

## CHAPTER 6

# Freedom of Religion and Belief in Islam

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Freedom of religion and belief means an individual's right to freely choose any and all ideologies and religions he likes. It also means the freedom and the right to think, to have beliefs and values, to express one's religion and opinions, to partake in religious rites and practices, and to freely teach religious values to one's children and to coreligionists. Similarly, freedom of

religion entails the right to invite others to one's religion, to preach and propagate one's religion to other members of society, to build places of worship, to leave and renounce one's religion, and to be able to freely critique one's religion and religious teachings. Freedom of religion means doing all these freely so long as others' rights and liberties are not infringed upon, and public order and morality are not disturbed. Freedom of religion and belief will become possible when, regardless of the beliefs that an individual may have, he is not persecuted for them and his civic and individual rights are not taken away because of them.

Common interpretations of Islam divide people into the three groups: Muslims, the People of the Book, and *kuffar* (heathens). Each of these three groups faces obstacles in some of the liberties laid out above, resulting in the negation of some basic religious and doctrinal freedoms in Islam. These commonplace restrictions on religious liberty are frequently based on interpretations derived from Qur'anic verses and the traditions that are attributed to the Prophet Muhammad. As will be shown, these interpretations often fall significantly short of capturing the essence of the Holy Book or a particular Prophetic tradition and, in fact, often contradict them.

In my opinion, freedom of religion and belief is inherently and rationally good and is accepted by those with superior wisdom and knowledge. Also, the Holy Qur'an, in seven clusters of its verses, while introducing the correct and just religion, endorses the plurality of religions and beliefs. It recognizes people's rights to freely choose their own religions while forcefully renouncing the compulsion to impose a specific religion on others. Islam has not determined any type of earthly punishment for false religious and doctrinal beliefs, although it has warned those who turn their back on the Just Religion of divine punishment at the end of time.

The persecution of a heathen is unjustified in Islam. Through renewed *ijtihad* (independent reasoning), and based on the correct principles of the Qur'an and the *hadith*, freedom of religion and belief can be achieved through Islam.

One of the basic assumptions in the dialogue of the civilizations is accepting the plurality of beliefs and religions. Civilizations are based on different cultures, and different cultures have their foundations in various schools of thought and religions. Dialogue between civilizations and cultures is not possible without freedom of religion and thought.

Today there is a culture dominant in Iran that proposes the idea of dialogue between civilizations. This culture is, of course, based on Islam. However, popular interpretations of Islam, both official and traditional, do not seem to reflect such a desire for dialogue. Indeed, it appears as if the call

for dialogue stems from a somewhat uncommon interpretation of Islam. The purpose of this paper is to highlight and outline that interpretation of Islam which supports and guarantees the freedom of religion and thought.

Doing so requires answering the following questions: What does freedom of thought and religion mean? What is the treatment accorded to freedom of religion in the Universal Declaration of Human Rights? How do popular Islamic interpretations treat the issue of freedom of belief and religion, and on what religious documents are such interpretations based? Are freedoms of belief and religion beneficial or are they destructive? What are some of the main characteristics of that interpretation of Islam that recognizes freedom of religion, and on what religious grounds is it based?

The thesis of this chapter is that freedom of belief and religion are desirable. To reach such freedoms through Islam requires studying some of the fundamental rules of the religion and a renewed *ijtihad* in certain aspects of Islamic *fiqh*.

The first section of this chapter examines some of Islam's fundamental concepts. In the second section, notions of freedom of religion and belief as understood in popular interpretations of Islam are analyzed, along with those references that support such notions. The paper then looks at why freedom of thought and religion are beneficial for society at large and ought to be sought after. The paper concludes with a critique of popular interpretations of Islam and asserts that a correct understanding of Islamic sources and its foundational principles would make the religion inherently supportive of the freedom of thought and belief.

### Explaining concepts

Some of the concepts that are used in this discussion include notions such as freedom, belief, religion, freedom of thought, freedom of religion, Islam, popular interpretation (of religion), and the documents of the Universal Declaration of Human Rights.

**Freedom:** The right of choice in beliefs and in actions in all areas so long as these beliefs and actions do not deprive others of their rights or do not disturb public peace and order.

**Belief:** The collection of viewpoints, opinions, values, and impressions that each individual has concerning existence, society, history, humanity, religion, culture, etc. Every belief is considered correct, honest, useful, and superior by the person who believes in it, while, at the same time, it may be considered void, deceptive, and destructive by others.

**Religion or creed:** A kind of idea, a collection of viewpoints about humanity, the physical world and beyond; ethical guidelines and practical rules for the believer to obey and follow in order to achieve eternal bliss through faith and the deeds that have been brought to humanity by the Prophet.

**Freedom of belief:** The right to choose and adhere to any idea; the right to think, believe, express, teach, promote, and act on one's beliefs so long as the rights of others are not obstructed and public peace and order is not disrupted; freedom of belief is realized when the beliefs of a person do not lead to the deprivation of his individual and social rights no matter what they may be.

**Freedom of religion:** The right to choose any religion; the right to practice one's faith and to worship freely, to express religious beliefs and to engage in its rituals freely; freedom of religion entails the right to invite others to one's religion, to preach and propagate one's religion to other members of society, to build temples, to leave and renounce one's religion, and to critique one's religion and religious teachings; religious freedom is realized when one's religious beliefs do not result in one's persecution and one's individual and civil rights are not taken away because of them.

**Islam:** Belief in Allah, resurrection, and the prophecy of Muhammad ibn Abdullah, the last Prophet of God. The Holy Qur'an—the collection of holy Revelations to His Prophet—and the Prophet's *sunna*, are the two main sources of Islam. Sunnism and Shi'ism are the main branches of Islam. Shi'ism means that after the Qur'an and the Prophetic tradition, exegesis (*tafsir*) by the Household of the Prophet (*Ahl-e Beyt*) of the Holy Book and the *sunna* are taken as the third source of main religious doctrine. Sunnism does not formally endorse the purity of anyone other than the person of the Prophet, although it does hold some members of the Prophet's household in high esteem.

**The popular interpretation of religion:** The dominant understanding of the Qur'an and the *sunna* that is often found in the judgments and enunciations of religious scholars and the ulama, and has generally become accepted and practiced throughout the Muslim world, thereby shaping Muslim history and deed. This popular interpretation of Islam is often dominant in countries ruled over by Islamic governments. Over the last century, a number of reformist thinkers have questioned the legitimacy of this particular interpretation of Islam through reliance on the Qur'an and the *sunna* (and for the

Shi'as the examples set by those in the Prophet's immediate household).

**The Universal Declaration of Human Rights:** The international declarations, pacts, and protocols that have been legislated, with different dimensions, by a majority of sovereign states in the latter half of the twentieth century and are taken as universal standards to observe; signatory states may accept these documents either wholly or conditionally.

The most important documents concerning the freedom of thought and religion are the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Islamic Declaration of Human Rights, issued in Cairo in 1991.

### Freedom of religion and belief in popular interpretations of Islam

From the perspective of religious beliefs, people can be divided into three groups: Muslims; Jews, Christians, and Zoroastrians, known collectively as the "People of the Book;" and others. The popular interpretation of Islam has rendered different judgments for each of these groups. We will first refer to the most original sources concerning these judgments, and then we will consider the references through which they are substantiated.

#### Muslims

Muslims are free to openly practice their religion, express their religious beliefs, practice their rituals alone or in groups, teach religion to their children and to all other believers, engage in the rituals of Hajj, propagate and promote their religious beliefs to others, and to build mosques. They have the right to critique other religions, reveal the shortcomings of other value systems, and to demonstrate the supremacy of Islam. Nobody has the right to force a Muslim to renounce his religion under duress or to prevent him from partaking in religious rituals.

On these points there is consensus and unanimity. But in a number of other areas, popular interpretations of Islam restrict one's freedom in many ways. They include:

1. The Muslim is not free to change his religion by becoming a Christian or a Buddhist, for example, or to become an atheist. A Muslim who for any reason leaves his religion, or, in other words, becomes an apostate, is to be severely punished. The child of a Muslim who has chosen to become a Muslim after maturity and then becomes an apostate will receive the following punishment: his repentance and embrace of Islam are not accepted;

he will be executed; his wife will be separated from him without divorce and will get the period of abstention in the case of the husband's death (three consecutive menstrual cycles); his property will be divided among his heirs.

A person born to non-Muslims who then embraces Islam before renouncing it has three days to repent. If the repentance takes place before the end of the third day after the renunciation, it is accepted. Otherwise, the person is considered an apostate and is subject to capital punishment. Additionally, as soon as he becomes an apostate, his spouse will be separated from him without divorce. If a Muslim woman becomes an apostate, her spouse will be separated from her without divorce and the period of abstention in the case of divorce (three consecutive menstrual cycles) will be necessary. If she repents, her repentance will be accepted and she will be spared. Otherwise, she will be imprisoned for life, with hard labor, until she either repents or dies. Therefore, a male Muslim who becomes an apostate and does not return to Islam will be executed, and a female Muslim doing so will be sentenced to life imprisonment with forced labor.

2. A Muslim is not free to deny the righteousness of, or to have opinions other than, the body of religious knowledge that has evolved through custom and tradition. An apostate is any Muslim whose beliefs and opinions cast doubt on the prophecy of God's Messenger or the *Sharia*, and he will be punished accordingly. During the course of Islamic history, a number of Muslim scholars have been accused of apostasy for these very reasons, Avicenna being a notable example.

3. A young person born to at least one Muslim parent must remain a Muslim after reaching puberty. If, for whatever reason, he chooses not to become a Muslim, he will be considered an apostate and will be sentenced accordingly. First he will be asked to repent, and if he does not accept, depending on his gender, he will be sentenced to death or to life imprisonment with hard labor, the sentence to be terminated by either death or repentance.

4. A Muslim may not knowingly and intentionally violate the tenets of Islam. If he does so, his punishment will be determined by a *Sharia* judge (an example of such a punishment would be flogging).

### *The People of the Book*

The People of the Book include Christians and Jews. Zoroastrians and Sabians are also among the People of the Book. All others are infidels and may in no way be considered as belonging to the People of the Book. It is incumbent upon Muslims to wage war on the People of the Book in order to confront them with one of two choices: to either accept Islam, or, if choosing to remain loyal to another religion, to pay the *jizyah* (tax levied on non-Muslims) and to accept their separate treatment under Islam.

If they accept these terms, their lives, their property, and their women will be safe. The leader of the Muslim community will determine the amount of the *jizyah* and the conditions under which the protected subjects will live. If it is determined that they may eventually become Muslims, they are free to openly practice their own religion and express their beliefs. They may even be granted the permission to keep their places of worship and to freely partake in their religious ceremonies both individually and in groups. They are also free to critique their own religion, to leave it for another protected religion, or to become Muslim.

The People of the Book living under the protection of the Muslim ruler do not have the right to engage in certain types of religious activities. Most notably:

1. They may not raise their offspring such that they would adopt the religion of their fathers and be forbidden from attending Islamic gatherings and propaganda centers. Instead, the youth must be left alone to choose their own religion, and Islam is no doubt the natural choice.
2. They are not free to build churches, synagogues, monasteries, or fire temples.
3. They are not free to propagate and promote their religion and to weaken the beliefs of Muslims.
4. They cannot criticize the Islamic teachings.
5. They cannot openly practice what is permissible in their own religion but is prohibited in Islam.
6. They are not free to convert from their original religion to any religion other than Islam, Christianity, Judaism, or Zoroastrianism. Doing so is punishable by death.
7. They do not have permission to remain in the Islamic community if they do not abide by their obligations. There are varying opinions on whether they can seek refuge elsewhere or whether the leader of the Muslim community has the right to put them to death.

### Infidels

All non-Muslims who have not accepted the conditions under which they are mandated to live in the Islamic community, whether or not they are People of the Book, are considered to be infidels and must face *Jihad*. The struggle against them shall continue until and unless they accept Islam or are all killed. All their wives and children will be taken as slaves and their land and property will be confiscated. Although most well-known Shi'a scholars do not see *Jihad* as permissible during the occultation (of the Hidden Imam), today the permissibility of *Jihad* before the Imam's arrival is widely accepted.

To sum up, then, the non-Muslim who refuses to accept Islam or to abide by its preconditions for the Book of People has forfeited the right to live, not to mention other civil rights, including the right of religion and belief.

A look at popular Islamic interpretations concerning the three groups—namely the Muslims, the People of the Book, and the infidels—reveals that these interpretations are inimical to freedom of religion and creed. Consequently, the more political power that the proponents of such interpretations get, the more scarce religious freedoms become. The evidence presented here is incontrovertible: most available interpretations of Islam do not welcome the freedom of religion and belief. There are innumerable *sunnas*, many of them authentic and verifiable, that support these interpretations of Islam and the judgments derived from them. Some of these *sunnas* and *hadiths* include the following:

Kill anyone who changes his religion (The Prophet Muhammad).

It is permissible to spill the blood of any Muslim who leaves Islam and denies Muhammad's prophetic mission and accuses him of falsehood. That apostate must also have his wife separated from him as he would be considered dead, his property divided among his heirs, and his repentance would not be accepted (Imam Ja'far Sadiq).

A Muslim who converts to Christianity must be killed and his repentance will not be accepted. But if a Christian converts to Islam and then become an apostate, his repentance would be acceptable (Imam Musa ibn Ja'far).

A Muslim woman who becomes an apostate shall not be killed but given life imprisonment with hard labor and must be deprived of all food and water except what is necessary to be kept alive. She must be given rough clothes to wear, and must be beaten in times of prayer (Imam Ja'far Sadiq).

Additionally, there are a number of Qur'anic verses that support the above traditions and the judgments based on them:

Fight those who believe not in God and the Last Day and do not forbid what God and His Messenger have forbidden—such men as practice not the religion of truth, being of those who have been given the Book—until they pay the tribute out of hand and have been humbled (9:29).

That is the right religion. So wrong not each other during them. And fight the unbelievers totally even as they fight you totally; and know what God is with the godfearing (9:36).

Then, when the sacred months are drawn away, slay the idolaters wherever you find them, and take them at every place of ambush. But if they repent, and perform the prayer, and pay the alms, then let them go their way (9:5).

Say to the unbelievers, if they give over He will forgive them what is past; but if they return, the wont of the ancients is already gone! (8:39).

Whether based on the Holy Book or the *sunna*, the evidence in support of Islam's denial of the freedom of religion and belief is substantial. These references will be analyzed critically below.

### The desirability of freedom of religion and belief

This section will analyze the freedom of belief and religion from a rational perspective, without reference to narrative sources. First, the section will recreate the rationality of those who deny the validity of freedom of belief and religion. Then this rationality will be critiqued in order to demonstrate the superior rationality behind and the desirability of freedom of religion and belief.

Despite the seeming preponderance of evidence against freedom of religion and belief in Islam, the issue is not closed to discussion and can, in fact, be rationally discussed and critiqued. Undoubtedly, those who have expressed opinions in this regard have done so after rationally weighing its pluses and minuses. Religious scholars, commentators, and decision makers are no exception. Clearly, those issuing *fatwas* in favor of restricting freedoms are more concerned about the disruptive and corrupting consequences that such freedoms might have, while those ruling in favor of them emphasize their advantages and benefits. Since the issue of freedom of religion and creed is a rational one, let us first examine it from a rational perspective.

Besides being a rational issue and not one of faith, the freedom to choose one's beliefs and creed predates religion. It is through this freedom that religion is chosen and belief is established. How could a religion, one that asks of its followers to explore for themselves and to choose their beliefs based on

critical reason and thought, deny the necessity of freedom of religion and belief?

The results of a research project cannot be determined before the research itself takes place. It does not make sense to say that people are free to explore all religions and belief systems but must necessarily embrace Islam. If they are free then their choices cannot be predetermined, and if they have no options in their choices then they are not free. The key is the freedom of choice that is open to all thinking individuals. One cannot be expected to consciously choose a religion that will then take away one's free choice.

Unfortunately, religious scholars have not paid sufficient attention to the issue of freedom of religion and belief, therefore failing to construct an analytical framework for its understanding and exploration. This neglect has resulted in some key issues in Islam—such as the punishment of an apostate or the proper treatment of the People of the Book—not receiving the detailed attention that they deserve.

Let us critique some of the presuppositions on which denials of freedom of belief and religion are based. In addition to being influenced by prevailing popular sentiments, religious presuppositions against the freedom to choose one's religion are based on a number of assumptions. To begin with, it is often assumed that denying free choice in religion prevents unwanted views and values from polluting the popular mind, and guards people against the potential of becoming corrupted by deviant ideas and influences.

A second assumption revolves around the supposedly positive effects of heavy punishment in ensuring a morally upright society. Human nature is thought to require force and coercion to prevent its perversion. Excessive freedom is assumed to enable Satan to dominate one's life. With death as the prescribed punishment for apostasy, no one will dare leave Islam. If the People of the Book feel the humiliation of the *jizyah*, then they will surely convert to Islam, and if infidels have to choose between Islam and death, they will no doubt choose the former. Generally speaking, Islam is viewed as the only Just Religion that can dominate the world.

A third assumption deals with the forbidding of propaganda. The supposed inherent weakness of human nature makes it highly susceptible to propaganda. People are assumed to be gullible, easily to allow Satan into their lives, and just as easily lose their ways and values. The only plausible way to ensure that people do not lose their religion is to prohibit the propagation of other religions and beliefs. Otherwise, there is no guarantee that one's own religion will survive.

Fourth, the imposition of capital punishment for apostasy is seen as a common practice in many religions. Religions often clashed violently in

the previous millennium. Therefore, stern dictates concerning remaining in one's religion were commonplace in the past and should not be shied away from or treated as an embarrassment.

The fifth assumption concerns the superficial propagation of Islam. It is obvious that the imperative to avoid a death sentence or the *jizyah* can prompt at best a superficial embracing of Islam. However, this will in no way lead to an in-depth, genuine acceptance of the faith. Indeed, it is worth asking if religious scholars do not have an obligation to ensure society's inner, true acceptance of religion rather than its superficial observance.

Despite the prevalence of each of these assumptions, their accuracy and depth is questionable. A summary critique of each is as follows:

First, astonishing innovations in means of communication have made closed societies impossible in today's world, and, whether we like it or not, there are numerous ways for different religious views to be expressed and propagated by their adherents.

Second, although fear and harsh punishments may compel people to engage in superficial observance of religion, they do little in bringing about true faith, and are in fact likely to have the opposite effect. We need to change our entire approach to the human race and to have trust in it. We must allow it to make free choices. The key is to make man realize that he can indeed make his own free choices.

Third, in today's world, hostile and violent encounters with other religious beliefs are uncalled for and cause repulsion and distaste rather than serving as a source of appeal and attraction.

Finally, how can one indeed endorse a set of religious dictates that repel others from that religion instead of causing them to endorse and internalize it?

### The rational basis of religious and intellectual freedom

Given the above introduction to and critique of some of those religious justifications that seek to limit freedom of religion and opinion, we can now explore the dictates of reason concerning such liberties.

1. Religions and opinions are voluntary matters which people choose to endorse or abandon based on their own free will. Choosing a specific religion or set of beliefs requires the crystallization of certain conditions, and the disappearance of those conditions leads to the abandonment of that religion. So long as the conditions for the voluntary acceptance of religion are present, force and compulsion are not needed to draw people to it. And, inversely, if force and threats are used to keep people in a religion, then that religion is at best superficially observed rather than deeply internalized.

2. Obviously, not all religions and belief systems have the same degree of validity and, clearly, some are completely null and void. The most prudent way to reform and correct people's beliefs is through reason not compulsion. If they choose not to alter those beliefs that we consider void, there is not much more we can do. Force and compulsion lead to dissemination of false beliefs not their eradication. People will not accept a religion so long as they do not see it as a way of attaining inner peace and spiritual fulfillment. Historically, these have been the sustaining foundations of religions rather than the brute force with which some of their believers have sought to preserve and spread them. People change their beliefs and especially their religions very seldom. If they do change their religious beliefs, it is out of conviction rather than compulsion.

3. Going through life means being confronted with endless choices and tests. People are free to choose from among the endless array of religions and beliefs to which they are exposed, whether just or unjust, valid or invalid. In our opinion, they are answerable for their choices at the end of time. If God wanted to, he would have actually forced people to choose justice, or He would have brought about conditions in which people had no choice but to choose the just path. He would have created man from the same mold as angels and freed their world of struggles between the just and the unjust. If that were the case, however, the eternal rewards of those choosing justice and the punishment of those choosing injustice would have been meaningless.

4. History shows that a plurality of ideas and beliefs among people is inevitable. Amid the plethora of choices confronting people, limiting the choice of religion and belief leads to discord, deceit, and hypocrisy. Those who would be persecuted or killed for spreading false beliefs have no choice but to feign obedience to whatever religion happens to be dominant at the time. Hypocrisy undermines and destroys faith. Robbing people of their right to choose their religious beliefs only results in the spread of discord and hypocrisy.

5. Many religions and beliefs consider themselves to be the most exalted, most perfect, and the most definitive, and their believers no doubt accept them as such. The Almighty will decide whether or not they indeed are as exalted as they claim to be. Nevertheless, after centuries of such claims by competing religions, none has yet managed to convince everyone of its exclusive monopoly over the truth. If the followers of every religion claimed

such exclusivity, religious societies would become stalled and closed, and, instead, non-religious and secular societies would be highly dynamic and vibrant. The real danger would then be the attraction of the masses to the vibrancy and dynamicism of secular societies and, consequently, the inevitable undermining of religious values.

6. Restricting religious freedom requires an official reading of religion and the suppression of any type of innovative thinking and *ijtihad* (independent reasoning). Under such conditions, society is robbed of any fruitful contributions by its intellectuals.

7. Prohibiting religious freedom and the right to change religions, even denying coreligionists the right to change their religion, is ultimately counterproductive. In such a case, very few individuals from outside one's religion are likely to become believers.

8. The disadvantages of prohibiting religious freedom are so weighty that they discourage any rational individual from embracing it. If those religious scholars who issue *fatwas* in opposition to religious freedom were more rational and less narrow-minded, they would change their minds as well. It is especially important to properly educate children and youth, a task whose burden falls primarily on the parents. Additionally, in a free society, all the activities and efforts of religious propagandists are subject to the rule of law, and no person of faith may trample on the legal rights of others or disrupt public order, morality, and security under the pretext of religious activity.

9. Those religions and beliefs that rest on solid foundations do not fear competing in the marketplace of ideas with other religions. It is only weak value systems and religions that fear such a competition and, therefore, seek to avoid it by prohibiting the freedom to change one's religion.

10. It does not make sense to maintain that there is a fundamental difference between freedom of thought and freedom of belief and that the former is acceptable but the latter is not. Thought does not require permission from any source, and it cannot be granted as a favor or a privilege by anyone. The point of contention is over the freedom of belief and the right to act on those beliefs. Differentiating between thought and belief is not the solution to the issue. Those who engage in this type of hairsplitting are the same ones who advocate limiting freedom of religion and belief.



Based on the discussion above, we can conclude that from a rational perspective, freedom of religion and belief is reasonable and logical, and therefore beneficial and positive.

### An alternative interpretation

This section addresses two issues. First, it presents Islam's perspective on the notion of freedom of religion and belief. Second, it critiques Muslim perspectives that negate such a freedom. Before exploring these two subjects, however, it is important to address the question of whether or not freedom of religion is a given fact: do we need a reason to justify freedom of religion, or is it accepted *a priori*? Obviously, by freedom of religion and belief we mean worldly freedom. For the true followers of the Just Religion—Islam—does belief in other religions and creeds mean apostasy and is it punishable or not? Establishing an *a priori* base ('*asl*'), therefore, is important.

It appears that this *a priori* base rests on the premise that apostates and those People of the Book who refuse to pay the *jizyah* are free of guilt. Those who transgress against Islam are not guilty simply because they are transgressors. Their specific sins must be proven. Besides, worldly punishment cannot be meted out against all sins, and some sins are punished in the other world. Therefore, if a valid justification for a person's guilt and for his worldly punishment cannot be found, he must be found not guilty.

### *Scriptural proof of freedom of religion and belief in Islam*

There are a number of Qur'anic verses that support the notion of freedom of religion and belief. These verses can be divided into seven categories. The first category of verses prohibit compelling people to change their religion to Islam or to remain within it. Of these verses, some are of particular importance, especially the following:

No compulsion is there in religion. Rectitude has become clear from error. So whosoever disbelieves in idols and believes in God, has laid hold of the most firm handle, unbreaking; God is All-hearing, All-knowing (2:256).

This verse contains prohibitions and negations—negating the assumption that the Almighty has based faith on force and compulsion, and prohibiting the imposition of faith on others. After all, neither forced faith nor forced sin has any validity. The rejection of force and compulsion in this verse amounts to an endorsement of freedom to choose religions.

This requires freedom in two endeavors: the freedom to enter into a religion, and also the freedom to leave it. The choice between a particular religion or death is tantamount to denying people their freedom. If people are free to enter into a religion but are then prohibited from leaving it, their

continued endorsement of that religion is possible only through the threat of punishment and fear. The Holy Qur'an has mandated that belief in God is a right. The Qur'an is also very clear in distinguishing between what is just and unjust without seeking to compel people to choose one or the other. As Ayatollah Ha'eri Yazdi had argued previously,

an analysis of the exalted verses of the Qur'an demonstrates that the Holy Book has not prohibited religious compulsion in Islam alone and that any kind of force and compulsion in other belief systems and faiths is also null and void. The freedom of choice in faith is inherently congruent with human nature; it can be neither granted nor taken away.<sup>1</sup>

According to tradition, the verse quoted above was revealed in response to the forced conversion to Islam of a servant by one of the members of the Ansar, which the Qur'an henceforth prohibited. According to others, the verse was revealed in response to a query made by one of the Prophet's apostles named Abulhussien, a member of the Ansar whose merchant sons had converted to Christianity. In response, the verse states "there is no compulsion in religion."

There can be no doubt, therefore, that the administration of capital punishment for an apostate, or forcing infidels to choose between Islam or death, has no sanction in Islam and, in fact, contradicts the above verse.

And if thy Lord had willed, whoever is in the earth would have believed, all of them, all together. Wouldst thou then constrain the people, until they are believers (10:99)?

While belief in God and Judgment Day is just and correct, the Almighty has not sought to control people's religions and has, instead, given them free will. If free will did not exist, sin and atonement would be meaningless. Religion and faith are meaningful only when people can freely choose them. When the Prophet disparaged some of the people's refusal to accept Islam, and when he became insistent that others must accept his religion, the Almighty reminded him that if God does not endorse the imposition of faith on people, then His messenger cannot do so either. In the same vein, if people cannot be coerced into becoming Muslims, then they cannot be forced to stay in the religion either. Despite the fact that Islam is the right and just religion, God has not given anyone the right to force this just religion on others. How can people be confronted with a choice between Islam and execution? Of course, the right thing to do would be to stay faithful and not to exchange faith for sin. But how can we use such threats as death and other forms of capital punishment to ensure that people remain Muslims?



According to the Qur'an, when Noah addressed his flock,

He said, "O my people, what think you? If I stand upon a clear sign from my Lord, and He has given me mercy from Him, and it has been obscured for you, shall we compel you to it while you are averse to it?" (11:28)

When Noah declared his prophecy, he was confronted with resistance and denunciation. In response, he invited those who refuted him to contemplate the possibility that he might indeed be a messenger of God, a possibility that they had not considered before. A prophet does not have the right to force people to accept him. And, accordingly, that prophet's disciples do not have such a right either and may not coerce people into accepting their religion.

The conclusion to be drawn from the verses quoted here is clear: we cannot and may not force anyone to accept a particular faith, or resort to repression or the threat of punishment to ensure that someone does not abandon his religion. Freedom of religion means prohibiting the use of force and compulsion in religious matters.

A second category of verses in the Qur'an stipulates the necessity of freedom in finding or losing one's way in the world.

Say: "The truth is from your Lord; so let whosoever will believe, and let whosoever will disbelieve." Surely We have prepared for the evildoers a fire, whose pavilion encompasses them (18:29).

Even though there is no doubt in the righteousness of Islam, the Qur'an clearly states that everyone is free to remain in Islam and that anyone who wishes to depart from it is free to do so. The sinner's only punishment is in the afterlife. The Qur'an does not mandate worldly punishment for the infidel. In the above verse, the Almighty reminds individuals that they are free to choose their religion and warns them of the punishment they will receive on Judgment Day if they make the wrong choice. He also reminds believers that they may not contradict divine logic and employ violence and threats against those embracing other religions.

Say: "O men, the truth has come to you from your Lord. Whosoever is guided is guided only to his own gain, and whosoever goes astray, it is only to his own loss. I am not a guardian over you." (10:108)

Obviously, the Qur'an differentiates between Islam and the wrong path, and between believers and infidels. What is important and is worthy of reward, however, is for man to choose the right path by himself. If there were only one path that everyone had to follow—the right path—then there would be no need for independent judgment, and for God's rewarding of

good and His punishment of evil. The principle of resurrection on the Day of Judgment would be meaningless without free will.

Surely We have sent down upon thee the Book for mankind with the truth. Whosoever is guided, is only guided to his own gain, and whosoever goes astray, it is only to his own loss; thou art not a guardian over them (39:41).

The Qur'an has shown people the just path. People are free to choose it or to ignore it; either way, they will get their reward or their punishment on Judgment Day. We have no right to force on people what God found unacceptable for His Prophet. The Almighty and His messenger allowed people the freedom to choose their religions, while, at the same time, telling them what the right path is. Those who have accepted the right path will reap the rewards on Judgment Day.

I have only been commanded to serve the Lord of this territory which He has made sacred; to Him belongs everything. And I have been commanded to be of those that surrender, and to recite the Koran. So whosoever is guided, is only guided to his own gain; and whosoever goes astray, say: "I am naught but a warner." And say: "Praise belongs to God" (27:91-3).

The Prophet warned people against false beliefs and religions, gave them the Qur'an, and showed them the right religion and belief. Fortunate are those who followed him. As for those who did not, they have only hurt themselves and will be answerable for their mistake on Judgment Day. The Almighty is a careful observer and pays close attention to every choice that is made.

To sum up, this group of verses emphasize worldly freedom and the importance of free will in choosing one's religious beliefs.

In a third group of verses, the Prophet simply *advocates* Islam as the Just Religion rather than seeking to impose it on people. The Holy Qur'an is very precise on the exalted position of the Prophet in relation to religion and the people. The Prophet's responsibility is to spread the message of justice, to guide, and to enlighten. He may not force people to choose the Just Religion.

Then remind them! Thou art only a reminder; thou art not charged to oversee them. But he who turns his back, and disbelieves, God shall chastise him with the greatest chastisement (88:21-2).

The Prophet does not rule over people and is not allowed to compel them to choose his religion. The message of the following verses is important to keep in mind:

We know very well what they say; thou art a tyrant over them. Therefore remind by the Koran him who fears My threat (50:45).

And they serve, apart from God, what neither profits them nor hurts them; and the unbeliever is ever a partisan against his Lord. We have sent thee not, except good tidings to bear, and warning (25:56-8).

Whether We show thee a part of that We promise them, or We call thee to Us, it is thine only to deliver the Message, and Ours the reckoning (13:40).

It is only for the Messenger to deliver the Message; and God knows what you reveal and what you hide (5:99).

If the Prophet, who is the personal embodiment of righteousness and the primary guardian of Islam, has no right in relation to the religion of others and is merely a guide, how could others give themselves the right to infringe on people's freedom of religion under the banner of Islam? It is up to the Almighty to weigh the validity and righteousness of people's beliefs and religions, and it is His messenger's duty to enlighten and to show people the path to salvation. Standing in judgment on the beliefs of others is to ascribe to one's self God-like qualities, something that the Almighty prohibited to man and to his Prophet.

A fourth group of verses prohibit the imposition of punishment on those who change their religion. There has been a long tradition in Islam of using force to prevent people from abandoning their religion and of imposing heavy punishments for apostasy. On three separate occasions, however, the Holy Qur'an condemns the punishment of an apostate.

Said the Council of those of his people who disbelieved, "Now, if you follow Shuaib, assuredly in that case you will be losers" (7:88).

Tribal notables told Shuaib that he and his followers had to either renounce their religion or leave the group. Shuaib responded that religious belief could not be abandoned through the threat of coercion or exile and that neither he nor his followers were willing to do so. This logic is consistent with that of the Qur'an.

By the same token, people cannot be forced to convert from an unjust to a just religion in the same manner that they cannot be forced to convert from a religion that is considered just. The Holy Qur'an is quite emphatic on this point.

Now you shall know! I shall assuredly cut off alternately your hands and feet, then I shall crucify you all together. They said, "Surely unto our Lord we are turning.

Thou takest vengeance upon us only because we have believed in the signs of

our Lord when they came to us. Our Lord, pour out upon us patience, and gather us unto Thee surrendering."

Then said the Council of the people of Pharaoh, "Wilt thou leave Moses and his people to work corruption in the land, and leave thee and thy gods?"

Said he "We shall slaughter their sons and spare their women; surely we are triumphant over them!" (7:121-4).

Witnessing the miracles performed by the prophet Moses, the sorcerers abandoned their false religion and began to worship the Almighty. In other words, they became apostates. Distraught at the conversions without his permission, the pharaoh accused the apostates of plotting against the public good and decreed that they have their limbs cut off and then be executed. The punishment for apostasy in the Pharaoh's religion was execution.

He said, "O my Lord, help me, for that they cry me lies" (40:26).

The Qur'an rejects this logic. Instead, it endorses the logic of freedom of religion and creed, as is evident from these and from other similar verses.

The manner in which the leaders and guardians of different religions have confronted one another, and the Almighty's acceptance of different beliefs by man, are the subjects of a fifth group of Qur'anic verses.

Or if there had been, of the generations before you, men of a remainder forbidding corruption in the earth—except a few of those whom We delivered of them; but the evildoers followed the ease they were given to exult in and became sinners.

Yet thy Lord would never destroy the cities unjustly, while as yet their people were putting things right (11:118-19).

It is not the Divine Will for everyone to be of the same mind. The Almighty has given sanction to freedom of religion and belief, and has warned wrongdoers of what awaits them in hell. Forced uniformity of religious beliefs stands in sharp contradiction with Qur'anic and Islamic precepts.

So spoke those before them as these men say; their hearts are much alike. Yet We have made clear the signs unto a people who are sure. We have sent thee with the truth, good tidings to bear, and warning. Thou shalt not be questioned touching the inhabitants of Hell (2:113).

The Qur'an has condemned mutual acrimony among religions. People have the freedom to choose their own religion; final judgment is only that of the Almighty.

Say: "O unbelievers, I serve not what you serve and you are not serving what I serve, nor am I serving what you have served, neither are you serving what I

serve. To you your religion, and to me my religion!" (109:1-5)

This verse, entitled "The Unbelievers," is one of the most central proofs in support of freedom of religion and belief in Islam. Can the approach of Muslims to other faiths and religions be anything other than what is mandated here?

A sixth group of verses prohibit the imposition of earthly punishment for apostasy. Although the Holy Qur'an rejects turning away from the just religion and becoming an apostate, its logic does not determine any earthly punishments for apostasy and only warns of divine wrath on the Day of Judgment. In this connection, two verses are of great significance:

They will question thee concerning wine, and arrow-shuffling. Say: "In both is heinous sin, and uses of men, but the sin in them is more heinous than the usefulness."

They will question thee concerning what they should expend. Say: "The Abundance." So God makes clear His signs to you; haply you will reflect; in this world, and the world to come (2:216-17).

While these verses refer to the punishment of sinners, they do not speak of their execution or murder. The reference here is to death by causes other than intentional punishment for apostasy. In fact, the only punishment mentioned is in the afterlife, and there is no mention of capital punishment or exile. Elsewhere in the verse, the repentance of an apostate is accepted as valid so long as it leads to the true embracing of Islam.

Surely those who disbelieve, and die disbelieving, there shall not be accepted from any one of them the whole earth full of gold; if he would ransom himself thereby; for them awaits a painful chastisement, and they shall have no helpers.

You will not attain a piety until you expend of what you love; and whatever thing you expend, God knows of it.

All food was lawful to the Children of Israel save what Israel forbade for himself before the Torah was sent down. Say "Bring you the Torah now, and recite it, if you are truthful."

Whoso forgoes falsehood against God after that, those are the evildoers. Say: "God has spoken the truth; therefore follow the creed of Abraham, a man of pure faith and no idolater."

The first House established for the people was that at Bekka, a place holy, and a guidance to all beings (3:85-90).

Even though the Holy Qur'an has expressly stated that after Muhammad's prophecy no religion other than Islam is acceptable, and that anyone with

a different religion detracts from the public good, it has not mandated any worldly punishments for non-Muslims. Additionally, divine punishment will only be inflicted on those who knowingly turn their back on Islam and not on people who are unaware of this most exalted religion. The divine punishment for those who know of Islam's exalted merits but refuse to accept it includes eternal torment and damnation by the Almighty, the angels, and the people. These punishments will be inflicted if the infidel does not repent. If he repents, so long as he does not sin excessively, the Forgiving God may forgive him his sins. But even if the Almighty will not accept an infidel's repentance, he may not be subject to punishment in this world.

An analysis of the above verses leads us to the following conclusions:

1. Turning away from faith is unacceptable and must be condemned. The abandonment of faith may occur under two circumstances: research, theorizing, and debates, which are, of course, conducted on the wrong bases and sow doubts in a person's mind as to the validity of Islam; or through opportunism, Satanic pursuits, political corruption, or the prospects of material gain.
2. For those who abandon their faith through reason and logic, the Holy Qur'an has not stipulated any punishments either in this world or on the Day of Judgment. It is obvious that such a person will not benefit from divine grace and blessing.
3. Those who abandon their faith in favor of worldly pleasures and pursuits are condemned to divine punishment on Judgment Day in the form of eternal damnation in hell. This is what the Holy Qur'an refers to every time it discusses the punishment for apostasy.
4. The Holy Qur'an has stipulated absolutely no earthly punishments for apostasy.

A final, seventh group of Qur'anic verses provide guidelines for inviting others to join the faithful. The following verse is a prime example:

The Sabbath was only appointed for those who were at variance thereon; surely thy Lord will decide between them on the Day of Resurrection, touching their differences (16:125).

The Qur'anic logic for the invitation to join Islam is conciliatory and emphasizes logic and reasoning, suggestion and advice. There is no room in it for coercion, death, and murder, or any kind of force. Islam is a religion of compassion, and invitation to join it also occurs compassionately.

Through examining these seven groups of Qur'anic verses, several important conclusions can be reached regarding the logic of Islam's Holy Book in relation to the issue of freedom of religion and belief. They include:

1. Islam is the just and correct religion and has warned people of the fallacies of beliefs that are null and void.
2. Islam sees the true salvation of man possible through his endorsement of the just and correct religion, and severely condemns deviation from it.
3. According to Islam, people are completely free to choose their religion and their beliefs, and no one may force and compel them to adopt the correct and just religion.
4. Islam recognizes the plurality of religions and beliefs even after the Revelation of the just religion, with some accepting the invitation to join and others refusing to do so. The Unbelievers have numerous religions and creeds.
5. In Islam, those who have not accepted the divine invitation to join the just religion will be punished on Judgment Day.
6. Islam does not sanction any earthly punishments for those believing in false religions and creeds.
7. Islam's logic and its approach towards the invitation of others to join the faithful are peaceful, conciliatory, and compassionate, devoid of any violence and compulsion.
8. Force and threats cannot be employed to prevent apostasy, and there is no earthly punishment for it. If apostasy is combined with violence and warmongering, its divine punishment is proportionately severe.

Given these considerations, it is obvious that the freedom of faith and belief has been guaranteed in Islam. Nevertheless, such a conclusion cannot be complete without a critical analysis of some of the documentary evidence presented by those who deny Islam's sanction of the freedom of religion and belief. This issue, therefore, needs greater attention.

#### *Critique of popular documents concerning religious restrictions in Islam*

A critique of all the documents and sources that advocate restricting religious freedoms is beyond the scope of this article. For our purposes here, non-scriptural sources will be examined in relation to three key areas: the death sentence for a male apostate and life imprisonment for a female apostate; the imposition of the *jizyah* on the People of the Book; and capital punishment for infidels.

Sunni Muslims attribute the imposition of the death sentence for apostasy to the Prophet, and Shi'as attribute it to members of his household.

Most Muslim scholars accept this tradition as valid and feel obligated to obey it even though it might contradict the logic and spirit of the Qur'an. There are, nevertheless, a number of issues to consider here.

First, there is no doubt that during the lifetime of the Prophet and the 12 Shi'a imams, the death sentence for apostasy was commonplace. These individuals knew the *Sharia* law and the divine will better than anyone else, and it is impermissible to doubt the validity of their judgment. What is open to interpretation, however, is the validity of such a judgment at the time of their absence. In fact, it is not clear whether such a dictate is valid for all times or was limited only to the time of the Fourteen Infallibles.<sup>2</sup> Shi'a scholars are of two minds on this issue. The more commonplace view prohibits the killing of an apostate when the Fourteen Infallibles are not present, a point over which a number of the Shi'a ulama have come to a consensus. Since the punishment for apostasy is addressed in the *Sharia*, it cannot be administered when the Fourteen Infallibles are not present. The significance of this opinion becomes magnified in light of other objections to the punishment of an apostate that have already been mentioned.

Second, all the traditions concerning capital punishment for apostasy come from a single source. The validity of a tradition is based on its genesis from, and its acceptance by, several religious scholars. On many key issues, the ulama do not rely on the strength of a single source for the veracity of a tradition. When the taking of a human life is concerned, a plurality of sources is most definitely needed. A person's inherent right to life can be terminated only when there is a specific dictate to that effect, such as a Qur'anic verse or an explicit injunction. The killing of an apostate cannot occur if based on only a single source.

Similarly, the question of the imposition of the *jizyah*, which is expressly mentioned in the Qur'an and was practiced at the time of the Prophet's life and afterwards, is open to interpretation. Again, it is unclear whether this is one of the permanent dictates of Islam or is a time-specific injunction that is rendered irrelevant with the passage of time and the dawn of modern conditions. This injunction had perfect validity when the Almighty dictated it to the Prophet. Today, however, it is no longer useful or applicable. Interestingly, the penal code of the Islamic Republic of Iran, which is based on the *Sharia*, makes no mention of either the *jizyah* or the punishment of apostasy by death.

Finally, the question of the killing of an apostate needs to be placed in the proper context. As we know, *Jihad* is one of the central dictates of Islam. But *Jihad* does not mean waging war on infidels and forcing them to become Muslim. *Jihad* means that if infidels who do not permit the free

practice of religion control a land, and if Muslims are in a position to end this religious oppression, it is incumbent upon them to liberate the people so that they can freely choose their religion for themselves. It is inevitable that many of those liberated will choose the Just Religion. In many ways, then, *Jihad* is a defensive endeavor and is designed to ensure the people's right to choose their religion freely; it is not meant to confront them with a stark choice between Islam or death.

### Conclusion

Non-Muslims living inside or outside Muslim lands have peace and security so long as they do not wage war on Islam. Whether or not they believe in one of the sanctioned religions or in falsehood, no Muslim has the right to disrupt their peace simply because their beliefs are different. This assertion is substantiated by the eternally valid verses of the Qur'an even if it is contradicted by popular interpretations that have been commonplace throughout the history of Islam.

To sum up, even though most of the interpretations of Islam that are prevalent today augur poorly for freedom of religion and belief, a more correct interpretation, based on the sacred text and valid traditions, finds Islam highly supportive of freedom of thought and religion and easily in accord with the principles of human rights.

## CHAPTER 7

# The Divine Text and Pluralism in Muslim Societies

Muhammad Shahrour

*Muhammad Shahrour was born in Damascus in 1938 and trained as a civil engineer, first in the former Soviet Union and then in Ireland, where he earned a PhD from the National University of Ireland in Dublin in 1972. He is currently an Emeritus Professor of Civil Engineering at the University of Damascus. Shahrour's 1990 book, The Book and the Qur'an: A Contemporary Reading, earned him both popularity and controversy. Three subsequent books—Contemporary Islamic Studies on State and Society, Islam and Belief, and New Islamic Values—have firmly established Shahrour as one of Syria's, and indeed the Arab world's, most formidable reformist Muslim thinkers.*

*An ardent advocate of original ijtihad, Shahrour's Qur'anic exegesis is at times accused of being "indigestible for the traditional scholar" and "incomprehensible for the common Muslim reader."<sup>1</sup> His exegesis is often, to say the least, "unique" and unconventional, unswerving in its conviction that the Qur'an as text is dynamic, moving, and contemporary. Despite his unconventional interpretations, or perhaps precisely because his exegesis represents such a radical departure from established ijtihad, Shahrour has emerged as one of the leading intellectual figures in the contemporary Muslim reformist discourse. Similar to Kadivar, Shahrour's writings are not readily available in English, although, again, the Internet is beginning to slowly introduce him to wider audiences. The following essay, originally published on the web site 19.org, is published here by the author's kind permission.*

Plurality may refer to religion, nationality, political views, political jurisdiction, and individual opinion, all gathered within a single society. Hence, speaking about pluralism in Muslim societies is to speak about freedom and democracy.

In a Muslim context, freedom and democracy should be understood in relation to Arab and particularly Islamic traditions and heritage, and the ways in which they are related to the events surrounding the establishment

- raphy; the most recent book on this question is A. Morabia's doctoral thesis, *La Notion de jihad dans l'Islam médiéval, des origines à al-Gazali* (Université de Lille III, 1975). See also M. Arkoun, M. Borrmans, and M. Arasio, *L'Islam religion et société* (Paris, 1982), pp 60–2.
4. In the formulae of conversion to Islam it is explicitly mentioned that the convert has "freely chosen Islam, without fear, in complete security against danger, and without any kind of coercion." See Muhammad b. Ahmad al-Umawi al-ma'ruf bi-Ibn al-'Attar, *Kitab al-watha'iq was-l-sigillat*, ed P. Chalmers and F. Corriente (Madrid, 1983), p 405; see also pp 409–10, 414, 415–16.
  5. Mahmoud Taha was hanged by General Numeiri in Khartoum, Sudan, on January 18, 1985, at 10am, as an apostate. Dr 'Abd al-Hanrid 'Uways supported this enforcement of the law (see *al-Muslimun*, a Saudi weekly paper specializing in Islamic studies, March 23–29, 1985, p 15).
  6. A *hadith* is called *mutawatir* when it is transmitted by several driving chains of reliable warrantors.
  7. *Hadd* is legal penalty explicitly specified in the Qur'an.

#### Chapter 6. Freedom of Religion and Belief in Islam

1. Mehdi Ha'eri Yazdi, "Islam and the Universal Declaration of Human Rights," *The Yearbook of the Shi'ite School of Thought*, no. 4 (1963), pp 67–76.
2. In Twelver Shi'ism, the Prophet Muhammad, his daughter Fatima, and the 12 Shi'a imams are assumed to be infallible and are collectively called the "Fourteen Infallibles."

#### Chapter 7. The Divine Text and Pluralism in Muslim Societies

1. Andreas Christmann, "The Form is Permanent, but the Content Moves: The Qur'anic Text and its Interpretation(s) in Mohamad Shahrour's *al-Kitab wal-Qur'an*," in Suha Taji-Farouk (ed), *Modern Muslim Intellectuals and the Qur'an*, p 269.

#### Chapter 8. The Nexus of Theory and Practice

1. Quoted in Navid Kermani, "From Revelation to Interpretation: Nasr Hamid Abu Zayd and the Literary Study of the Qur'an," in Suha Taji-Farouk (ed), *Modern Muslim Intellectuals and the Qur'an*, pp 175–6.
2. *Ibid.*, p 174.

#### Chapter 9. Women and the Rise of Islam

1. *The Qur'an: The Revelation Vouchsafed to Muhammad the Seal of the Prophets* (in Arabic and English), trans Muhammad Zafrulla Khan (London: Curzon Press, 1971; reprint, 1985). All quotations from the Qur'an in this chapter are from this translation.
2. W. Robertson Smith, *Kinship and Marriage in Early Arabia* (Cambridge: Cambridge University Press, 1885); W. Montgomery Watt, *Muhammad at Medina* (Oxford: Clarendon Press, 1956), pp 272–3.

3. Watt, *Muhammad at Medina*, p 375.
4. *The Translation of the Meanings of Sahih al-Bukhari* (in Arabic and English), 9 vols, trans Muhammad M. Khan (Medina: Dar al-fikr, 1981), 7:44. Here and below I have translated the Arabic rather than used the precise wording of Khan's rendering. Whenever possible, I have used works that give both Arabic and English texts.
5. Watt, *Muhammad at Medina*, pp 277–9, 376–7; Gertrude Stern, *Marriage in Early Islam* (London: Royal Asiatic Society, 1939), pp 61–2, 172–3.
6. Abu'l-Faraj al-Isfahani, *Kitab al-aghani*, 20 vols (Bulak: Dar al-kutub, 1868), 16:106; Stern, *Marriage in Early Islam*, pp 39–43. For a further discussion of marriage and divorce in pre-Islamic Arabia see Laila Sabbagh, *Al-mar'a fi al-tarikh al-'arabi fi tarikh al-'arab qabl al-islam* (Damascus: Manshurat wizarat al-thaqafa wa'l-irshad al-qawmi, 1975), especially chapter 2.
7. Watt, *Muhammad at Medina*, p 384 (quotation); Muhammad Ibn Sa'd, *Biographien/Kitab al-tabaqat al-kabir*, 9 vols, ed Eduard Sachau (Leiden: E.J. Brill, 1904–40), 8:4. Ibn Sa'd is hereafter cited in the text.
8. *Sahih al-Bukhari*, 7:45–6.
9. See Nabia Abbott, *Studies of Arabic Literary Papyri*, 3 vols, Oriental Institute Publications, vols 75–7 (Chicago: University of Chicago Press, 1957–72).
10. *Sahih al-Bukhari*, 1:298; Ahmad ibn Muhammad ibn Hanbal, *Musnad*, 6 vols (Beirut: al-maktab al-islami lil-tiba'a wa'l-nashr, 1969), 6:42.
11. *Sahih al-Bukhari*, 1:1–4.
12. Khadija is described in the same text as a woman "of honor and power and a hirer of men" (Ibn Sa'd, 8:9).
13. Gertrude Stern, "The First Women Converts in Early Islam," *Islamic Culture*, 13, no. 3 (1939), p 293.
14. Watt, *Muhammad at Mecca*, pp 102–5.
15. 'Umar Ridda Kahhalah, *A'lam al-nisa: fi a'lami al-'arab wa'l-islam*, 3 vols (Damascus: Al-matba'a al-hashimiyya, 1940), 1:280; Stern, "First Women Converts," p 291.
16. 'Abd al-Malik ibn Hisham, *Al-sira al-nabawiyya*, 2 vols, ed Mustapha al-Saqqa, Ibrahim al-Ibyari, and Abdel Hafiz Shalabi (Cairo: Al-babi al-halabi, 1955), 1:356. I quote here from Alfred Guillaume's *Life of Muhammad: A Translation of Ishaq's Sirat Rasul Allah* (New York: Oxford University Press, 1955), p 161.
17. Ibn Hisham, *Al-sira al-nabawiyya*, 2:441.
18. Nabia Abbott, *Aishah, the Beloved of Muhammad* (Chicago: University of Chicago Press, 1942), p 3 (quotation); Maxime Rodinson, *Mohamad*, trans Ann Carter (New York: Penguin Books, 1971), p 55.
19. Stern, *Marriage in Early Islam*, p 34.
20. Ibn Hisham, *Al-sira al-nabawiyya*, 1:487.
21. *Ibid.*, 1:498–9.
22. William Muir, *The Life of Muhammad from Original Sources* (Edinburgh: J. Grant, 1923), pp 175–6, 201; Abbott, *Aishah*, pp 50, 68.

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