



Freedom of Religion, Apostasy and Islam

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Debate on freedom of religion as a human right takes place not only in the Western world but also in Muslim communities throughout the world. For Muslims concerned for this freedom, one of the major difficulties is the 'punishment for apostasy' - death for those who desert Islam.

This book argues that the law of apostasy and its punishment by death in Islamic law is untenable in the modern period. Apostasy conflicts with a variety of foundation texts of Islam and with the current ethos of human rights, in particular the freedom to choose one's religion. Demonstrating the early development of the law of apostasy as largely a religio-political tool, the authors show the diversity of opinion among early Muslims on the punishment, highlighting the substantial ambiguities about what constitutes apostasy, the problematic nature of some of the key textual evidence on which the punishment of apostasy is based, and the neglect of a vast amount of clear Qur'anic texts in favour of freedom of religion in the construction of the law of apostasy.

Examining the significant challenges the punishment of apostasy faces in the modern period inside and outside Muslim communities - exploring in particular how apostasy and its punishment is dealt with in a multi-religious Muslim majority country, Malaysia, and the challenges and difficulties it faces there - the authors discuss arguments by prominent Muslims today for an absolute freedom of religion and for discarding the punishment of apostasy.

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Introduction, Abdullah Saeed and Hassan Saeed; Part I Abdullah Saeed: The context of the debate on apostasy: freedom of religion in the modern period; The historical context of the debate on apostasy and the roots of intolerance; Apostasy and related concepts; Punishment for apostasy in Islamic law and the evidence; Evidence against capital punishment for apostasy; Apostasy and the position of Muslim thinkers in the modern period; Apostasy law and its potential for misuse; Reasons for apostasy and understanding its fear among Muslims. Part II Hassan Saeed: Religious freedom in Malaysia: overview and restrictions; Apostasy laws in Malaysia: approaches of the two major political parties; Apostasy laws in Malaysia: jurisdiction and constitutionality; Apostasy laws in Malaysia: the future. Part III Abdullah Saeed: The need to rethink apostasy laws. Part IV: Appendices; Notes; Glossary; Bibliography; Index.

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