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CHRISTINE SCHIRMACHER

“*Es ist kein Zwang in der Religion*” (Sure 2.256):

Der Abfall vom Islam im Urteil zeitgenössischer islamischer Theologen: Diskurse zu Apostasie, Religions Freiheit under Menschenrechten.

(Kultur, Recht und Politik in muslimischen Gesellschaften., Band 32) 550pp. Würzburg: Ergon Verlag, 2015. €78. ISBN 978 3 95650 084 8

Christine Schirmacher's book is presented as the most extensive single-volume treatment of the question of apostasy in the contemporary Muslim world from what she calls a theological perspective. It offers a comparative study of different views on the issue, and concomitant attitudes toward religious freedom and human rights, held by three Muslim scholars from successive generations and with varying degrees of exposure to traditional Islamic learning. For that purpose, the author has selected Abū l'-A'ālā Maudūdī (1903-1979), founder of the Jamā'at-i Islāmī and Pakistan's leading Islamist politician of the twentieth century, the Egyptian-born but Qatari-based Azhar graduate Yūsuf al-Qaradāwī (b. 1926) and Abdullah Saeed (b. 1960), an Australian academic originally from the Maldives, as representatives of 'restrictive', 'moderate' and 'liberal' attitude toward freedom of religion respectively, which also colours their positions on apostasy.

Schirmacher analyses their views in great detail in three subsequent and uniformly-structured chapters, consisting of a biographical sketch, an overview of their work and publications, and a discussion of particular interests and topical foci, before moving to a description and analysis of the scholar in question's stance toward apostasy and related questions on the freedom of religion. In all three instances, she takes care to disentangle the issue of apostasy as such from the consequences, i.e. the sanctioning, of leaving Islam. These three chapters are framed by an extensive introduction and a very brief general conclusion, because the comparisons between the three theologians are woven into second and third chapters.

Schirmacher's introduction sets out from the observation that apostasy, or *ridda* in Arabic, is a slippery notion: Not only because it is not always clearly distinguished from transgressions, such as heresy, blasphemy, hypocrisy, plain unbelief and polytheism, but also in terms of whether the Islamic tradition has considered it primarily on theological grounds or as a question with first and foremost social and political consequences. Such ambiguities impact on the legal question regarding the appropriate form of punishment: Is apostasy a violation of divine sovereignty -- and therefore within the ambit of *hudūd*, religious crimes punishable by death -- or a lesser offence? Although at present this question is the subject of very contentious debates, classical Islamic jurisprudence or *fiqh* has tended to take the former view while at the same time averting the ultimate consequence by avoiding definitive pronouncements in particular cases. In order to assess these discrepancies, Schirmacher begins by examining what the Qur'an and Traditions of the Prophet have to say about the matter, before briefly surveying how apostasy has featured historically in the Islamic tradition. From her findings, the author concludes that since the *Ridda* Wars of 632-4, apostasy has been tied up with politics and that accusations of apostasy have remained a powerful tool in all kinds of conflicts of both an intellectual and political nature. The introduction then continues with an examination of the state of affairs in the contemporary Muslim world, with particular focus on Egypt, as well as a few illustrative cases from Iran and Pakistan.

This latter excursion serves to address the paradoxical situation that, in the present day, most postcolonial Muslim countries do not have stipulations in their constitution that explicitly

outlaw apostasy, and yet, since the final decades of the twentieth century, court cases on apostasy have mushroomed, with accusations levelled against ‘critical intellectuals, artists and progressive Qur’an scholars, journalists and secularists, agnostics and self-confessed atheists, reformers, women and human rights activists, converts to other religions and members of unrecognized minorities’ (18). For Schirmacher, this is reason to investigate the role of Muslim scholars as opinion makers who disseminate their views on theology, law and society using a variety of outlets. Stressing that her research takes an intellectual-historical approach, she has also been sensitive to the importance of communication and advances in IT technology, best exemplified by the stellar stature of Yūsuf al-Qaraḏāwī, who – despite his age – has shown himself to be very savvy in taking advantage of the opportunities offered by new media.

While al-Qaraḏāwī is presented ideologically as an exponent of *wasatiyya*, the ‘way of the middle’, it becomes clear from Schirmacher’s discussion that characterising him as a moderate is a charitable interpretation requiring a fair amount of generosity. In final conclusion, she qualifies him as a ‘reform-oriented Salafist’ (236, 250). In the wake of vigilante attacks on alleged apostates, Qaraḏāwī has indeed cautioned against exercising self-justice, but he has not changed his fundamental position in fifty years: While recognizing a degree of inner freedom of belief, his primary concern is with the disintegrating consequences of public acts of apostasy, which Qaraḏāwī considers as tearing at the socio-political fabric of Muslim society, thus undermining the integrity of the worldwide Umma. Within this frame of reasoning, ‘intellectual apostasy’ is considered as particularly threatening. To Qaraḏāwī’s mind, the magnitude of such dangers vindicates the imposition of capital punishment but only by the appropriate authorities.

Taking the individual, rather than the community, as his point of departure, Abdullah Saeed’s position is diametrically opposed to Qaraḏāwī’s. It has made freedom and human rights the central theme of his scholarly concerns. Also Saeed’s professorial writing style stands in stark contrast to the Shaykh’s sermon-like approach. Unlike Qaraḏāwī’s self-proclaimed personal authority, Saeed not only presents pro- and contra arguments, but also reflects (self-)critically on the Islamic heritage. In the conflict between early Islamic jurisprudence and a comprehensive understanding of freedom of religion, Saeed unequivocally advocates the latter. Aside from international human rights conventions, Saeed’s argumentation also draws on writings by the leader of Tunisia’s Ennahda party, Rached Ghannouchi, on citizens’ rights (*ḥuqūq al-muwatāna*).

The differences between Saeed and Maudūdī are even more pronounced. Exercising probably even more influence on his constituency than Qaraḏāwī does on the Muslim mainstream, Maudūdī’s uncompromising attitude toward apostasy and his insistence on a mandatory death sentence was reflective of his rigid Salafism. Shaped by a view of Islam not as merely a religion but a comprehensive and all-inclusive way of life underpinned by a ‘ideological-totalitarian’ (351) worldview, Schirmacher notes that the issue of apostasy as such, and its accurate definition, is only of marginal interest to Maudūdī. His main preoccupation is with ascertaining its maximum punishment of transgressors. Schirmacher suggests that the resulting rejection of religious freedom is a consequence of Maudūdī’s binary view of Islam versus unbelief, which informed his lifelong project of turning Pakistan into an Islamic state and his vociferous hatred of perceived subversions of that plan. This, in turn, provided the motivating force for the persecution of the Ahmadiyya movement and the campaign of the introduction of blasphemy laws which were both spearheaded by Maudūdī.

In comparison to Qaraḍāwī and Maudūdī, Abdullah Saeed has been much less influential. Aside from his age, this is also due to his chosen discourse and the audiences he addresses, but from Christine Schirmer's closing observations it becomes clear that, in an increasingly interconnected world, Saeed's views deserve far wider currency.

Carool Kersten
King's College London