court's direct or collateral capacity."

[13] Al-Hanbali, Ibn Rajab, *Jami' Al-'Ulum wa Al-Hikam*, p.320.

[14] Ibn Taymiyah, *As-Sarim Al-Maslul*, pp. 346-347.

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