Contemporary Indonesian and Malaysian interpretations of ‘no compulsion in religion’
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ABSTRACT
This article aims to examine the Indonesian and Malaysian interpretations of the notion of ‘no compulsion in religion’ in Islam. Particular attention is paid to religious disaffiliation (apostasy) and the attempts of some contemporary Islamic scholars to remove from its connotations the odium of high treason which has been present since the medieval times and has been serving as a justification for demanding death penalty for those who renounce Islam. The latter attitude is embedded specifically in the context of ridda wars immediately after the death of the Prophet, and in one controversial Hadith which orders killing persons who leave their religion. While the equation between apostasy and treason was made on a specific historical occasion, it led to an interesting phenomenon whereby a historico-empirical experience of the successor to the Prophet has been sacralised and become part of the doctrine. However, desacralisation of outmoded institutions has been the core of the renewal of Islamic thought, advocated by a number of contemporary Muslim scholars, including those whose liberal views on religious freedom are presented here.

KEYWORDS
Apostasy; contemporary Islamic thought; ‘no compulsion in religion’; religious freedom

Freedom of religion as we understand it in terms of the catalogue of human rights (especially Article 18 of the Universal Declaration of Human Rights) includes freedom to change one’s religion or belief as well as freedom to manifest one’s religion or belief in teaching, practice, worship and observance. The freedom to practise and observe usually does not raise tensions in scholarly discussions, but the freedom of an individual to change religion often becomes subject to contradictory interpretations. Apostasy (ridda) is one of the most sensitive subjects in Islam. According to the traditions and classical formulations, the rejection of Islamic faith by a Muslim is a criminal offence which carries death penalty. This article seeks to focus on the contemporary interpretations presented by the Indonesian and Malaysian scholars.

The most explicit textual basis for the concept of religious freedom in Islam is the verse 256 of Al-Baqara, the second surah of the Qur’an which opens with the words lâ ikrâha fî al-dîn, ‘there is no compulsion in religion’:

There shall be no compulsion in matters of faith. Distinct has now become the right way from [the way of] error: hence, he who rejects the powers of evil and believes in God has indeed

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taken hold of a support most unfailing, which shall never give way: for God is all-hearing, all-knowing.

(Asad 2008: 55)

With regard to this verse there are usually two views: unconditional or conditional. Unconditionality in the most basic sense means that there is no punishment for apostasy, at least no terrestrial punishment, and what happens in the hereafter is left to God’s will only. The conditional understanding of religious freedom allows an individual to be penalised by the Muslim authorities for leaving Islam.

**Apostasy in the classical formulations**

The Arabic equivalents of ‘apostasy’ are *ridda* or *irtidād*. Both of these terms are derived from the word stem *radd* which among other meanings stands for ‘restitution, rejection, refusal, denial, return, repulsion, turning away, turning back’. The word *ridda* is translated as ‘defection, breaking away’ whereas *irtidād* is ‘retreat, withdrawal, aversion, regression’. A person, ‘apostate’, is called *murtadd* which can also be ‘dissident, renegade, one who turns back’ (Wehr 1985).

Definitions of apostasy from Islam which were formulated by the pre-modern Muslim scholars are very general. With no explicit definition given in the Qur’an or Sunna, the early jurists could not afford to be more specific, and it is only through the development of Muslim legal thought and centuries of intellectual effort that there has been more sophisticated reasoning. These were, however, also affected by the historical events and internal disputes among the groups of Muslim scholars and leaders. For example, in a more complex definition developed by Muḥyī al-Dīn Sharaf al-Dīn an-Nawawī (1234–1278) of the Shāfi‘i school, whose authority to both the Indonesian and Malaysian ulama is of the highest importance, stated in his *Minhāj* (an-Nawawī 2005: 501) that an apostate is:

[1] Whoever2 denies the existence of the Creator, messengers, or thinks they are liars;
[2] Or allows what is unanimously agreed to be ḥarām such as fornication, and the other way around;
[3] Or denies things that have been deemed obligatory by the consensus of scholars, or the other way around;
[4] Or intends to engage in disbelief tomorrow or has hesitation on it – he or she will become non-believer3

In point 3 of this list a reference is made to the consensus of religious scholars, *ijmā‘*, which is a unanimous doctrine and opinion of religious authorities at any given time. Many aspects of *ijmā‘* in the Sunni understanding were rejected by other groups such as Zāhīrī, Khawārij and the Shiites who together constituted quite a large population in Al-Nawawī’s times. While not accepting some (or all) features of the Sunni *ijmā‘*, these

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1The two terms, ‘unconditional’ vs ‘conditional’, with reference to religious freedom have been used here for the sake of categorisation and bear no relationship with Isaiah Berlin’s two conceptions of liberty.

2These numbers are not present in the original text and I have inserted them to separate the issues mentioned.

3Muḥyī al-Dīn Sharaf al-Dīn al-Nawawī (Minhāj, 501): *fa-man nafā al-shānī aw al-nasul kadhdhab rasūl aw hallal muharram bi-al-ijmā‘ ka-al-zinā wa ‘aksuhu, aw nafā wujub mujma‘ alayhi aw ‘aksuhu, aw ‘azam ‘alā al-kufr ghad aw taraddad fihī, kafar*. I am grateful to Ulil Abshar Abdalla for the translation from the Arabic.
persons could be easily rendered unbelievers. That Al-Nawawī gave such a provision also demonstrates the strong internal divisions within the Muslim community.

The refinement of definitions did not bring about a unanimous standpoint on apostasy, but apparently in the course of time scholars have become less reluctant to declare other Muslims apostates or unbelievers. Yet it is not the abundance of definitions that poses the greatest problem, but the conviction of many scholars that renouncement of Islam (or declaration that someone has apostatised) is a criminal offence which should be punished with death. While the Qur’an is apparently silent on the punishment for apostasy, at least in the terrestrial setting, the punishment is mentioned in the Hadith. Nu‘mān ‘Abd al-Razzāq al-Samarrā‘ī who compiled Ahkām al-murtadd fi al-shari‘a al-islāmiyya, says that as he followed up the verses in the various commentaries, he arrived at the conclusion that the punishment of the apostate, that is death, cannot be found in the Qur’an, and it is mentioned in the Sunna only (S.A. Rahman 2006: 9–10). One Hadith seems to be particularly popular among persons who plead for executing the apostates from Islam (Al-Bukhārī, Book 56, Hadith 3017): [... ] ‘whoever changed his Islamic religion, kill him.’ These words of the Prophet were here recalled by Ibn ‘Abbās who upon hearing the news that ‘Ali, the fourth caliph, burnt to death several heretics (zanādiqa), remarked that he would not have burnt them, as the Prophet forbade burning people, yet he would have killed them on grounds of the Prophet’s order, ‘whoever changed his Islamic religion, then kill him’.

With regard to the classical interpretations of the Qur’anic verse 2.256, which is the main subject of this article, it appears that for the majority of scholars the verse had been abrogated by the Qur’anic directives to fight unbelievers and hypocrites (Qur’an 9.5, 9.73), or that it referred to the tax-paying non-Muslims whom it was unlawful to convert by force. It is only in the modern times that the verse has been interpreted as a declaration of religious freedom (Crone 2008: 131). Curiously, our perspective often makes us read the classical interpretations in the way we would wish with all the human rights background that most of us possess, but this can be misleading. A brilliant example of this case is given by Patricia Crone’s reference to a Shafi‘i jurist Abū Bakr Muḥammad ibn ‘Ali ibn Ismā‘īl al-Qaffāl al-Kabīr al-Shāshī (903–976), who as quoted by Fakhr al-Dīn al-Rāzī (1149–1209), asserted that:

[...] the infidel no longer has any excuse to remain an infidel, now that these proofs have been made clear; rather, he ought to be forced and coerced to adopt the faith; but this is not possible/allowed (jā‘īz) in this world which is a world of tribulation (ibtilā‘), given that coercion and compulsion nullify trial and tribulation.

(Crone 2008: 135)

Crone observes that this passage can be read as a prohibition of forced conversion (we may also read it as an injunction against any kind of compulsion in matters of religion), but such interpretation would project a modernist approach whereas to Al-Qaffāl, as he made it clear in a different part of his tafsīr, religious freedom as granted by the ‘no compulsion’ verse was not freedom from coercion by humans, but by God (Crone 2008: 135–6). Some of the contemporary interpretations too may at first reading appear to allow full freedom, but eventually they confine it.
‘No compulsion’ with conditions

As in pre-modern times, numerous contemporary Muslim scholars have been imposing limitations on the scope of the meaning of ‘no compulsion’. It is also often suggested that in accordance with the verse 2.256 no one can be forced to adopt Islam against his or her will, but if one joins Islamic community voluntarily, he or she will not be allowed to leave it. Such approach is common among the religious scholars and general public.

In his article in the New Mandala, a journal published by the Australian National University, Zulkifli Hasan, a lecturer at Universiti Sains Islam Malaysia and active member of Angkatan Belia Islam Malaysia (Muslim Youth Movement of Malaysia, ABIM) begins with a declaration that Islam guarantees unconditional religious freedom. He says that everyone is free to choose a religion of their liking:

This is unconditional freedom guaranteed by Islam. To evidence this, al-Quran strongly repudiates religious coercion as stated in (10:99) ‘Had your Lord so willed, all the inhabitants of the earth would have accepted faith altogether. Would you then coerce people to become people of faith’. In another verse (2: 256), Allah says ‘Let there be no coercion in religion’.  

(Zulkifli Hasan 2011)

But the following sentences of his text contradict this statement, and what is initially declared as unconditional becomes quite the opposite. Zulkifli claims that if a person is Muslim the religious freedom is not absolute and that absolute freedom is against justice:

Nevertheless, the situation is different once an individual is a Muslim. The right and freedom of religion is not absolute. As a matter of fact, the notion of absolute freedom is against the principle of natural justice. The freedom of religion should not be abused and any elements of irresponsible religious anarchy that may lead to religious disharmony should not be allowed.  

(Zulkifli Hasan 2011)

A contradiction to some, but others may argue that what Zulkifli Hasan does is takhsis, ‘specification/exception’, a practice in Islamic jurisprudence whereby one begins with a general rule and then specifies it and makes exceptions.

This view is often maintained by Muslim intellectuals who address the issue of religious freedom. Dato’ Ismail Ibrahim, former chairman of the National Fatwa Council and head of several governmental Islamic institutions, who authored one of the chapters in Murtad: jangan pandang sebelah mata (‘Apostasy: do not underestimate’)4 quotes the Malay translation of the verse 2.256 as ‘There is no compulsion in (embracing) religion (of Islam). The right path is henceforth distinct from the wrong path’5 (Ismail Ibrahim 2009: 28). We may question whether the words in parenthesis should be added to the translation as they immediately provide a particular interpretation which is not present in the original text of the Qur’an. This translation, however, is common in Malay versions of the scripture. Equally common is the conclusion which Ismail Ibrahim draws from the verse 2.256. He argues that the rules of the Qur’an and Sunna are beyond human rights. Since there is a Hadith which orders killing those who change their religion, this is, perhaps, what Ismail Ibrahim has in mind when he refers to Sunna as superior to human rights.

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4A popular anti-apostasy publication compiled by Malaysian Islamic preacher, Ann Wan Seng.
5Tidak ada paksaan untuk (memasuki) agama (Islam). Sesungguhnya telah jelas jalan yang benar daripada jalan yang salah.
Changing religion is not the absolute right for Muslims as in Islam many rights given to humans are not absolute. … After one becomes Muslim or agrees to embrace Islam, he or she is then bound by the rules of Islam. Rules of the Qur’an and Sunna are beyond other human rights.

(Ismail Ibrahim 2009: 31; my translation, NL)

We may argue that neither of the authors quoted above is a specialist in *tafsīr* (Qur’anic exegesis), but an apparently similar view is expressed in the work of the famous Indonesian Islamic exegete, Quraish Shihab, who categorically stresses the Qur’anic and Sunna basis for religious freedom, yet eventually sets strict limitations on its scope. To Quraish Shihab freedom of religion comes from the freedom of conscience, and as conscience is the source of religion, coercion in this matter would be equal to depriving one of moral sense:

Freedom of religion was born from the freedom of conscience, since early the Qur’an and Sunna assert that religiosity must be based on sincere obedience to God, ‘they were not enjoined aught but that they should worship God, sincere in their faith in Him alone’ (Qur’an 98.5). Because of that, ‘there is no compulsion in embracing religion’ (Qur’an 2.256). The source of religion is in the soul and human conscience, when compulsion occurs, deprivation of conscience takes place as well.

(Shihab 2007: 449; my translation, NL)

Quraish Shihab sets religion in the very spiritual dimension, the human conscience. But despite this refinement, where religion seems to be understood as private domain and a personal human right, Quraish Shihab makes a precisely formulated statement concerning the circumstances in which taking a person’s life is legitimate: ‘Mandatory is the killing of a person who apostatises and is unwilling to repent’ (Shihab 2007: 279). In the original text this sentence does not appear in the context of discussion on religious freedom but in the section related to capital punishment in the Shāfi‘i school. It strikingly differs from Quraish Shihab’s assertions on the freedom of conscience and religion, especially as to Al-Shāfi‘i himself for whom the only criterion for distinguishing between a Muslim and an apostate would be the public profession of Islamic creed, the *shahāda*. Whoever pronounced his or her belief in one God and in Muhammad as His messenger was, according to Al-Shāfi‘i, a Muslim. It did not matter to him how many times one broke away from Islam, or whether the confession was true, the public confession of faith would protect one’s life indiscriminately (Griffel 2001: 343–5).

Similar to Quraish Shihab’s attitude is that of the Malaysian religious scholar, the chairman of Parti Islam Se-Malaysia (Pan-Malaysian Islamic Party) Dato’ Seri Abdul Hadi Awang. For the matter of ‘no compulsion in religion’ he refers to the verse 2.256 and also to the second part of the verse 10.99, where it is said that if God so willed all people would attain to faith. He confirms that compulsion is forbidden for it does not lead to the true Islam which is based on faith within the individual’s heart (Abdul Hadi Awang 2007: 127): ‘Islam is a religion based on faith within one’s heart and a sincere surrender to God. Therefore coercion is forbidden and it does not lead to the true Islam and

6*Pembunuhan wajib adalah pembunuhan terhadap orang yang murtad dan enggan bertobat.*

7*And [thus it is:] had thy Sustainer so willed, all those who live on earth would surely have attained to faith, all of them: dost thou, then, think that thou couldst compel people to believe?*’ Qur’an 10.99.
true faith. Nevertheless, despite the declaration of no-coercion, Abdul Hadi is bidding to punish with death those who leave Islam (Abdul Hadi Awang 2009: 179): ‘A *hudūd* punishment of death is imposed on a person who apostatises and does not repent after being given such opportunity.’ It is worth noting that according to Abdul Hadi Awang apostasy belongs to *hudūd* offences, which are crimes that have fixed punishments specified in the Qur’an, despite the fact that the Qur’an does not mention any terrestrial punishment for apostasy.

**Apostasy perceived as violence against community**

The relationship between Muslim political authority and religious belief and the question whether the state has the right to enforce religious beliefs and considerations are a broad subject which here will be addressed only with regard to religious dissent and disaffiliation. Both Malaysia and Indonesia enforce this form of limitations on their citizens. The greatest problem appears when freedom to choose a religious affiliation is interpreted as aggression against the community. This is particularly visible in the line of reasoning presented by Abdul Hadi Awang who considers apostates a threat and enemies of the public and the state:

Apostates oppose the teachings of Islam, they are a threat to the security of the country and its people as they certainly side with the enemies. Islam is not merely a religion, as narrow-minded people understand it. Islam covers all aspects of human life and Islam is serious about the matter of apostasy.

(Abdul Hadi Awang 2009: 179; my translation, NL)

But who are the enemies that Abdul Hadi is referring to? Religious disaffiliation can be by some contemporary Islamic scholars immediately associated with a violent strife against the community. Indeed, after the rise of the Islamic state, apostates were not merely persons who changed their faith. They were persons who at the same time were considered to have renounced a society and a state. The Muslim state in its formative years, especially after the death of the Prophet was in constant wars with its non-Muslim neighbours (other Arabs, Jews, Persians or Romans).

When we consider Islamic historiography, the term ‘apostasy’, *al-ridda*, refers explicitly to the series of battles against several tribes whose dissent from the Muslim rule culminated when Abū Bakr was chosen to become the caliph and to lead the state after Prophet Muhammad died. The refusal of some local tribes to recognise the succession of Abū Bakr was precisely a termination of a political contract by the death of one of the parties (Lewis 2002: 59).

Among the groups which opposed Abū Bakr’s policy were those who developed new religious movements, but most of the rebellions were due to refusal to pay taxes while their initiators continued practising Islam. Among the tribes which opposed Abū Bakr were also factions that had not been exposed to Islam and had no formal agreements with the Muslim state. Therefore ‘apostasy’ thought to be behind the series of battles

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8*Islam adalah agama yang berterasakan akidah di dalam hati dan yang menjadikan seseorang itu menyerah diri secara ikhlas kepada Allah. Oleh itu, cara paksaan adalah dilarang dan tidak membawa kepada Islam yang sebenar dan betul.*

9*The *hudūd* penalties are classically identified as sanctions for unlawful sexual relations, false accusations of such relations, highway robbery, theft and consuming alcohol. Although not all of these carry death penalty, the term *hudūd* (sing. *hadd*) often means capital punishment. Otherwise death penalty can be imposed under the principle of retaliation, *qīṣās*.*
during the reign of Abū Bakr (632–634) is in many cases a misnomer. Naming these events in Muslim history as ‘ridda wars’ probably represents a reinterpretation, a theologically coloured outlook of later historians (Lewis 2002: 59–60).

The early Muslim jurisprudents thought of apostates not as individuals exercising religious freedom, but as traitors and those who rebelled against the Islamic society and state and had committed high treason. Seen in this light, the explanation that freedom is one thing and apostasy is another (Al-Jabri 2009: 196–200) cannot still be valid, especially as it appears highly unlikely that the present-day ulama who belong to the most educated groups of the Muslim societies are unable to see the difference between the political context of the present times and the politico-religious context of the first Muslim body-politic in the 7th century CE.

One the most renowned Indonesian scholars and one of the greatest thinkers of the Indonesian modernism, Nurcholish Madjid, addressed the issue of punishment for apostasy in his unpublished work ‘Demi Islam, demi Indonesia’ (1999). He observed that while in the context of Islamic legal system it was a historical norm to punish apostasy with death, there was no explicit verse in the Qur’an that would grant anyone such licence to kill (Monib and Bahrawi 2011: 192). Mohammad Monib and Islah Bahrawi explain that to Nurcholish Madjid the harsh penalty for apostasy was due to the fact that in the beginnings of Islam becoming a Muslim meant at the same time becoming a soldier. The concept of the modern state was yet unknown, a change of religion was an act of desertion that resulted in capital punishment (Monib and Bahrawi 2011: 192). Punishment for the apostates (in the form of killing them), according to Nurcholish Madjid, is nowadays adopted by those who are ready themselves to sacrifice humankind for the sake of maintaining the purity of religion. This, in fact, contradicts the purpose of the advent of religion itself (Monib and Bahrawi 2011: 192–3).

**Freedom without conditions**

The reliability of scriptural reference as the legal basis for death penalty for apostasy is seen by some as the main source of difference between the proponents and opponents of punishment for apostasy. It is, of course, clear that defenders of unconditional or absolute religious freedom often indicate transmission weaknesses of some textual references. But it is probably more than just the methodology of interpretation that matters. It is rather an attempt to decriminalise apostasy and broaden the scope of religious freedom.

The most explicit here is the voice of Ulil Abshar Abdalla, a prominent Indonesian Muslim intellectual and scholar of Islam, who finds freedom inseparable from human dignity. And this cannot be repudiated as incompatible with Islam. Ulil gives a reference to the Qur’an:

10**Tidak ada ayat qath’i (tegas) yang memuat license to kill terhadap mereka yang murtad ‘[…] hukuman atas orang murtad itu dibunuh adalah hukum fikh. Tidak ada di dalam al-Qur’an. Yang ada di Qur’an, hukumannya cuma dikutuk di akhirat saja’.

11In arguing this, they raise the issue of reliability of al sunnah that has been made as legal basis for death penalty for apostasy. As Islam does not regard ijtihad as fixed and must be followed, the authority has a freedom to choose either to take the view of the first school of thought or to take a liberal and more flexible approach in resolving the apostasy issues. At this juncture, the authority must take into consideration of all aspects including fiqhi issues, maslahah of the people, and sanctity of the religion as well as the will of Muslim community (Zulkifli Hasan 2011).
There is a verse in the Qur’an, very important to be highlighted here. It begins modestly: ‘wa-laqad karramn bāni ādam’, ‘We have conferred dignity on the children of Adam’. Look, God Himself dignifies mankind, just imagine! God dignifies human beings in the sense that He gives them full freedom. If you want A, B, C, here you go, for you have the freedom.

(Abdalla 2006a: 227; my translation NL)

Ulil speaks of ‘full freedom’ as given by the God to mankind and there is no concealed limitation of this freedom with regard to religion. The verse lā ikrāhā fī al-dīn is for Ulil Abshar Abdalla the primary principle of Islam, the right which no one can deny. Another Qur’anic verse he refers to in the context of ‘no compulsion’ is ‘let, then, him who wills, believe in it, and let him who wills, reject it’ (Abdalla 2006a: 227–8). Whether religious freedom embraces both the freedom to believe and to disbelieve, Ulil’s position is unequivocal, the freedom to believe and practice is equal to the freedom to disbelieve and not practice:

Religious freedom is the freedom of an individual to choose and to express his or her religious convictions without being pressured or discredited with regard to this choice. If I choose the religion of Islam, I can neither be pressed upon following it nor to manifest its practices by praying in public or publicly exercising Islamic celebrations, and so on. … One of the important aspects of this matter is that individual is not only free to choose a religion, but also that he or she may have a religion or may have not. I believe this right should be guaranteed to all citizens, albeit according to our law all of us must have a religion.

(Abdalla 2006b: 281–2; my translation NL)

The regulations imposed by the Indonesian state after the 1965 coup d’état made it obligatory for its citizens to profess one of the state-recognised religions (Islam, Protestantism, Catholicism, Buddhism or Hinduism). This is a formal restriction of religious freedom, which could and should possibly be removed by the judicial review.

Ulil Abshar Abdalla’s account on religious freedom is motivated by a concept of human dignity. This insight is also present in the view of another renowned Indonesian scholar, Abdul Moqsith Ghazali (2009). In the fourth chapter, ‘Pandangan al-Qur’an tentang umat agama lain’ (‘The Qur’anic perspective on other religions’) of his Argumen pluralisme agama (‘Argument for Religious Pluralism’), he gives a thorough interpretation of the verse lā ikrāhā fī ad-dīn (Ghazali 2009: 217–40). He begins by stating that compulsion in religion is against human dignity and against the teachings of the Qur’an (Ghazali 2009: 217). He approaches the question of religious freedom from the perspective of usūl al-fiqh (Islamic legal theory), by asserting that the Qur’anic wording of ‘no compulsion’ is expressed in lafz al-‘āmm (a word with general scope of meaning). The implications of the text which is expressed in lafz al-‘āmm, according to the interpretation methodology practised by the Hanafi school of law, are definitive – no restrictions can be put upon the meaning of ‘no compulsion’ and no abrogation is possible (Ghazali 2009: 218). Thus for Moqsith ‘no compulsion’ is unconditional, especially as in this

12Qur’an 17.70.
13Qur’an 18.29.
14Following the coup on 30 September 1965, for the next three decades of Suharto’s rule the involvement of Communists was implicated in the public mind and reinforced vigorously by the military propaganda. In 1966, the MPRS (Majelis Permusyawaratan Rakyat Sementara, Provisional People’s Consultative Assembly) issued a decree (No. XXV/1966) in which the Indonesian Communist Party (PKI) was banned and Communism identified with atheism. It was announced that Communism denied the fundamentals of Indonesian nationhood, which was theistic (bertuhan) and religious (beragama).
case he chooses the Hanafi interpretation.\textsuperscript{15} His attitude is further clarified when he refers to the prominent contemporary Syrian Islamic scholar, Jawdat Sa‘īd. For Sa‘īd the verse \textit{lā ikrāha fī al-dīn qad tabayyana al-rushdu min al-ghayyi} is a universal verse, especially as it was revealed precisely after one of the most important verses of the Qur’an, the Throne Verse, which contains the doctrine of the sanctity of God. ‘Compulsion’ (\textit{al-ikrāḥ}) is the wrong (\textit{al-ghayy}) and mistaken way. The ‘no compulsion’ is the right (\textit{al-rushd}) and truthful way (Ghazali 2009: 218–9). The word \textit{tāghūt}, which appears in the second part of the verse, is interpreted as a person who forces his beliefs upon others and kills those whose beliefs are different. The whole verse is therefore seen as a commitment to people that they will not face coercion from anyone, that they will not be forced by anyone to anything, including religion. Moqsith observes in his further reading of Jawdat Sa‘īd that the verse can be understood as a command (prescriptive - imperative) and as an informative (descriptive) sentence:

{quote}
As a command it orders one not to exercise compulsion towards other people. As an informative sentence it tells that a person who is forced to embrace a religion while his or her heart rejects it, cannot be said to have embraced that religion. This is because religion is in steadiness of heart, not in verbal expression.
{quote} (Ghazali 2009: 219; my translation NL)

Moqsith maintains that it is the right of every person to believe that his or her religion is true, while he or she must equally respect that others would think the same about their own religion. Since the matter of belief is a private issue of every person, there can be no compulsion. He refers to a parallel made by the famous Iranian scholar of Islamic thought, Abdulkarim Soroush:\textsuperscript{16} as much as a person faces death on his own, on his own he embraces a religion (Ghazali 2009: 223).

{quote}
Each religious community undertakes communal rites and acts, but not a communal faith. If the expression of faith is public, the essence of faith is private and hidden. For Soroush the territory of faith is like the arena of hereafter, where every human being will stand to be evaluated, one by one. It was said ‘and every one of them will appear before Him on Resurrection Day in a lonely state’\textsuperscript{17}. There is no use forcing somebody to embrace a religion if it is not followed by his or her belief and conviction.
{quote} (Ghazali 2009: 223; my translation NL)

Moqsith consistently accentuates privacy in the matter of religion. To him ‘to believe is a solitary act. Faith is a part of a private commitment’ (Ghazali 2009: 226). He locates the matter of faith as the right of God (\textit{ḥaqq Allāh}) which implies that the matter of believing or not believing is only between the individual and God:

{quote}
The choice between belief and unbelief is a private issue. Every human has the right to believe and to disbelieve. A man is held responsible for believing or disbelieving only by God, not by other people. A person cannot be held responsible for the sins of other people. And vice versa. God spoke in al-Qur’ān ‘Say: Neither shall you be called to account for whatever we may have
{quote}

\textsuperscript{15}For the Shafi‘i school of law prevalent in Indonesia, the implications of \textit{lafz al-‘āmm} can be restricted, but since the second half of the 20\textsuperscript{th} century, Indonesian Muslim scholars have been particularly open to the wider tradition of Muslim legal thought, and often have transcended the predominant school of thought (\textit{madhhab}).

\textsuperscript{16}Many of the arguments made by the scholars discussed in the article seem to be inspired by the work of modern Muslim scholars in the Middle East and the United States. This intellectual connection between the Indonesian/Malaysian and other Middle Eastern or American scholars is particularly interesting, but beyond the scope of this article.

\textsuperscript{17}Qur’ān, 19.95.
become guilty of, nor shall we be called to account for whatever you are doing.\(^\text{18}\) (Ghazali 2009: 226; my translation NL)

The human-God relationship is to be judged by God only; human courts or authorities have no jurisdiction over it. Belief or lack of it is a strictly private matter and responsibility for it does not extend from the individual to the community, one’s deeds do not affect the situation of others during the judgement day or in the hereafter.

Another point of view, also a case of advocacy for religious freedom, is given by Mohammad Monib, a student of the famed Nurcholish Madjid. Mohammad Monib expresses his view on the matter of apostasy in opposition to Sayyid Abul ‘Alā Mawdūdi who, according to Monib, has in this case made Islam resemble a mousetrap. He later defines religion as a ‘process of becoming’ in which converting in and out does not seem a problem since it is intrinsic to the very idea of searching for religiosity:

When somebody enters Islam he or she is not able to leave it anymore. Upon leaving he or she would be killed. How come this could happen when the Qur’ān has laid the concept of the freedom of religion and conscience? […] I agree with the concept of passing over. Religion is for me a process of becoming. Anyone can try and search for stability and only later fully believe in it [religion].\(^\text{19}\)

Monib asserts that freedom of religion is not detached from any others of its kind. He explains that he sees the concept of freedom as laid down by God from the very beginning of humankind. Monib refers to the story of Adam and Eve and eventually comes to the conclusion that Adam, Eve and their offspring could do anything they wanted. This includes the freedom of thought, expression and imagination, without any confinement. The limits are in power and in the natural length of human life.

He [Adam] was given by God all of the paradise. Only one thing was not allowed. Adam and Eve were prohibited from approaching the ‘forbidden fruit’. … Everything was granted to Adam, Eve and their progeny. Expression and thought as broad and as free as possible, having aims, dreams and ideals, without constraints. What was not permitted was crashing the limits of power and destiny of man as God’s creature. We are not God. What is it that cannot be transgressed? 1. To aim to live for 1000 years. Doing so is futile and useless. Has there ever been a person who reached this age? 2. Wanting and imposing absolute power, as these are the roots of authoritarianism.\(^\text{20}\)

**Conclusion**

The diversity of views advocating unconditional religious freedom shows that the matter is a subject of debate. Abdul Moqsith Ghazali with reference to the principles of Islamic jurisprudence argues that the dictum ‘no compulsion’ in the verse 2.256 is a definitive clause which cannot be abrogated. He also locates the matter of believing or not believing on the level of the right of God (ḥaqq Allāh), a personal matter only between an individual and God. In contrast, the argument for conditional understanding should be read within the context of ridda wars and one controversial Hadith which orders killing persons who leave their religion. Disaffiliation is here perceived as threat to the well-being of an entire

\(^{18}\) Qur’ān, 34.25.  
\(^{19}\) Personal communication, 13 October 2012.  
\(^{20}\) Ibid.
community, and apostasy is seen as the political act of renouncing communal affiliation (or even as high treason).

The equation between ridda and treason was made on a specific historical occasion and must be understood in its context, as it does not constitute a precedent or warrant for any general, categorical assertion that disbelief is tantamount to treason and must be treated as such (An-Na’im 1998: 74). Since the early insurgent movements are referred to in Arabic sources as ridda, the conclusion is usually drawn that they were of religious character. However, while the perception of apostasy in the times of ridda wars was clearly political with a more or less apparent religious implication, the perception of apostasy nowadays appears to be religious with implication in politics. In other words, the understanding of ridda in Abū Bakr’s time could be viewed in terms of high treason – as severing bonds with the state – which had (in several cases) a religious aspect as well. But the contemporary understanding of ridda is religious – it is seen as severing bonds with Islam and, in most of the cases, has nothing to do with state matters.

This shows an interesting phenomenon whereby a historico-empirical experience of the successor to the Prophet has been sacralised and embedded in the doctrine. However, desacralisation of outmoded institutions that had been taken as divinely sanctioned, drawing distinction between the message of revelation and the human interpretations developed over centuries (Feener 2007: 134), have been the core of the reform, renewal of Islamic thought, advocated by a number of contemporary Muslim scholars, including Indonesians whose liberal views on religious freedom are presented here. The process of desacralisation is closely linked to secularisation. To Nurcholish Madjid ‘sacralisation of anything other than God is, essentially, opposed to tawhid.21 Secularisation, therefore, has a concrete meaning – desacralisation of everything besides the transcendent divinity, that is, [everything] of this world’ (Madjid 2008: 230–1). Secularisation, however, is not understood as advocacy for a secularised society, but as separation of the state and religion in the sense that the state cannot be religious. Abdullahi An-Nai’im (2009: 2), whose views are widely shared by liberal scholars, especially in Indonesia, claims that the secular state is a state which is neutral vis-à-vis religious doctrine, which does not take position on religion, because a state as a political institution is incapable of having a religion. It is a political institution controlled by elites who are using the state institution to enforce their view of religion, thus, the religious quality of the state is the religious quality of the ruling elite, not of the state as such (An-Na’im 2009: 3).

While the issue of secularism and the state is far broader and beyond the scope of this article, it has consequences for religious freedom and may serve as one of the explanations of why the scholars who belong to the movement for the renewal of Islamic thought advocate the unconditional understanding of ‘no compulsion in religion’. This is explicitly expressed by Abdullahi An-Na’im who underlines that as a Muslim he needs a secular state, a state which is institutionally separated from religion, in order to be able to live in accordance with his religion out of genuine conviction and free choice, since belief in any religion logically requires the possibility of disbelief. He states: ‘If I am unable to disbelieve, I will not be able to believe’ (An-Na’im 2008: 268). To him, belief has to be a choice

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21Nurcholish Madjid (2008: 230–1) uses the phrase, syirik lawan tauhid, i.e. shirk (sin of worshipping anything other than God, polytheism) against tawhid (the oneness of God, monotheism).
as it is totally incoherent to speak about a situation where one has no choice but to believe what he or she is made by others to believe (An-Na‘im 2009: 3).

Returning to the regional context of this article, and to close it with a more figurative utterance, one cannot resist quoting Moqsith Ghazali who asserts that forced religion is the same as forced love. This bears a striking similarity to the words of Roger Williams (1603–1683), an English Protestant theologian, who compared conscience to a precious ‘jewel’ and called the denial of religious freedom a ‘soul rape’ (Williams 1867: 182). Moqsith says ‘With compulsion there is no religion, as much as with compulsion there is no love’ (Ghazali 2009: 223). There is rape instead.

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