

**THE DEVELOPMENT  
OF APOSTASY AND PUNISHMENT LAW IN ISLAM  
*11 AH/ 632 AD – 157 AH/ 774 AD***

**By**

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## ABSTRACT

As in Judaism and Christianity, the sin of apostasy is strongly condemned as one of the gravest enormities (Ar. *ahadu al-kabāi'r*). In common with them, Islam is clear that the eternal punishment of apostates is sure and certain in the hereafter. But unlike Judaism and Christianity today, Islam is known to go further and condemn them to death in the here and now. Strangely enough, with the exception of Saudi Arabia where Shari'ah is still in force, there is no evidence that apostates are still being executed in other Islamic countries. Yet, any attempt to cancel, abolish or re-interpret the apostasy law has remained virtually impossible. This doctrine is generally held to be an unquestionable axiom of faith as it rests entirely on the prophetic tradition.

Our research attempts to demonstrate from a historical/theological standpoint that the faith and message of early Islam as presented in the Qur'ān stands in glaring contrast to this doctrine. The political events of the late Umayyad and early Abbasid periods seem to have provided the fertile soil for the invention of those traditions on which later jurists elaborated a complex set of rules vis-à-vis the legal status of the apostates. These rules have largely remained to this day unchangeably the same.

Attention should be drawn to the fact that Qur'ānic quotations throughout this research work are from the translations of A. Yūsuf Alī, M. Marmaduke Pickhtall, N. J. Dawood and A. J. Arberry. In some places we felt that some corrections were necessary, and we have been bold enough to make them. This research study has not been an easy task to undertake. The difficulty of this subject could only be matched by the difficulty of finding material literatures relative to it. However, the fruits of our efforts presented in this research work might at least serve as a starting point towards further researches into the origins and development of the punishment of apostasy in Islam.

Finally, I wish to express my profound gratitude to my supervisor, Dr. Mona Siddiqui for her valuable help and guidance during my three years as a research student. My gratitude

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## ABBREVIATIONS

<b>AJSL</b>	<i>American Journal of Semitic Languages</i>
<b>BJRL</b>	<i>Bulletin of the John Ryland Library</i>
<b>BO</b>	<i>Biblioteca Orientalis</i>
<b>DWI</b>	<i>Die Welt des Islams</i>
<b>EI</b>	<i>Encyclopedia of Islam</i> (first edition)
<b>JA</b>	<i>Journal asiatique</i>
<b>JAOS</b>	<i>Journal of the American Oriental Society,</i>
<b>JDI</b>	<i>Journal de Droit International</i>
<b>JPOS</b>	<i>Journal of the Palestine Oriental Society</i>
<b>JQR</b>	<i>Jewish Quarterly Review</i>
<b>JRAS</b>	<i>Journal of the Royal Asiatic Society</i>
<b>JSS</b>	<i>Journal of Semitic Studies</i>
<b>MLPS</b>	<i>Manchester Literary and Philosophical Society</i>
<b>MW</b>	<i>The Muslim World</i>
<b>R</b>	<i>Religion</i>
<b>TGUOS</b>	<i>Transactions of the Glasgow Oriental Society</i>
<b>WMANT</b>	<i>Wissenschaftliche Monographien zum Alten und Neuen Testament, Neukirchen - Vluyn</i>

## Introduction

In recent years, a few liberal voices have been heard in the Muslim world vis-a-vis the thorny question of apostasy and punishment in Islam. Seldom explicitly, but mostly implicitly, these voices called for honest and courageous steps towards a re-assessment and re-interpretation of the long-standing question of apostasy in Islam. The necessity of bringing this issue into consonance with modernity, they argued, is of the utmost importance.

The response, however, has been meagre and varied. Published almost entirely in a few small booklets, the response ranged from negative, to positive, to ambivalent. The negative, which is in the main defensive, warns that a step in this direction would be a blatant intrusion upon an axiomatic article of faith (*al-ma'lūm mina ad-dīn bi ad-darūrah*).<sup>1</sup> The positive tends to emphasise the importance of the Qur'ān, which gives no prescribed punishment for apostasy, over the 'Hadīth' that does. Usually the traditions (i.e. Hadīths) on apostasy and punishment are squeezed into harmony with the Qur'ānic passage pertaining to '*al-muhāribīn*' (the armed opponents).<sup>2</sup> Thus, the apostate worthy of death is none other than the one who having renounced his faith, went and joined the armed opposition camp. It may not be far off the mark to argue that such traditions may originally have referred to the inimical and fighting apostates.<sup>3</sup> Undeniably, there is some merit in this argument as we have already shown in this research work. The ambivalent response, however, appears to want to have it both ways. One is free to renounce Islam and embrace another faith providing he exercises absolute silence. What he has done is a matter between him and God. But he may be put to death if he voices his views, which can influence others and cause '*fitnah*' (disorder) in the Muslim community.<sup>4</sup>

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<sup>1</sup> See for example, Abd al-'Aziz Al-Mat'ini, '*Uqūbāt al-Irtidād 'an ad-Dīn bayn al-Adillāt al-Shar'iyah wa Shubuhāt al-Munkirīn*' (Cairo 1993).

<sup>2</sup> Sura al-Ma'idah [5]: 36-37

<sup>3</sup> Shaykh Mahmūd Shaltūt, *al-Islām 'Aqīda was Sharī'ah* (Cairo 1969), pp. 292 – 3. By far the most ardent advocate of this view is S. A. Rahman in his recent book *Punishment of Apostasy in Islam* (New Delhi 1996); see also Muhammad Ali, *The Religion of Islam* (Cairo 1967), p. 596.

<sup>4</sup> See Yusuf al-Qaradawi, *Jarimat ar-Riddah ... wa 'Uqubat al-Murtadd* (Cairo 1996), pp. 54f.



However, it is further argued that the death penalty in this case may even be substituted for 'ta'zīr' (discretionary punishment).<sup>5</sup> Significantly, all these different responses take their departure from a theologically fundamentalist position.

It should be noted that, apart from a very few published works, there has been an enormous scarcity of literature in this field of Islamic studies. The early part of the 20<sup>th</sup> century witnessed the publication of '*The Law of Apostasy in Islam*', by Samuel M. Zwemer. It is a highly polemical work, which focuses mostly on the Islamic tenet of the death penalty for apostates and depicts it in the blackest of colours. For him, the scarcity of converts from Islam to Christianity does not mean that the sharp edge of the gospel has been blunted. It simply indicates that the sword of Damocles still hangs over the head of each convert from Islam to Christianity. A few decades later this argument was confirmed by two Arabic publications. The first was '*Ahkām al-Murtadd fī al-Sharī'ah al-Islāmiyah*' by Nu'mān Abd ar-Rāziq as-Samarrā'ī (Beirut date?). The other was '*Ahkām ar-Riddah wa al-Murtaddīn*' by Jabr Mahmūd al-Fudaylāt (Amman 1987). In terms of their subject matter, the two works hardly differ from each other. The unchangeable and enduring value of the rules pertaining to the legal status of apostates in their medieval forms is emphasised by both. Here the jurisprudential list of what constitutes apostasy as presented, for example, by the Hanafite scholar Shaykhzadeh, is now extended to include even membership of political parties like communism, Nasirism and Ba'thism.

Apart from the above-mentioned works, the doctrinal topic of apostasy and punishment in Islam has been a non-existent field from the point of view of critical historical/theological inquiry. Enormous efforts have been expended to address this type of study offered here, and which hopefully has long been a *desideratum*. At first, the obstacles to achieving this aim seemed insurmountable when it transpired that our University library has precious little in terms of Arabic and Islamic literature. This called for a number of trips to Egypt to purchase the necessary material for this particular study. Secondly, the absence of any publication on this topic meant a great deal of reading, which had this researcher (an Arab) not been a fast reader of the Arabic text, the realisation of this work would have been nigh impossible. Thirdly, in spite of the existence of several translations of the Qur'ānic text, the present researcher felt that

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<sup>5</sup> Ibid. p. 55; see also Muhammad al-'Awa, *Punishment in Islamic Law* (Indianapolis 1993), pp. 55-64.

some corrections were necessary, and has been bold enough to make them. However, many more new translations have been made from the Arabic sources, which are largely the basis on which this work rests. Although a few of these sources are old and no longer extant, their value for our research has been significant. In any case, the scope of our study has inevitably been fairly wide. The subject of apostasy and punishment in Islam, for the few authors already mentioned, has so far been limited only to theological and jurisprudential domains. In our research, the subject possesses, in addition, textual and linguistic as well as historical significance.

The birth of Islam and its subsequent dominance in Arabia finally eclipsed its multi-faith character. Dominance is characteristic of monotheistic faiths like Islam. In the words of J. H. Breasted, "Monotheism is but imperialism in religion".<sup>6</sup> But even here, the attitude of 'live and let live' can prevail. The Islamic Empire in the high Middle Ages is a good example. The 'Expulsion Edict' of the Caliph 'Umar that removed Jewish and Christian populations from Arabia is the first object of our inquiry. Muslim writers, who probably saw this injustice as unworthy of 'al-Faruq' 'Umar,<sup>7</sup> sought his justification in a late tradition, which is as contradictory in character as it is obscure in origin. Far from being a response to the dying behest of the Prophet, 'Umar had different motives. Religiously, 'Umar's likely motive was the realisation of a sacred land free from Judaism and Christianity as rival faiths, which may recalls the 'Holy Land/ Holy People' concept in ancient Israel. But most likely, for him, the continued presence of these powerful rivals in the cradle of Islam was a serious threat to the infant religion and a recipe for future apostasy.

Apostasy is the principle indictment the Qur'ān clearly levels against mankind. Far from being born a sinner, having inherited Adam's sinful nature, man is created with 'al-fitrah' (a natural disposition or predisposition) to believe in 'tawhīd' (unity of God). Like Islam, Judaism and Christianity including Arabian paganism were originally the religions of 'al-fitrah'. But unlike Islam, they were corrupted and abandoned by their adherents<sup>8</sup>, who consequently lost their divine ideals and lapsed into unbelief (*kufr*), or more precisely, apostatized. Islam being

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<sup>6</sup> J. H. Breasted, *The Development of Religion and Thought in Ancient Egypt* (London 1912), p. 315.

<sup>7</sup> 'Faruq' means one who is strongly fair or just. It became 'Umar's title on assuming the Caliphate.

<sup>8</sup> Judaism & Christianity are said to have been corrupted and abandoned by their adherents, in defiance of the clear message of their scriptures, the Old and New Testaments. See Sura al-Ma'idah [5]: 69, 71.

the true faith of Abraham and religion of *al-fitrah*, is alone qualified to call (*yad'ī*)<sup>9</sup> these religious groups to return to the Abrahamic (*shirk* free) faith, and to the purity of Islam proclaimed by all the former prophets.

The wider meaning and application of the Qur'ānic concept of apostasy has been considerably narrowed by the Islamic jurisprudential schools. Whilst giving various examples of sayings and acts that constitute apostasy, they are unanimous that apostates are none other than those Muslims who abandoned their faith. A complex set of rules was elaborated by Islamic scholars, among which was chiefly the death penalty. This called for a re-assessment of this particular rule in the light of the Qur'ānic text. To do this, a careful and detailed examination of all Qur'ānic texts on apostasy from the point of view of linguistic inquiry, comprising other Qur'ānic synonyms of the term '*riddah*' (apostasy) was necessary. This also included a close examination of these texts from the point of view of both systems of '*Tafsīr*' (exegesis) and '*an-Nāsikh wa al-Mansūkh*' (the doctrine of abrogation). Consequently, the idea of death penalty for apostasy belongs to the domain of tradition. It is from here that some Muslim commentators have attempted to smuggle the death penalty idea into certain Qur'ānic texts. Our careful study of the Qur'ānic verses on apostasy does not indicate any that clearly teach the death penalty. Attention then is focussed on the tradition (Hadīth) and its authenticity generally, and in particular on the authenticity of the two traditions on apostasy and punishment. We have attempted to show, by the textual and historical approach, that the two traditions, which we have designated as Hadīth (a) and Hadīth (b) are, in fact, later accretions that more likely reflect the political (or rather theo-political) climate of the late Umayyad and early Abbasid periods.

The schools of jurisprudence could also bolster the Hadīth-based law of death for apostasy by '*as-Salaf as-Sālih*' (i.e. righteous forebears), like Prophet's companions, whose example constituted a religious paradigm for later generations.<sup>10</sup> In this case, the so-called 'Apostasy Wars' led by Abū Bakr become another theological asset. But, our close examination of the sources relating to the so-called 'Apostasy Wars' demonstrates that the generally held view that these were religious wars, aimed at forcing apostate Arab tribes to recant, has no basis in historical fact. Politico/economic issues, and desire for conquest, which ultimately ensured

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<sup>9</sup> The noun for the verb '*tad'u*' is '*ad-da'wa*' which in its Qur'ānic usage can either mean a call or a re-call.

<sup>10</sup> According to Imām Shāfi'ī, the four sources of law are: the Qur'ān, Sunnah, Ijmā', and salaf as-Shālih

the political unification of the Peninsula under the central authority of Madīna, were the underlying reasons for these wars. Religion may have been employed to motivate the community towards the realisation of such aims, but religion as such was not the basic or underlying reason for such wars.

The question of whether or not there was an early theological move towards punishment for apostasy is examined from the standpoint of the theo-politics of the 'Rightly guided Caliphs'. The highly contradictory reports of the sources on this issue inspire very little certainty in forming a reasonable verdict on what might have been a legally or commonly agreed policy vis-à-vis apostasy during this period. Incidentally, these sources are of later date. Abū Bakr's policy against what he termed 'apostates' (i.e. socio/economic rebels), was never again repeated by any of his three successors. This shows that whereas history does not really repeat itself, jurists and theologians always do! However, the two Hadīths on the punishment of apostasy remain the concrete basis upon which the law pertaining to the legal status of apostates rests, even though they are of doubtful authenticity and provenance. In our next and final step we have attempted to demonstrate, by textual and mostly historical-critical approach, that these Hadīths are most likely the product of Ikrimah (d. 107 AH/ 725 AD) and al-Awzā'ī (d. 157 AH/ 774 AD). The signs therefore are that these traditions - i.e. Hadīth (a) and Hadīth (b) - are of late Umayyad and early Abbasid provenance, and are deeply rooted in the politics (or theo-politics) of these two periods.

Finally, to the best of our knowledge, the subject matter of our research work has never before come under active critical investigation in the Islamic world or even the West. For the present researcher, the issue was further compounded when discovering first that even sheer literatures on apostasy and punishment in Islam were virtually non-existent. The research study took its shape only after intense study of mostly Muslim/Arabic sources and careful accumulation of a great deal of material evidence. The evidence demonstrates that the death penalty, which is essential in the legal status of apostates today, was the product of a much later period and was dictated by very different circumstances.

# I

## EARLY ISLAM, ITS CONTEMPORARY FAITHS

### *And The Fear of Apostasy*

The English term 'apostasy' derives originally from the Gk. *Apostasia*, which means the renunciation or abandonment of one's political or religious belief.<sup>1</sup> In Arabic there are two words for apostasy, 'irtidād' and 'riddah'. Both mean simply to go back.<sup>2</sup> More will be said about the meaning of these two terms from the linguistic standpoint as well as from the standpoint of the Islamic law (*Sharī'ah*). Meanwhile, it would be difficult to deal with the subject of apostasy in one religion without taking account of the others. After all, one does not apostatize within a vacuum. It is important, therefore, that in dealing with the subject of 'the Development of Apostasy in Islam', we must take a look at early Islam and its other contemporary faiths and the threat which they might have posed to it as a new faith.

#### **1.1. THE MULTI-FAITH WORLD OF PRE-ISLAMIC ARABIA**

Arabia was the land of a single people, the Arabs, speaking a single language, Arabic, albeit with different dialects. In spite of all this, pre-Islamic Arabia was not the land of one single faith. The evidence shows that it was a land of a number of faiths, most of them took their rise originally on the fringes of the Arabian Peninsula itself. In this sense it can be said that there was a multi-faith situation in Arabia in which different religious groups co-existed and interacted, but hardly ever reacted to one another. Interestingly, on the very few occasions when such a reaction occurred, religious zeal or fanaticism was not the primary motive. Indeed, in all the inter-tribal conflicts which characterized the pre-Islamic period, we have no evidence to suggest that religion was the motivating or inspiring force behind them. True,

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<sup>1</sup> For the term 'apostasia' see *Theological Dictionary of the New Testament* (Grand Rapids . Michigan 1979), Ed. by E. Kittel, Vol. 1, p. 513f.

<sup>2</sup> Ar-Rāghib al-Asfahānī, *Mufradāt Alfāz al-Qur'ān* (Beirut 1997), p. 349.

history tells us that Abū Sufyān, one of the prominent opposition leaders of Meccan, carried the goddesses Al-lāt and al-‘Uzzā into battle against the Muslims at Uhud, which recalls how the Israelites took the Ark of the Covenant with them into battle against the army of Philistines (I Sam.4: 1 ff ). But Abū Sufyān’s action, as W. Montgomery Watt pointed out, could only indicate that the remnants of pagan belief in Arabia were now reduced to the level of magic. In any case, the Arabian multi-faith society consisted of minor and major religious groups.

### 1.1.1. THE MINOR RELIGIOUS GROUPS

Among the minor beliefs were the so-called *Hanīfiyyah*, *Zoroastrianism* and *Sabianism*. These small religious groups are so elusive that historians have tended to overlook them. What were they?

(a) *The Hanīfiyyah* could hardly be classified as a sect. In terms of the Qur’anic definition, the *Hanīfiyyah* is monotheism without any definite allegiance to one religion or another, citing Abraham as a perfect example of a *Hanīf* (Sūra Āl-‘Imrān [3]:67; Sūra al-Nisā’[4]:125; Sūra al-An‘ām[6]:161; Sūra al-Nahl[16]:120, 123). The term *Hanīf* does not, as some argue, derive from the Arabic verb *hanafa*, to incline or lean away from. In fact, it is very uncertain whether the word was used in pre-Islamic Arabia. As a matter of fact, some Muslim authorities were quite aware that the term ‘*hanif*’ as used in the Qur’an was not an Arabic word. In his book, *Tanbīh*, al-Mas‘udi states, ‘*wa hādhihi kalimatun siriayniyyah ‘urribat*’ (and this was an arabicized Syriac word). A. Jeffery agrees with Noldeke that in all probability it is the Syriac ‘*hanape*’ i.e. heathen. In the language of the Syriac-speaking Christians, the non-Jewish non-Christian Bedouin Arab would be referred to as *hanaphē*, heathen. It is unclear whether the Prophet Muhammad was aware of this particular meaning. However, from the above-mentioned Qur’anic passages he seemed to take it to mean ‘*Muslim*’.<sup>3</sup> Moreover, the primary emphasis of the Qur’ān is upon the non-Jewish and non-Christian affiliation of Abraham, and in order to prevent misconceptions, it carefully adds, “and he joined not gods with God”(Sūra Āl-‘Imrān [3]:67). Incidentally, Margoliouth has

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<sup>3</sup> See al-Mas‘udi, *at-Tanbih* (Cairo ?), Vol. 3, p. 91; but for a full discussion of the origin of the word ‘*hanif*’, see A. Jeffery, *The Foreign Vocabulary of the Qur’an* (Baroda 1938), pp. 112-115; also R. Bell, ‘*Who were the Hanīfs?*’ in *Moslem World*, 20, 1930, pp. 120 – 4; D. Sourdel, *Medieval Islam* (London 1985), pp. 9f.

noticed that in using Abraham, the Prophet Muhammad would be following a favorite topic of Christian apologists, who argued from Rom. 4:10-12 that Abraham's faith was counted for righteousness in his heathen days before there was any Judaism (See JRAS, 1903, p. 473). In any case, was there a group of people known as the *Hunafā'* in the pre-Islamic period? Too much ink has been spilt on answering this question that it is impossible to summarize all the views put forward.<sup>4</sup> However, the first to mention a group of men abandoning idolatry and seeking the *Hanīfiyyah*, the religion of Abraham, was Ibn Ishāq (704–767) followed by Ibn Qutaybah (828–889). There is no mention that these men called themselves *Hanīfs*, and there is nothing to suggest that there was a compact between them in the pre-Islamic period.

In view of all the information we have about these individuals, they can best be described as 'God seekers' who were constantly feeling their way to monotheism. Of the four mentioned by Ibn Ishāq, two belonged to the clan of Asad of Quraysh, Waraqah Ibn Nawfal (the cousin of Khadījah, the prophet's first wife), and 'Uthmān Ibn al-Huwayrith; both of these men embraced Christianity. Another, 'Ubaydallāh Ibn Jahsh, was a confederate of the clan of 'Abd Shams and son of a daughter of 'Abd al-Muttalib, and therefore the Prophet's cousin. 'Ubaydallāh Ibn Jahsh accepted Islam and took part in the migration to Abyssinia where he renounced Islam and converted to Christianity, to the great disappointment of his colleagues who reacted to his apostasy with some verbal hostility.<sup>5</sup> The fourth was Zayd Ibn 'Amr of the clan of 'Adī who remained a seeker all his life and never embraced an officially established religion. His withdrawal from the worship at al-Ka'bah and his outspoken criticism of idolatry so incensed his half-brother, al-Khattāb Ibn Nufayl, that he decided there was no place for such a critic in the city of Mecca, and drove him out.<sup>6</sup> Finally, the mystery continues to surround the men called *Hanīfs*. Our knowledge about them is enough to point out the way in which monotheism was pervading the environment in which Muhammad grew up, and the way in which it was attracting some of the most enlightened among the Arabs.

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<sup>4</sup> A.N. Faris and H.W. Glidden, 'The Development of the Meaning of the Korānic Hanīf', J POS, 19, 1939, pp. 1–13; F. Buhl, art. *Hanīf* in Encyclopaedia of Islām, Vol. 3, pp. 258–260; L. Caetani, *Annali dell' Islām* (Milan 1909), Vol. 1, pp. 181–92. The term *Hanīf* (pagan) seems also to have the same idea as *Ummi*. The latter is often used in the Qur'ān not only to mean ignorant, but as an arabized form of the Hebrew *Ammi* pagan, commoners, Gentile i.e. non-Jew. At least in two Qur'ānic verses it is apparently used in this sense (Sūra Āl-'Imrān [3]: 20, 75). See A. J. Arberry's translation of these two verses; W. Montgomery Watt, *Companion to the Qur'ān*, p. 52; A. Yūsuf Āli, *The Holy Qur'ān: Text, Translation and Commentary* (Leicester 1975), pp. 127, 142.

<sup>5</sup> Ibn Hishām, Part 1, p. 243

<sup>6</sup> W. Montgomery Watt, *Muhammad at Madīna* (Oxford University Press, Karachi 1994), p. 14; for a detailed account of this see Ibn Hishām, Part 1, p. 243f.

(b) Zoroastrianism in Arabia is a subject about which precious little is known. As the official religion of Persia, some element of it might have trickled into Yemen after the Persian military intervention there in 570 AD. Of particular interest, however, is the fact that Zoroastrianism appears to have been present, albeit in a small degree, both in eastern and northeastern districts of Arabia. The only source of information for this comes to us from Ibn Qutaybah. In his book *'al-Ma'ārif*, he tells us that "Magianism existed in the tribe of Tamīm," (in the eastern district of Arabia) which was within the Persian sphere of influence. He then goes on to name among its adherents Zurārah, Hajib Ibn Zurārah and al-Aqra' Ibn Habīs. He also tells us that " '*Zandaqah*' (i.e. another term for Zoroastrianism), was to be found in Quraysh, for they had brought it from al-Hīrah."<sup>7</sup> Located geographically in northeast Arabia, al-Hīrah was the Capital of the Lakhmid Arab tribe. It was under Persian control and its Arab rulers as Persian clients, who guarded their frontiers against the Byzantine Empire and its Ghassanīd Arab clients in the west. Although the Lakhmids were Nestorian Christians, some Zoroastrian presence there, however meagre, is quite credible owing to the Persian hegemony in that area. It is worth noting at this point that the Persians were very tolerant of the Nestorians and less tolerant of the Monophysite form of Christianity, which they regarded as pro-Byzantine. The Nestorians, however, were forbidden to proselytize the followers of Zoroaster who took a very dim view of apostasy. Although they had a perfectly free hand among the other elements of the community, they did manage to win some converts from the Zoroastrian religion, among them the former Maraba who rose to great eminence in the Church.<sup>8</sup>

Finally, it is significant that the Zoroastrians are mentioned only once in the Qur'ān:

Those who believe (in the Qur'ān), those who follow the Jewish (scriptures), and the Sabians, the Christians, the Magians and the idolaters, - God will judge between them on the day of Judgment: For God is witness of all things. (Sūra al-Hajj [22]: 17).

The fact that they are mentioned only once may indicate the presence of only a small number of them in Arabia.

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<sup>7</sup> Ibn Qutaybah, *al-Ma'ārif* (Cairo 1992), p. 621.

<sup>8</sup> De Lacy O'Leary, *Arabia before Muhammad*, p. 136.



(c) *Sabianism* has given rise to a great deal of discussion. Three times the Qur'ān mentions what appears to be a religious group known as *Sabi'ūn*' (Sūra al-Baqarah [2]:62; Sūra al-Mā'idah[5]:72; Sūra al-Hajj[22]:17). Our survey does not permit us to delve into the question of this religious group that has been the subject of a multiplicity of theories among historians and exegetes for a very long time. However, it would be of interest to mention some of the main views that have been put forward on the question of the Sabians. Early Muslim historians and exegetes were far from certain whether the Sabians were a 'People of the Book' or not. In fact, they were not quite sure who they were and what they really believed. Nevertheless, some ventured to opine that the Sabians were a branch of Christianity, others thought they were '*bayn al-majūs wa al-yahūd*' (Judeo-Magian), others supposed that they worshipped angels and others simply denied they had any religion at all.<sup>9</sup> We are not short of opinions either when we come to modern scholars. W. Brandt, W. Bousset and others argued that they were the remnants of Elkasaites of Mesopotamia who were not unknown to the Meccans.<sup>10</sup> Interestingly, the Meccans applied the term *Sabi'ūn* to the Prophet and his followers in the early days of his ministry. Significantly, the term is the subject of verb '*Saba'a*', denoting, among other things, one who changed his own religion for another. Literally, those who changed their faith for another were also called '*as-Sabi'ūn*.' According to Muslim writers, by applying this term to Muhammad and his followers, the intention was also to liken them to a religious group in al Mawsil (i.e. in Mesopotamia), who had no sacred book and followed no prophet.<sup>11</sup> They were possibly Elkasaites. Moreover, the practice of ritual ablution by the Prophet and his followers may have reminded them of Elkasaites' ritual washings and baptisms. In any case, with all the endless theories about the Sabians, they remain shrouded in mystery. In this case, it is difficult to know what impact they made on the Arabian community generally or on Islam in particular.

### 1.1.2. THE MAJOR RELIGIOUS GROUPS

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<sup>9</sup> For the early Muslim views on the Sabians see Ibn Qayyim al-Jawziyya, *Ahkām Ahl al-Dhimmah* (Beirut 1994) Vol. 1, pp. 92 – 100; Ibn an-Nadim mentions that the judge (Qādī) of Harran wrote a book on which was later translated into Arabic by order of Alī Ibn Īsa the governor. See '*al-Fihrist*' (Leipzig 1871),

<sup>10</sup> R. Bell, *The Origin of Islām in its Christian environment* (London 1926), p. 60; see also the very interesting article on '*Elkasaites*' by W. Brandt in *Encyclopaedia of Religion and Ethics*, Vol. 5, pp. 262 – 269.

<sup>11</sup> Tabarī, *Tafsīr*, Vol. 1, p. 455f.

The major religious bodies in pre-Islamic Arabia, according to historical records, were '*Heathenism*', *Judaism* and *Christianity*. None of these, however, can be classified as original or indigenous to Arabia. All signs point to the fact that these religions took their rise on the fringes of the Arabian Peninsula and through time found their way into its mainland. As in every multi-faith society throughout history, one faith usually stands out among the rest as predominant. In spite of the significant presence of Judaism and Christianity in pre-Islamic Arabia, heathenism was evidently predominant. A brief and comprehensive survey of these three important faiths at this period in the history of Arabia would provide some understanding of the world in which Islam was born:

(a) *Heathenism* or idolatry are the terms which have so far been employed in this chapter, instead of the commonly used term 'polytheism', which is by no means appropriate either. In the next chapter where we deal with the Qur'anic perspectives of its contemporary faiths, we shall come to a more appropriate appellation for this religious group. Meanwhile, the so-called *heathenism* of Arabia was nothing more than an archaic form of religion, and it is also the oldest in the Arabian Peninsula. Theodor Nöldeke in an article entitled 'Arabs (Ancient)', in the Encyclopaedia of Religion and Ethics gives the best account on this subject.<sup>12</sup> No doubt the Qur'ān provides us with a good deal of information about this religion, although thick layers of theology tend to veil certain aspects of it. However, extra-Qur'anic material is also of paramount importance if we are to understand whether the Arabian deities were of native or foreign origins. For instance, in Arabia, special prominence was given to three female deities mentioned in the Qur'ān: al-Lāt, al-'Uzzā and Manāt (Sūra an-Najm [53]:19 – 20). al-Lāt represented the sun, and seems to have come from Mesopotamia via the Nabataean kingdom.<sup>13</sup> al-'Uzzā (the mighty one), for the Meccans was the most important. She was identified with the planet Venus, and may well have arrived into al-Hijāz via Sinai. The Prophet himself on one occasion admitted that he sacrificed a white sheep to the goddess al-'Uzzā in his youth.<sup>14</sup> Manāt (fortune), seems to be a deified representative of the all-pervading

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<sup>12</sup> Nöldeke's invaluable article is, to a great extent based on the unique book of al-Kalbī, *Kitāb al-Asnām*, Ed. by Ahmad Alī Bāshā (Cairo 1924).

<sup>13</sup> One Nabataean inscription in the museum of Sardinia reads, "This sanctuary is to the lady Elath", (CIS. 1, 149); an Inscription of 47 AD of Bostra, now in Louvre reads simply, "The priest of Ellath (CIS. 2. 182); Al-lat was also the chief deity of Tā'if near Mecca.

<sup>14</sup> Nilus witnessed the Arabs of Sinai sacrificing a camel to al-'Uzza. Nilus in Migne, PG. 79, 612; regarding the Prophet's offering to al-Uzza, see al-Kalbī, *Kitāb al-Asnām*, p. 19.

mystery of life and death. She had a sanctuary at Hudhayl and in Mecca. These were the three sister deities worshipped at Mecca in the Prophet's time. Apparently, they were of Mesopotamian and agricultural origin. The worship of the heavenly bodies may, in all probability, be ascribed to the Babylonian influence. Indeed, star worship appears to be very much a Mesopotamian development. Very early, however, the inhabitants of that valley seem to have relied on the movements of the planets and other heavenly bodies to guide them as to the time of inundation on which the agriculture depended. In the end they came to regard those heavenly bodies as the cause of the inundation and as the givers of their harvest. Most of these bring us back to the mother-goddess, the principle of fertility, whose worship is characteristic, not of a nomadic tribal people, but of a settled agricultural community. There is an element of truth in the argument that the bulk of the Arabs were never serious about their religious belief in, and duties to their gods. The reason for this perhaps was because these gods were originally the gods of agricultural communities.<sup>15</sup> Among these and many others in the Arabian pantheon, five more deities are mentioned in Sūra Nūh [71]: 23. At any rate, the deities were enshrined in the Ka'bah which was originally built for that purpose. In pre-Islamic Arabia there were at least twenty one Ka'bahs where the gods of various tribes were placed. But the Ka'bah in Mecca was the most important shrine. It was the place to which the Arab tribes of all religious persuasions made their pilgrimage, including Jews, Christians of all theological schools, Magians and Sabians who certainly were not there for a religious purpose. Interestingly, al-Shahrastānī reports that the tribes of Tay', Khath'am and some clan of Bani al-Harith Ibn Ka'b did not attend. However, there are hints that for many tribesmen, the main attraction on this occasion was not so much the Ka'bah as the great market of Ukāz in Mecca. Both W. Muir and Ali H. al-Kharbutlī have not overlooked the importance of place as the social and economic rallying point of all the tribes. After all, according to S. M. al-Qamni, Mecca originally emerged as a trade centre before it gradually became a religious centre.<sup>16</sup>

In conclusion, it should be borne in mind that in this environment, Islam could not remain unaffected by the old Arabian religion. The establishment of the sacred Ka'bah as the

<sup>15</sup> See De Lacy O'Leary, *Arabia before Muhammad*, p. 193f.

<sup>16</sup> See al-Shahrastani, *al-Milal wa an-Nihal*, Vol. 2, pp. 241-247; W. Muir, *The life Of Muhammad* (Edinburgh 1923), pp. 13f; Ali H. al-Kharbutly, *The History of al-Ka'bah* (Beirut 1987), pp. 110f; . Mahmud al-Qamni, *Rabbu az-Zamān wa Dirāsāt Ukhrā* (Cairo 1996), p. 161; W. Montgomery Watt, *Muhammad at Mecca*, p. 23.

centre of Islam and the ceremonies connected with al-Hajj or pilgrimage, such as the kissing of the Black Stone, are good examples. In this context, it is worth noting that 'Umar is reported to have said of the Black Stone, which the pilgrims kissed, "Had I not seen the Prophet kiss you, I would not kiss you myself."<sup>17</sup>

(b) *Judaism* had already been well established in Arabia when Islam appeared in the seventh century. However, there are two problems about the Arabian Jews of this period that have not yet been solved. The first has to do with the date of their settlement in Arabia. The second is the question whether they were Arabized Jews or Judaized Arabs. In relation to the first, we simply do not know when the Jews first settled in Arabia. Some opine that their settlement as refugees from Palestine took place after the fall of Samaria in 721 BC, or after the fall of Judah in 587-6 BC, or after the fall of Jerusalem in 70 AD, or even after the catastrophe of the Bar-Kokhba revolt in 135 AD.<sup>18</sup> But most do not go beyond the fall of Jerusalem in 70 AD. They surmise that the Madīnan tribe of Banī Qaynuqā' were of Idumaeen Jewish origin whilst Banī Nadīr and Qurayzah were originally Judeans.<sup>19</sup> This would mean that if indeed the Jewish tribes of al-Hijāz are of Idumaeen and Judean origins, then by the seventh century they must have finally become Arabized Jews. They seem to have been known as such in the Mishna as early as the second century AD.<sup>20</sup> Unlike the old religion of Arabia, Judaism was evidently a missionary faith since the post-exilic period (Isa. 42:6-7; 49:6). About the first century AD, its proselytizing activities outside Palestine were rigorously carried out (Mat.23:15), even vying with Christianity in pursuit of Gentile converts.<sup>21</sup> There is no reason why the Madinan Jewish communities could not have won converts from their neighbouring and confederate tribes of al-Aws and al-Khazraj. In all probability they intermarried, and marriage, according to W. Montgomery Watt, may well have been uxorilocal. In this way there were converts to Judaism. As-Samhūdī and al-Isfahānī provide us with an interesting list of Jewish clans which includes Banī Marthad, (part of the Arab tribe of Bali), Banī Mu'āwiyah (part of the Arab tribe of Sulaym), Banī Jadhmah', Banī Naghīсах (Arab tribes of

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<sup>17</sup> A. Guillaume, *Islām* (Penguin 1973), p. 9; Khalīl Abd al-Karīm, *al-Judhūr at-Tārīkhiah li al-Sharī'ah* (Cairo 1999), p. 1f.

<sup>18</sup> A. Guillaume, *Islām*, p. 10f.

<sup>19</sup> De Lacy O'Leary, *Arabia before Muhammad*, p. 173f.

<sup>20</sup> *Sabbath*, vi, 6; *Oholoth*, xviii, 10.

<sup>21</sup> W. H. C. Frend, *The Early Church* (Hodder and Stoughton, London 1971), pp. 46ff. This mutual struggle for converts is also clearly reflected in the New Testament literature, and to a great extent in the pre-Nicene Fathers.

Yemen), Banī Za‘ūrah’ and Banī Tha‘labah.<sup>22</sup> Here we have a clear indication as to the existence of not only Arabized Jews, but also Judaized Arabs.

The Jews of Arabia were an agricultural people, and in Madīna particularly, they practised the art of working in metal – as smiths, armourers and jewellers. As craftsmen they were appreciated by the neighbouring Arab tribes, but as agriculturists they were resented, for agriculture involved encroachment on the pastoral lands of the nomadic Arabs. Their superior knowledge of agriculture and irrigation, and their energy and expertise in industry made them the most prosperous section of the Arabian community, so that by the dawn of Islam they were virtually in control of the economic life of al-Hijāz.<sup>23</sup> In all this, their eagerness to propagate their faith among the Arabs was not lost. This was not limited to al-Hijāz only, but also extended to Yemen in the south where a good number of tribes were converts to Judaism. One of their most celebrated proselytes was Dhū Nuwās, a member of the ancient Yemenite royal family and a great persecutor of the Christians of Najrān. Dhū Nuwās nearly succeeded in establishing a post-Talmudic Jewish homeland in Yemen instead of Palestine.

Finally, the impact of Judaism on the Arabian society is not to be underestimated. A student in this field would not fail to discover that in Arabia those whom Judaism had failed to proselytize it had certainly succeeded to influence in some way or another. Islam is a good example. It is believed particularly in academic circles, that Judaism is the mother of Christianity and Islam; and Islam seems to bear greater resemblance to her mother Judaism than does her sister Christianity. The significant impact of Jewish influence on Islam cannot be easily dismissed.<sup>24</sup>

(c) *Christianity*, according to Philostorgus, was brought into Arabia (i.e. the Syrian desert), in the reign of Constantine II (334 – 61). According to Muslim historians, a Syrian named Faymiyun introduced Christianity into south Arabia.<sup>25</sup> But these may refer to some renewed missionary expeditions much later in such parts of Arabia. Arabian Christianity, as

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<sup>22</sup> Quoted by W. Montgomery Watt in his ‘*Muhammad at Madīna*’ p.192f.

<sup>23</sup> A. Guillaume, *Islām*, p. 11f. It is not certain if this influence extended to the realm of politics. Their subsequent defeats and what followed thereafter seem to indicate that their political clout was anything but significant in Hijāz.

<sup>24</sup> Erwin I. J. Rosenthal, *Judaism in Islām* (London 1961), pp. 1 – 47; Abraham I. Katsh, *Judaism in Islām: Biblical and Talmudic Backgrounds of the Koran and its Commentaries* (New York 1980).

<sup>25</sup> Ibn Hishām, Vol. 1, p.30f. See also foot note No. 1 in the same page on the differences on this point.

A. Guillaume has pointed out, is as old as Christianity itself. J. Trimmingham has argued that the earliest gospel shows that Jesus' itinerant ministry, though including Phoenicia and Lebanon, was concentrated on Arab regions, Ituraea and the Decapolis, among Arab peasantry rather than in the Hellenistic cities. The region of Caesarea Philippi around modern Banyas and near the source of the Jordan, was his place of retreat, and was inhabited by half settled Arab Ituraeans (Mark 3:7-8; cf. Luke 3:1).<sup>26</sup> His ministry among the Arabs may help to account for some of his followers in Damascus, which was part of the Nabataean Arab kingdom of Aretas IV -'al-Hārith' (Acts 9:19-25; II. Cor. 11.32-33).

It is significant that Paul's conversion (36 AD) should take place on Arab soil (Acts 1-9). It is also significant that his subsequent mission should begin with the Arabs of the Nabataean kingdom. He tells the Galatians, "When it pleased God to reveal His son in me that I might preach Him among the Gentiles, immediately...I went to Arabia"(Gal.1:15-17). Moreover, there is a tradition that associates the apostle Thomas with the founding of the Church at Edessa in Iraq.<sup>27</sup>

The Qur'ān does not give the impression that an enormous number of Arabs were Christians. Although most Arabs were heathens, there were three chief centres of Christian influence in Arabia: 1. Yemen in the south. Here the Monophysite Church was strong and in close relationship with Abyssinia in the west. Both were in communion with the Coptic Egyptian Church. 2. Syria in the north where, like in Yemen, Monophysitism was well rooted among the Ghassanīd tribes. 3. Hīrah in the northeast where the Nestorian Church was established among the Lakhmid tribes. In this way, as R. Bell put it, Arabia was ringed with Christianity and Christian influence. From these centres Christianity slowly penetrated into the rest of Arabia. Both the Monophysites and the Nestorians were extraordinarily active in converting the Arabs, and shortly before the birth of Muhammad large numbers had been baptized. Churches were founded, almsgiving and fasting were practised, monasteries were open day and night to provide food and drink to travellers, and interestingly, women were veiled when out of doors.<sup>28</sup> In time, however, the Monophysites won over the large tribes of Bakr Wā'il and Taghlib, and the Nestorians won over the equally large and powerful tribes of

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<sup>26</sup> J. S. Trimmingham, *Christianity Among the Arabs in Pre-Islāmic Times* (Longman, London 1979), p. 41f.

<sup>27</sup> A. Guillaume, *Islām*, p. 13.

<sup>28</sup> R. Bell, *The Origin of Islam in its Christian Environment*, p. 42; A. Guillaume, *Islām*, p. 15.

Tamīm and Banī Hanīfah in the district of al-Yamāmah south of al-Hīrah.<sup>29</sup> The Byzantine Church spread into the northern centre of the Peninsula and southward into the shores of the Red Sea, which is north of Hijāz. Here, there were two Christian tribes, Judham and ‘Udhrah.<sup>30</sup> But in Quraysh itself we hear only of individual Christians like Waraqah Ibn Nawfal and Uthmān Ibn al-Huwayrith. In Mecca itself there were sometimes Christian slaves and itinerant monks who came to preach at the annual fairs of Ukāz, like the venerable Quss Ibn Sā‘idah.<sup>31</sup> Christian merchants could often act as missionaries, and could even succeed in winning converts from among the first Muslim community, which was met with remarkable tolerance on the part of the Prophet and his people.<sup>32</sup> When the Prophet entered Mecca triumphantly in 630 AD, paintings of Jesus and the Virgin Mary, among others, were visible on the inner walls of al-Ka‘bah. He ordered all the paintings to be erased except that of the Virgin and the Child Jesus. This painting was seen by an eyewitness as late as 683 AD, when so much of al-Ka‘bah was destroyed by fire that it had to be rebuilt.<sup>33</sup>

We may hazard the notion that in terms of language and to a small extent theology, Christianity has indeed left its indelible mark upon Islam. The credit here goes specifically to the Syriac Church in the north. In the south (Yemen), Christianity hardly made any headway beyond its borders. It may be that the Arabs of al-Hijāz and the adjacent districts were profoundly suspicious of it because of its close connection with Abyssinia.

Christianity in the south had the full political, economic and military might of Abyssinia behind it. This was clear from Abraha’s expedition against al-Ka‘bah, which he regarded as a rival to his magnificent Church in San‘ā. If, as most scholars maintain, he did this for the purpose of destroying al-Ka‘bah so that the Arabs would make pilgrimage instead to his Church in the south, then Abrahā was embarking on a subtle form of conversion. Their pilgrimage to his Christian Church in San‘ā, would inevitably lead to their conversion, and consequently extend his own power in Arabia. The move, if successful, would have been of great political significance for the region. The Romans were already seeking to unite the Arab tribes under their influence against Persia. As an ally, Abrahā had probably no objection

<sup>29</sup> A. Guillaume, *Islām*, p. 15.

<sup>30</sup> A. Guillaume, *Islām*, p. 13. These were apparently followers of the Byzantine Church, and most probably were in the service of the Byzantine government

<sup>31</sup> Fr. Louis Sheikho, *Kitāb Shu‘arā’ an-Nasrāniyah* (Beirut 1991), Vol. 1, pp. 211 – 18.

<sup>32</sup> Tabarī, Vol. 3, p. 22f.

<sup>33</sup> Quoted from an-Nuwayrī & al-Azraqī in *‘Majānī al-Adab’* (Beirut 1884), Vol. 3, p. 316f.

to using the opportunity to extend his own power in Arabia. Meanwhile, the Arabs must have been aware that this was not simply a matter of renouncing their old religion and embracing a new one. This would mean the loss of their Meccan economic and financial centre to San‘ā, in the south. Abrahā’s plan, therefore, would not be worth the apostasy.

## 1.2. THE RISE OF ISLAM AND THE MULTI-FAITH CRISIS

The coming of Islam had changed the religious situation of Arabia. Heathenism had been removed, but much of Jewish and Christian communities remained virtually undisturbed until the Caliphate of ‘Umar (634 – 44). There are indications to suggest that until the Caliph ‘Umar ruled that no religion except Islam should be tolerated in Arabia, a multi-faith situation did exist among the Arabian tribes of the Peninsula. Other indications may also suggest that such a long-standing multi-faith situation might have been badly dented by ‘Umar’s policy, but by no means completely destroyed. ‘Umar’s ruling is supposed to have been based on the alleged word of the Prophet in his dying hour as reported by his wife, Ā’ishah: “Two religions must not exist together on the Arabian Peninsula.” There are different versions of this saying, ranging from naming the opposite religion as “the Jews” according to Ibn ‘Abbas, as “the Christians of Najrān” according to ‘Alī Ibn Abi Talib, and as both “the Jews and the Christians” according to Abū ‘Ubaidah al-Jarrāh.<sup>34</sup> In one version the Prophet is reported to have said, “Expel ‘*al-Mushrikīn*’ (i.e. those who associate gods with God) from the Arabian Peninsula.”<sup>35</sup> Some jurists further compound this problem when they identify the so-called ‘*al-Mushrikīn*,’ as being “the Jews and the Christians” that were hostile to the Prophet. The nature of this hostility, according to Ibn Qudāmah, Abū ‘Ubaid Ibn Salām and Ibn Qaiyyim al-Jawziyya, was the breaking of their treaty with the prophet either by reverting to the practice of usury or by pure apostasy (*al-Riddah*).<sup>36</sup> But this relates only to the Jews and the Christians of Yemen, as we shall see later. However, this laborious argument which classifies the Jews and the Christians as ‘*Mushrikīn*’ is unconvincing. It stands in glaring contrast to the Qu’ran where the distinction between the People of the Book (The Jews and the Christians)

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<sup>34</sup> Ahmad Ibn Hanbal, *al-Musnad* (Cairo 1995), Vol. 18, No.26230; also Ibn Qaiyyim al-Jawziyyah, *Ahkām Ahl al-Dhimmah*, Vol. 1. p. 179f.

<sup>35</sup> Ibn Hishām, Part. 4, p. 345; Tabarī, *Tārīkh al-Umam wa al-Mulūk*, (Beirut 1998), Vol. 3, p. 61; Ibn Kathīr, *al-Bidāyah wa al-Nihāyah*, (Cairo 1991), Vol. 3, p. 290.

<sup>36</sup> Ibn Qudāmah, *al-Mughnī*, (Cairo 1969), Vol. 10, p. 614; Abū ‘Ubaid Ibn Salām, *al-Amuwāl* (ed. By M. H. al-Faki, Cairo 1353), pp.98 ff; Ibn Qaiyyim al-Jawziyya, *Ahkām*, Vol. 1, pp.177f.



and *'al-Mushrikīn'* is sharply drawn.<sup>37</sup> In addition, much effort was expended in trying to pinpoint the geographical limits of the 'Arabia' from which the expulsion took place. Distinguished theologians like al-Shafī'ī (767 – 820), Ibn Hanbal (780 – 855), al-Bukhārī (810 – 870), and others have insisted that the 'Arabia' intended here was Mecca, Madīna, the little port of Yanbū' (west of Madīna), al-Yamāmah, Khaybar and Fadak together with their adjacent surroundings.<sup>38</sup> Obviously, apart from Mecca, which was the stronghold of idolatry, Khaybar and Fadak in Wadi al-Qurā had a strongly influential Jewish population. As for the port of Yanbū', although within the Madinan sphere of influence, some Jewish presence here cannot be over-ruled. One might even hazard the suggestion that this sea-port town could also have had some Christian presence owing to its maritime trade relations with upper Egypt since the Ptolemaic period, and also with Ethiopia.<sup>39</sup> The picture becomes clearer as we come to the district of al-Yamāmah in central Arabia. Here the powerful tribe of Banī Hanīfah and its equally powerful neighbour, the tribe of Tamīm, had a large number of Christians.<sup>40</sup> These two tribes will appear later as important players in what became known as *'hūrūb al-riddah'* (the 'Apostasy Wars').

In dealing with the expulsion issue, we have Muslim writers as our only source of information that cannot be taken at face value. Some contend that the material they provide on that subject is at worst inadequate and contradictory, and at best most of it probably reflects the situation of their own time. We shall return to this point when we further examine the expulsion edict of 'Umar vis-a-vis the Jews and the Christians.

### 1.2.1. THE PROPHET'S WARS WITH THE JEWS

All the sources are at least unanimous that the Prophet Muhammad had never expelled other religious communities from Arabia generally or from al-Hijāz in particular. True, there were military conflicts between him and the neighbouring Jewish communities, which had

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<sup>37</sup> Sūra al-Baqarah [2]:113; Sūra al-Baiyinah [98]: 1-6. Interestingly, verse 1 is simply read by Ibn Mas'ud as "*lam yakūn al-Mushrikūn wa ahlu al-Kitāb i munfakkīn ...*" i.e. "the idolators and the people of the book are not going to depart (i.e. from their ways)..." The term *'al-ladhina kafaru'* i.e. 'the unbelievers' is omitted. See al-Qurtubī, *al-Jāmi' li Ahkām al-Qur'ān al-Karīm* (Cairo ?), Vol. 10, p. 7230. Also comp. Sūra al-Baqarah[2]:221; Sūra al-Mā'idah[5]:5.

<sup>38</sup> For an account of the different views on the geographical limits intended in the Prophet's last word, see Ibn Qaiyim Vol. 1, p. 177ff; al-Balādhurī, *Futūh al-Buldān* (Beirut 1988), p. 27ff.

<sup>39</sup> Encyclopaedia of Islām (Leiden: E.J. Brill, 1913- 1936), Vol. 8, 'Yanbu' p. 1158; A. Sprenger, *Die alte Geographie Arabiens* (Berne 1875), p. 26.

<sup>40</sup> A. P. Caussin de Perceval, *Essai sur L'Histoire des Arabes Avant L'Islāmisme* (Paris 1947-8), Vol. 2, p. 404-8; W. M. Watt, *Muhammad at Madīna* (Oxford University Press Karachi 1994), p. 132 ff.

dire consequences for them. It is outside the scope of our research to discuss the intricate question as to whether the Prophet's attacks on these Jewish communities were politically or religiously motivated. What is important for our subject is the subsequent event of each of those attacks.

About the spring of 624, the Prophet and his confederates attacked and defeated the Jewish tribe of Banī Qaynuqā' in Madīna. Subsequently, they were merely expelled to Khaybar in northern Hijāz. Shortly after, they left for Syria of their own accord.<sup>41</sup> More than a year after (late August or early September 625), The Jewish tribe of Banī Nadīr suffered the same fate. Their expulsion from Madīna is said to have been the occasion in which Sūra al-Hashr [59]: 1 – 5, 11ff, was revealed.<sup>42</sup> They too left for Khaybar where many of them owned property. Then one part of them decided to follow the example of Banī Qaynuqā' and move to Syria. The other part remained in Khaybar and continued their assiduous intrigue against Madīna, which led, albeit reluctantly, to the involvement of the tribe of Banī Qurayzah. The latter consequently suffered a much harsher treatment than their other co-religionists. All the male warriors were executed and their women and children were sold into slavery.<sup>43</sup> However, this does not mean that with this action the last vestige of Judaism was removed from Madīna. Indeed, this was not the Prophet's intention. After the elimination of Qurayzah, there remained a considerable number Jews in Madīna. One of them was Abū Shāhm who was attached to the tribe of Banī Zafar. He was a merchant and moneylender, and even bought a good number of women and children of Qurayzah. The Jewish tribe of Khaybar was also allowed to buy a number of them.<sup>44</sup> According to the Madīnan Constitution, there were a number of other Jewish groups scattered around Madīna who remained untouched.<sup>45</sup>

In the summer of 628, the Jewish tribe of Khaybar was suddenly attacked, and after a fruitless period of resistance, the tribe was defeated and terms of surrender were arranged. It was agreed that the people of Khaybar should remain in their homes and continue to cultivate the land, and that they should pay half of their annual produce to the Prophet. Interestingly, one particular source informs us that among the booties seized by the Muslims during the

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<sup>41</sup> Tabarī, *Tārīkh*, Vol. 2, pp. 351ff; Ibn Khaldūn, *Tārīkh* (Beirut 1992), Vol. 2, p. 419f.

<sup>42</sup> Ibn Hishām, Part 3, p. 194f.

<sup>43</sup> Ibn Hishām, Part 3, p. 194f.

<sup>44</sup> Ibn Hishām, Part. 3, p. 256f; Tabarī, *Tārīkh*, Vol. 2, pp. 434ff; al-Balādhurī, *Futūh al-Buldān*, pp. 30ff.

<sup>45</sup> Ibn Sa'd, *at-Tabaqāt al-Kubrā* (Cairo date ?), Vol. 2, pp. 104-111; al-Wāqidī, *Kitāb al-Maghāzī* (Beirut date?), pp. 522-3.

<sup>45</sup> For the full text of the Madīna Constitution see Ibn Hishām, Vol. 2, pp.119ff.

battle were the scrolls of the Torah. The Prophet had kept them in safety until the Khaybarites requested them back. The high degree of the Prophet's religious tolerance and his deep reverence for those sacred scrolls on this occasion were exemplary, according to the Jewish historian, I. Levinson.<sup>46</sup> After the agreement with Khaybar, the Jews of Fadak, Wadi al-Qurā and Taymā sent word offering to surrender on the same terms.<sup>47</sup> According to some sources, the Prophet's agreement with them was appended by a statement that if he decided in the future to expel them they must go. Other sources report this alleged addendum in the first person plural: "if we wanted in the future to expel you, you must go," (*Idhā shi'nā an nukhrijakum akhrajnākum*).<sup>48</sup> Thus perhaps making the expulsion a collective and a justifiable action to be carried out by the Prophet's successors and representatives of the Muslim community in future. In any case, we submit that there was some kind of agreement between the Prophet and the Khaybarites. The agreement most probably stipulated that the Khaybarites pay half of their annual produce to the Prophet. But it is doubtful if the addendum relating to their possible future expulsion did exist. We assume that this alleged addendum is a later interpolation (or fabrication), designed to justify 'Umar's action which neither the Prophet nor his successor, Abū Bakr, had contemplated. Additionally, al-Balādhurī reports about ten sources relating to the Prophet's agreement with the Khaybarites. The supposed addendum occurs only in two of them.<sup>49</sup> It is therefore probable that this was an interpolation designed to justify 'Umar's action.

### 1.2.2 THE EDICT OF 'UMAR AND THE PROPHETIC TRADITION

One of 'Umar's first tasks as a Caliph was to expel the Jews and the Christians from Arabia. This action is supposed to have been taken in response to the dying behest of the Prophet, "Two religions must not exist together on the Arabian Peninsula." This was reported by his wife Ā'ishah, according to Ibn Hishām.<sup>50</sup> But, Tabarī and other historians seem to prefer the report of Ibn Abbas according to whom the Prophet's last word was: "expel the

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<sup>46</sup> Husain Ibn al-Hassan ad-Diyār Bakrī, *Tārīkh al-Khamīs* (Cairo date ?), Vol. 2, p. 60; for an excellent view on this incident see Israel Wolfson, *The Jews in Arabia* (Cairo 1927), p. 170.

<sup>47</sup> Ibn Kathīr, Vol. 2, p. 658f; al-Balādhurī, *Futūh al-Buldān*, pp.38ff.

<sup>48</sup> According to Ibn Hishām, "*idhā shi'nā an nukhrijakun akhrajnākum*" i.e. if we decided in the future to expel you, you must go, vol. 3, p. 389.

<sup>49</sup> al-Balādhurī, *Futūh al-Buldān*, pp. 32 – 38.

<sup>50</sup> Ibn Hishām, Part. 4, p. 345; see also W. Muir, *The Annals of the Caliphate* (London 1883), pp. 223ff.

idolators (*al-Mushrikīn*) from the Arabian Peninsula.”<sup>51</sup> It is worth noting here, that in one source, ‘Umar is said to have expelled the Jews of Khaybar after he had made much enquiry and after he had been informed of the Prophet’s last word, “Two religions must not exist together in the Arabian Peninsula.”<sup>52</sup> Yet, Muslim Ibn al-Hajjāj in his *Sahīh* reports ‘Umar as having actually heard the Prophet say, “I will expel the Jews and the Christians from the Arabian Peninsula, and will not leave any but the Muslim(s).”<sup>53</sup> Although this was a justification for his earlier expulsion of the Jews and Christians from Yemen, the guideline should have been clear enough for him to act on this occasion without the inconvenience of much inquiry, as the source appears to indicate. The sources apparently are not quite reliable.

However, later theologians were able to squeeze the People of the Book into the rank of “*al-Mushrikīn*,” as we said previously (see p. 12). They cited Ibn ‘Umar’s alleged argument that the People of the Book are indeed ‘*Mushrikīn*.’ He is reported as saying, “I know of no greater *Mushrikīn* (associators) than those who say, ‘Christ is the Son of God and ‘Uzair (Ezra) is the Son of God.’”<sup>54</sup> Therefore, the phrase “expel *al-Mushrikīn* from the Arabian Peninsula,” became synonymous with “expel the Jews and the Christians from the Arabian Peninsula.” Both readings are found in *Musnad Ibn Hanbal*.<sup>55</sup> Together, they present us with the injunction that is probably connected with ‘Umar’s expulsion edict. Their syntax and stylistic form seem designed as much to justify his action as to magnify its size.

It is likely that the Hadīth just mentioned has its seed in some remark of the Prophet about idolatry. In order to appreciate this, we may consider the following: 1). The Prophet was deeply convinced of his God-given mission to lead the inhabitants of Arabia from the darkness (*az-Zulumāt*) of idolatry to the light (*an-Nūr*) of monotheism, according to a verse in *Sūra al-Hadīd*.<sup>56</sup> From the *Qu’rān* we learn how idolatry, or ‘*shirk*’, was perceived by the Prophet. His message was clear:

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<sup>51</sup> Tabarī, *Tārīkh*, Vol. 3, p. 61; Ibn Kathīr, *al-Bidāyah* ... Vol. 3, p. 290; Ibn Khaldūn, *Tārīkh*, Vol. 2, p. 465.

<sup>52</sup> Ibn Hishām, Part. 4, p. 345.

<sup>53</sup> *Sahīh Muslim*, trans. By Abd al-Hāmid Siddīqī (Lahore 1993), Vol. 3, pp. 963 – 6.

<sup>54</sup> Ibn ‘Umar’s argument was based on *Sūra al-Tawbah*[9]:30. Whilst the status of the People of the Book and the idolators is different, their treatment is not. Both forbidden to reside in the sacred cities of Mecca & Madīna. The idolators are unclean because of their *shirk* (associanism). The People of the Book are unclean too because of their *shirk*, although their religions were originally monotheistic. See *Ahkām* Vol.1, p. 188ff.

<sup>55</sup> Ibn Hanbal, *Musnad*, Vol. 1, pp. 29, 32, 195 – 6; Vol. 3, p. 345.

<sup>56</sup> 57: 9. The term ‘*az-Zulumāt*’ (darkness), has for al-Qurtubī the specific meaning of *shirk* (associanism), most commentators like Tabarī and az-Zamakhsharī simply give the general term *kufr* (infidelity); for example al-Qurtubī, Vol. 9, p. 6409; comp. Tabarī, *Jāmi ‘al-Bayān* (Beirut 1995), Vol. 13, p. 285; az-Zamakhsharī, *al-Kashshāf ‘an Haqā’iqi Ghawāmidī at-Tanzīl* (Beirut 1995), Vol. 4, p. 461.

God forgives not that aught should be with Him associated (*yushraka bihi*); less than that He forgives whomsoever He will. Whoso associates with God anything, has indeed forged a mighty sin: (Sūra an-Nisā'[4]: 48, 116).

The sin of '*shirk*' therefore is an enormity. 2). In the Prophetic tradition, the bitterest attack is reserved for idolatry. At least in one Hadīth, reported by al-Bukhārī and Muslim on the authority of Abū Hurayrah, the Prophet said, "I have been ordered (i.e. by God) to fight against the people (i.e. of idolatry) until they declare that 'there is no god but God.' If they said it, they will preserve their blood (i.e. life) and their possession from me..."<sup>57</sup> These are the very words which 'Umar used later to oppose Abū Bakr's decision to fight the rebellious seceders, otherwise known as 'the people of apostasy' (*ahl al-Riddah*). However, 'Umar appears to have regarded them as merely guilty of political insubordination. 3). From this statement (maybe a later interpolation), it can be argued that the Prophet's sole vision was the realization of an Arabia that was purified from the evil of idolatry. He could not possibly have envisaged that a wholesale expulsion, or physical elimination, of idolaters would bring about a transformation. The exercise would simply result in a 'voice crying in the wilderness', and that will indeed be a waste of breath! No prophet with a deep sense of calling would like to see the removal of the very object of his prophetic ministry and vision. Our hypothesis is that this tradition, if it ever existed, might have contained a remark of the Prophet, urging his followers to remove the element of '*shirk*' (idolatry), or what remained of it, rather than its adherents from the Peninsula.

Julius Wellhausen has opined that during the early days of Islam, the challenge to the enemies of Allah was a matter of form before the beginning of hostilities. Later when Islam became strong, there was one rule for the Arab idolaters within the heartland of Arabia, who had no choice, and another for the 'outlanders' even if they were Arabs like the northern Christian tribes of Taghlib, Ghassān and Lakhm.<sup>58</sup> We suggest that it was only during the

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<sup>57</sup> *Zād al-Muslim fī mā ittafaqa alayhi al-Bukhārī wa Muslim* (Cairo 1330 h ?), Vol. 1, p. 45. This Hadīth is thought by some to be *Mutawātir*, which is a technical term for having a large number of reliable transmitters.

<sup>58</sup> J. Wellhausen, *The Arab Kingdom and its Fall* (University of Calcutta 1927), p. 24; more will be said later about their encounter with 'Umar when he tried to impose certain harsh policies on them. It appears, however, that for 'Umar the Arabs could not be anything but Muslims.

heydays of the Abbasid dynasty when history and Hadīth were being compiled that the notion prevailed that in the whole Arabian Peninsula no religion was to be tolerated save that of Islam. It is also possible that the notion may have been inspired at this period by the absence of Jewish, Christian and other non-Muslim communities from al-Hijāz and other parts of the Arabian heartland.

### 1.2.3 THE ENFORCEMENT OF THE EDICT IN MUSLIM SOURCES

Unsurprisingly, these very sources appear to betray the fact that ‘Umar’s action was not in imitation of what the Prophet did, or in obedience to what he is supposed to have said. They seem to point to some other different factors:

(a) According to one source, cited by al-Balādhurī, ‘Umar expelled the Jews of Khaybar because of the spread of some unknown epidemic among them in addition to making sport of the Muslim people. The historian refers to this source simply in the elusive term of the third person plural i.e. ‘they said,’ (i.e. Ar. *qālū*).<sup>59</sup> (b) ‘Another source transmitted by Nafi’, tells us that ‘Umar expelled them because they practised mischief and trickery against the Muslim people. They were even charged of having assaulted and injured his son, Abd Allāh, as he slept in Khaybar one night.<sup>60</sup> However, this is a poor pretext for emptying Khaybar of its inhabitants compared with another more serious incident during the Prophet’s time. Tabarī reports how the Jews of Khaybar had attacked and killed Abd Allāh Ibn Sahl, and were justly charged with his death.<sup>61</sup> Yet, no punitive measure was taken against them. The Prophet’s agreement with them remained intact. This recalls the equally serious case of Zainab Bint al- Hārith, the Jewish wife, who fed the Prophet a poisoned piece of lamb. He survived the attempt, albeit not without its lasting effect upon him, but his companion at that meal, Bishr Ibn al-Barā’, did not survive. Interestingly, the culprit was forgiven and the agreement with Khaybar remained unbroken.<sup>62</sup> (c) In another source, the reason for their expulsion appears to have been economic. We are told that when the Muslim people became

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<sup>59</sup> It is important to note that when al Baladhuri uses this term, he intends to convey a rumour. In the context in which al-Baladhuri puts it, the term ‘*qalu*’ is the equivalent of ‘*za’amu*’ which implies hearsay. See p. 32.

<sup>60</sup> There are at least two different versions of this incident, according to al-Balādhurī. One relates that the Jews of Khaybar attacked and broke his arm when he was asleep; see p. 37; cf. Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 2, p. 660f. The other version says that they tried to throw him off a roof; see al-Balādhurī, *Futūh al-Buldān*, p. 34. Interestingly, both Tabarī and Ibn Khaldūn ignore this alleged incident.

<sup>61</sup> Tabarī, Vol. 499.

<sup>62</sup> The most detailed report of this incident is given by Ibn Kathīr. He gives about ten versions of this story. Only Ibn Dawud reports that she was put to death. See Ibn Kathīr, Vol. 2, pp. 646ff..

increasingly wealthy and numerous enough to populate the land, 'Umar expelled the Jews of Khaybar to Syria and divided their wealth among the Muslim people.<sup>63</sup>

As for the Jews of Fadak, al-Balādhurī states that 'Umar simply bought them out and expelled them to Syria. The remaining Jewish areas of Taymā and Wadi al-Qurā were untouched, according to Ibn Kathir. But, al-Balādhurī does not seem to know that Taymā was spared by 'Umar, and is uncertain if Wadi al-Qurā was left untouched.<sup>64</sup> In any case, the common explanation given is that these two areas were spared simply because they came under the district of Syria rather than that of al-Hijāz.

Just how reliable is the claim that the Caliph 'Umar expelled the above-mentioned communities from al-Hijāz, is hard to say in the light of the inadequate and contradictory nature of the material before us. For this reason some western scholars have taken a skeptical and even a dismissive approach to the story. Yet, there is some element of truth in the story. The very theological arguments of Muslim writers were designed not so much to prove Umar's action as to justify it. Therefore, the expulsion of many Jewish groups from certain parts of al-Hijāz must have occurred under 'Umar, albeit perhaps not on the scale depicted by the writers. In fact, the evidence shows that both Jews and Christians were never absent even from Madīna during Umar's Caliphate and that of his successor, 'Uthmān.

### 1.3. THE EXPULSION OF NAJRANITE JEWS AND CHRISTIANS

There is a general agreement among historians as to 'Umar's expulsion of the pre-dominantly Christian population of Najrān along with their Jewish compatriot minority. The Christians left for Iraq where they established their colony near Kūfa and called it Najrāniyya. Their Jewish compatriots settled in Syria. Historical sources indicate that these were the first to be targeted during his Caliphate.<sup>65</sup> Muslim historians and theologians have great difficulties in trying to justify this particular action. Undoubtedly, the action was a violation of the Prophet's

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<sup>63</sup> al-Balādhurī, p. 34f.

<sup>64</sup> According to the Umayyad Caliph, 'Umar Ibn Abd al-'Azīz ('Umar II), 'Umar expelled the Jewish inhabitants of Khaybar, Fadak and Taimā, al-Balādhurī, p. 44. Ibn Kathīr tells us that the inhabitants of both Wādi al-Qurā and Taimā were expelled. See his *al-Bidāyah wa an-Nihāyah*, Vol. 2, p. 659

<sup>65</sup> Muhammad Hussein Haikal, *al-Fārūk 'Umar* (Cairo 1945), Vol. 1, pp. 103ff; J. Wellhausen, *Arab Kingdom and its Fall*, p. 301f; Sir W. Muir, *The Annals of the Early Caliphate* (London 1883), pp. 223ff.

written treaty. The treaty stated: “ Najrān shall have the patronage of God and the protection of Muhammad, the Apostle of God. This will also include their goods and their lives, their lands and their religion, their absent ones and their present ones, their relatives, their churches and all that is in their hands whether small or great. A bishop shall not be moved from his bishopric, nor a monk from his monastic life, nor a priest from his priesthood”.<sup>66</sup> Yet, ‘Umar’s action is excused and justified in various ways:

(a) The Hadīth mentioned earlier, reports ‘Umar himself as having actually heard the Prophet say, “I will expel the Jews and the Christians from the Arabian Peninsula and I will not leave any but the Muslim(s).”<sup>67</sup> If this had been so, Abū Bakr (the Prophet’s first successor), would certainly have made it his primary task to implement it, and no other reason would have been required to justify the act. Yet, more than one reason was needed to justify this breach of the treaty. (b) According to al-Balādhurī , ‘Umar expelled them, “because they began to practice usury and became so numerous as to be considered a menace to Islam”.<sup>68</sup> This claim is strange as Christianity and the early Fathers looked upon usury with severe disapproval and placed it in the category of serious crimes.<sup>69</sup> (c) In one source, reported by al-Balādhurī , we are told that they fell to variance and friction among themselves, and asked to be removed from their land.<sup>70</sup> (d) In his book, *Kitāb al-Kharāj*, Abū Yūsuf tells us that ‘Umar expelled them because they were found guilty of preparing for an armed insurrection against the Muslims. If this had been the case, ‘Umar would not have given them new lands in Iraq and Syria as compensation for their lands in northern Yemen, and their ‘*Jizya*’ (poll-tax) would not have been remitted for two years.<sup>71</sup> This excuse may well contain some clues, which if examined in the light of Umar’s character would unveil the reasons behind his action.

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<sup>66</sup> Abū Yūsuf , *Kitāb al-Kharāj* (Cairo 1346 AH), p. 86.

<sup>67</sup> *Sahīh Muslim*, trans. By A. Hāmid Siddīqī (Lahore 1993), Vol. 3, pp. 963 – 6.

<sup>68</sup> al-Balādhurī, *Futūh al-Buldān*, p. 73

<sup>69</sup> See the article by John Dow entitled ‘*Usury (Christian)*’ in the *Encyclopaedia of Religion and Ethics* (T & T. Clark Edinburgh 1934), Vol. 12, pp. 550ff.

<sup>70</sup> al-Balādhurī, *Futūh al-Buldān*, p. 74. In spite of the possible existence of hostilities between the Monophysites and the Nestorians in south Arabia, the idea of requesting to be removed as the only solution is highly remote.

<sup>71</sup> Sir W. Muir, *The Annals of the Early Caliphate*, pp. 223ff; Abū Yūsuf, *Kitāb al-Kharāj*, pp. 86ff; the alleged insurrection by the Christians is also discussed by the commentator on *Sahīh Muslim*, see Vol. 3, pp. 963 – 6. This allegation is clearly ignored by most Muslim historical records.



### 1.3.1. A POLITICALLY MOTIVATED ACTION

‘Umar’s expulsion of the predominantly Christian population of Najrān together with its Jewish minority seems to have been one of the foremost in his list of priorities. Muslim sources, as we have just seen, give several reasons for ‘Umar’s decision (see p.20). These reasons are very brief, contradictory and far from convincing. We suggest therefore the probability that ‘Umar’s decision may have been politically and strategically motivated. Geographically, Najran was situated at the strategic point between al-Hijāz and Christian Abyssinia. The memories of Abyssinia’s grip on South Arabia and its military intervention in Najrān over a hundred years before (i.e.525 AD.) were not forgotten. At that time the intervention was provoked by the persecution of the Christians of Najrān under Dhu Nuwās, the Jewish Yemenite prince. Remembering that Abyssinian lordship there was associated with favour to Christianity, it is not difficult to understand why Christians became involved. Taking advantage of Abyssinia’s weakness, and with the support of Himyar, Dhū Nuwās had decided to unify South Arabia under his rule. To achieve this, a policy of Judaizing the population of South Arabia would be important, and would serve a two-fold purpose:

1). The establishment of a balance of power with Christian Abyssinia just a short distance across the Red Sea; and, 2). Probably the realization of a post-Talmudic Jewish homeland outside Palestine. But, the scheme collapsed when Dhū Nuwās adopted a policy of forced conversion against the Christians of Najrān who refused to apostatize. Many of them were put to death with great cruelty. The story of the burning pit, into which they were forced to leap, is mentioned in the Qur’an where the martyrs are known as ‘the men of the Pit’ (*as-hāb al-ukhdūd*) (Sūra al-Buruj [85]: 4-9). With their military intervention and the defeat of Dhū Nuwās, the Abyssinians re-established their lordship in South Arabia. It was from here also that Abrahā, the Abyssinian governor, launched his expedition against al-Ka‘bah in the year 570 or 571 AD, known as ‘the year of the elephant.’<sup>72</sup> With the death of Abrahā shortly after the failed expedition, the Abyssinian rule in Yemen collapsed, thanks to the Persian intervention. Following this collapse, Christianity lost its dominant influence in South Arabia. The Church of Najrān, however, must have maintained itself, for we find that a deputation of Christians from there appeared in Madīna to negotiate terms with Muhammad in

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<sup>72</sup> See Sūra al-Fīl [105]:1–5. Muslim historians date the birth of the Prophet to the year of Abrahā’s expedition against Mecca; see al-Mas‘ūdī, *Murūj al-Dhahab*, Vol. 2, p. 274; Ibn Hishām, Part. 1, p. 171.

the last year of his life.<sup>73</sup> We suggest the possibility that a growing Christian community occupying strategic points between Abyssinia and al-Hijāz may have appeared as a potential springboard for another Abyssinian invasion, this time, not only of South Arabia but also of al-Hijāz. For ‘Umar, therefore, this situation might have seemed counterproductive and needing to be addressed. Interestingly, the Caliph ‘Uthmān, ‘Umar’s successor, discovered that the Najranite Christians had indeed been unjustly treated, and ordered his governor in Kūfa, ‘Uthmān Ibn Hunayf, to “reduce their poll-tax by 200 robes for the sake of God and in place of their old lands.”<sup>74</sup>

### 1.3.2. A RELIGIOUSLY MOTIVATED ACTION

At this point we propose the hypothesis that another reason for the expulsion of the Jews and the Christians from al-Hijāz and Yemen was probably theological. It is hard to appreciate this point without understanding the character of ‘Umar himself. It is suggested that ‘Umar was to Islam what Paul was to Christianity. This may be true only in so far as, like Paul, he could invent, re-interpret, and even interpolate the sacred text in order either to meet particular needs, or to bring Islam into consonance with the way of life in his time.<sup>75</sup> Whether, like Paul, he could be “all things to all men,” (I. Cor. 9: 22), is highly unlikely! What is certain is that ‘Umar was uncompromisingly for Islam and the Muslim community. ‘Umar’s entire active life, as P. Kennedy observed, “was dedicated to accentuating the difference between the Muslims and non-Muslims and to making the former uniquely superior”.<sup>76</sup> Was this the outcome of his concept of God’s special choice of the Arab people? The verse in Sūra Āl-‘Imran, “You are the best nation ever brought forth to men”, does imply the idea of divine choice, which al-Zamakhsharī takes as meaning, “you were, in the fore-knowledge of God, the best nation.”<sup>77</sup> ‘Umar seems to have had this conviction. Once on his pilgrimage, he reportedly said to Mu‘awiyah, “We are the best (lit. choicest) of people,

<sup>73</sup> R. Bell, *The Origin of Islām*, p. 40f.

<sup>74</sup> Abū Yūsuf, *Kitāb al-Kharāj*, p. 88

<sup>75</sup> He abolished *nikah al-mut‘a* (temporary marriage, still practiced by Shī‘a), established the regulations for his non-Muslim subjects, instituted a register for those having the right to military pensions, created the office of *al-qadī* (judge), also established a series of ordinances like prayers of the month of Ramadān (*tarāwīh*) ect... He is also credited of having introduced civil and penal laws such as punishment for drunkenness and stoning for adulterers. See Nöldeke, *Geschichte des Qurans* (2<sup>nd</sup> ed. Leipzig 1909-19), Vol. 1, pp. 48-241.

<sup>76</sup> Pringle Kennedy, *Arabian Society at the Time of Muhammad* (Calcutta & Simla 1926), p. 59f.

<sup>77</sup> See 3: 110. See also al-Zamakhsharī, *al-Kashshāf*, Vol. 1, 392, the term “*Khayru*” is the adjective of *Ummah* (people nation). ‘*Khayru*’ denotes not only the idea of ‘best’, but basically carries the notion of ‘choice’ or ‘chosenness’. It comes from the verb ‘*ikhtāra*’ to choose.

and the best of this world, and the next belongs to us.”<sup>78</sup> Probably, for him, the idea also carried a racial connotation. For example, ‘Umar did not allow Muslims of non-Arab origin to inherit nor indeed inter-marry with Muslims of Arab origin.<sup>79</sup> Apparently, for two centuries thereafter the distinction existed between Muslims of non-Arab origin and Muslim Arabs who belonged territorially to Arabia proper. “The Arabs”, wrote Kenneth Cragg, “carried the distinction of belonging with Muhammad by race and by country. Veneration for him and his family implied God’s choice of the Arabs as His people”.<sup>80</sup> But history has shown that people alone have never been the sole object of divine choice. Veneration for the place, where divine revelation came and where worship was established implied also God’s choice of it as a sacred territory. The sacredness of Arabia as God’s chosen territory seems to have evolved gradually. Regardless of what the pre-Islamic Arabs conceived of the Ka’bah and its Meccan territory, Islam identified it with the Patriarchs Abraham and Ishmael. The Ka’bah, according to the Qur’ān, was founded and sanctified as the house of God by them (Sūra al-Baqarah [2]:125 – 128; Sūra al-Hajj [22]:26). The house having now become sacred, receives the Qur’ānic title, *‘al-masjid al-harām’* (‘the sacred Mosque’. See Sūra al-Mā’idah [5]: 100; Sūra Banī Isra-īl [17]: 1). In addition to this sanctification (or sacredness), the Ka’bah was vested with the fullness of divine blessing (Sūra Āl-‘Imrān [3]: 96). Soon thereafter, the sacredness of the Ka’bah came to cover the city as a whole, so much so that the terms ‘Ka’bah’ and ‘Mecca’ became interchangeable. Later, Madīna was also declared to be sacred by the Prophet Muhammad. On the authority of Nāfi‘ and Abū Hurayrah, the Prophet is reported to have said, “Abraham declared Mecca sacred and I declare Madīna sacred”.<sup>81</sup> During ‘Umar’s Caliphate the sacredness of Mecca and Madīna came to embrace the entire districts of al-Hijāz and Yemen, from which the Jews and the Christians had to be removed. A divinely chosen people must belong exclusively to a divinely chosen territory, which recalls the Old Testament concept of a chosen Israel (Deut.7:6; 14:2), and a chosen holy land.<sup>82</sup> Interestingly,

<sup>78</sup> Ibn Hajar al-‘Asqalānī, *al-Isābah fī Tamayiz as-Sahābah* (Cairo date ?), section on the life of Mu‘āwiyah.

<sup>79</sup> al-Bayhaqī, *as-Sunan al-Kubrā* (Hyderabad 1354 A.H), Vol. 3, p. 245; as-Suyūṭī, *ad-Dur al-Manthūr* (Cairo ?) Vol. 2, p. 133.

<sup>80</sup> Kenneth Cragg, *The Arab Christians: A History in the Middle East* (Mowbray London 1992), p. 54f.

<sup>81</sup> *Sahīh Muslim* (Cairo date ?) of the Pilgrimage, Hadīth No. 458; Ibn Hanbal, *Musnad*, Vol. 1. No. 1573.

<sup>82</sup> The whole idea was the affirmation of Israel’s holiness and the need not so much to destroy pagan altars as to separate themselves from the pagans and their practices. See A.D.H. Mayes, *Deuteronomy*, New Century Bible Commentary (Marshall, Morgan & Scott, London 1981), p. 184f; but, the removal of these people in the end was deemed necessary. The land which God had chosen for His people had to be purified both for fellowship with God and for his worship. The idea of the gift of land for Israel as a holy and blessed territory is confirmed in the Qur’ān. See Sūra al-Mā’idah [5]: 23; also Sūra al-A‘rāf [7]:137.

what follows from this, recalls certain events connected with ancient Israel's settlement and the removal of non-Israelite communities from Yahweh's land:

(a) One of the main reasons for the command to remove the indigenous Canaanite communities from their land was that they were idolaters and therefore an 'abomination' (Deut.18:9-12; 20:18; 27:15;). Here the term is used in a theological context and denotes that which is ritually and ethically impure, loathsome and repugnant to God. The presence of such an abomination on the sacred soil would eventually contaminate it (Lev.18:24-25; Jer.16:18). It was therefore enjoined upon the faithful to remove those idolatrous communities from it (Num.33:52; Deut.7:16; Josh.17:18). These passages which urge the expulsion of all non-Israelites from the land most probably reflect a seventh century BC reaction to internal and external political, social and religious forces that were threatening Israel's national existence.<sup>83</sup> Perhaps, originally, sacred exclusion zones did not go beyond the Sanctuary of Zion (Ps.132:13) and possibly before it Shiloh in the north (Ps.78:56-7). Similarly, the sacred spot from which the Arab idolaters were excluded in the seventh century AD was the Ka'bah and its Meccan territory, for the same reason as that given in the Old Testament i.e. they are an abomination or unclean '*najas*' according to a text in Sūra al-Tawbah.<sup>84</sup> Soon after this, the Prophet declared Madīna sacred too, as we just mentioned. It is not certain if an exclusion order was applied on this occasion to the idolaters. But at the time of 'Umar, the concept of *Terra sacra* for the Arabian Peninsula, in practice if not in name, was most likely in vogue, and the removal of non-Muslim communities from it may point to this. However, 'Umar allowed single individuals or a group of these communities a stay of no more than three days if they happened to be there on business. But under no circumstances would they be allowed to approach the sacred Ka'bah in Mecca or enter the sacred Mosque in Madīna. This matter was fully recognized by his companions. It was said that Abū Mūsa, the governor of Kūfa, entered the Mosque where 'Umar was sitting, and handed him a document containing the report of his work. 'Umar asked him to bring in his secretary to read it. Abū Mūsa said that he could not enter the Mosque. When 'Umar asked: "Why?" Abū Mūsa replied: "He is a

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<sup>83</sup> The concept of the covenant in this situation was intended to play a considerable part in ancient Israel's national life as the people of God faced with overwhelming pagan influence. See L. Perlitt, *Bundestheologie im Alten Testament* (WMANT 36), 1969, p. 60. Perlitt's thesis, however, is a revival of Welhausen's argument that the concept of the Covenant in Israel was late.

<sup>84</sup> See 9: 28. It is not clear in what sense the non-Israelite was regarded as unclean. It is equally unclear whether this Qur'ānic verse refers to the spiritual or physical uncleanness of *al-Mushrikīn* or both. Opinions certainly vary. See Tabarī, *Tafsīr*, Vol. 6, pp. 135ff; az-Zamakhsharī, *al-Kashshāf*, Vol. 2, p. 252f.

Christian.” The Caliph ‘Umar is reported to have agreed, adding: “I will not honour them when God has degraded them; I will not glorify them when God has humiliated them; I will not bring them near when God has set them far away.”<sup>85</sup> That ‘Umar’s expulsion of the non-Muslim communities from Arabia was due to the belief that their ritual and moral impurity might contaminate the land, cannot be easily dismissed. This seems to be also the view of the earliest jurists and theologians like Mālik Ibn Anas (716 - 795), and Muhammad Ibn Idris al-Shafi‘ī (767 - 820).<sup>86</sup> In view of this, one is forced to ask, was this one of those Judaic ideas (i.e. *Isrā’iliyyāt*) that had been incorporated into Islam?<sup>87</sup>

(b) There is a sense in which the existence of a group of different faiths together can pose a considerable challenge to the weakest of them, especially if these faiths happened to be indigenous and missionary in character like Judaism and Christianity. The Qur’ān did not overlook this existing challenge between Judaism and Christianity, including even the idolaters who often joined the fray (Sūra al Baqarah [2]: 111, 113). Muhammad must have had a first hand experience of the missionary character of Judaism and Christianity in his time:

Never will the Jews or the Christians be satisfied with thee unless thou  
follow their form of religion (Sūra al-Baqarah [2]: 120).

‘Umar’s superior view of the Muslim community was coupled with the fact that he was extremely protective of it. He prevented the Muslims from becoming over-rich, and particularly from becoming owners of conquered lands outside the Arabian Peninsula. He also opposed marriage with the People of the Book, which the Qur’ān clearly permits (Sūra al-Mā’idah [5]:6). On hearing one day that a group of Muslim men had married Christian women, he ordered that they must divorce them at once.<sup>88</sup> Perhaps as an austere semi-ascetic character, ‘Umar may have viewed wealth and inter-marriage with people of other faiths as far from conducive to the good of the Muslim community, and it may even become a recipe

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<sup>85</sup> Ibn Qutaybah, *‘Uyūn al-Akhbār* (Cairo 1962), Vol. 1, p. 43.

<sup>86</sup> az-Zamakhsharī, *al-Kashshāf*, Vol. 2, p. 252f; for a full discussion see Ibn Qayyim, *Ahkām*, Vol. 1, p. 188f.

<sup>87</sup> The area of the ancient temple of Jerusalem was forbidden to the gentiles as they were regarded unclean, according to Josephus, on the surrounding wall of the temple there were warnings, forbidding the entry of any gentile under the pain of death (Antiq. XV. xi. 5); two of these have been found.

<sup>88</sup> One of those men was Hudayfa, he refused to divorce his Christian wife unless ‘Umar could prove that she was (Qur’anicly), illegal for him. He could not. See Ibn Qayyim al-Jawziyyah, *Ahkām*, Vol. 2, p. 421.

for apostasy in the short or long run. This may well recall the Ezra – Nehemiah policy on inter-marriage in the post-exilic period.

We have already noted how ‘Umar is reported to have actually heard the prophet say, “I will expel the Jews and the Christians from the Arabian Peninsula...” The claim seems to be given in a style designed to set a theological seal of approval on ‘Umar’s action. So does also the supposed prophetic saying, “Two religions must not exist together in the Arabian Peninsula.” The latter, however, could probably imply the removal of the threat that, according to him, would almost certainly become real. In terms of this period, and in his perception, the two long-standing missionary faiths could hardly be any thing less than a serious threat to the infant faith. It can also be suggested that the curious remark, “ ‘Umar feared that they might harm the Muslims,” hardly refers to a moral, demographic or military threat, as Abū Yūsuf and al-Balādhurī implausibly suggest. The threat was more likely spiritual and theological, which recalls ancient Israel’s basis for the removal of the Canaanites from their land. The notion that if the Canaanites were to remain in the land they would become a constant spiritual ‘snare’ to Israel is frequently encountered in the Old Testament (Ex.23: 33; Num.33: 55). It is quite probable that the continued existence of these and other faiths in the Arabian Peninsula was viewed as a snare to the members of the new faith. There were incidents of apostasy during Umar’s Calīphate, such as the six men from the clan of Bakr Ibn Wā’il, in whose apostasy (from Islam back to Christianity), the Christians of Taghlib (or its own clan Bakr Ibn Wā’il) appear to have had a hand.<sup>89</sup> In Yemen, a convert is alleged to have reverted to Judaism and was hastily executed to the great disapproval of ‘Umar.<sup>90</sup> In Iraq, Ibn Mas‘ud arrested a group of people who apostatized and wrote to ‘Umar asking for his verdict.<sup>91</sup> This situation seems to have continued even during the time of Alī, the fourth Calīph. His Calīphate witnessed, among other incidents of apostasy, the return of the distinguished al-Mustawrad Ibn Qusaybah of the clan of Banī ‘Ajl from Islam to Christianity, and also the return of the third of the population of the Banī Nājiyah tribe to Christianity.<sup>92</sup>

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<sup>89</sup> Abd ar-Razzāq Ibn Hammām al-Humayrī, *al-Musannaf* (Cairo date ?), Vol. 10, pp. 165-6; Ibn Hazm, *al-Muhallā* (Cairo date?), Vol. 11, p. 221.

<sup>90</sup> This incident is quite uncertain. According to one version, this incident appears to have occurred in the time of the Prophet, see al-Nasa’i (Cairo ?) p. 105; also al-Bayhaqī, *as-Sunan* (Hyderabad, India 1354 h), p. 205; according to another it occurred during the time of ‘Umar, see al-Bayhaqī, p. 206.

<sup>91</sup> Abd ar-Razzāq al-Humayrī, *al-Musannaf*, Vol. 10, p. 167; This report is rather dubious. The nature and the cause of their apostasy is unclear. Also, according to another source, the Caliph was ‘Uthmān not ‘Umar. See *Kanz al-‘Ummāl*, p. 514.

<sup>92</sup> al-Bayhaqī, p. 206 & 208.

(c) ‘Umar’s encounter with the powerful Christian tribe of Banī Taghlib is probably an example of the way he was trying to remove the challenge of other faiths not only from Arabia, but also from among the Muslim Arabs generally. The conditions imposed on Banī Taghlib for instance were peculiar. They were so proud of their Arab blood that they refused to be treated as non-Muslims, and therefore objected to paying the *Jizyah*. They were quite happy to pay double the amount and call it ‘*as-Sadaqah*’, which the Muslims paid, but not under the name *Jizyah*, which non-Muslims paid! They also refused to give up their Christianity, and they are alleged to have agreed not to baptize their children. It is difficult to see why they agreed to this last (unwritten) condition. But if they had agreed, they soon ignored the agreement and continued to baptize their children. For ‘Umar, however, it was disgraceful that Arabs like the Taghlibites should be Christians or anything else other than Muslims. He even refused to acknowledge them as Christians. “They are Arabs and not People of the Book,” he angrily told Ziyād, his tax collector. He also instructed him to be stern with them.<sup>93</sup> Later he accepted that the idea of expulsion or compulsion were not for the Taghlibites. Tabarī tells us that he told al-Walīd Ibn ‘Uqbah, his general in Mesopotamia, that compulsion applied only in the Arabian Peninsula and Yemen.<sup>94</sup> Here ‘Umar was not consistent. On his meeting with Jabalah Ibn al-Aiham, the northern prince of Banī Ghassān, ‘Umar told him, after he refused to give up his Christianity and accept Islam: “We have only three alternatives for you, Islam, poll-tax, or going wherever you want (i.e. expulsion).”<sup>95</sup> In ‘*Kitāb al-Kharāj*’, Yahya Ibn Adam writes: “ ‘Umar Ibn al-’Khattāb made peace with the Banī Taghlib on condition that he should double their poor-tax, that they should not prevent any one of them from becoming a Muslim and that they should not baptize their children.”<sup>96</sup>

It is interesting to note that Tabarī explained the term “their children” as meaning the children of those among them that had embraced Islam. For him, the condition was only “that they should not christen the children whose parents had become Muslims.”<sup>97</sup> It is quite possible that in saying this, Tabarī was simply trying to explain away an unreasonable and unjust condition. It is also possible Tabarī might have been drawing on some other source (or

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<sup>93</sup> Abū, Yūsuf, *Kitāb al-Kharāj*, p. 143f.

<sup>94</sup> Tabarī, *Tārīkh*, Vol. 3, p. 457f.

<sup>94</sup> Tabarī, *Tārīkh*, Vol. 3, p. 457f.

<sup>95</sup> ‘Umar regretted this action afterwards. al-Balādhurī, p. 138.

<sup>96</sup> Yahyā Ibn Ādam, *Kitāb al-Kharāj* (Cairo 1929), pp. 47 – 8.

<sup>97</sup> Tabarī, *Tārīkh*, Vol. 3, p. 458.

sources) no longer available. If this is so, then we have here a portrait of the Taghlibites taking coercive measures against some of their members who had embraced Islam. The children were not to follow their apostate parents. There is good reason to believe that this action may have been based on the ancient Arabian concept, which survived well into the time of Muhammad, that all the members of a tribe were sons and daughters of its god.<sup>98</sup> It is probable that in the case of the Christian tribe of Taghlib, all its members regarded themselves as sons and daughters of Christ. This is also the name that the New Testament has already given to those belonging to the Christian faith (II Cor. 6: 16-18). It is hard to imagine that the proud and powerful tribe of Taghlib (as 'Umar himself acknowledged them to be), could have agreed not to baptize their children. Interestingly, in his war with Persia, 'Umar's Arab army could rely on Christian warriors of Taghlib whose part in the fighting proved invaluable.<sup>99</sup>

### 1.3.3. THE DANGER REMOVED BUT NOT THE REMNANT

With his usual determination, 'Umar probably embarked on purifying Arabia from non-Muslim elements which might, in the short or long run, be politically and spiritually counterproductive. But 'Umar's effort does not seem to have succeeded in utterly emptying the Arabian Peninsula (i.e. al-Hijāz and Yemen) of other non-Muslim communities, especially the Jews and the Christians. For example, Ka'b al-Ahbār, the Jewish scholar, who did not embrace Islam until the time of the Caliph 'Uthmān, was a resident of Madīna and was frequently invited by 'Umar for consultations.<sup>100</sup> 'Umar himself was assassinated by a resident Christian slave in Madīna called Abū Lu'lu'a.<sup>101</sup>

Finally, there is evidence that although the Christians of Najrān were removed, the Christians of Yemen proper remained untouched, perhaps because of their greater distance from Madīna. There is evidence also that a Christian community continued there well into the eighth century.<sup>102</sup> As for the Jews, they too appear to have remained untouched. There is still a Jewish community in Yemen today, although their number has been greatly reduced since

<sup>98</sup> W. Robertson Smith, *The Religion of the Semites* (Edinburgh 1889), p. 46.

<sup>99</sup> Tabarī, *Tārīkh*, Vol. 3, pp.282 – 284; Ibn Khaldūn, *Tārīkh*, Vol. 2, p. 498.

<sup>100</sup> al-Mas'ūdī, *Murūj al-Dhahab* (Beirut 1988), Vol. 2, p. 64f; Tabarī, *Tārīkh*, Vol. 3, p. 569

<sup>101</sup> Apart from al-Masu'di who described him as a Magian Vol. 2, p. 329f. The rest of Muslim historians identify as a Christian. See Tabarī, *Tārīkh*, Vol. 3, p. 569f; Ibn Khaldūn, *Tārīkh*, Vol. 2, p. 543f.

<sup>102</sup> The Nestorian Catholicus Timothy was appointed bishop of San'a' in Yemen at the end of the eighth century. A century later the Catholicus Yuhanna Ibn 'Īsa wrote a letter to a Yemini priest answering a number of his questions. See Fr. L. Sheikhu, *Christianisme en Arabie avant L'Islām* (Beirut ?), p. 67.



the establishment of the state of Israel in 1948. In Madīna, a Christian, Abū Zubayd, accompanied the Calīph ‘Uthmān as his confidant.<sup>103</sup> The Christian musician, Hunayn of al-Hīrah, was invited to Madīna by his fellow musicians, and died in the house of a great-grand daughter of the Prophet Muhammad.<sup>104</sup> In any case, after the so-called ‘Wars of apostasy’ (*hūrūb al-Riddah*), which took place during the Calīphate of Abū Bakr, idolatry was no longer the problem confronting the Muslim community in Arabia. But during ‘Umar’s Calīphate, the problem was the People of the Book whom he regarded as a serious threat to the infant faith.

The death of the Prophet some four years earlier had left the community facing a number of problems. One of those problems may well have sent an alarming signal to ‘Umar. Both Ibn Hishām (on the authority of ‘Ā’ishah) and Sayf Ibn ‘Umar report that after the Prophet’s death, “the Arabs apostatized either individually or collectively, hypocrisy increased, and the Jews and the Christians began to rise up”.<sup>105</sup> The Arabic term used to describe the attitude of the Jews and the Christians is ‘*ishra’abba*’ which means to stick one’s neck up in order to look at some one arrogantly and in disdain. If indeed this report is true, then the indication is that Judaism and Christianity, with their well-developed theology, were posing a very serious challenge to the infant faith at this point. Islam would not compel them to convert.<sup>106</sup> Muslims are forbidden to dispute with them except in a courteous and gentler manner.<sup>107</sup> But ‘Umar must have viewed the continued presence of these two faiths in the cradle of Islam as a very serious threat and as a recipe for future apostasy. Therefore, on the second year of his Calīphate, ‘Umar embarked on their removal – a removal that after all failed to make Arabia completely free of them.

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<sup>103</sup> H. Lammens, *Le Chantre des Omiades, notes sur le poete arabe chretien Akhtal*, JA, 9, iv, 1894, p. 236.

<sup>104</sup> Abū al-Faraj al-Asfahānī, *Kitāb al-Aghānī*, (Cairo 1868), xi, 24; see also ii, 127.

<sup>105</sup> Ibn Hishām, Part 4, p. 345; Tabarī, *Tārīkh*, Vol. 3, p. 87; Ibn Kathīr, *al-Bidāyah*, Vol.3, p. 846.

<sup>106</sup> Ibn Abbas tells us that this verse was uttered in response to the attitude of al-Hasin, one of the Ansar and a member of the clan of Banī Sālim Ibn’awf. His two sons were Christians (other versions say they converted to Christianity). He asked the Prophet permission to force them to return to Islām. The answer was, “Let there be no compulsion in religion: Truth stands out clear from error.” (Sūra al-Baqarah [2]: 256). See Tabarī, *Tafsīr*, Vol. 1, p. 220.

<sup>107</sup> Sūra al-‘Ankabūt [29]: 46

**THE QU'RĀNIC VIEW OF OTHER FAITHS**  
*And*  
**The Apostasy Indictment**

**2. 1. ISLĀM IN QU'RĀNIC PERSPECTIVE**

Before we consider the Qur'ānic perspective of other faiths, it is important to understand how the Qur'ān essentially perceived the Muslim community. On a number of theological and spiritual issues Islām does not hesitate to affirm its agreement with the other contemporary faiths like Judaism and Christianity, and to some extent even with certain religious concepts cherished and practised by the so called Pagan Arabs.<sup>1</sup> On other matters, however, Islām does not fail to distance itself from them and emphasize its uniqueness. There is no need to discuss here the points of distance and agreement between Islām and these faiths. Our interest at this stage is to draw attention to certain Qur'ānic terms that were obviously designed to identify and indeed emphasize both the uniqueness and the superiority of Islām. Its followers are therefore known as:

**2.1.1. AL-MU'MINŪN (the believers).**

As among the early Christians, the term '*believer*' is the earliest title that the first Muslim community used among themselves. In other words, before the word 'Muslim' became the technical term, a follower of the prophet Muhammad would simply call himself a

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<sup>1</sup> For example, the practice of circumambulation which the Qur'ān enjoins in relation to the rites of pilgrimage to the Ka'bah. Muslim writers present this as a ritual that was current in pre-Islāmic times. Michael Cook, *Muhammad* (Oxford University Press 1996), p. 79f; for more detail on this subject see al-Shahrastani, *al-Milā l wa an-Nihal* (Beirut 1987), Vol. 2, p. 237f; also al-Azraqī, *Tārīkh Makkah*, Vol. 1, pp. 203ff. Among the few books that have caused a great deal of unease in Egypt recently is that of Sayid Mahmūd al-Qamnī, *Rabbu az-Zamān wa Dirāsāt ukhrā* (Cairo 1996), see esp. pp. 161 – 168.

‘believer’.<sup>2</sup> The Qur’ān makes this abundantly clear. Even a casual reader of the Qur’ān would not fail to notice that the expressions ‘faith’ or ‘belief’ (*Imān*), ‘believer’ (*mu’min*) or ‘believers’ (*mu’minūn*) are more widely used terms.<sup>3</sup> This suggests that even after the technical term ‘Muslim’ was established, the identification of the people as ‘believers’ (*al-Mu’minūn*) seems to have continued to be most favourable. The faithful are always addressed as “O ye who believe” (*yā ayyuhā al-ladhīna āmanū*), and when they are mentioned among those of other religious communities, they are simply identified as “those who believe”. There are four passages in which this is made perfectly clear, and it would suffice here to refer to the text in Sūra al-Hajj:

Those who believe (in the Qur’ān), and those who follow the Jewish (scriptures), and the Sabians, Christians, Magians and Polytheists, - God will judge between them on the Day of Judgment: for God is witness of all things. (22: 17)<sup>4</sup>

*Imān* (belief’ or ‘faith) is the real source that is creative and demonstrative of all spiritual and moral virtues, and no virtue is conceivable in Islām which is not rooted in the sincere faith in God and his divine revelations. Therefore, the Qur’ān most frequently characterizes the believers as “those who believe and do the deeds of righteousness.”<sup>5</sup> In particular, the term ‘believer’ or ‘believers’ applies exclusively to those who, in addition to their faith in former divine revelations, believe also in the crowning and final divine message revealed to the Prophet Muhammad. Those characterized by this faith are alone the people who possess the right guidance (*al-hudā*). They are described in Sūra al-Baqarah as those,

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<sup>2</sup> W. Montgomery Watt, *Companion to the Qur’ān* (London 1967), p. 30. Among themselves, the Christians of the first century used the term ‘belonging to the Way’, ‘disciples’ (Acts 9: 2, 26), and most of all ‘believers’ (Acts 5:14; Tit. 4:12). The name ‘Christian’ is found only three times in the New Testament, and was used as a derogatory term for the early followers of Jesus (Acts 11:26; 26:28; I. Pet. 4:16)

<sup>3</sup> Interestingly, the term ‘faith’ or ‘belief’ (*imān*) is mentioned 46 times, the word ‘believer’ (*mu’min*) together with its plural believers (*Mu’minūn* & its feminine *mu’minat*) 223 times. As for the widely used term ‘those who believe’ (*al-ladhīna āmanū*) it is mentioned 259 times.

<sup>4</sup> See also Sūra al-Baqarah [2]: 62; Sūra al-Mā’idah [5]:69, 82.

<sup>5</sup> Sūra al-Baqarah [2]:277; Sūra Āl-‘Imrān [3]:57; Sūra an-Nisā’[4]:122. The characterization of believers in this way is mentioned no less than 37 times.

who believe in the revelation sent to thee, and sent before thy time, and (their hearts) have the assurance of the Hereafter. They are on (true) *guidance* from their Lord, and it is these who will prosper (2: 4 – 5).

This guidance (*al-Hudā'*) is in the Qur'ānic revelation that the prophet came to proclaim so that "the religion of truth may be above every religion" (Sūra at-Tawbah [9]: 33).<sup>6</sup> Sūra al-Jinn equally declares:

Therefore, the faithful acknowledge that "since we have listened to the *guidance*, we have accepted *it* (believed in it): and any who believes in his Lord has no fear... (72:13).<sup>7</sup>

The Qur'ānic title of 'believer' cannot conceivably apply to one who acknowledges only part of revelation and ignores the rest (Sūra al-Baqarah [2]: 85; nor can it apply to one who rejects the new revelation and clings only to his old one (Sūra al-Baqarah [2]: 91).<sup>8</sup> Finally, the true believers (*al-mu'minūn*) are noted for their genuine piety and deep earnestness. Such inner piety, according to Sūra at-Tawbah, has its own outward manifestations:

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<sup>6</sup> The last part of this verse which is repeated in Sūra al-Fath [48]:28, and Sūra as-Sāff [61]:9 is difficult. A. J. Arberry translates the phrase "*liyuzhirahu alā ad-dīni kullihī*" "that He may uplift it above every religion". According to N. J. Dawood, "to make it triumphant over all religions". Evidently, Muslim commentators would readily agree with such translations. They all interpreted the singular '*ad-Dīn*' as meaning 'every other religion'. See Tabarī, *Tafsīr*, Vol. 6, p. 150f; al-Qurtubī, *al-Jāmi' li Ahkām al-Qur'ān*, Vol. 5, p. 2960f; az-Zamakhsharī, *al-Kashshāf*, Vol. 2, p. 257.

<sup>7</sup> It is not clear whether the term "*bihi*" refers to the Guidance (i.e. the Qur'ān) or to God. A.J. Arberry and A. Yūsuf Alī think that it refers to 'Guidance' whereas Dawood thinks that it refers to 'God'. Whilst most commentators understand "*bihi*" as a reference to '*al-huda*' i.e. Guidance, al-Qurtubī suggests that it can refer to both. See al-Qurtubī, *al-Jāmi'*, Vol. 10, p. 6808.

<sup>8</sup> Both of these verses refer to the Jews of Madīna. Sūra al-Baqarah [2]:85 exposes the inconsistencies of their faith and behaviour. Prior to the Hijrah, the Jewish clans of Banī Qurayzah and Banī an-Nadīr were on different sides of the fighting and shared in killing and expelling each other contrary to the Mosaic revelation (Lev. 19: 17 –18). Afterwards they would redeem or ransom each other in fulfilment of Lev. 25: 47ff. Thus they fulfil this command, but ignore the prohibition of killing members of their own Jewish community. See a more detailed comment on this text by Muhammad Rashīd Redā (Beirut ?), Vol. 1, pp. 372 ff. In its proper context Sūra al-Baqarah [2]: 91 is an attack not only on the Jewish community's rejection of the new revelation, but also a clear exposure of their defiance and inconsistency. They are said to have been praying for God's help against the idolators by the expected Prophet (in Jewish sense the Messiah), see verse 89. W. Montgomery Watt, *Companion to the Qur'ān*, p. 24.

[True believers are] those that turn in repentance; that serve Him, and praise Him; that wander in devotion to the cause of God; that bow down and prostrate themselves in prayer; that enjoin good and forbid evil; and observe the limits set by God. So proclaim the glad tidings to the believers (*al-mu'minīn*). (9: 112).

### 2.1.2. AL-HUNAFĀ' (*pre-Islamic Arab monotheists*).

Apparently, this term was introduced about the late Meccan period and became another favourable appellation in the early Muslim community. This attitude is reflected in the exceptional reading of Sūra Āl-'Imrān [3]: 19, by Ibn Mas'ūd, (a notable companion of the Prophet, died 653). Instead of "the religion before God is Islām," he read, "the religion before God is *al-hanīfiyyah*."<sup>9</sup> This term whose etymology we have already discussed appears in the Qur'ān twelve times. According to Sūra an-Nahl, Abraham was the first *Hanīf* par-excellence:

Abraham was indeed a model, devoutly obedient in faith (*Hanīf*), and he joined not gods with God (16: 120).<sup>10</sup>

Sūra Al-Imran tells us that he belonged neither to the rank of the heathen idolaters (as the Syriac *hanaphe* implied) nor indeed to the rank of Judaism and Christianity:

Abraham was not a Jew nor yet a Christian; but he was true in faith (*Hanīf*), and bowed his will to God's (which is Islām), and he joined not gods with God (3: 67).

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<sup>9</sup> As-Sajastāni, *Kitāb al-Masāhif* (Beirut 1975), p. 70, note 1.

<sup>10</sup> The last sentence, "and he joined not gods with God" – "*wa lam yaku mina al-mushrikīn*" lit. not one of the associators. Associatism is characteristic of both polytheism and henotheism. This last will be discussed later.

The rightly guided, therefore, are not those who join the religions of Judaism and Christianity (or for that matter the religion of the idolaters), but rather those who join the unique and superior religion of Abraham i.e. the *Hanīfiyyah*.

They say: ‘become Jews or Christians if ye would be guided (to salvation).’  
Say: ‘Nay ! (I would rather) the religion of Abraham the True (*Hanīf*), and he joined not gods with God (2: 135).

The uniqueness and the superiority of the Abrahamic religion i.e. *al-Hanīfiyyah*, as the Qur’ān perceives it, lie in its very character:

(1) It has to do with the idea of pure monotheism and self-surrender to God as the true, or right, path. This point is made abundantly clear in Sūra al-An‘ām. Here the Prophet is held as the perfect example. He had been rightly guided to the Abrahamic *Hanīfiyyah*:

Say: ‘Verily, my Lord hath guided me to a Way that is straight, - a religion of right, - the Path (trod) by Abraham the true in faith (*Hanīf*), and he (certainly) joined not gods with God (6: 161, see also ver. 79; Sūra Yūnus [10]: 105).

This right guidance had come to him by divine inspiration, indicating that the Abrahamic *Hanīf-iyyah* is God’s chosen Path for him. In Sūra an-Nahl we read:

So We have taught thee the inspired (message), ‘Follow the ways of Abraham the true in Faith (*Hanīf*), and he joined not gods with God. (16:123).

Therefore, Muhammad is instructed to urge his people to follow the Path of the Abrahamic faith, which is true monotheism.

Say: ‘God speaketh the Truth: follow the religion of Abraham, the sane in faith (*Hanīf*); he was not of the Associators (3: 95).

(2) In Sūra ar-Rum, true religion (*hanīfiyyah*) is described as being ingrained in the natural disposition (*al-fitrah*) of every human soul to believe in the oneness of God:

So set thou thy face steadily and truly to the Faith, (as a *Hanīf*)...according to the pattern (the natural disposition - *fitrah*) on which He created mankind. There can be no alteration to the creation of God. That is the upright religion, though most people understand not. (30: 30).<sup>11</sup>

(3) The Abrahamic religion (*hanīfiyyah*), according to Sūra an-Nisā', is characterized by its absolute submission to, and amity with God:

Who can be better in religion than one who submits his whole self to God, does good, and follows the way of Abraham the true in faith (*Hanīf*)? For God did take Abraham for a friend. (4:125).

(4) This faith (*hanīfiyyah*) with which Abraham was characterized, is described as the antithesis of idolatry. Interestingly, *al-Hanīfiyyah* is mentioned in the Qur'ān twelve times, and each time it means freedom from '*shirk*' (associanism or idolatry).<sup>12</sup>

### 2.1.3 AL-MUSLIMŪN (the plural of *Muslim*).

It is grammatically the participial/adjectival form of the verb *aslama*, meaning to submit or surrender one's self wholly and unreservedly to someone else's will. A Muslim, therefore, is one that has surrendered himself in this manner to the will of God and has become a member of

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<sup>11</sup> Upright or 'right' *qayyim* is the literal term. The Abrahamic religion is also described in Sūra al-An 'ām [6]: 161 "a Way that is straight"- "*siratin mustaqīm*." Muslim commentators tend to explain the term '*hanīf*' as being synonymous with the terms '*qayyim*' or '*mustaqīm*' i.e. straight path. The possibility is that the Qur'ān seems to take '*hanīf*' as being synonymous with '*istiqāmah*' i.e. uprightness. See Tabarī, *Tafsīr*, Vol. 1, p.785f.

<sup>12</sup> Nine times explicitly (al-Baqarah [2]:135; Āl-'Imrān [3]:67, 95; al-An 'ām [6]:79, 161; Yūnus[10]:105; an-Nahl [16]: 120, 123; al-Hajj [22]:31, and three times implicitly (an-Nisā'[4]: 125; ar-Rūm [30]: 30; al-Bayyinah [98]: 5). Obviously this is intended to argue that the none affiliation of the members of the new faith to Judaism or Christianity does not make them pagans as the Syriac term *Hanaphē* meant. Rather they belonged to the uniquely superior and pure monotheistic faith of Abraham.

the new faith, known as *Islām*.<sup>13</sup> It is particularly instructive how the Qur'ān itself defines the term *Islām*:

(1) The most concise definition of *Islām* is found in Sūra al-Baqarah, which has been described as the Creed of *Islām*, or more correctly the Creed of Abraham:

Say ye: 'We believe in God, and His revelation given to us, and to Abraham, Ishmael, Isaac, Jacob and the Tribes, and that given to Moses and Jesus, and that given to (all) the Prophets from their Lord: We make no difference between one and another of them: And (thus) we are submissive (*Muslimūn*) to Him (2: 136)<sup>14</sup>

At the same time not every Muslim is a Believer. Indeed, joining the Islamic community does not guarantee that he has 'faith' in the real sense of the word. His acceptance of *Islām* may be motivated by personal interests fear or some other unknown motives. Nevertheless, he is recognized as a Muslim, and his '*Islām*' would be regarded as the first step towards *Imān* (faith) which has not yet entered his heart. In this sense *Islām* is clearly distinguished from *Imān*. The Qur'ān makes it clear that all 'Believers' are undoubtedly Muslims, but the reverse cannot always be true. Sūra al-Hujurat may provide a good example. The Bedouin of Banī Asad Ibn Khuzaymah, for one reason or another came to the Prophet and declared their faith.<sup>15</sup> The response was abundantly clear:

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<sup>13</sup> These peculiar appellations are found seventy two times in the Qur'ān ; thirty three times in the Meccan Sūras and thirty nine times in the Madīnan Sūras. In particular, the term *Islām* predominates in the Madinan Sūras (seven times) while it appears twice in two Meccan Sūras (az-Zumūr [39]:22; al-An 'ām [6]:85). This may indicate that the title came to apply only at Madīna where the new religious community was officially established by the Prophet.

<sup>14</sup> This verse in its proper context, intends to present this statement as the Creed of Abraham which has now become *Islām*'s Creed, and is therefore superior to that of Judaism and Christianity. See W. Montgomery Watt, *Companion to the Qur'ān*, p. 30f. The statement here is also a polemical response to both Jewish and Christian claim reported in verse 135. For a detailed exposition on this verse see Muhammad Rashīd Redā, *Tafsīr al-Manār*, Vol. 1, pp. 482ff. For him, this is a call to "the font et origo of true religion that is free from discrepancies or divisions".

<sup>15</sup> Tabarī relates that the declaration of Banī Asad was based on fear. But al-Qurtubī reports that the desert Arabs in this verse were the same as those mentioned in Sūra al-Fath [48]: 10, 14-15 the Bedouin of Muzaynah, Juhaynah, Aslam, Ghifār, ad-Dayl and Ashja'. Ibn 'Abbās says that they were certain Bedouin whose motive was to be included among the privileged rank of *al-Muhājirīn*. Instead, they were addressed as "*al-A'rāb*" i.e. 'the desert Arabs'. In any case, their declaration was devoid of *iman* i.e. faith. He considers them hypocrites. See Tabarī, *Tafsīr*, Vol. 13, p. 182f; al-Qurtubī, *al-Jāmi ' li Ahkām al- Qur'ān*, Vol. 9, pp. 6168.



The desert Arabs say, 'we believe'. Say, 'Ye have no faith; but say, 'we have submitted our wills to God (*aslamna*), for not yet has faith entered your hearts. But if ye obey God and His Apostle, He will not belittle aught of your deeds: for God is Oft – Forgiving, Most Merciful (49: 14)

(2) Whilst it is possible to be a Muslim but gravely wanting in *Imān* (faith), it is impossible to be a *Mu'min* (believer) and not a Muslim. As a clarification that *Imān* is the seal and guarantee of *Islām* and not vice versa, Sūra 'Al-Imrān gives Abraham's *Islām* as an illustration:

Abraham was not a Jew nor yet a Christian; but he was true in faith (*Hanīf*) and bowed his will to God (which is *Islām*) (3: 67).<sup>16</sup>

We can safely say that only in this sense *Imān* and *Islām* are interchangeable.

(3) The characteristic feature of *Islām* is that it stands in glaring contrast to *qast*, which means deviation from the path of truth, justice and righteousness.<sup>17</sup> The clear implication is that *Islām* is the right course to take in life, with somehow strong emphasis on conduct. This seems to be the meaning of the verse in Sūra al-Jinn, which N. J. Dawood rightly translates,

Some of us are Muslims and some are wrongdoers. Those that embrace *Islām* pursue the right path; but those who do wrong shall become the fuel of Hell (72: 14–15).<sup>18</sup>

(4) As the term *Muslim* means the submission of one's whole being to God alone, one would

<sup>16</sup> Other examples are found in Āl-'Imrān [3]: 52; al-Mā'idah [5]:115; an-Naml [27]:81; ar-Rūm [30]: 53; Yūnus [10]: 74.

<sup>17</sup> The Arabic term '*qast*' is opposite '*qist*'. The latter implies an act of justice or righteousness. '*muqsit*' part. act. - one who acts justly and righteously, not always in a judicial sense. See (*Sūra al-Mumtahinah* [60]: 8). The term '*qast*' has the opposite meaning. '*qāsīt*' part. act. - one who deviates from the path of truth and acts 'unjustly', 'unrighteously' or 'wickedly'. See John Penrice, *Dictionary and Glossary of the Qur'ān* (Curzon Press, Surrey 1993), p. 118. See also az-Zamakhsharī, *al-Kashshāf*, Vol. 4, p. 616.

<sup>18</sup> N.J. Dawood, *The Koran* (Penguin Books Ltd. Middlesex 1973), p. 260

flatly contradict himself should he adopt a compromising attitude towards idolatry. A *Muslim* in this sense is the direct opposite of *Mushrik*. In Sūra al-An‘ām we read:

I am commanded to be the first of those who surrender (*aslama*), and be thou not [Muhammad] of those who join gods with God (*Mushrikīn*) (6:14).

In conclusion, it is interesting to note that all these three unique and superior designations of the community of the new faith are summed up in two verses in Sūra an-Nisā’:

If any do deeds of righteousness, - be they male or female – and have faith (*mu‘min*), they will enter heaven, and not the least injustice will be done to them. Who can be better in religion than one who submits (*aslama*) his whole self to God, does good, and follows the way of Abraham the true in faith (*Hanīf*)? For God did take Abraham for a friend (Sūra an-Nisā’[4]: 124 – 125).

It is, however, significant that the Qur’ān applies none of these titles to its contemporary faiths. This becomes abundantly clear as we consider the Qur’ānic perspective of those faiths.

## **2. 2. OTHER FAITHS IN QU’RĀNIC PERSPECTIVE**

The Qur’ān, as even a casual reader would notice, refers to, and is concerned with, three religious groups: Associators (*mushrikūn*), Jews and Christians. The Prophet Muhammad’s own kinsmen and predecessors were the Associators. In Madīna particularly Jewish communities were his neighbours. Although there was no organized Christian community in Mecca itself, within easy reach of it there were Christian settlements with their own bishops, churches and monasteries. It was probably some of these Christians who, during the Prophet’s

hardship in Mecca, occasionally sent him milk as a gift.<sup>19</sup> However, having previously dealt with the presence of these three religious groups in the Arabian Peninsula from a historical perspective, we shall now examine them from a Qur'ānic perspective. We have just discussed how Islām perceived its own community in Qur'ānic terms like '*al-Mu'minūn*', '*al-Hunafa*' and '*al-Muslimūn*'. In the same manner also the Qu'rān takes the already existing appellations of these faiths and forms its own perspective of their religious nature and identity. These religious groups are Qu'anically known as: '*al-mushrikūn*', '*al-Yahūd*' and '*an-Nasārā*'.

### 2.2.1. AI-MUSHRIKŪN (*The Associators*)

It is interesting to note that this group did not seem to regard the term '*mushrikūn*' as an approbrious title. Indeed, they were unashamed to identify themselves as such, even contending that this was the will of God. In Sūra al-An'ām they are described as:

Those who give partners (to God) will say: 'If God had wished, we should not have given partners (Ar. *ashraknā*) to Him, nor would our fathers (6:148; also Sūra an-Nahl [16]:35; Sūra az-Zukhruf [43]:20).

Scholars generally use the term 'polytheists' for this group. We propose to use the term 'henotheists' as the more appropriate description. Henotheism (or Monolatry) is the belief in (and worship of) one's own national, tribal or territorial god as supreme, but admitting the existence of other gods whom he may adopt as intermediaries or objects of worship. Incidentally, this recalls the henotheism which existed in ancient Israel, and which led the Prophets like Elijah, Hosea and Jeremiah to challenge it in the strongest possible terms (I Kings

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<sup>19</sup> al-Bukhārī and Muslim reported that Urwah (the nephew of the Prophet's wife, Ā'ishah) related that he asked Ā'ishah how they managed during their dire need in Mecca. She replied: "We lived on dates and water. Indeed, there were a few Christian neighbours of the Prophet who had some milk cattle. They (occasionally) sent him milk as a gift and he gave some of it to us also." See M. Nomani, *The Meaning and Message of the Traditions* (Lucknow 1975), Vol. 1, p. 227. For the presence of Christianity within easy reach of Mecca, see A. Guillaume, *Islām*, p. 5f.

18: 21; Hosea 2: 7ff. Jeremiah 2: 1- 5). However, the henotheistic identity of this group was not lost on the Qur'ān, for the statement in Sūra Yūsuf gives us their description

Most of them believe not in God without associating (others as partners)  
with Him (12: 106).<sup>20</sup>

The Qu'ran abounds with references to the fact that the henotheistic Arabs believed in Allāh as the supreme and sole creator of the heavens and the earth (Sūra al- 'Ankabūt [29]: 61; Sūra Luqmān [31]: 25; Sūra az-Zumar [39]: 38; Sūra az-Zukhruf [43]: 9). When in peril at sea (Sūra al- Isrā'[17]: 67) or touched by distress on land (Sūra an-Nahl [16]: 53) it was to Allāh alone that they turned. But afterwards, their henotheism would remain unchangeably the same (Sūra an-Nahl [16]: 54). However, when this inconsistency is challenged (Sūra az-Zumar [39]: 38), the response was simple: "We only serve them (the gods) that they may bring us near to God" (Sūra az-Zumar [39]: 3).<sup>21</sup> When in peril on sea or land, as previously mentioned, the gods were not summoned to assume their intercessory role! In brief, the henotheism which the Qur'ān knew was largely animistic in nature, and in many ways similar to the most primitive religion in the Old Testament. The worship of the Arabs also was given to the sacred stones (Ar. *an-nusub* or *al-ansāb*) (Sūra al-Mā'idah [5]: 4, 90), the astral female deities (Sūra an-Najm [53]: 19 – 23) and so on. These were identified as angels and therefore the daughters of Allāh (Sūra al- 'Isrā'[17]:40; Sūra Saba'[34]: 40; comp. Sūra an-Najm [53]: 19 – 21; Sūra as-Saffāt [37]: 150).<sup>22</sup> Other deities were identified as demons with kinship to Allāh (Sūra al-An'ām [6]:100).<sup>23</sup> More, however, will be said later about this group known as '*al-Mushrikūn*'. Suffice it at this stage to point out that the Qur'ānic term '*shirk*', when viewed in the context of the pre-

<sup>20</sup> The commonly used terms 'paganism' or 'heathenism' are rather vague. They are by no means descriptive of the precise nature of their religious beliefs. Polytheism or Henotheism are descriptive. For a description of the henotheism of the Arabs see W. Watt & Richard Bell, *Introduction to the Qur'ān* (Edinburgh 1970), pp. 148ff.

<sup>21</sup> The verb '*serve them*' – '*na'budhum*' denotes either to serve or to worship. It is more likely that the idea of worship is intended in this verse. It refers to the act of prayer to the gods as intermediaries. Also comp. Sūra al-Kāfirūn [109]: 1 – 9 where the term clearly denotes worship. For a discussion on the term '*ibadah*' see M. Rashīd Redā, *Tafsīr al-Manār*, Vol. 1, pp. 56ff.

<sup>22</sup> W. Montgomery Watt, Belief in a "High God" in pre-Islamic Mecca, *J.S.S.* (16), 1971, pp. 34-40.

<sup>23</sup> This verse refers to worshippers of idols, who though did not probably say that they were worshipping 'jinn' i.e. demons, the Qur'ān asserts what was known about them. See W. Montgomery Watt, *Companion to the Qur'ān*, p. 84.

Islamic historical and religious background would obviously imply henotheism rather than polytheism.<sup>24</sup>

### 2.2.2. AL-YAHŪD (*the Jews*).

The term is quite familiar in the Qur'ān (Sūra al-Baqarah [2]:113, 120; Sūra al-Mā'idah [5]: 18, 51, 64, 82). In its plural and singular form '*yahūdī*', the term was not unknown in pre-Islamic times.<sup>25</sup> The Qur'ān also provides the term '*hud*' as another form of it (Sūra al-Baqarah [2]:111, 135, 140); and in addition, there is the widely mentioned term '*Banū Isrā'il*' (children of Israel) which occurs about 43 times (Sūra al-Baqarah [2]: 40).<sup>26</sup> It is not entirely true, as Horovitz argues, that the term '*yahūd*' in the Qur'ān always refers to the Jews of Muhammad's time whilst those of antiquity are referred to as '*Banū Isrā'il*'. Nor is it entirely correct that the name '*Banū Isrā'il*' was changed into the name '*yahūd*' only during the Madīnan period, as Heinrich Speyer claims.<sup>27</sup> In fact, the term '*Banū Isrā'il*' is used at least in two verses as a reference to the Jews of the Prophet's own time (Sūra an-Naml [27]: 76 Meccan; Sūra al-Baqarah [2]: 211 Madinan). With the exception of these it is true to say that it was the term '*yahūd*' that was normally used for the Jews of the Prophet's time. Indeed, they were so known even beyond the confines of Arabia. The Jews of the Diaspora first coined the term 'Judaism' in the sense of religion during the inter-Testamental period. In the Hellenistic and Roman world, and later in the Christian Church, the term 'Jew' was not understood as signifying a racial characteristic of the people, but as a distinctive term for a particular religion. Therefore, the members of the Judaic faith, consisting of Israelites (i.e. of the stock of Jacob)

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<sup>24</sup> Arthur Jeffery views the word '*Shirk*' (which he argues to be of south Arabian origin) as polytheism. See his *The Foreign Vocabulary of the Qur'ān* (Baroda 1938), p. 185f. Dominique Sourdel on the other hand sees the '*shirk*' of the Arabs as henotheism which, in ancient times, was most probably an important step toward monotheism. See his *Medieval Islām* (London 1986), pp. 9–10.

<sup>25</sup> It figures in the poems of 'Ādī Ibn Zaid, Imru'l-Qais and 'Ubaid Ibn al-Abras (pre-Islamic Christian poets). See D.S. Margoliouth, *The Relations between Arabs and Israelites* (Oxford University Press 1924), p. 72f.

<sup>26</sup> The Qur'ān does not overlook the fact that '*Isrā'il*' was the name of the patriarch Jacob. In their endeavour to find an Arabic derivation for this name, old Muslim scholars like Tabarī decided that it derived from the Arabic verb '*sara*' (to journey by night). This, they maintained, was because Jacob escaped from his brother Esau and journeyed by night (Gen. 27: 41-45; 28:10f.). See Tabarī, *Tārīkh*, Vol. 1, p. 232f.

<sup>27</sup> Horovitz is quoted in A. Jeffery, *The Foreign Vocabulary of the Qur'ān*, p. 294; for H. Speyer's view see his article '*Yahūd*' in *Encyclopaedia of Islām* (Leyden 1913–1936), Vol. 8, pp. 1146–8.

and others, were simply known as ‘Jews’.<sup>28</sup> Dio Cassius who confirms this about the end of the second century, goes on to confess that he did not “know how this title (Jews) came to be given to them...”<sup>29</sup> Here the man of revelation, has a wider scope than the historian. As a matter of course, the Qur’ān, like the Old Testament, has no problem in explaining names without any scientific spirit and wholly on the basis of linguistic etymology. The word ‘yahūd’ (or ‘hud’) in the Qur’ān is therefore given an Arabic etymology by connecting it with the root ‘hadā’ (denominative verb), meaning to turn or to repent, although the concept of ‘Hudā’ or ‘hidāyah’ (i.e. right guidance) may not be excluded.<sup>30</sup> They are often described as “*al-ladhīna hādū*”, which convey a sense of conversion and change of heart (Sūra al-Baqarah [2]: 62; Sūra an-Nisā’[4]: 46). It is tempting to see here the possible allusion to them as being Judaized Arabs.<sup>31</sup> However, it seems more likely that the etymology of the term is intended to be historical. It goes back, according to Tabarī, to the Exodus period when Moses declared on their behalf in the words of Sūra al-A‘rāf:

Ordain for us that which is good in this life and in the hereafter: for we have turned to Thee (*innā hudnā ilayka*) (7: 156).

According to ‘Afif Tabārā, the verb ‘hudnā’ in this verse suggests the idea of both repenting and turning to the truth.<sup>32</sup> Thus, touching their religious status, the Qur’ān perceives the Jews as originally the people who had turned to the right path through the revelation of the Torah (Sūra al-Mu’min [40]: 53 –54); Sūra al-Jathiyah [45]: 16). Hence they are repeatedly

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<sup>28</sup> Solomon Zeitlin, *Judaism as a Religion*, JQR 1943, pp. 234 –41; see also his article, *The Names Hebrew, Jew and Israel*, JQR 1953, pp. 365 – 79; cf. Leo Baeck, *World Religion and National Religion* (New York 1953), pp. 1 – 7. When Rome Conquered Judea, Vespasian and Titus received the title ‘Imperator’ but not ‘Judaicus’. When conquering a nation, the Roman Caesars attached the name of the conquered nation to the title ‘Imperator’. When Judea was conquered, they did not add the title ‘Judaicus’. The reason was that the title ‘Judaicus’ had the connotation of religion. See Dio Cassius LXV.

<sup>29</sup> Dio Cassius XXXVII; although Josephus one place says that they were called ‘Jews’ because they were descendants from the tribe of Judah (see his *Jewish Antiquities* XI. 7), in another place he says they were called so simply because they lived in Judea ( see his *Contra Apion* I, 22).

<sup>30</sup> obviously, al-Qurtubī is aware that they were called ‘yahūd’ because they were the descendants of ‘Yahūdhā’ the fourth son of the patriarch Jacob (*Gen.29: 31-35*). See his *al-Jāmi li Ahkām al-Qur’ān*, Vol.1, p. 368.

<sup>31</sup> This is the view of some Jewish historians. See J. R. Rosenbloom, *Conversion to Judaism* (Ohio 1978), p. 101; Raphael Patai, *The Myth of the Jewish Race* (University Press, Detroit 1989), p. 62f.

<sup>32</sup> Afif abd al-Fātih Tabārā, *al-Yahūd fī al-Qur’ān* (Beirut 1995), p. 11f; This is confirmed by Sher Addai in his book, *al-Alfāz al-Fārisiyya al-Mu’arrabah* (Beirut 1909), p. 158.

designated as ‘*ahl al-Kitāb*’ (the people of the book) (Sūra Al-‘Imran [3]: 97, 110; Sūra an-Nisā’[3]: 153). Moreover, in a style which recalls the Deuteronomic theology, they are said to have been divinely chosen and favoured with “gifts and privileges above all nations” (Sūra ad-Dukhān [44]: 32; cf. Sūra al-A‘raf [7]: 140; Sūra al-Jathiyah [45]: 16).<sup>33</sup> But all these are lost when they lapsed from their divine ideals and apostatized, as we shall discover later.

### 2.2.3. AN-NASĀRĀ. (*The Christians*).

The English term ‘Christian’ is rather the precise equivalent of the title ‘*Masīhiyyūn*’ as derived from ‘*al-Masīh*’ or Messiah (Christ) i.e. messianic people or followers of Christ.<sup>34</sup> This term, however, appears neither in the Qur’ān nor in the tradition. Instead, the followers of Jesus are known only as ‘*Nasārā*’ (Sūra al-Mā‘idah [5]: 14, 18, 82; Sūra at-Tawbah [9]:30). The title literally means ‘*Nazarenes*’ which figures only once in the New Testament as a Jewish derogatory term for the followers of Jesus of Nazareth (*Acts 24:5*). It is interesting to note also that in Jewish sources the corresponding Hebrew term ‘*nosrīm*’ designates them.<sup>35</sup> Some suggest the possibility that the Arabs learned the name from the Jews. It is not difficult to appreciate this suggestion especially when we realize that the term ‘*Nasārā*’ occurs only in passages that came down in Madīna where the Jews were a strongly influential community. Moreover, it is true that the title ‘*Nasārā*’ was in use among the Arabs of the pre-Islamic period, but this does not mean that the Jews were not the primary source..<sup>36</sup> However, whereas the term used in Jewish literature is obviously opprobrious, the Qur’ān seems to take the

<sup>33</sup> Deut. 7: 6-7. The theological concept of Israel’s election as a people is peculiar only to the Pentateuchal book of Deuteronomy. See G. E. Wright, *The Old Testament Against its environment* (SCM Press London 1950), pp. 46ff.; J.M.P. Smith, ‘*The Chosen People*’, *AJSL*, XLV (1928–29), pp. 73ff.

<sup>34</sup> The title ‘*al-Masīh*’ (Al-‘Imrān [3]:45; an-Nisā’[4]:172; al-Mā‘idah [5]:14,17,72, 75) is of Syria derivation. There is no indication in the Qur’ān that the Prophet knew the significance of this title.

<sup>35</sup> It was introduced into the *Shemoneh esreh* i.e. the Eighteen Prayers by Gamaliel II (about 100 A.D.) as a term of contempt for the Christians, and is also found in Talmudic sources. See Foakes Jackson & Kirsopp Lake, *The Beginning of Christianity* (London 1942), Vol. 1, p. 426; S. Krauss, *The Jewish Encyclopaedia* Vol. 9, p. 194.

<sup>36</sup> A. Jeffery, *The foreign Vocabulary of the Qur’ān*, p. 280; R. Bell is of the opinion that the name must have come to the Arabs from the Judaeo-Christian sect known as Elkesites, *The Origin of Islām in its Christian Environment*, p. 280f; but Margoliouth thinks that it derived from the Hebrew ‘*Nosrīm*’ and therefore came from the Jews, *Encyclopaedia of Religion and Ethics*, Vol.10, p. 540. Also, in Arabia, Christians appear to have been known only as ‘*Nasara*’. We hear, for example, of the pre-Islamic Arab Christian poet Qabīṣah Ibn an-Nasrānū (592 A.D.). The Name Christ (*al-Masīh*), however, appears only through ‘theophorous’ proper names like that of the pre-Islamic poet ‘Abd al-Masīh Ibn Asālah’ (592 A.D.). See Louis Sheikhū, *Shu‘arā’ an-Nasrāniyyah Qabla al-Islām* (Beirut 1986), pp. 93 ff. & 254 ff.

opposite line and vests it with a spiritual meaning. In any case, it must be borne in mind first that the word '*Nasārā*' (or Heb. '*nosrīm*' for that matter), is in fact derived from Nazareth, the native village of Jesus. Regardless whether the Prophet Muhammad was aware of this derivation or not, in the Qur'ān this title appears to assume a spiritual significance, possibly as a polemical response to the Jews who held it in contempt. The Qur'ān offers a linguistic etymology based on the question of Jesus to his disciples, "Who will be my helpers (*ansār*' ) for God?" (Sūra as-Sāff [61]: 14). Apart from az-Zamakhsharī and at-Tūsī who see the meaning of '*Nasārā*' as based on the linguistic etymology of the Arabic denominative verb '*nasar*' (to help),<sup>37</sup> Tabarī and al-Qurtubī appear to take the middle course. They suggest that the term '*Nasārā*' can either be based on linguistic or geographic etymology.<sup>38</sup> In spite of this, the evidence is strongly in favour of the fact that the Qur'ān perceived the title in terms of its linguistic etymology. Simply put, '*Nasārā*' were '*al-Ansār*' (i.e. the helpers for, or in the cause of God). Moreover, the Qur'ān does not overlook the spiritual qualities of love, mercy and compassion that are enshrined in the Gospel (Matthew 5 – 7). Nor does it deny the fact that some Christians were indeed characterized by such spiritual qualities, even to the point of inventing monasticism in their desire to be pleasing to God (Sūra al-Hadīd [57]: 27). It is thus perfectly possible that this too may have been another way of trying to explain the title '*Nasārā*' as '*ansār*' (helpers for, or in the cause of God). However, what seems to be certain is the fact that the title '*Nasārā*' was designed to serve a two-fold purpose:

1) To present the disciples of Jesus (Ar. *al-Hawāriyūn*) as an object lesson (i.e. of help in the cause of God) to the Muslim community at Madīna. In Sūra as-Saff we read:

O ye believers! Be ye helpers (*ansār*' ) of God: As said Jesus the son of Mary to the Disciples, 'Who will be my helpers (*ansār*' ) for God?' Said the Disciples, 'We are God's helpers (*ansār*' )!' (61: 14)<sup>39</sup>

<sup>37</sup> Thus, for them '*Nasara*' simply means those who helped Christ in his divine mission. See az-Zamakhsharī, *al-Kashshāf*, Vol. 1, p.148; Ja'far at-Tusi, *at-Tibyan fi Tafsīr al-Qur'ān* (Cairo 1957), Vol. 1, pp. 281-82.

<sup>38</sup> Incidentally, the geographic etymology of this title appears to have been maintained by Ibn Abbās, as Tabarī points out. See his *Tafsīr*, Vol. 1, pp. 453 –4; also al-Qurtubī, *al-Jāmi li Ahkām al-Qur'ān*, Vol. 1, p. 36

<sup>39</sup> Almost similar words are found in Sūra Āl-'Imrān [3]: 52 where the term 'helpers' (*ansar*) is mentioned twice. The term '*ansar*' became eventually the name of all the Madīnan Muslims. W. Montgomery Watt, has noted the fact that there is a play on the Arabic word for 'Christian', *Nasara*. See his *Companion to the Qur'ān*, p. 264.



2) The significance of the title is clearly intended to draw attention to the past and not to the present. Like the title '*al-Yahūd*', the title '*Nasārā*' is descriptive of the original spirituality of the Christians before they lost their divine ideals and degenerated into unbelief (*kufr*).

### 2. 3. ISLĀM : OLD YET EVER NEW

The Qur'ān does not leave its reader in the dark as to the original purity of the faiths of the Associators, the Jews and the Christians, who had afterwards degenerated or apostatized into a state of variance, confusion and unbelief. In fact, viewed from the Qur'ānic perspective, God's religion knows no plurality. It is, and has always been one. This religion is called *Islām*, whose theological meaning and significance we have already discussed. It is indeed old yet ever new. More than that, a passage in Sūra ar-Rūm seems to suggest that this faith has somehow been implanted in the natural predisposition (*fitra*) of every human soul:

So set thy face steadfast towards the religion, as a *Hanīf*, in accordance with the natural disposition (*fitra*) upon which God created mankind (30: 30).<sup>40</sup>

Islām was the faith that Abraham received and professed, and so did Ishmael, Isaac Jacob and the twelve patriarchs (Sūra al-Baqarah [2]: 131 – 133; Sūra Yūsuf [12]: 101). There is a Qur'ānic passage that seems to point to the inception of the Abrahamic faith of Islām in Arabia (Sūra al-Baqarah [2]: 125 - 128).<sup>41</sup> Lot and his believing household (with the exception of his unbelieving wife), were the only Muslim group found in the city of Sodom (Sūra az-Zariyat [51]: 36). The faith of ancient Judaism, which Moses proclaimed and which ancient Israel accepted was none other than Islām (Sūra Yūnus [10]: 84). Some of the Egyptians are also reported to have embraced it including Pharaoh himself (Sūra al-A'raf [7]: 126; Sūra Yūnus [10]: 90). The Prophets who came after and followed in the path of the Mosaic faith

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<sup>40</sup> It is argued on the basis of this verse by most of the Sunni scholars that Islām is the religion of *al-fitra* (natural disposition). This is a Hadīth wherein the Prophet is reported as saying: "Every infant is born according to *al-fitra* (in another report "according to this religion" i.e. Islām). Then his parents make him a Jew or a Christian or a Magian". For a full and interesting discussion on this text see al-Qurtubī, *al-Jāmi' li Ahkām al-Qur'ān*, Vol. 8, pp. 5106ff.; az-Zamakhsharī, *al-Kashshāf*, Vol. 3, p. 463f.

<sup>41</sup> This is what Muhammad Redā seems to conclude from this passage in his *Tafsīr al-Manār*, Vol.1, p. 470.

were also Muslims (Sūra al-Mā'idah [5]: 47). As for Jesus, his *injl* (gospel) was the message of Islām, and his disciples (*al-Hawāriyyūn*) were decidedly self- confessed Muslims (Sūra Al- 'Imran [3]: 52; Sūra al-Mā'idah [5]: 111). Indeed, as God's true religion, Islām is the religion of both men and angels (Sūra Al- 'Imran [3]: 83). It was with this ancient and divinely approved faith (Islām), that the Prophet Muhammad identified himself and his message. It is a foregone conclusion therefore that :

The only true faith in God's sight is Islām... He that chooses a religion other than Islām, it will not be accepted from him, and in the world to come he will be one of the losers .  
(3: 19, 85).

According to certain sources, the Jewish and Christian communities of the Prophet's time were aware of the meaning and significance of the term *Islām*, and had no qualms applying this title to their own faiths. For example, 1) when the verse "He that chooses a religion other than *Islām*, it will not be accepted from him..." was revealed, the Jews replied: "We are Muslims". But when their claim was tested by the Prophet that pilgrimage to al-Ka 'bah was a divine obligation on all the Muslims, they said that such an obligation was not assigned to them (i.e. in the Torah).<sup>42</sup> 2) On another occasion, the Prophet asked the Christian deputation of Najrān to accept Islām. Their response was, " we have been Muslims before you." The Prophet then pointed out that their belief in Jesus as the Son of God, their worshipping the cross and their eating pork was inconsistent with the pure monotheistic faith of Islām.<sup>43</sup> 3) It appears from the Qur'ān that Islām was the original faith of the henotheistic Quraysh which Abraham and Ishmael had introduced into al-Hijāz subsequent to their building al-Ka 'bah (Sūra al-Baqarah [2]: 125 – 128).<sup>44</sup> However, the Qur'ānic verdict on these three religious groups is abundantly clear. Even a cursory reading of the Qur'ān will convince

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<sup>42</sup> Jalal ad-Dīn as-Suyūti , *Lubāb an-Nuqūl fī Asbāb an-Nuqūl*, (Cairo date ?), p. 93.

<sup>43</sup> The phrase in Arabic is " *balā qad aslamnā qablak*". Literally, "Nay, we have indeed surrendered (bowed in Islām ) before you". See Ibn Hishām, part 2, p. 206. According to Sūra al-Qasas [28]: 53 Jewish and Christian converts to Islām claimed that they had always been Muslims. On this see Tabarī, *Tafsīr*, Vol. 11, p. 110 f.

<sup>44</sup> Muhammad Redā , *Tafsīr al-Manār*, Vol. 1, p. 470. This is also the view of the earlier scholars like as-Sadā and as-Suhaylī. See Tabarī, *Tafsīr*, Vol. 1, 769; and Qurtubī, *al-Jāmi' li Ahkām al-Qur'ān* , Vol. 1, p. 512. Some scholars hold that outside the Qur'ān there is no evidence that pre-Islamic Arabs were aware that they were descendants of Abraham or Ishmael. See Michael Cook, *Muhammad* (Oxford 1996), pp. 80f.

anyone at once that these groups had lost their divine ideals and lapsed, or more precisely, apostatized into unbelief (*kufr*), which is one of the enormities (*ahād al-kabā'ir*).

### 2.3.1. ISLĀM AND ITS ANTONYM, 'KUFR'

Undoubtedly, the term '*kufr*' occupies such an important place in the whole of Qur'ānic ethics that a clear understanding of how it is semantically structured can be a necessary prerequisite to a proper estimation of most of the positive qualities as well. The idea of '*kufr*' is particularly so influential that it makes its presence felt almost everywhere in sentences about human behaviour and character. The meaning of the term '*kufr*' in the Qur'ān very often depends on the context and the circumstances in which it was used. To illustrate this, attention must be drawn to the following points:

a) Basically, the meaning of the root KFR is that of 'covering' or 'hiding'. Interestingly, the night was called '*kāfir*' because it covers and hides people from sight. Likewise the tillers or husbandmen '*az-zurra*' were called '*Kuffār*' (plural of *kāfir*) because they sow the seed and cover it with soil.<sup>45</sup> The term '*Kuffār*' is indeed used in Sūra al-Hadīd in the sense of 'tillers' or 'husbandmen':

Here is a similitude: How rain and the growth, which it brings forth, delights  
the tillers (Ar. *Kuffār*), soon it withers... (57: 20).<sup>46</sup>

In relation to giving and receiving of benefits, the word conveys the meaning of 'covering' i.e. ignoring intentionally and ungratefully the benefits received. In Sūra Ibrāhīm we read:

Hast thou not seen those who exchanged the bounty of God with  
ungratefulness (*kufr*) and induced their people to dwell in the abode of  
perdition? (14: 28).

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<sup>45</sup> Ar-Rāghib al-Asfahānī, *Mufradāt Alfāz al-Qur'ān* (Beirut 1997), p. 714; also Sāmih 'Ātif az-Zīn, *Tafsīr Mufradāt Alfāz al-Qur'ān al-Karīm* (Beirut 1974), p. 750.

<sup>46</sup> According to Ibn Qutaybah, "just as the tillers cover the seed with the soil so do the unbelievers cover or hide (Ar. *Yughattūna*) God's truth." See his *Tafsīr Gharīb al-Qur'ān* (Cairo ?), p. 454.

The reminder is also clear that Allāh's goodness is contingent upon man's gratefulness to Him:

Remember me and I will remember you; and be thankful to me, and be you not ungrateful (*takfurūn*) towards me. (2: 152).

In the end man remains free, and will consequently be responsible for his attitude of gratefulness or otherwise. The statement in Sūra an-Naml is clear:

Whosoever gives thanks gives thanks only for his own soul's good, and whosoever is ungrateful (*kafar*) – my Lord is surely all-sufficient, all-generous... (27: 40).<sup>47</sup>

In Sūra al-Anbiyā', we have the remarkable statement that just as the faithful is grateful to God for his gracious benefits, so is God grateful to him

Whoso does good works as a pious believer, there shall be no ingratitude (*kufṛān*) for his efforts. Verily, we ourselves write them down for him (21: 94).<sup>48</sup>

The term '*shakūr*' (grateful), is among the '*Asmā' Allāh al-Husnā*' or the Beautiful Names of God. Yet, this is not to be taken as meaning that He is as grateful as man is. It simply implies that He acknowledges and will be responsive to gratitude.<sup>49</sup>

b) The term '*kufṛ*' is also used in the Qur'ān quite frequently as the exact antonym of *Imān* 'belief' or '*Islām*' (submission to God). Interestingly, when '*kufṛ*' is used in the sense of

<sup>47</sup> The concept of '*kufṛ*' as ingratitude is one of the most important themes of the Qur'ān. See further Sūra al-Baqarah [2]: 281; Sūra ash-Shu'ara' [26]: 19; Sūra Ibrāhīm [14]: 7; Sūra an-Nahl [16]: 83; Sūra an-Nur [24]: 55; Sūra az-Zukhruf [43]: 15; Sūra 'Abasa [80]: 15; Sūra al-Insan [76]: 3.

<sup>48</sup> Another Arabic term synonymous with the word '*kufṛ*' (in the sense of being ungrateful) is the adjective '*kanud*'. It is mentioned only once (Sūra al-'Ādiyāt [100]: 6). The pre-Islamic Arabs used the term '*kanud*' in connection with a land that is barren. In the Qur'ān it is descriptive of one whose ingratitude is coupled with deliberate refusal to acknowledge any benefit received. See Abū Bakr as-Sajastāni, *Tafsīr Gharib al-Qur'ān*, p. 279; ar-Rāghib al-Asfahānī, *Mufradāt Alfāz al-Qur'ān*, p. 727.

<sup>49</sup> For further discussion on the Meaning of Kufṛ, see *M W.* (49), 1959, pp. 315 – 322.

ingratitude, it seems to apply mostly to mankind generally. But, when used as an antonym of belief or Islām, it becomes specifically applicable to the three groups with whom the Qur’ān is particularly concerned – the Associators (or henotheistic Arab), the Jews and the Christians. In this case, however, their ‘*kufr*’ (i.e. the antonym of ‘*Imān*’ or ‘*Islām*’) has various aspects:

1) ‘*Kufr*’ vis-à-vis the ‘*signs*’ of God. These ‘signs’ are the manifestations of divine majesty and power in creation. According to Sūra az-Zumur, the Associators were indifferent to them.

God is the creator of all things, and He is the Guardian and Disposer of all affairs. To Him belong the keys of the heavens and the earth. And those who reject (*kafarū*) the signs of God, it is they that will be the losers (39: 62 -63).

They are totally unwilling to accept them. Indeed, according to a statement in Sūra al-Jāthiyah, they are guilty of being arrogant and stubbornly ‘*mujādilūn*’- contentious about these signs:

None can dispute about the signs of God but the unbelievers (*al-ladhīna kafarū*) (Sūra al-Mu’min [40]: 4), and arrogant as these ‘signs’ were recited to them: “But as for those who disbelieved (*kafarū*), were not my signs rehearsed to you? But you were arrogant, and were a sinful people (45: 31).<sup>50</sup>

2) ‘*Kufr*’ vis-à-vis the Resurrection. The belief in the resurrection was one of the central tenets of Islām, which the henotheistic Arabs did not share. Like the early Hebrews (who were also henotheists), they had no conception of a resurrection.<sup>51</sup> It is clear from the Qur’ān

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<sup>50</sup> The term *signs* (Ar. *Āyah*) is also used in the Qur’ān to imply the divine evidence contained in the revelation of the Qur’ān and proclaimed by the Prophet Muhammad (Sūra al-Hadīd [57]: 9). The term is also used in the sense of God’s creative power in the universe e.g. Sūra ar-Ra’d [13]: 105.

<sup>51</sup> It is interesting to note that in all the Old testament literature there is only one passage in the Book of Daniel (11:2-3) where the resurrection & the hereafter are mentioned. It is the product of the inter-Testamental times (about 167- 164 B.C.) A.Guillaume opines that among the Arabs, “there must have been some belief in some quarters in a shadowy existence after death similar to the early Hebrew belief in Sheol”. See his, *Islām*, p. 10 f.

that the Prophet's teaching of a physical resurrection was received with ridicule and total unbelief '*kufr*': "The unbelievers (*al-ladhīna kafarū*) say (in ridicule): 'Shall we point out to you a man that will tell you, when ye are all scattered to pieces in disintegration, that ye shall (then be raised) in a New Creation?' (Sūra Saba' [34]: 7). It stands to reason that the belief in Allāh as the Supreme Creator (which the henotheistic Arabs could certainly affirm), must by necessity lead to the belief that He is also able to raise the dead. A verse in Sūra ar-Ra'd argues that their denial of the resurrection meant their unbelief in, and denial of God Himself:

If thou dost marvel (at their want of faith), strange is their saying: 'When we are actually dust, shall we indeed then be in a New Creation?' They are those who deny (*kafarū*) their Lord... (13: 5).

3) '*Kufr*' vis-à-vis the Message and the Messenger. This aspect of '*kufr*' is manifested in the blunt attitude of '*takdhīb*' (crying lies) to the Prophet (See Sūra Sad [38]: 4). They claimed that the message he brought was pure '*iftirā*' (forgery or invention). The henotheistic mind of the Arabs was far too skeptical to accept from Muhammad what they believed to be utterly unreasonable. How could such an 'impudent fellow' say that beside Allāh, the Supreme Being, there are no other divine intermediaries? Their verdict therefore was: "Truly, thou art mad" (Sūra al-Hijr [15]:6). They went on: "What! Shall we give up our gods for the sake of a mad poet?" (Sūra as-Sāffāt [37]: 36). Then they walked away saying that he is nothing but "A madman taught by others!" (Sūra ad-Dukhān [44]: 14).<sup>52</sup> This '*kufr*' is further expressed in their description of the message as '*iftira*' (forgery or invention), and often bolstered by the term '*asātīr al-awwālīn*' (fairy-tales of the ancients) (Sūra an-Nahl [16]: 24), or worse still by the term '*ifk*' (a lie or falsehood). This is made abundantly clear particularly in Sūra al-Furqān where we read:

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<sup>52</sup> Quoted from the translation of N.J. Dawood, *The Koran*, p. 145 where the term '*majnun*' lit. 'demon possessed' is rendered '*madman*'. Moreover, the accusation that the prophet was being taught by some body else, possibly a Christian preacher named Bal'am (or even two as in another version) is found in Sūra an-Nahl [16]: 103; cf Sūra al-Furqān [25]: 4. For more detail on the background of this text see Tafsīr al-Jalālayn (Beirut Date ?), p.360f.; see also as-Suyūti, *Lubāb an-Nuqūl fī Asbāb an-Nuzūl*, p. 266.

The unbelievers (*al-ladhīna kafarū*) say: 'Naught is this but a lie (*ifk*) which he has forged, and others have helped him at it. (25: 4).<sup>53</sup>

However, on this aspect of '*kufr*' i.e. '*takdhīb*', the Associators were not alone. The people of the Book (the Jews and the Christians) were added to their rank as Sūra al-Mā'idah indicates:

Say: 'O People of the Book! Ye have no ground to stand upon unless ye stand fast by the Torah, the Gospel, and all the revelation that has come to you from your Lord'. It is the revelation that cometh to you from thy Lord, that increaseth in most of them (the people of the Book) their obstinate rebellion (*tughiyān*) and unbelief (*kufr*). But sorrow thou not over (these) people without faith (*kafirīn*). (5: 71).<sup>54</sup>

4) 'Kufr' vis-à-vis the Oneness of God. This aspect of '*kufr*' is manifested in '*shirk*' or '*ishrāk*'. As we have already pointed out, it is the belief that ascribes partners, associates or companions to God, and this is characteristic of both polytheism as well as henotheism. As henotheists, the Arabs did not perceive these partners as really equal with God (Allāh), as is the case in polytheism. But, they perceived them as subordinate or minor deities that were called sons and daughters of God, and worshipped them as intermediaries in the form of idols.<sup>55</sup> '*Shirk*' ranks in Sūra al-An'ām as one of the enormities '*mina al-kabā'ir*' (Sūra Luqmān [31]:

<sup>53</sup> Both '*iftira*' and '*ifk*' also appear together in Sūra Saba'[34]: 43 "...And they say, 'This is only a falsehood (*ifk*) invented (*muftara*)!' And the unbelievers (*al-ladhīna kafarū*) say of the Truth when it comes to them, 'This is nothing but evident magic'. However, '*iftira*' is evidently the mostly used term to label the revelation as Muhammad's own human invention. See Sūra al-Mu'minūn [23]: 38; Sūra Yūnus [10]: 38; Sūra Hud [11]: 13, 35; Sūra al-Anbiyā' [21]: 5; Sūra as-Sajdah [32]: 3; Sūra al-Ahqaf [46]: 8.

<sup>54</sup> In his interpretation of this verse, Tabarī explains the word '*tughiyān*' as the extreme form of '*takdhīb*' rather than mere obstinacy. See his Tafsīr, Vol. 4, p. 417f. The historical background of this text according to as-Saiyuti seems to involve only the Jews who told the Prophet that as he himself believed that the Torah was from God, they were content to cling to it and ignore any other alleged revelation. See his *Lubāb an-Nuqūl fī Asbāb an-Nuqūl*, p. 175. But, it is obvious from the text itself that the People of the Book are the adherents of the '*Torah*' and the adherents of the '*Gospel*' i.e. the Jews and the Christians. However, if the background related by as-Suyūtī is true, then the People of the '*Gospel*' (Christians) in this verse must be a later interpolation.

<sup>55</sup> For the henotheistic Arabs there was no doubt as to Allāh being the supreme deity, creator and sustainer of all things (Sūra al-'Ankabūt [29]: 38; Sūra Luqmān [31]: 25; Sūra az-Zumar [39]: 38; Sūra az-Zukhruf [43]: 9. The other associate minor deities were but sons (Sūra al-Mu'minūn [23]: 91) and daughters (Sūra an-Najm [53]: 19-21) and therefore worshipped as intermediaries (az-Zumar [39]: 3).

13; Sūra an-Nisā' [4]: 116). The Qur'ān is never reluctant to speak of '*kufr*' in terms of '*shirk*' i.e. associating:

Praise be to God, who created the heavens and the earth, and made the  
darkness and the light. Yet, those who disbelieve (*al-ladhīna kafarū*) ascribe  
rivals (*ya 'dilūna*) to their Lord (6: 1).<sup>56</sup>

The nature of this aspect of '*kufr*' is further described in Sūra Ghāfir as being totally incapable of accepting God as the sole object of worship or invocation:

When God was invoked as the only (object of worship), ye  
disbelieved (*kafartum*), but when partners were joined to Him, ye  
believed! (40: 12).

Moreover, the '*kufr*' of ascribing to God associates that might act as intermediaries is a challenge that calls in question the very omniscience of God :

They ascribe partners (*shurakā*) to God. Say, 'But name them! Is it  
that ye will inform Him of something He knoweth not on earth?  
(13: 33)

As an encouragement to Muhammad to resist Meccan attempts at compromise with '*shirk*', he is made aware that such a compromise is tantamount to underrating God. In fact, by ascribing partners to God, the '*Mushrikīn*' (associators) were divesting Him of His rightful esteem:

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<sup>56</sup> Translation by Muhammad Marmaduke Pickthall, in his *The Meaning of the Glorious Koran* (New York 1997), p. 108. The term '*ya 'diluna*' (present continuous tense) may indeed convey the concept of 'rivalry' as Pickthall translates it. However, the word in this text can also mean to 'swerve' or 'turn'. In this sense, according to Rāghib Al-Asfahānī, the meaning can be 'those who turn the acts of God from Him and ascribe them to other deities', or 'those who swerve from the worship of God to the worship of other deities (Comp. Sūra an-Naml [27]: 60). See *Mufradāt Alfāz al-Qur'ān*, p.553. The meaning therefore is not that the *Mushrikīn* viewed their deities as being equal to Allāh, but by turning their worship entirely to their divine intermediaries they were in effect denying Him His Supremacy and negating the fact that He is the source of all benefits. In this way their deities were not so much partners as rivals to Allāh.



If thou ascribe a partner (*ashrakta*) to Allāh thy work will fail, and thou indeed will be among the losers. Nay, but Allāh must thou serve, and be among the thankful. But they (the associators) esteem not Allāh as He hath the right to be esteemed... (39: 65 –67).<sup>57</sup>

### 2.3.2. THE ‘KUFU-SHIRK’ AND THE PEOPLE OF THE BOOK

It is interesting to note that in certain Qur’ānic passages the distinction is sharply drawn between the People of the Book (Jews and Christians) and the ‘*Mushrikīn*’ (Sūra al-Baiyinah [98]: 1-6). On this passage the commentators are divided in their views. Some maintain that the People of the Book are included among the ‘*Mushrikīn*’. Others have drawn the distinction between them.<sup>58</sup> Incidentally, the phrase ‘*al-ladhīna kafarū*’ (those who disbelieve) in the first verse is omitted in the version of Ibn Mas‘ūd.<sup>59</sup> However, in others passages, the People of the Book appear to be included in ‘*shirk*’. There is one text where the ‘*kufu*’ (unbelief) of the Jews and Christians is described in terms of ‘*shirk*’ (ascribing partners to God):

The Jews say, ‘Uzair (Ezra) is the Son of God’; and the Christians say, ‘the Messiah (Christ) is the Son of God’. That is a saying from their mouths. They imitate the unbelievers (*al-ladhīna kafarū*) of old (9: 30).

a) From the standpoint of the thoroughgoing monotheism of the Qur’ān, the Christian doctrine of the divine sonship of Christ clearly constituted ‘*shirk*’. Of all the prophets, the Qur’ān always refers to Jesus in terms of highest esteem short of attributing to him divine sonship.<sup>60</sup> Yet, he remains a man. In Sūra Mariam we read:

<sup>57</sup> Sūra al-An ‘ām [6]: 91; Sūra al-Hajj[22]: 73 – 74).

<sup>58</sup> See also Sūra al-Baqarah [2]: 113; Sūra at-Tawbah [9]: 29. The distinction becomes clearer in the case of marriage. The Muslim is forbidden to have a ‘*Mushrikah*’ (an idolatrous woman) for a wife (Sūra al-Baqarah [2]: 22, but he can marry a woman from among the People of the Book (Sūra al-Mā’idah [5]: 5). On this point see Walther Bjorkman’s article ‘*Shirk*’ in the *Encyclopaedia of Islām* (Leyden 1913), Vol. 8, pp. 378-380.

<sup>59</sup> Al-Qurtubī, *al-Jāmi li Ahkām al-Qur’ān* Vol.10, p. 7230

<sup>60</sup> Beside the ordinary names, Prophet, Apostle, Servant of God, Isa and son of Mary; he is called the Messiah (Sūra Al-‘Imrān [3]: 45), the Word of God and the Spirit of (or from) God (Sūra an-Nisā’[4]: 171), a Sign (Sūra Mariam [19]: 21), a parable or example (Sūra az-Zukhruf [43]: 57, 59), a Witness (Sūra al-Mā’idah [5]: 117), a Mercy (Sūra Mariam [19]: 21), Eminent (Sūra Al- ‘Imran [3]: 45), One brought near (Al- ‘Imran [3]: 45), One of the Upright (Al- ‘Imran [3]: 46), the Blessed (Sūra Mariam [19]: 31).

Such (was) Jesus the son of Mary: (it is) a statement of truth, about which they (vainly) dispute. It is not befitting to (the majesty of) God that He should beget a son. Glory be to Him! When He determines a matter, He only says to it, "Be", and it is (19: 34-35).

The deification of Jesus and the Christian doctrine of Trinity in Qur'ānic perspective both belong to the category of '*kufr*' and are regarded as being cases of '*shirk*'. This is made abundantly clear in two verses in Sūra al-Mā'idah:

They surely disbelieve (*kafar*) who say: 'God is Christ the son of Mary'. Christ (himself) said: 'O Children of Israel, worship God, my Lord and your Lord, whoso ascribes associates (*yushrik*) to God, for him God has forbidden Paradise, and the fire shall be his ultimate abode. The wrongdoers shall have none to help them.

They surely disbelieve (*kafar*) who say; 'God is the third of three; for there is no god except One God. If they desist not from so saying a painful doom will fall on those of them who disbelieve (5: 75 – 76).

b) Strangely enough, the picture of the '*kāfir/mushrik*' is also applicable to the Jews as indicated in the passage quoted above (Sūra at-Tawbah [9]: 30). The basis of criticizing the Jews for saying, " 'Uzair (Ezrā) is the Son of God", is extremely puzzling. Paul Casanova tried to see in the name 'Uzair' one of the fallen angels called '*Uzail-Azael*.'<sup>61</sup> Tabarī cites a story in which a Jewish deputation said to the Prophet: "How can we follow you and you have abandoned our Qibla (praying towards Jerusalem), and do not believe that 'Uzair is the Son of God?" If this statement of the Jewish deputation is at all true, the last sentence could not possibly have been part of it. It is most probably a later interpolation designed to lend credence to the statement that the Jews called Ezra "the Son of God". Tabarī then goes on to cite some fantastic legends to give credence to the idea that the Jews did in fact believe that 'Uzair (Ezra)

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<sup>61</sup> For fallen angels as "the sons of God" in (Gen. 6:2), see Paul Casanova, Idrīs et 'Ouzair, in *Journal asiatique* (1924), ccv. pp. 356-360; also Bernhard Heller, *Revue des Etudes Juives* (1904), xlix, pp. 207-213.

was the Son of God.<sup>62</sup> Ibn Qutaybah, however, is more guarded in suggesting that only one sect of the Jews had this belief.<sup>63</sup> But this claim cannot be historically sustained. In any case, the objection to the use of ‘son’ remains against the anthropomorphic background of Arabian paganism. It could mean only one thing, namely, the Son of God by cohabitation with a woman: “How can He have a son when He hath no consort?” (Sūra al-An‘ām [6]: 101). In fact, such a belief among the Jews that ‘Ezra was the Son of God’ can hardly be imagined, much less proved to exist in the Jewish Biblical or extra-Biblical literature such as the Mishna or the Talmud.<sup>64</sup>

Another attempt to squeeze the Jews into the *kufir/shirk* mold appears in the brief story of the men of the Pit (*ashāb al-ukhdūd*), in Sūra al-Burūj. The story traditionally refers to the brutal persecution of the Christians of Najrān by Dhū Nawās, the Jewish prince of Himyar, whose forced conversion policy had consequently failed (see p. 20f.):<sup>65</sup>

Woe to the men of the pit of the fuel-fed fire. Behold they sat over against it, and were witnesses of what they did to the believers. They ill-treated them for no other reason than that they believed in God, the mighty, the worthy of all praise! To Him belongs the dominion of the heavens and the earth! And witness to all things. (85: 4 - 9).

The idea that they were so cruelly put to death only because “they believed in God” is, in the words of Ahmad Amin, far fetched as both Jews and Christians believe in “God the mighty, the worthy of praise”!<sup>66</sup> In order to understand this, one must remember that Biblical or extra-Biblical stories in the Qur’ān are hardly ever told in a spirit of detached interest in religious history. In fact, they are usually presented as bearing on what is taking place around the

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<sup>62</sup> Tabarī, *Tafsīr*, Vol. 6, p. 142 f

<sup>63</sup> Ibn Qutaybah, *al-Ma‘arif* (Cairo 1992), p. 50. He fails to name or identify this sect.

<sup>64</sup> The Jews reacted violently to Jesus when he was ascribed to himself divine sonship, and took up stones to stone (John. 8: 49-59; 10: 29-33). This was their indictment against him before Caiaphas (Mat. 26: 63-67).

<sup>65</sup> Al-Qurtubī gives the Najrān historical background of this passage, albeit with a strong theologizing element. See his *al-Jāmi li Ahkām al-Qur’ān*, Vol. 10, pp. 7078ff. It is interesting to note that Tabarī does not mention the Najrān case in his commentary on this Qur’ānic passage. However, for a full and objective study on the history of the ordeal of the Najranite Christians under Dhū Nawas, see A. Moberg, *The Book of the Himyarites* (Lund. 1920–1924); also Irfān Shahīd, *The Martyrs of Najrān: New Documents* (Bruxelles 1971).

<sup>66</sup> Ahmad Amīn, *Fajr al-Islām* (Cairo 1933), p. 26f.

Prophet in his time. They are made to reflect his difficult situation as a champion of monotheism in a sea of *shirk*, the adversity endured by his followers at the hands of the unbelievers and the hope of being vindicated through God's final intervention.

Every story is a tale of a world in which there are only two forces: one of monotheistic Islām – the faith (*Imān*) of Abraham the *Hanīf* – of which, Muhammad was the first in his generation,<sup>67</sup> and the other of *shirk*.<sup>68</sup> And the People of the Book are clearly assigned to this *kufr/shirk* category. In Sūra al-Burūj [85]: 7, the Jewish persecutors (men of the fiery Pit), are the prototype of the Quraysh idolaters. But, the Christian martyrs of Najrān are conveniently classified as '*al-Mu'minīn*' (the believers), and are therefore the prototype of the early Muslim victims as is clear from Sūra al-Hajj.

Those who have been driven from their homes unjustly only because they  
said: 'Our Lord is God'. (22: 40)

#### 2. 4. THE APOSTASY INDICTMENT AND THE QUR'ĀNIC DA'WA

One must be under no illusion that Islām is a missionary faith. With its broad and interesting perspective of the other main religious groups, the Qur'ān makes no secret of the seriousness of its God-given mission - '*da'wa*'.<sup>69</sup> Taken in its Qur'ānic theological context, the message of Islām is not so much a call as it is a *re-call* of these groups to the Abrahamic (shirk-free) faith, and to the purity of Islām proclaimed by all the former Prophets. Here we encounter *the Qur'ān's implicit apostasy indictment* against these main religious groups. This idea is best

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<sup>67</sup> Sūra al-An 'ām [6]: 14, 163.

<sup>68</sup> In the story of Lot, the idea of *shirk* on the part of his compatriots is not mentioned. Nevertheless it may well be implied in their lust for unnatural crime. Maybe male prostitution was more prevalent in Sodom than in ancient henotheistic Israel later (I Kings 14: 23-24). It was associated with the goddess Asherah and her counterpart Baal. See *The Interpreter's Dictionary of the Bible* (Nashville 1962), Vol. 3, p. 933.

<sup>69</sup> The term '*da'wa*' can simply mean the call or invitation, in the sense of missionary call (Sūra Ghafir [40]: 41-43). Besides, it may be used in the sense of making an invocation (Sūra al-Baqarah [2]: 68).

appreciated when seen in the context of the Qur'ānic concept of the nature of man. The belief that man is 'born in sin', having inherited Adam's sin (essentially a Christian belief), is simply unknown in Islām.<sup>70</sup> Every man is created with the true faith deeply rooted in his natural disposition (*fitra*) to believe in the one true God:

Set thy face steadfast towards the religion as a *Hanīf* , in accordance with the natural disposition (*fitra*) upon which God created mankind. There can be no altering the creation of God. (30: 30).

In Sūra al-Baqarah this is described as the baptism of God (Ar. *Sebghata Allāh*), administered not by man to remove what is called 'original sin', but administered by God to every human being at his creation (or formation). In other words, every human being is divinely initiated into the knowledge of, and faith in one true God:

(our religion) the Baptism of God: And who can baptize better than God?  
And it is He whom we worship (2: 138).<sup>71</sup>

Therefore, every born child is a Muslim until his parents decide to Judaize or Christianize him. The Prophet is reported to have said: "Every child is born with '*fitra*' (the natural disposition to believe in God).<sup>72</sup> After that his parents would Judaize, Christianize or Magianize him". In this sense they would be responsible for his apostasy. Indeed, mankind from the beginning was not irretrievably sunk in depravity. On the contrary, they were one community of faith and truth. It was only later that they apostatized from their spiritual ideals

<sup>70</sup> According to Islamic theology, Adam did not really sin; he only committed a slight fault, which after all has proved beneficial to mankind. Had he remained in Paradise, the will of God "I have not created man and *jinn* except for worship" (Sūra al-Dharyat [51]:56) would not have been fulfilled. See Canon Sell, *The Faith of Islām* (London 1907), p. 245; also. W. Gardner, *The Qur'ānic Doctrine of Sin* (London & Madras 1914).

<sup>71</sup> Ibn Qutaybah relates that (the Arab) Christians mixed a dye in the baptismal water, signifying that the person baptized has now got a new colour in life. The verse gives an implicit instruction to the believer to cling to his higher baptism, the divine and not the human Baptism. See his *Ta'wīl Mushkil al-Qur'ān* (Cairo 1973), p.149.

<sup>72</sup> In the versions of al-Bukhārī and Muslim, as well as in that of Ibn Mu'āwiyah "every child is born into this '*millah*' i.e. Islām. Quoted by Ibn al-Qayyim in his *Ahkām ahl al-Dhimmah* (Beirut 1994), Vol. 2, p. 499.

into selfishness, egotism and variance, and this was the reason why God sent the Law and the Prophets:

Mankind was but one nation, then they fell into variance (later). Had it not been for a Word that went forth before from thy Lord, their differences would have been settled between them. (10: 19)

Mankind was one single nation, and God sent Messengers with glad tidings and warnings. And with them He sent the Book in truth, to judge between people in matters wherein they differ (2: 213).<sup>73</sup>

God's purpose in sending wave after wave of Prophets was clearly to restore mankind to the truth (Sūra Mariyam [19]: 41-58). Yet, mankind is so prone to apostasy, that no sooner does a Prophet disappear from among them than they lose their religious and spiritual ideals and apostatize. In their days, the Prophets must have been instrumental in establishing religious renewal and restoration as the verse in Sūra Mariam points out:

But after them there followed a generation that forsook worship and followed after lusts. (19: 59).

The message of every Prophet has consistently been a divine reminder to his generation. In other words, his task was to re-call them to the truth from which they had either lapsed or they had abandoned all together. The message of Islām, according to the Qur'ān, is not different. Certain Qur'ānic terms may be indicative of this fact. The Islamic '*da'wa*' (mission) may have as its synonyms the Qur'ānic terms '*dhikrā*' (Sūra al-Dhariyāt [51]: 55), '*tadhkira*' (Sūra al-Muddaththir [74]: 49; Sūra 'Abasa [80]: 11) and the more frequently used word '*dhikr*' (Sūra

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<sup>73</sup> Similar idea is also found in Sūra al-Anbiya' [21]: 92 – 93. It is worth noting that the term nation '*ummah*' here as elsewhere, conveys the meaning of 'religion' see Sūra az-Zukhruf [43]: 22-23. In Sūra an-Nahl [16]: 120, the word '*ummah*' also denotes the obedient faith & pure religion of Abraham i.e. Islām . See as-Sajastāni, *Tafsīr Gharib al-Qur'ān* , p. 11f. Apart from this, for most commentators, the very context in which the word '*ummah*' is found conveys the meaning that 'all mankind were one in the faith, and that faith was Islām (which according to some was the period between Adam and Noah). The idea that at one time all mankind had one pure faith i.e. Islām , seems to be supported by the version of Ibn Mas'ud which reads, "Mankind were one nation ( religion) but (later) fell into variance, then God sent the messengers..." See *al-Qurtubī, al-Jāmi li Ahkām al-Qur'ān* , Vol. 2, p.838f; Tabarī, *Tafsīr*, Vol. 2, p. 454f; az-Zamakhsharī, *al-Kashshāf*, Vol. 1, 252f.

Sād [38]: 1, 8). These terms are usually translated to mean teaching, warning or admonishing. In fact, these terms are derived from the root DHKR, which carries the connotation of reminding or bringing to memory something that had long been forsaken and forgotten.<sup>74</sup> That the Prophet's contemporary unbelievers (i.e. Jews, Christians and Pagans) were perceived as being in a state of religious and spiritual apostasy, is very important to remember.

#### 2.4.1. A RE-CALL TO THE FAITH OF ABRAHAM AND ISHMAEL

The monotheistic message of Elijah to an Israel dominated by Baal worship in the reign of King Ahab recalls the challenge of the monotheistic message of Muhammad in an equally idolatrous Arabian environment. Elijah's message had emphasized that the God he proclaimed was none other than, "God, your Lord and Lord of your forefathers". The passages in Sūra as-Sāffāt,<sup>75</sup> and also in Sūra ad-Dukhān show that the message of Muhammad was the same:

There is no God save Him. He quickeneth and giveth death; your Lord and  
Lord of your forefathers (44: 8)

The phrase 'your forefathers' in this last passage may refer to Abraham and Ishmael, the supposed ancestors of the Arabs, the builders of Ka'bah (Sūra al-Baqarah [2]: 125-18), the first sanctuary of the one true God (Sūra Al-'Imrān [3]: 96). In particular, Ishmael being a prophet was, according to the Qur'ān, responsible for establishing the knowledge of God and the principles of Islām among his own people in Arabia

And mention in the Book (the story of) Ishmael. He was (strictly) true to  
what he promised, and he was an apostle (and) a prophet. And he used to  
enjoin on his people worship and almsgiving, and he was acceptable in the  
sight of his Lord (19: 54-55).

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<sup>74</sup> For a good examination of these terms see ar-Rāghib al-Asfahānī, *Mufradāt Alfāz al-Qur'ān*, pp. 328.

<sup>75</sup> 37: 126. Your forefathers' may refer to Abraham, Isaac, Jacob and the 12 patriarchs. Comp. this verse and Sūra al-Baqarah 2: 133 with Elijah's statement in I. Kings 18: 36f.

But, after him (as in the case of every generation after the death of their prophets), the people apostatized (Sūra Mariam [19]: 59). Muslim scholars could trace this apostasy back to the earliest history of Mecca, when the sons of Ishmael lapsed into idolatry. Of particular interest for us here is al-Kalbī (d. 821), the Muslim scholar, who made a special study of religion in pre-Islamic Arabia in his book, '*Kitāb al-Asnām*'. According to him, the degeneracy of the sons of Ishmael into idolatry began with the veneration of stones. On leaving Mecca, one would carry away with him a stone from the Ka'bah as a token of reverence and affection for it. Wherever he settled he would erect that stone and circumambulate it in the manner he circumambulated the Ka'bah, as all the Arabs did in their pilgrimage to it, conforming thereby to the time-honored custom inherited from Abraham and Ishmael. Eventually, this led them to worship anything they fancied like idols and images. The introduction of the latter is attributed to one 'Amr Ibn Luhayy. On his visit to Syria to seek cure from a hot spring, he noticed that the inhabitants of the place worshipped idols. "When he questioned the inhabitants about them, they replied, "To them we pray for rain, and from them we seek victory over the enemy. He then asked them to give him (some) and they did. He took them with him to Mecca and erected them around the Ka'bah". This apparently has some support in the tradition of the Prophet.<sup>76</sup>

#### 2.4.2. A RE-CALL TO THE FAITH OF MOSES AND JESUS

As for the People of the Book, in addition to all that has been said (vis-à-vis the loss of their religious and spiritual ideals), their position is described as untenable; and that is their fault and not that of their scriptures which confirm the new revelation (Sūra Āl-'Imrān [3]:70-71). By rejecting the latter, they have rejected their own scriptures and apostatized from the truth they reveal. This is made clear in Sūra al-Mā'idah where one reads:

Say: 'O People of the Book! Ye have no ground to stand upon unless ye stand by the Torah, the Gospel, and all the revelation that has come to you from your Lord. It is the revelation that cometh to thee (Muhammad) from

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<sup>76</sup> Ibn al-Kalbi, *Kitāb al-Asnām*, (Cairo 1924), pp. 6ff. On the authority of Abi Hurayrah, that the Prophet said "I have seen 'Amr Ibn Luhayy dragging his bowels in hell. He was the first to change the religion of Ishmael". See Ibn Hishām , Part 1, p. 81f; also Ibn Kathīr , *al-Bidāyah wa an-Nihāyah*, Vol. 3, p. 600f.



thy Lord that increaseth in most of them obstinacy and unbelief. But sorrow thou not over (these) people without faith. (5: 71).

The apostasy of the people of the Book is also manifested in their total disregard for the laws pertaining to the rights and wrongs, which God had enjoined upon them in his sacred book:

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 practise not the Religion of truth, being of those who have been given the Book... (9: 29).<sup>77</sup>

Indeed, the apostasy of the Jews and the Christians is said to go beyond their belief in the divine sonship of Ezra and Jesus (Sūra at-Tawbah [9]: 30). They are also indicted for having deified their religious leaders, contrary to the pure monotheism enjoined upon them in their own scriptures:

They have taken as lords beside God their Rabbis and their Monks and Christ, the son of Mary. Yet they were commanded to worship but one God; there is no god but He... (9: 31).<sup>78</sup>

### 2.4.3. 'APOSTASY' AND RELATED TERMS

In relating the religious and spiritual apostasy of the Pagans and the People of the Book, the Qur'ān does not use the term apostasy. This is so, even in contexts where the word '*riddah*'

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<sup>77</sup> Tabarī and Rashīd Redā are not sure about the occasion in which this passage was revealed. On one hand they hold that it was revealed on the occasion of the battle with the Roman Christians at Tabbuk. On the other they hold that it was directed against the Jews and the Christians. If so, then it is strange that they are described as 'not believing in God and the last day'. See Tabarī, *Tafsīr*, Vol. 6, p. 140f; Redā, *Tafsīr al-Manār*, pp. 279ff. In fact, Redā admits there are great difficulties with this passage. He thinks that the passage likely points to one of the Meccan – Jewish military alliances against the Madīna n Muslims in the time of the Prophet.

<sup>78</sup> In all probability the allusion here is to Christian priests and monks to whom confession is made and are invested with powers to grant absolution (the forgiveness of sins which belongs to God alone). It may also allude to the departed saints to whom payers were made as they do in the Roman Catholic Church. But it is difficult to see how such things could have ever existed in Judaism, or that the Jews ever deified their Rabbis however much saintly they might have been. In any case, by describing them in this manner, the People of the Book are made equal with the associators of Quraysh. They have all lapsed from the true faith (or Islām) of Abraham (the hanīf). This faith is now fully restored through the prophetic ministry of Muhammad.

or '*irtidād*' would seem to have been the natural word to use. Instead we find words that are related semantically with (the *kufr* of) apostasy.

a) *Fisq*. The word is used in the Qur'ān as a descriptive term for various negative or immoral characteristics of particular individuals. According to Ibn al-Arabi, in pre-Islamic times the term was never used in describing people.<sup>79</sup> It was used only in describing things or animals such as the fruit coming out of its rind, or the mouse rushing out of its hole to do some mischief.<sup>80</sup> Thus the basic meaning of '*fisq*' is that of departure from a natural or original place or habitation. The Qur'ān is the first to apply it to people. The word '*fisq*' in the Qur'ān is descriptive of different kinds of negative human conducts. But in the main, according to al-Raghib al-Asfahani, it applies to one who having lived by the rules of Law, afterwards he abandons them all or at least most of them. He continues: "If the original unbeliever is called '*fāsiq*', it is because he has abandoned the law that his mind (intelligence) has demanded and his natural disposition '*fitra*' has enjoined. For example, *Iblīs* is said to have "rebelled (*fasaqa*) against his Lord's command" (Sūra al-Kahf [18]: 51).<sup>81</sup> In this sense it denotes the abandonment of obedience and submission to the will of God.

Man's rebellion against God has its dire consequences. The Meccan idolaters (*mushrikīn*) have gone to false gods, much against the dictates of '*fitra*' and God's Law. Thus it is abundantly clear from Sūra Yūnus that '*shirk*' is a case of '*fisq*':

Thus it is the Word of thy Lord proved true against those who rebel  
(*fasaqū*). Verily they will not believe. Say: 'Of your partners, can any  
originate creation and repeat it? (10: 33-34).<sup>82</sup>

<sup>79</sup> Ibn al-Arabi is quoted by Ibn Faris in his *al-Mujmal fī al-Lughah* (Beirut date ?), Vol. 3, p. 721.

<sup>80</sup> *Fisq* as relating to the fruit coming out of its rind see al-Fakhr Ar-Razi, *Tafsīr al-Kabīr* (Beirut date ?) Vol. 2, p. 147. Interestingly, the Arabs call the mouse '*fuwaysiqah*' as derived from '*fisq*'. Al-Bukhārī reported that the Prophet said, "cover the pots, lock the doors and put out the lamps in case the *fuwaysiqah* (the mouse) pulls (its) wick out and burns the people of the house. See Ibn Hajar al-'Asqalānī, *Fath al-Bārī bisharh Sahīh al-Bukhārī* (Cairo date ?), Vol. 11, p. 75.

<sup>81</sup> Ar-Rāghib al-Asfahānī, *Mufradāt Alfāz al-Qur'ān*, p. 636.

<sup>82</sup> The word '*tu'fakun*' from '*ifk*' i.e. departure from truth to falsehood. See Sāmih Ātif az-Zīn, *Tafsīr Mufradāt Alfāz al-Qur'ān al-Karīm*, p. 79. It has apparently the same connotation as the word '*fisq*'

The Unbelief (*kufr*) of the People of the Book (the Jews) in the new revelation, which is confirmed by their own scriptures, and which most of them deliberately ignored (Sūra al-Baqarah [2]: 101; Sūra Āl-‘Imrān [3]: 70-71), is also a case of ‘*fisq*’:

If only the People of the Book believed, it would have been better for them.  
There are a few believers among them, but most of them are rebellious transgressors (*fāsiqūn*) (3: 110).

The ‘*fisq*’ is also characteristic of many Christians of the Prophet’s time. A passage from Sūra al-Hadīd is very likely an allusion to the doctrinal strife and sectarian hatred, which was wide spread in most of Christendom at the time of the Prophet. No doubt, this was a very serious departure from the Gospel message of “compassion”, which characterized the early followers of Jesus Christ (*al-Hawāriyyūn*). Such a tragic departure was ‘*fisq*’:

We sent after them (other Prophets) Jesus the son of Mary, and bestowed upon him the Gospel; and We ordained in the hearts of those who followed him Compassion and Mercy. But Monasticism which they invented for themselves, We did not prescribe for them: (We commanded) only the seeking for the good pleasure of God; but that they did not foster as they should have done. Yet, We bestowed on those who believed their reward, but many of them are rebellious transgressors (*fāsiqūn*) (57: 27).

b) *Hawā*. The word means roughly the natural inclination of the human soul to those vain things that satisfy its desires and lustful appetites. From the standpoint of the revealed religion, such vain things consequently lead mankind astray (*tudillū*) from the right path.<sup>83</sup> Interestingly, quite often the words ‘*Hawā*’ and ‘*dalāl*’ occur together in one verse. In some passages, those

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<sup>83</sup> The term ‘*hawā*’ contains the concept of vanity, emptiness and that which is false i.e. idols. It may have as its synonym the word ‘*bātil*’. See Sūra an-Nahl [16]: 72; Sūra al-Hajj [22]: 62; Sūra al-‘Ankabūt [29]: 52; Sūra Luqman [31]: 30; Sūra Muhammad [47]: 3. Comp. Sūra al-Kahf [18]: 28; Sūra al-Furqān [25]: 43. This last verse refers to the way the idolaters were fond of changing the stone they worshipped. If one of them did not like the stone he worshipped, he would change it with one he likes better. See Tabarī, *Tafsīr*, Vol.11, p. 23.

who follow their vain desires have most decidedly '*dallū*' (gone astray) from the worship of the one true God into idolatry. The idolaters were constantly trying to induce the Prophet to find a place for their gods in his message: <sup>84</sup> In Sūra al-An'ām the Prophet is instructed to say:

Say: 'I am forbidden to worship those – others than God – whom you call upon'. Say: 'I will not follow your vain desires (*ahwā'akum*). If I did, I will stray (*dalaltu*) from the path, and be not of the company of those who receive guidance (6: 56).

Among those who followed their vain desires (i.e. their creed), instead of abiding in the truth which God had sent down, are the Jews and the Christians who have now gone astray. The Jews in particular refused to acknowledge Muhammad as God's messenger, and the Christians not only refused to acknowledge him as God's messenger, but went further and ascribed divinity to Jesus Christ:

Say: ' O People of the Book, go not beyond the bounds in your religion, other than the truth, and follow not the vain desires (*ahwā'a*) of people who went astray (*dallū*) before, and led astray (*adallū*) many, and now again have gone astray (*dallū*) from the right way (5: 80).<sup>85</sup>

c) *Tafarruq* / *Firāq*: Both words share the basic idea of dividing, disagreeing or dissenting. Both come from the Ar. root '*farq*' i.e. distinction.

'*Tafarruq*' is almost generally used in the sense of disagreements or divisions in matters of belief or theological and doctrinal opinions. The believers are warned against adopting this

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<sup>84</sup> They seem to have succeeded once, as we gather from the case of the so called 'Satanic verses' according to Tabarī's commentary on Sūra al-Hajj [22]: 52. See his *Tafsīr*, Vol. 10, pp. 244ff; also Ibn Sa'd, *at-Tabaqāt al-Kubrā* (Cairo date ?), pp. 286-289, and also an-Nisabūri, *Asbāb an-Nuqūl* (Beirut date ?), p. 232f.

<sup>85</sup> For the view that the Jews and the Christians may well be intended in this verse, see W. Montgomery Watt, *Companion to the Qur'ān*, p. 77. Similar idea is also found in Sūra al-Baqarah [2]: 120, "Never will the Jews or the Christians be satisfied with thee unless thou follow their form of religion .....Wert thou to follow their vain desires '*ahwā'ahum*' after the knowledge which hath reached thee, then wouldst thou find neither protector nor helper against God".

attitude which, according to the import of the passage in Sūra ash-Shūrā, was characteristic of the antediluvian idolaters after Noah had come to them with divine revelation:

And they (the idolaters) were not divided (*tafarraqū*) until after the knowledge (revelation) came unto them, through rivalry among themselves. And had it not been for a Word that had already gone forth from thy Lord for an appointed term, it surely had been judged between them

(42: 14).<sup>86</sup>

The same occurred thereafter among the People of the Book, in spite of being in possession of clear divine revelation. In Sūra Āl-‘Imrān we read:

Be not like those (the Jews and the Christians) who are divided (*tafarraqū*) amongst themselves and fall into disputations after receiving clear evidence. For them is a dreadful penalty (3: 105).

‘*Firāq*’ (or *Mufāraqah*) denotes practical or physical division, parting or separation, as in the words of al-Khidhr to Moses, “This is the parting (*firāq*) between me and thee” (Sūra al-Kahf [18]: 78).<sup>87</sup> When used in other contexts it conveys the meaning of abandonment. This brings us to the use of this term in two Qur’ānic passages where the apostasy indictment vis-a-vis the idolaters and the People of the Book could not be more clearly stated. In Sura Rum, the believers are urged to maintain the spiritual principle of unity and not to follow the path, which the idolaters have taken, and which consequently led to their division:

And be not of the idolaters (*al-mushrikīn*), of those who split up (*farraqū*) their religion and became sects, each party exulting in its tenets (30:31-3).

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<sup>86</sup> “Had it not been for a Word that had gone forth from thy Lord for an appointed term...” may well refer to the seven days postponement of the flood, as a period of chance for the people of Noah to respond positively to his message and believe (Genesis 7:4). See Tabarī *Tafsīr*, Vol. 13, p. 22f.

<sup>87</sup> al-Khidhr, the prophetic figure (legendary, according to some), may well be identified with Elias. See W. Montgomery Watt, *Companion to the Qur’ān*, p. 141. Also for a detailed discussion on the different meanings of these two words, see ar-Rāghib al-Asfahānī, *Mufradāt Alfāz al-Qur’ān*, p. 632f.

Viewed from its context, the following verse is descriptive of the People of the Book.

Those who divided (*farraqū*) their religion and became sects, thou hast no part in them in the least; their affair is to God. (6: 159).

Attention must be drawn particularly to the verb '*farraqū*' (i.e. split up or divided) in the above two passages. It is important to note that there are three readings of this word: 1 - The majority's reading is '*farraqū*' as in the above passages. 2 - The reading of an-Nakha'ī has the word '*faraqū*' i.e. distinguished (i.e. between what they chose to believe and what they chose to reject), "Those who picked only what they liked (*faraqū*) in their religion". 3 - Two notable readers, Hamza (d. 772) and al-Kisa'ī (d.804) read '*fāraqū*' (abandoned), "Those who abandoned (*fāraqū*) their religion".<sup>88</sup> This appears to be the oldest reading. It is found in the pre-'Uthmanic codex of Ibn Mas'ūd (d. 653), which was adopted in Kūfā and held in high regard. Interestingly, Alī Ibn Abī Tālib also used to read '*fāraqū dīnahum*' "they abandoned (*fāraqū*) their religion". According to Tabarī, this statement could not be clearer that they have in effect "defected from it (*kharajū*) and apostatized (*irtaddū*)". In support of his reading, Alī himself used to say, "By God they did no divide it, but they abandoned it". It is also reported on the authority of Abū Hurayrah that the Prophet read, "Those who abandoned (*fāraqū*) their religion and became sects".<sup>89</sup> Al-Hassan the son of Alī reported that on the day the third Calīph, 'Uthmān was murdered, he heard the voice of one of the wives of the Prophet loudly saying: "God's Apostle is innocent from the guilt of 'those who abandoned (*fāraqū*) their religion and became sects'." <sup>90</sup> It appears, therefore, that '*fāraqū*' was an earliest reading. Besides the fact that this reading is found in the pre-'Uthmanic codices of Alī and Ibn Mas'ūd, the two Sūras in which these two verses are found are Meccan. 1- The idea that Abraham was both the founder of monotheism and the builder of Ka'bah, appears to have been fully developed in the

<sup>88</sup> On these variant readings see ad-Dimiyātī, *Ithāf Fudalā' al-Bashar fī Qira'āt al-Arba' 'ashar* (Cairo date ?), p. 220; also Abū Dawūd as-Sajastānī, *Kitāb al-Masāhif* (Beirut 1985), p. 119.

<sup>89</sup> On these two points, see Tabarī, *Tafsīr*, Vol. 5, p. 137f; *Al-Qurtubī, al-Jāmi li Ahkām al-Qur'ān*, Vol. 4, p. 2585. Abū Hurayrah is also reported in one of the Hadīth s to have read, "Those who divided (*farraqū*) their religion", pointing out that such schismatics 'are in this community (*ummah*)'. This reflects the Abbasid period noted for its religio-political schism & strife. See Rashīd Redā, *Tafsīr al-Manār*, Vol. 8, p. 214f.

<sup>90</sup> Rashīd Redā, *Tafsīr al-Manār*, Vol. 8, p. 216.

Prophet's mind whilst in Mecca.<sup>91</sup> With this in mind, it is not difficult to conclude that in the eyes of the Prophet, the idolatrous state of his Meccan kinsfolk was the outcome of their departure from the religion of Abraham.<sup>92</sup> Hence, "Be not of the idolaters (*al-mushrikīn*), of those who abandoned (*fāraqū*) their religion". Therefore, originally it could not have read "divided (*farraqū*) their religion". 2- During his time in Mecca, the Prophet was aware of the Jewish and Christian belief in God and the Last Day, including of course their respective Prophets – Moses and Jesus. But, as regards their precise theological or doctrinal beliefs and ideas, including their various sects (particularly those of the Christians), he evidently knew little if any.<sup>93</sup> His knowledge of their beliefs seems to have improved only later when he took up his residence in Madīna, where many Jews and some Christians lived and were influential. In any case, Muhammad must have been aware, even at this late Meccan period, that Jewish and Christian communities in Madīna were not particularly impressed by his claim to be God's Apostle. This late Meccan passage (Sūra al-An'ām [6]: 159) must be understood in the context of verses 160 and 161. The Jews and the Christians had rejected the Prophet Muhammad as he sought to recall them to the pure religion of Abraham – a religion that they have already abandoned. This verse is therefore not so much a description of the schismatic state of these religions as it is a description of their serious state of apostasy.<sup>94</sup> This view, however, is well supported by S. Margoliouth's argument that early Islām treated Arabian Jews and Christians as renegades from the religion of Abraham.<sup>95</sup>

Finally, attention must be drawn to two important points which the Qur'ān stamps indelibly upon the mind of its reader. Firstly, the grave apostasy of these contemporary religious groups is punishable by God alone in the day of Judgement. Secondly, Muslims as believing human beings are by no means immune from apostasy. The question is, if a Muslim apostatized, is he answerable to God alone or is he also answerable to the temporal powers?

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<sup>91</sup> See for example the following Meccan Sūra al-An 'ām [6]: 161; esp. Sūra Ibrāhīm [14]: 35– 41, also Meccan.

<sup>92</sup> We have already mentioned the Hadīth where the prophet points to Amr Ibn Luhayy as the one responsible for changing the religion of Ishmael in Arabia. See page 60, n. 76.

<sup>93</sup> W. Montgomery Watt, *Muhammad at Medina*, pp. 315 – 320.

<sup>94</sup> Older and more modern commentators who agree with the majority's reading i.e. "those who divided (*farraqū*) their religion and became sects", admit that the concept of 'abandonment' is nevertheless there. Rashīd Redā admits that "The division of a religion usually leads to its abandonment. See *Tafsīr al-Manār*, Vol. 8, p. 214.

<sup>95</sup> D. S. Margoliouth, *The Early Development of Muhammadanism* (London 1914), p. 105 f.

## APOSTASY AND PUNISHMENT IN THE QUR'ĀN:

### *A Case for Divine Retribution*

#### 3.1. APOSTASY: THE NARROWING OF ITS WIDER APPLICATION

The concept of apostasy in the Qur'ān has a wider application as we have seen in the last chapter. Members of other faiths like the People of the Book had in the past fallen into apostasy, from which Muslims were not immune. Sūra al-Baqarah makes it clear:

If any of you turn back from their faith and die in unbelief, their work will bear no fruit in this life. And in the hereafter they will be companions of the fire and will abide therein (2: 217)

The believers are therefore warned that unless they take heed, their fate might just be like the fate of “those who abandoned (*fāraqū*) their religion” and apostatized”.<sup>1</sup> With the emergence of the Islamic jurisprudence (*al-fiqh al-Islāmī*) in the first centuries of Islām the application of the term was restricted. The title ‘apostate’ was now applied exclusively to a Muslim who renounced Islām. It no longer applies to a non-Muslim, like a Jew or a Christian regardless whether he exchanged his faith for another or simply became wholly irreligious.<sup>2</sup> The religious freedom that most Muslim countries claim to guarantee to its citizens, is in reality something that only the religious minorities can enjoy. There is the fullest religious liberty for a Jew to become a Christian, or for the Christian to become a Jew, for the Catholic to become a Protestant, or for all to become Muslims. Islām applies the term ‘apostate’ to none of these. But when a Muslim abandons his faith for another he is at once an ‘apostate’, with every

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<sup>1</sup> Sūra al-An ‘ām [6]: 157; Sūra ar-Rūm [30]: 30 – 32. This point is fully discussed in pp. 65ff.

<sup>2</sup> According to Ibn Taimiyyah, “The people of unbelief are one and the same”, quoted by Madā Fandī in his *Majma‘ al-Anhur fī Sharh Multaqa al-Abhur* (Cairo Date?), Vol. 1, p. 680; also Taysīr Khamīs al-‘Umar, *Hurriyāt al-I ‘tiqād fī al-Islām* (Beirut 1998), p. 252.



likelihood of being hauled before a judicial court. The current century has witnessed several apostasy court cases in countries like Egypt, Sudan, Morocco and Kuwait.<sup>3</sup> Thus, the so-called ‘guarantee of religious liberty’ does not extend to a Muslim to become an ‘apostate’. This brings us to look at the term ‘apostasy’ in *Fiqh* and Qur’ānic perspectives.

### 3.1.1. APOSTASY IN ISLAMIC JURISPRUDENCE

‘*Riddah*’ and ‘*Irtidād*’ are the two equivalent Arabic terms for apostasy. Both derive from the root ‘*radd*’ which has linguistically, among several other connotations, the meaning of “going back, reversing, withdrawing or falling back from a position”.<sup>4</sup> The ‘*murtadd*’ (apostate) is understood to be the Muslim by birth or conversion, who abandoned his religion, regardless whether or not he subsequently embraced another faith. However, ar-Raghib al-Asfahani, points out that whilst the words ‘*riddah*’ and ‘*irtidād*’ have the basic connotation of “turning away” or “the returning of one to the path from which he came”, a slight difference in meaning does nevertheless exist between them. According to him, ‘*riddah*’ relates particularly to apostasy from Islām to unbelief, ‘*kufr*’. But ‘*irtidād*’ can be used in this sense as well as in the sense of apostasy from Islām to Judaism, Christianity or some other religion.<sup>5</sup> It is not clear whether this was intended to be a jurisprudential (*fiqhī*) definition or simply a linguistic one. The latter may well be intended, because the Islamic jurisprudence makes no distinction vis-à-vis the meanings of these two words. There are a number of legal definitions of ‘*riddah*’ or ‘*irtidād*’, and ‘*murtadd*’ in Islamic jurisprudence, which we need to discuss presently:

<sup>3</sup> The trial of a groups of the Bah’is in Cairo 1967 – 75, see Ahmad R. Tāhūn, *Huriyyāt al-‘Aqīdah fī al-Sharī‘a al-Islāmiyyah*, (Cairo 1998), p. 345f. The trial of Dr. Hamid Abū Zaid, see Muhammad Hāshim, *Nasr Abū - Zaid bain a at-Takfīr wa at-Tanwīr*, (Cairo 1996), pp. 58ff. After a long trial, Mahmoud Muhammad Tāhā was executed in Khurtoum in Jan. 18<sup>th</sup>. 1985 on the grounds of apostasy, see Abdullāhi A. An-Na’īm, *The Islamic Law of Apostasy and its Modern Applicability*, *Religion* (1986) 16, pp. 197-224. Dec 14<sup>th</sup>. saw the trial of some Bahā’īs in Morroco, see *JDI*, 93 (1966), p. 383. There has also been the trial in Kuwait of one named Hussein Alī (a convert to Christianity) see *London Times*, July 28, 1996; also the Newspaper *al-Muslimun*, March 15, 1996, p. 5.

<sup>4</sup> All these meanings are to be found in the following passages: Sūra al-An ‘ām [6]: 28, 147; Sūra Hūd [11]: 76; Sūra al-Mā’idah [5]: 23. See Sāmih ‘Ātif az-Zīn, *Tafsīr Mufradāt al-Qur’ān al-Karīm*, p. 356; for further consultation about these Arabic words see al-Fairūz Abadi, *al-Qamūs al-Muhīt* (Beirut date ?); and also Ibn Manzūr, *Lisān al-Arab* (Cairo date ?).

<sup>5</sup> ar-Rāghib al-Asfahānī, *Mufradāt Alfāz al-Qur’ān*, p. 349.

a) According to the *Hanafī* law school, apostasy is “the expression of unbelief by word of mouth after faith had been evidently present”.<sup>6</sup>

b) The *Mālikī* school attaches special importance to the *murtadd*'s clear profession of Islamic faith prior to his apostasy. Therefore, this school defines ‘*riddah*’ as ‘*kufrun ba‘da Islāmin taqarrar*’ - “unbelief (of the Muslim whose) after Islām has been established beyond all doubt”. Moreover, his Islām must be evident in both ‘*qawl*’ (word) and ‘*a‘māl*’ (action). One who entered Islām by merely pronouncing the ‘*shahādah*’ (profession of faith) without performing the obligatory religious duties (such as the five daily ‘*salawāt*’ (prayers), would be regarded as unqualified to perform a legally valid act of apostasy.<sup>7</sup>

c) The definition of the *Shafī‘ī* school goes a little further. The ‘*riddah*’, according to this school, is “the severing of the ties with Islām (*qat‘ al-Islām*) intentionally, in words or action. And it is all the same whether one’s apostatical words are spoken contemptuously or defiantly, or even merely conceived (in his mind)”.<sup>8</sup>

d) The *Hanbalī* school agrees with the above mentioned schools, but adds the element of doubt as another sign of apostasy. The ‘*murtadd*’, according to this school, “is one who renounces his Islām by expressions (of unbelief), defiance, doubts (about its doctrine) or deeds (contrary to its precepts).<sup>9</sup> The rigidity of the Hanbalī school here cannot be overlooked.

e) The *Zāhiriyyah* school (now long defunct), defined the ‘*murtadd*’ as “one who is proved to have abandoned Islām and embraced one of the religions of the Book ‘*dīn Kitābī*’ (Judaism or Christianity), some other religion or no religion at all”. The definition is that of Ibn Hazm, the

<sup>6</sup> The definition is that of ‘alā’ ad- Ibn Mas‘ūd al-Kāsānī, known as the king of the Hanafī scholars. See his *Bada‘i ‘u as-Sana‘i ‘fī Tartīb ash-Shara‘ī* (Beirut 1986), Vol. 7, p. 134 also the Hanafī scholar Ibn ‘Abdin in his *Hashyyat al-Muhtar ‘alā ad-Dur al-Mukhtār* (Cairo 1399 A. H) Vol. 4, p. 221.

<sup>7</sup> see especially Abū Alī Muhammad Ibn Muhammad al-, *Mawāhib al-Jalīl fī sharh Mukhtasar Khalīl* (Libiya date ?), Vol. 6, pp. 279-80; among other Mālikī scholars on this point is Ibn Jizzi in his famous, *al-Qawanīn al-Fiqhiyyah* (Cairo date ?), p. 369; also of importance is F. H. Ruxton, *The Convert’s Status in Mālikī Law*, *MW.* 3 (1913), pp. 37-40

<sup>8</sup> Ahmad al-Sharbīnī al-Khatīb, *Mughnī al-Muhtāj ilā Ma‘rifat Alfāz al-Minhaj* (Cairo 1958), Vol. 4, p. 133-4; also an-Nawawī, *al-Majmu‘* (Cairo date ?), Vol. 18, p. 5.

<sup>9</sup> Mansūr Ibn Yūnus al-Bahūtī, *Kashshāf al-Qina ‘an Matn al-Iqna‘* (Beirut date ?), Vol. 6, p. 167; also Ibn Qudāmah, *al-Mughnī* (Beirut date ?), Vol. 8, 123.

most famous exponent of the *Zāhiriyyah* school which stressed the clear, literal and explicit (*zāhir*) interpretation of the Qur'ān and Sunnah. The following statement reflects the position of this school: "One does not only apostatize, but he must be seen or proved to have abandoned his faith and embraced another".<sup>10</sup>

f) *al-Imāmiyyah* (a branch of Shī'a) defines the '*murtadd*' as "one who was a Muslim, *compos mentis* ('*āqil*), of adult age (*bāligh*), then turned away (from Islām) and apostatized '*irtadda*'".<sup>11</sup>

g) *al-'Ibadiyyah* (a branch of Khawārij) defines the '*murtadd*' as "a responsible person who turns away from Islām willingly, declaring his unbelief, either by expression or deed which would imply it (unbelief)".<sup>12</sup> Obviously, this definition is hardly different from those of the above-mentioned Sunni schools. According to all of them, conviction for apostasy is established on the basis of expressions or deeds implying unbelief.

With the various definitions of apostasy, there are no fixed rules providing criteria on which one should be convicted as an apostate. But there is no shortage of examples of sayings and acts considered as implying unbelief and, therefore, constituting apostasy.<sup>13</sup> We may be selective of those given by the Hanafī scholar Shaykhzādeh in his book '*Majma' al-Anhur*'. His list of examples constituting unbelief and therefore apostasy, are those:

a) *Relating to God*: to deny the divinity of God; to hold that He is a woman or a child; to associate others with Him; to believe that Jesus is the son of God or maintain that God is one of the trinity; to deny the oneness of God or one of His divine attributes.

<sup>10</sup> Ibn Hazm, *al-Muhallā* (Beirut date ?) Vol. 11, p. 118

<sup>11</sup> Muhammad Jawad Maghniyah, *Fiqh al-Imām Ja'far* (Cairo date ?), Vol. 11, p. 118. This definition is adopted by other Shi'a branches except perhaps az-Zaydiyyah which defines '*riddah*' simply as "unbelief after Islām". See Ahmad Ibn al-Murtada, *al-Bahr az-Zakhār al-Jāmi li Madhāhib al-Amsār* (Cairo 1975), Vol. 6, p. 201.

<sup>12</sup> Muhammad Ibn Yūsuf Ibn 'Isa Aftish, *Sharh an-Nayl wa Shifa' al-'Alīl* (Cairo 1972), Vol. 17, p. 597.

<sup>13</sup> There are a number of treaties dealing exclusively with words and acts constituting unbelief and, therefore, '*riddah*', are listed by Nu'man Abd ar-Rāziq as-Samarrā'i, in his book, *Ahkām al-Murtadd fī al-Shari'ah al-Islāmiyyah* (Beirut 1968), p. 116.

b) *Relating to prophets and angels*: to deny the prophethood of Muhammad; to insist that the prophets are immune from error; to consider oneself a prophet; to claim that all sorts of animals have their own specific prophets; to state that Azra'īl, the Angel of Death, does not always fulfil his task correctly, and that he occasionally picks the wrong people.

c) *Relating to the Qur'ān, pious Formulas (adhkār) and ritual prayer (salāt)*: to reject some of the Scriptures; to add or omit Qur'ānic verses; to assert that the Qur'ān is created (as did *al-Mu'tazilites*);<sup>14</sup> to translate the Qur'ān into, for example, the Persian language;<sup>15</sup> to utter '*al-basmalah*' –formula (*bismi 'llāh ar-Rahmān ar-Rahīm*) while taking a glass of wine or casting the dice at backgammon.

d) *Relating to Knowledge ('Ilm)*: to deride scholars ('*ulamā'*); to address them in a contemptible manner; to dismiss or reject the validity of the *Shari'ah* – courts; to prefer an ignorant ascetic (*zāhid jāhil*) to a sinful scholar ('*ālim fāsiq*). Our attention must also be drawn to some more miscellaneous expressions of unbelief which are illustrated by the following examples: to pay respect to a non-Muslim; to celebrate *Nairūz* (the Iranian New Year); to declare one's belief in transmigration or that the world was never created. Among the Islamic schools of law (*madhāhib*), the answer to the question whether or not the practice of magic constitutes apostasy remains inconclusive. It is also maintained that the Muslim who states his intention to apostatize at a point of time in the future, is regarded an apostate at the very moment he makes that statement. Words spoken in jest, even if it does not reflect the speaker's inner conviction, may also involve apostasy.<sup>16</sup> This last example is found in *Sūra at-Tawbah*:

If thou ask them (O Muhammad) they will say: We did but talk and jest. Say: Was it at God and His revelation and His apostle that ye did scoff? Make no excuse. Ye have disbelieved after your (confession of) faith. If We forgive a

<sup>14</sup> See al-Shahrastani, *al-Milal wa an-Nihal* (Beirut 1986), Vol. 1, pp. 43ff.

<sup>15</sup> Although Abū Hanīfah is reported to have allowed the recitation of '*Fatihah*' in the Persian language. See H. Lammens, *Islām : Beliefs and Institutions* (London 1926), p. 88.

<sup>16</sup> For this extensive collection of examples see Shaykhzadeh, *Majma' al-Anhur Sharh Multaqa al-Abhur* (Istanbul 1302 AH), Vol. 2, pp. 626, 629 – 37; also Rudolph Peters & Gert J.J. De Vries, *Apostasy in Islām , Die Welt des Islām s, XVII* (1976 –77), p. 3f.

party of you, a party of you We shall punish because they have been guilty  
(9: 65 – 66) <sup>17</sup>

### 3.1.2. THE AXIOMATIC ARTICLES OF FAITH

The tendency among certain jurists (*fuqahā'*) has been to view the above examples as incompatible with what is known as the “axiomatic articles of faith” (*al-ma'lum mina ad-dīn bid-darūrah*). This is precisely the view that Shaykh Sayyid Sābiq takes in his book '*Fiqh as-Sunnah*'. Among his list of examples purporting to constitute the denial of the “axiomatic articles of faith” are: a) To declare permissible what the theological consensus (*Ijmā'*) has forbidden. b) To revile the Prophet (Muhammad) and insult the religion (of Islām) c) To speak ill of the Qur'ān and Sunnah. d) To prefer the secular laws to those of the Qur'ān and Sunnah. e) To claim (divine) inspiration. f) To throw the book of the Qur'ān or the books of the Hadīth, contemptuously and insultingly, into filth (*qadhūrāt*).<sup>18</sup> To all this, Shaykh al-Jāziri in his work '*al-Fiqh 'ala al-Madhāhib al-Arba'ah*', adds that to spit on the books of Jurisprudence (*kutub al-fiqh*) would be a violation of one of the “axiomatic articles of faith” and, therefore, it constitutes '*riddah*'.<sup>19</sup> But, what exactly are the “axiomatic articles of faith”? And, who has the right to determine what they are? The phrase “axiomatic articles of faith” was neither known in the time of the Prophet nor in that of his successors, the Rightly Guided Calīphs (*al-Khulafā' ar-Rāshidūn*). In fact, it is a late jurisprudential technical term. It is neither a reference to a fixed set of rules providing legal criteria, nor have these so-called “axiomatic articles of faith” ever gained a general consensus. It has been a matter for each Jurist to produce his own outfit of examples, which he believed to stand in glaring contrast to what he calls the “axiomatic articles of faith” and, therefore constituting '*riddah*'. The outfit may be stretched or shortened, as circumstances required. For instance, the probable attempt to translate the Qur'ān or part of it into non-Arabic languages was proscribed by Shaykhzādeh as

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<sup>17</sup> The context of this passage (verse 64) indicates that the words spoken in jest were those of the hypocrites. In this case, their words must have reflected their conviction. Comp. Sūra al-Baqarah [2]: 8-10, 14-15. The argument (i.e. words spoken in jest with no evil intentions behind them would constitute apostasy) may well points to the swing of the Islamic jurisprudence towards a more conservative hard line unknown in the time of the prophet and his immediate successors, the Rightly Guided Calīphs (*al-Khulāfa' ar-Rashīdūn*)

<sup>18</sup> Sayd Sabiq, *Fiqh as-Sunnah* (Cairo date ?), Vol. 2, p. 384

<sup>19</sup> Abd ar-Rahmān al-Jaziri, *al-Fiqh alā al-Madhāhib al-Arba'ah* (Cairo date ?), Vol. 5, p. 332.

a violation of one of the “axiomatic articles of faith”. Thus, for him, an untranslatable Qur’ān, including disrespect, or at least indifference to non-Muslims, are “axiomatic articles of faith”. Of course, such extreme ideas might have been dictated by certain circumstances. Sayyid Sābiq, for instance, states in his list of examples that the ‘*murtadd*’ is, among other things, one who “speaks ill of the Qur’ān and Sunnah” and “prefers the secular laws to those of the Qur’ān and Sunnah”. Obviously, this was aimed at the secular movement that was fiercely challenging the fundamentalist camp about several theological issues at the time. For fundamentalism this meant one thing - the Qur’ān and the *Sunnah* were now being called into question, and hence it was a serious violation of one of the “axiomatic articles of faith”. Yet, there are a number of doctrinal issues in the Qur’ān over which the Muslims were, and still are, in disagreement among themselves. Such issues, to mention but a few, are: The establishment (*istiwā’*) of God on His throne (Sūra Ta-Ha [20]:5), His manifestation (*ru’yā*) to the faithful in the hereafter (Sūra al-Qiyāmah [75]:23) and the doctrine of ‘*al-Qadā’ wa al-Qadar*’.<sup>20</sup> Islamic history is replete with parties known to have used the Qur’ān in support of their theological stance and in condemning their opponents as having misinterpreted, misrepresented or ill-spoken of the Qur’ān and Sunnah. Moreover, the concept of preferring the laws of the Qur’ān and Sunnah to the secular laws was never part of the so called “axiomatic articles of faith” in the writings of the early theologians and Jurists. Indeed, the call for the ‘implementation of the Shari‘a law’ was never a political motto or slogan during the Umayyad, ‘Abbasid or Mamlūk periods as it has been in our time. Today the list of what constitutes unbelief and, therefore, ‘*riddah*’ and its subsequent death penalty have shown no sign of recovery from its long jurisprudential and theological paralysis. Barring a radical and daring revolutionary step on the part of Islamic jurisprudence, the prospect of bringing the ‘Apostasy Law’ into consonance with modernity’ would remain exceedingly slim.

### **3.2. APOSTASY IN THE QU’RĀNIC TEXT**

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<sup>20</sup> *Qadā’* – Divine decree, divine judgement, divine will, the function of God as Judge (*Qādī*). *Qadā’ r* – often translated as ‘destiny’, ‘fate’, ‘divine predestination’, ‘divine determination’. *Qadā’ r* is specifically the divine application of *Qadā’* in time, according to the most widespread interpretations.

With the emergence of the Islamic Jurisprudence (*al-Fiqh al-Islāmī*) in the early centuries of Islām, Muslim Jurists (*fuqahā'*) elaborated a complex set of rules relating to the legal status of those Muslims who defected from their religion – apostates. These rules belong to the sphere of penal as well as civil law.<sup>21</sup> However, rules pertaining to apostates remained valid until the last half of the 19<sup>th</sup> century when punishment for apostasy fell into disuse, but by no means completely cancelled or abolished. A few voices like those of the Ahmadiyyah sect and of liberals like 'Uthmān Safī, S. A. Rahmān and Ahmad Subhi Mansūr have in recent decades sent shock waves through Islamic circles by calling for the total abolition of the apostasy law.<sup>22</sup> Members of the Ahmadiyyah sect and liberal Muslims may not belong the same theological mould, but they share a common aversion to the apostasy law as it stands. They base their opposition to it almost exclusively on the Qur'ānic text. Obviously, this is not the ground where the exponents of the apostasy law feel normally at home.

In the introduction to his book *'Ahkām al-Murtadd'*, Abd ar-Rāziq as-Samarrā'ī observed: "In the Book (the Qur'ān), I found sometimes '*riddah*' mentioned expressly and sometimes by import. Following up the verses in the various commentaries, I came to the conclusion that the punishment of apostates (i.e. death) is not to be found in the Book but mentioned only in the *Sunnah*".<sup>23</sup> In spite of this, some have managed to smuggle the apostasy law into the Qur'ānic text in order to vest it with a measure of divine sanction. We shall come across them as we examine a particular type of Qur'ānic passages on apostasy. But first of all, the Qur'ān draws a clear distinction between one who apostatizes under pressure of persecution and keeps his faith secretly, and one who does so freely and without any undue pressure. The Qur'ān does not recognize the former as an apostate. In Sūra an-Nahl we read:

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<sup>21</sup> For general literature on apostasy and punishment see Muhammad Abū Zahrah, *al-'Uqubah* (Cairo date ?), pp. 192 – 208; Abd al-Qadīr 'Awdah, *at-Tashrī 'al-Jina'i Muqannan bi al-Qanun al-Wad'i* (Beirut date ?), Vol. 1, pp. 534 – 8, Vol. 2, pp. 706 – 30; Ahmad Fathi Bahnassi, *La responsabilite criminelle dans la doctrine et la jurisprudence musulmanes*, Tr. by A. Ambar. Rev. by Ahmad A. Mukhtār (Cairo 1969), pp. 104 – 37; F. H. Ruxton, *The Convert's Status in Mālikī Law*, *MW*, 3 (1913), pp. 37– 40; Ed. Sachau, *Muhammedanisches Recht nach Schafitischer Lehre*, Stuttgart- Berlin: W. Spemann, 1897, pp.879ff.; Nu'man Abd ar-Rāziq as-Samarrā'ī, *Ahkām al-Murtadd fī al-Sharī 'a al-Islāmiyyah* (Beirut 1968), pp. 77-137; Samuel Zwemer, *The Law of Apostasy in Islām*, *MW*, 14 (1924), pp. 373-71.

<sup>22</sup> 'Uthman Safī, *alā Hamish Naqd al-Fikr ad-Dīni* (Beirut 1970), pp. 87 - 93; S. A. Rahmān, *Punishment of Apostasy in Islām* (New Delhi 1996), pp. 130 – 138; Ahmad S. Mansūr, *Hadd ar-Riddah: Dirāsah Usūliyyah Tārīkh iyyah* (Cairo 1993), pp. 5 ff; also his *al-Husbah: Dirāsah Usūliyyah Tārīkh iyyah* (Cairo 1995), pp. 53f. For Ahmadiyyah opinion see Mirza Tāhir Ahmad, *Murder in the Name of Allāh* (Lutterworth Press), pp. 74 ff.

<sup>23</sup> Abd ar-Rāziq as-Samarrā'ī, *Ahkām al-Murtadd fī al-Sharī 'a al-Islāmiyyah*, p. 12.

Whoso disbelieves in God after his belief – save him who is forced thereto and whose heart is still content with faith – but whoso finds ease in unbelief, on them is wrath from God. Theirs will be an awful doom (16: 106).

Indeed, in such circumstances the faithful are even encouraged to fake apostasy. This is illustrated by two different incidents supposed to have occasioned the revelation of this verse. The first is that a group of Meccan Muslims were immigrating to Madīna when a band of Quraysh idolaters overtook them and made them recant. This, they did under compulsion, upon which this verse was revealed. But the second story seems to have a ring of truth to it. Here we are told that the Quraysh idolaters kidnapped a group of Muslims in Mecca, among whom ‘Ammār Ibn Yāsir and his parents, and tortured them in order to make them recant. On seeing his parents die under torture, Ammār faked apostasy to save his life. Later, the Prophet asked him whether or not his heart was happy with what he said in his recantation, Ammār replied, “No”. The Prophet then said to him: “If they return to you, return to them with what you said before”. On this occasion the verse was revealed.<sup>24</sup> Conversely, Islamic theology is clear that a person who has been forced to convert to Islām, his Islām is not recognized. The possibility is that in this situation also he could easily fake Islām in fear for his life.<sup>25</sup>

However, the ‘*riddah*’ or ‘*irtidād*’ which the Qur’ān recognizes is that which is committed willingly and with no undue pressure or compulsion. This is the most widely used expression in the Qur’ān, *Sunnah* and *Fiqh* to describe defection from the faith. But, at this point attention must be drawn to the fact that in the Qur’ān particularly, the expression is never used as a noun (e.g. *riddah* or *irtidād*) or as an adjective (i.e. *murtadd* or *murtaddūn*). The term figures only in the form of verbs, either in the present (or future) tense like ‘*yartadid*’ or

<sup>24</sup> as-Suyūṭī, *Lubāb an-Nuqūl fī Asbāb an-Nuqūl*, p. 266f; also an-Nisabūrī, *Asbāb an-Nuqūl*, p. 212f.

<sup>25</sup> According to the Qur’ānic dictum, “There is no compulsion in religious” (al-Baqarah [2]: 256). In Spain, Moses Maimonides was forced to convert to Islām under the Almowahad rulers of Morocco. Later when he assumed the leadership of the Jewish community in Egypt, the zealous Muslim Abū al-Arab accused him of *riddah*. But his conversion was considered involuntary and was freed. The Mufti of Constantinople also dismissed a similar charge on similar grounds against the Maronite Amir Yūnus of Lebanon. See I. Goldziher, *Vorlesngen Uber den Islām* (Darmstadt 1963), p. 310. Incidentally, D.S. Margoliouth has argued that the entire story of Maimonides’ forced conversion was fabricated by his enemies. See his article ‘The Legend of the Apostasy of Maimonides’, *JQR*, 13 (1901), pp. 539-541.



'*yartadd*' (third singular), or '*tartaddu*' (second plural). But it occurs only once in the past tense e.g.. '*irtaddū*' (third plural).<sup>26</sup> We find it used as a noun or as an adjective only in the *Sunnah* and in the *Fiqh*. The term '*riddah*' (or '*irtidād*' ) has become the only Arabic expression used for apostasy in Islamic jurisprudence and has remained in vogue among the Muslim population to the present day. Yet, it is not the only expression used in the Qur'ān to describe defection or apostasy from the faith.

### 3.2.1. OTHER QUR'ĀNIC SYNONYMS

A careful reading of the Qur'ānic text will bring us across other words that are also descriptive of apostasy or defection from the faith. In some cases, the context in which these words are used reveals the specific nature of the apostasy committed and the circumstances connected with it. Among other Qur'ānic words synonymous with '*riddah*' are the following:

a) *at-tawallī*. This word (a noun) , is from the verb '*tawallā*' i.e. to turn back, to turn away or to retreat. As in the case of '*riddah/irtidād*' , it is found in the Qur'ān only in the form of verbs.

1) In Arabic, the verb '*Tawallā*' ' when used in a positive sense it denotes 'turning to a person' for loyal friendship. In this sense the Qur'ān employs this word to point out the folly of 'turning to' the unbelieving Jews and Christians for friendship, as in Sūra al-Mā'idah:

And he amongst you that (*tawallāhum*) turns to them (for friendship) is of them. Verily God guideth not an unjust people (5: 54).

On the other hand, those who turn to God, his Apostle and the believers for friendship are those who constitute the party of God that would eventually prevail.

As to those who turn (*yatawallā*' ) to God, His Apostle and the believers (for friendship) it is the party of God that must certainly triumph (5: 59)

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<sup>26</sup> For '*yartadid*' see Sūra al-Baqarah [2]: 217, for '*yartadd*' see Sūra al-Mā'idah [5]: 54 and for '*tartaddu*' see (Sūra al-Mā'idah [5]: 21. For '*irtaddu*' see Sūra Muhammad [47]: 5.

2) When the term is used in a negative sense it basically denotes a literal 'retreat' or a 'turning of one's back physically on a person or a thing'.<sup>27</sup> Many times the Qur'ān uses this term metaphorically to describe, in a general sense, the attitude of rejection vis-à-vis the message that was being proclaimed.<sup>28</sup> But on a number of times it is used as a synonym for apostasy. It is worth noting that when used as a synonym for apostasy, this apostasy is always of a specific nature. It is employed in connection with apostasy not so much from the profession of Faith as from the practice and obedience of faith. For instance, ancient Israel's faith was contingent upon their commitment to the terms of the Mosaic covenant. But when they turned their back on them they apostatized. This apostasy had its lasting effect on most of them.

And remember, We took a Covenant from the Children of Israel...Then you  
turned back (*tawallaytum*) except a few among you, and you backslide  
(even now) (2: 83).<sup>29</sup>

The sign of those 'who believe' is unreserved obedience to God and His Apostle in matters pertaining to moral and religious obligations. Professing the Islamic faith and following after the practices of *al-Jāhiliyyah* is a negation of this faith and a '*tawallī*' (i.e. regression or defection) from God and His Messenger. The Qur'ānic verse in Sūra al-Mā'idah clearly conveys a warning to the believers against the moral and idolatrous practices of the period:

Obey God, and obey the Apostle, and beware (of evil): If ye do turn back  
(*tawallaytum*), know ye that it is Our Apostle's duty to proclaim (the  
Message) in the clearest manner (5: 95)<sup>30</sup>

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<sup>27</sup> See ar-Rāghib al-Asfahānī, *Mufradāt Alfāz al-Qur'ān*, p. 886. The Qur'ān refers to the retreat of most Israelites in the face of the Philistines in battle (I. Sam. 12:6-7) as '*tawallī*' Sūra al-Baqarah [2]:246. Almost similar thing was experienced by the Muslim army at the battle of 'Uhūd, Sūra Āl-'Imrān [3]: 155.

<sup>28</sup> References to this attitude in the Qur'ān abound, see e.g. Sūra al-Anfal [8]: 23; Sūra al-Ma'ārij [70]: 18; Sūra al-Qiyāmah [75]: 32.

<sup>29</sup> See also Āl-'Imrān [3]: 82. However, in Sūra al-Baqarah [2]: 64 the outcome is quite different: "But ye turned back thereafter: Had it not been for the grace and mercy of God to you, ye had surely been among the lost".

<sup>30</sup> That the Prophet made his will coincide with the will of God is also clear from Sūra al-Anfal [8]: 20.

True faith manifests itself in practical obedience to the call of God and His Apostle. This is precisely what the so-called ‘hypocrites’ failed to do.<sup>31</sup> In fact, these were the malcontent who had stayed at home from the expedition to Tabūk contrary to the Prophet’s call. Consequently, they were excluded from the community, branded as ‘hypocrites’ and threatened with Hell as Apostates.<sup>32</sup> It was on this occasion that Sūra at-Tawbah [9]: 73-74 was revealed warning them that persistence in their apostasy would have dire consequences.

...If they repent, it will be best for them. But if they turn back (*yatawallaw*) (to their evil ways), God will punish them with a grievous penalty in this life and in the Hereafter... (v. 74).

Sūra Muhammad [47]: 20f., although revealed on a different occasion, seems to convey almost the same message. If the believers were to turn their back (*tawallaytum*) on the demands of their Islamic faith, their action would lead to apostasy from the faith to the savage life of ‘*al-Jāhiliyyah*’. The main demand on this occasion was ‘*Jihād*’. In the same Sūra we read:

If you turn back (*tawallaytum*), you would surely do evil in the land and violate the ties of blood. Such are those on whom God has laid His curse, leaving them bereft of sight and hearing (vv. 22-23).<sup>33</sup>

Apostasy manifests itself in those who turn their back and refuse to give practical and financial support to the cause of the Islamic faith. Failure to contribute to the cause is a successful way to contribute to its demise. But the cause will not fail. If the faithful failed, then God will raise others that will take their place and sustain His cause. This is made clear in Sūra Muhammad :

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<sup>31</sup> These were not hypocrites in the real sense of the hypocrites of the years 625-7 led by Abd Allāh Ibn Ubayy. They were branded as hypocrites only in the sense that they did not live up to their profession. They ignored the Prophet’s call to join in the expedition to Tabbuk. They were also branded as apostates. See al-Wāqidī, *al-Maghāzī*, Vol. 3, pp. 989ff.

<sup>32</sup> W. Montgomery Watt, *Muhammad at Madīna*, p.189 f.

<sup>33</sup> It is worth noting that verse 22 is rather obscure. Some have understood the verb ‘*tawallaytum*’ here as meaning to be given authority ‘*wilāyah*’. Therefore they translated it “Then, it is expected of you, if ye were put in authority, that ye will do mischief in the land, and break your ties of kith and kin”. See A. Yūsuf Alī, *The Holy Qur’ān* (U. K. 1975), p. 1384.

Behold, you are those invited to spend (of your substance) in the way of God... And if you turn back (*tatawallaw*), He will substitute in your stead another people; and they would not be like you (47: 38).<sup>34</sup>

It is said that when this verse was revealed, the people asked the Prophet: “ Who are those people whom God may substitute instead of us, and they will not be like us?” He pointed to Salman the Persian who was next to him and said: “This one and his people”.<sup>35</sup> If this report is true, then the situation must have been gravely serious. Agitation against the Tabūk expedition may have bordered on defection from the faith among an already discontented section of the Madinan Muslims. In this situation, the prophet must have decided to warn them and to win them. He did this by playing the Persian card in order to provoke them to jealousy. And what could be a greater object of envy for the Arabs than their traditional enemy, the Persians?<sup>36</sup>

b) *al-inqilāb*. Like the previous synonym, it is used in the Qur’ān only in the form of a verb ( or verbs). The verb is ‘*inqalaba*’ which when taken in isolation would simply mean ‘to turn’, as for instance, from one direction to another or from one posture or condition to another.<sup>37</sup> However, it is important to note that in the Qur’ān, whenever the term ‘*inqalaba*’ is used in the sense of apostasy, the noun ‘*wajh*’ (face), or the nouns ‘*‘aqib*’ and ‘*a‘qāb*’ (heels) are always appended to it. Therefore, the person who has apostatized is one who is said to have ‘*inqalaba ‘alā wajhihi*’ (turned on his face), or ‘*yanqalibu ‘alā ‘aqibayhi*’ (turned on his heels). The concept of a hasty retreat or flight here may not be over-ruled. At any rate, a close examination of this expression in the Qur’ān shows that it is used always in the case where the main cause of apostasy happens to be either disappointment, doubts, adversity or allurements.

<sup>34</sup> Tabarī understands the verb ‘*tawalla*’ in this verb in the sense of apostasy in general. Disobedience to God’s commands constitutes apostasy from Islām as a whole. See Tafsīr, Vol. 13, p. 85. Strangely enough, this is precisely the view advocated by the Khawārij’, with the exception of one of their sects known as ‘*an-Najādāt*’. See Abd al-Qāhir Ibn Tāhir al-Baghdādī, *al-Farq Bayn al-Firaq* (Beirut 1987), pp. 54-56.

<sup>35</sup> al-Hajaj Ibn Muslim, *Fada’il as-Sahābah* (Cairo?), Hadīth No. 230; also Ibn Hanbal, *Musnad* Vol. 3, No. 8087.

<sup>36</sup> Sūra ar-Rūm [30]: 1-4 may well echo more than mere religious sentiments. The Persian/ Byzantine war which began in 627 was followed with great interest by the Arabs of the Peninsula, most of whom were very likely pro-Byzantine, with the exception of the Quraysh of Mecca who for mere religious defiance took a pro-Persian stance. Muhammad and the Muslim community were definitely pro-Byzantine. This passage shows their joy at the victories of Heraclius over the Persians. See De Lacy O’Leary, *Arabia Before Muhammad*, pp. 148f.; 207f.

<sup>37</sup> See e.g. Sūra an-Nur [24]: 44; Sūra Āl-‘Imrān [3]: 144; Sūra al-Fath [48]: 12.

The rumour of the Prophet's death at the battle of Uhud in which the Muslims were defeated may have caused apostasy among those who were gravely disappointed with what they heard. They seem to have believed that the Prophet would never die.<sup>38</sup> The following passage from Sūra Āl-'Imrān was revealed both to correct this misconception and to condemn those who apostatized as a result. One suspects that it is a later interpolation.

Muhammad is no more than an Apostle: many were the Apostles that passed away before him. If he died or were killed, will you then turn back on your heels (*inqalabtum 'alā a'qābikum*)? If any did turn back on his heels (*man yanqalib 'alā 'aqibayhi*), not least harm will he do to God. But God will swiftly reward those who are grateful (3: 144)<sup>39</sup>

Prior to this, the Prophet's change of *al-Qibla* from Jerusalem to *al-Ka'bah* had a two-fold historical significance. Firstly, it marked the break with the Jews.<sup>40</sup> Secondly, apart from the hard core believers, for some the change of *al-Qibla* became a very serious and doubt-provoking matter, and for others it seemed that their previous prayers facing Jerusalem were in vain. This wave of doubts and bewilderment resulted in the apostasy of a number of people according to Tabarī.<sup>41</sup> The verse in Sūra al-Baqarah argued that the change was a test designed to show who would remain faithful and who would turn on his heels:

And we appointed the *Qibla* to which thou wast used, only to test those who followed the Apostle from those who would turn on their heels (*man yanqalibu 'alā 'aqibayhi*) (2: 143)

There were also those who entered Islām expecting that all would be well with them. But when

<sup>38</sup> as-Suyūti, *Lubāb an-Nuqūl Fī Asbāb an-Nuqūl*, p. 100f. Also his *ad-Dur al-Manthūr Fī Tafsīr al-Ma'thur*, (Cairo date ?) Vol. 2, p. 90f. See also al-Qurtubī, *al-Jāmi' li Ahkām al-Qur'ān*, Vol. 3, pp. 1469ff.

<sup>39</sup> According to Ibn Ishaq and Ibn Sa'd, this passage does not seem to have been known until the people heard it spoken by Abū Bakr on the day the Prophet died. See Ibn Hishām, Part 4, p. 334f.; also Ibn Sa'd, *at-Tabaqāt al-Kubrā*, Vol. 2, p. 385.

<sup>40</sup> For detail see W. Montgomery Watt, *Muhammad, Prophet and Statesman* (London 1961), pp. 112-18.

<sup>41</sup> Tabarī, *Tafsīr*, Vol. 2, p. 17f.

adversity struck they did not hesitate to defect. Their faith is described as being “on the very fringe” (*‘alā harf*). Seemingly, the reference in Sūra al-Hajj is to the desert Arabs who settled in Madīna and accepted Islām. Being profoundly superstitious, if touched by hardship they would quickly forsake Islām believing that it was unlucky for them.

There are among people some that serve God and yet stand on the very fringe (of the true faith). If good befalls them, they are, therewith, well content; but if a trial comes to them, they turn on their faces (*inqalaba ‘alā wajhihi*)... (22: 11)<sup>42</sup>

The defeat at the battle of Uhud was a traumatic experience for the Muslim community. This calamity was compounded partly by the taunt of the Meccans headed by Abū Sufiyān, and partly by the hypocrites (*al-Munāfiqūn*) in Madīna headed by Abdu-Allāh Ibn Ubay. The latter seemed to have been active in advising some in the community that there was much to gain from their defection to Mecca. After all, if Muhammad had been a Prophet, he would have foreseen the coming fiasco and many lives could have been spared.<sup>43</sup> Just how successful they were, is unclear. The passage revealed on this occasion suggests that the battle for some souls, who might have contemplated apostasy, must have been fierce. In Sūra Āl-‘Imrān we read:

O ye who believe! If you obey the unbelievers, they will drive you back on your heels (*yaruddūkum ‘alā a‘qābikum*), and you will turn back (*fatanqalibū*) to your own loss (3: 149).<sup>44</sup>

<sup>42</sup> See Sahīh al-Bukhārī, *Tafsīr Sūra al-Hajj* (Cairo date ?), Vol. 6, p. 123; and also al-Qurtubī, *al-Jāmi li Ahkām al-Qur‘ān*, Vol. 6, p. 4409f. According to one Hadīth reported by Ibn Mardawaih, this passage was revealed on the occasion when a Jew, having converted to Islām, suffered the loss of health, wealth and family. As a result, he asked the Prophet to relieve him from Islām, believing that his conversion to it was the real cause of all his misfortune. The story is very doubtful, and the Hadīth is generally recognized as extremely weak. On this point, see as-Suyūti, *ad-Dur al-Manthūr*, Vol. 4, 380; and also az-Zamakhsharī, *al-Kashshāf*, Vol. 3, p. 143f.

<sup>43</sup> Interestingly, Ibn Ishaq tells that at first the Prophet was in agreement with the shrewd Ibn Ubay that Muslim forces should stay put in Madīna. They should fight their Meccan enemies only if they dared to enter it. But the prophet gave in to the people who insisted that they should go out and fight the forces of the enemy. The victory at Badr was still fresh in their minds. See Ibn Hishām, Part 3, p. 7f.

<sup>44</sup> According to some like al-Hasan and Ibn Jarir, the term *‘al-ladhina Kafaru’* in this text refers to The Jews and the Christians. This is rejected by some reformist scholars like Muhammad Abduh and Rashīd Redā in favour of Asbat and as-Saddi who see that the reference is to the Meccans and the hypocrites according to the context of the passage. See M. Rashīd Redā, *Tafsīr al-Manār*, Vol. 4, p. 176f.

c) *kufr/riddah*. One of the most frequently mentioned terms in the Qur'ān is the term '*kufr*' (unbelief). The linguistic and theological significance of this term has been discussed in great detail in the last chapter. The term can be descriptive of one who never embraced the faith; or one who having heard the message decided to reject it and continue in his own unbelief. However, it is important to note that in the Qur'ān the term '*kufr*' is quite often used also as a description of apostasy without employing any of the *riddah*/synonyms just mentioned. Indeed, when used in the right context, the term '*kufr*' becomes a synonym for apostasy. Most of those passages where the term '*kufr*' is employed as a synonym or as a substitute for '*riddah*' (apostasy) are found in Sūra Al-Imran [3]: 81 – 107, 177. Here references are frequently made to those who "have disbelieved after they believed". Muslim commentators being uncertain who they were, resort to various stories supposed to identify them. The list tells of individuals apostatizing from Islām to '*shirk*' or Christianity, or converted Jews returning to Judaism. It even tells of Jews and Christians together believing in the Prophet Muhammad from their scriptures before his coming, but disbelieving him when he appeared.<sup>45</sup> It would certainly be hazardous to take all these stories at face value. But, there are two points one might deduce from this passage. Firstly, the passage sounds highly polemical in tone, with the Madinan Jews and the hypocrites as the prime object. Secondly, it may very well reflect an intense period in which the Prophet and the believers were deeply disturbed by some who had defected from their ranks. The Qur'ān had no hesitation to describe such an act as sheer '*kufr*'. The following verse refers to real defectors whose return to '*kufr*' had put them at the point of no return:

How shall God guide those who disbelieved (*kafarū*) after their belief, and  
(after) they bore witness that the messenger is true and after clear proofs had  
come to them. But God guides not a wrongdoing people (3: 86)<sup>46</sup>

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<sup>45</sup> For the stories of all those individuals see M. Rashīd Redā, *Tafsīr al-Manār*, Vol. 3, pp. 366ff

<sup>46</sup> Abū as-Su'ud al-Hanafī is rather unique in presenting with a list of only ten men who apostatized and returned to Mecca (thirteen are mentioned already in Tabarī's *Tafsīr*, Vol.3, p. 461). Abū as-Su'ud also sees that those intended may have been some Jews of Banī Qurayzah and Banī Nadīr who accepted Islām then apostatized. The author's claim cannot be verified. See Abū as-Su'ud Ibn Muhammad al-'Imādī, *Tafsīr Abi as-Su'ud al-Hanafī* (Cairo 1928), Vol. 1, p. 510.

Warning the hesitant believers of the seriousness of apostasy during this difficult period, the Jews are most probably singled out as an example of the unforgivable 'kufr' of double 'riddah'. They had rejected Jesus and then went on to reject Muhammad. Yet, they are assumed to have believed in both of them prior to their appearance in accordance with their scriptures:

But those who disbelieve (*kafarū*) after their (profession of ) faith, and then go on adding to their defiance of faith (*kufra*), - never will their repentance be accepted; for they are those who have gone astray (verse 90) <sup>47</sup>

Perhaps the agitation of this period in Madīna could not be more clearly reflected than in a passage in Sūra an-Nisā'. According to Hasan al-Basrī, a group of Madinan Jews were the cause of this situation. Their attitude of believing during the day then apostatizing at the end of it, with the claim that doubts had overcome them, may well have unsettled even some of the Companions. The passage refers to such agitators and their frequent acts of 'kufr' as,

Those who believe, then disbelieve (*kafarū*), then believe (again), and (again) disbelieve (*kafarū*), and go on increasing in unbelief (*kufra*). God will not forgive them nor guide them on the way (4: 137) <sup>48</sup>

This text appear to support an earlier one in which their constant change was deliberately designed to sow the seeds of doubt and confusion among the Muslims of Madīna , and thus detach them from the faith. The text is found in Sūra Āl-'Imrān:

A section of the people of the Book say: Believe in that which hath been revealed to the believers at the opening of the day, and disbelieve (*kufurū*) at the end thereof in order that they may turn back (3: 72) <sup>49</sup>

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<sup>47</sup> On this verse see *Tafsīr al-Jalālayn* (Beirut date ?); also W. Montgomery Watt, *Companion to the Qur'ān* , 52f. A similar warning is ( in a similar style) is given in Sūra an-Nisā' [4]: 137, which might have been directed to the highly volatile desert Arabs.

<sup>48</sup> See Shihāb ad-Dīn al-Alūsī, *Rūh al-Ma'ānī fī Tafsīr al-Qur'ān al-'Azīm* (Cairo date ?), Vol.5, pp. 153-4.

<sup>49</sup> See M. Marmaduke Pickthall, *The Meaning of the Glorious Koran* (N.Y. 1997), P. 68, esp. footnote 1.



The so-called hypocrites (who like that Jewish group of Madīna ‘*tā’ifatun min ahl al-Kitāb*’ Sūra 3:72), were also a major source of confusion and agitation within the community. They were not excluded from the charge of apostasy and the subsequent divine retribution. These were particularly described as

Those who purchase unbelief (*kufr*) at the price of faith. Not least harm will they do to God. But they will have a grievous punishment (3: 177)<sup>50</sup>

### 3.2.2. DIVINE AND HUMAN RETRIBUTION

One would in vain look for a Sūra in the Qur’ān that deals entirely or exclusively with the subject of apostasy. The texts that deal with apostasy are found scattered here and there throughout the Qur’ānic scripture. In the Qur’ān there are no less than thirty nine verses which refer explicitly to apostasy. But, there are about fourteen verses where apostasy is referred to only implicitly.<sup>51</sup> A critical analysis of all the Qur’ānic texts listed below would show that there is not the slightest hint as to the prescription of the death penalty or any other sort of temporal punishment for apostasy. In fact, every one of these Qur’ānic texts either explicitly or implicitly visualizes the apostate (or apostates) dying a natural death. But this does not mean that the apostate is to pass with complete impunity. Divine retribution for such an enormity is sure and certain. In this case, it is clear that every text dealing with apostasy tells us two things about it. Apostasy is punishable by God alone; and that this punishment is relegated to the hereafter.<sup>52</sup> However, some attempts to smuggle the temporal punishment into the Qur’ānic texts have been made, as we briefly pointed out before (p.75). This was evidently done through two important systems:

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<sup>50</sup> See Tabarī, *Tafsīr*, Vol. 3, p. 246

<sup>51</sup> Baqarah [2]: 83, 108-109, 143, 217; Āl-‘Imrān [3]: 72, 86-90, 105-106, 144, 149, 177; an-Nisā’ [4]: 137; al-Mā’idah [5]: 36-37, 54, 57, 95; An ‘ām [6]: 159; at-Tawbah [9]: 73-74; an-Nahl [16]: 106-109; Hajj [22]: 11; Rūm [30]: 31-32; Muhammad [47]: 22-23, 25-28.

<sup>52</sup> The following verses refer explicitly to the punishment of apostates in the hereafter: al-Baqarah [2]: 217; Āl-‘Imrān [3]: 86-90, 105-106, 149, 177; an-Nisā’ [4]: 137; al-Mā’idah [5]: 36-37, 75-79; at-Tawbah [9]: 73-74; an-Nahl [16]: 106-109; Mariam [19]: 59; Hajj [22]: 11; Muhammad [47]: 22-29. The following verses refer only implicitly to the punishment of apostates in the hereafter: al-Baqarah [2]: 83, 143, 213; Āl-‘Imrān [3]: 110; at-Tawbah [9]: 29-31; al-Hadīd [57]: 27.

a) **THE SYSTEM OF TAFSĪR** (exegesis). The Qur'ān is by no means an easy book to understand. Its incoherence makes it quite difficult to understand a verse that is often concise to the point of obscurity and filled with allusions to events the details of which are imperfectly known to us. Its difficulties (*al-mubhamāt*) are usually dealt with through '*Nizām at-Tafsīr*' (the system of exegesis). This is the channel through which Muslim expositors set out to resolve all the problems of hermeneutics. To this end, they draw principally upon the vast collection of *hadīth*, or tradition, and the innumerable anecdotes which profess to set forth in simple terms the cryptograms of the Qur'ān. Sometimes they even transmit commentaries emanating from the Prophet or his closest companions.<sup>53</sup>

This is exactly what al-Qurtubī does when dealing with Sūra al-Baqarah [2]: 217. Unlike Tabarī, Zamakhsharī, Ismā'īl Haqqī and others, al-Qurtubī fails to focus on the sentence in this text: "If any of you turn back (*waman yartadid minkum*) from their faith and die in unbelief, their work will bear no fruit in this life and in the hereafter. They will be companions of the fire and will abide therein". Instead, he veers almost immediately to the issue of the apostasy law and proceeds to draw on *hadīth*, commentaries from the Prophet and some of his companions, including the views of the various schools of jurisprudence.<sup>54</sup> It appears that he is inclined to suggest that the apostasy law, in some way or other, is implied in the sentence "their work will bear no fruit in this life". Judging from his views on other texts relating to '*riddah*', this is quite possible. However, Nīsābūrī has no doubt about the meaning of this Qur'ānic sentence. According to him, among the many disadvantages suffered by the apostate in this life is that he is fought against until he is overpowered and put to death.<sup>55</sup> If we take all the 'apostasy verses' (*āyat ar-Riddah*) noted already, we will discover that they fall into three categories:

1) **The category of the 'apostasy texts' where no punishment is mentioned.** This category consists of at least seven verses. Five are Madinan and two are Meccan. One would expect the Madinan verses to be more condemnatory. Instead, their tone is extraordinarily less harsh and reminiscent of the Meccan passages. The context would reveal that most of them were early

<sup>53</sup> H. Lammens, *Islām : Beliefs and Institutions*, p. 42

<sup>54</sup> al-Qurtubī, *al-Jāmi li Ahkām al-Qur'ān*, Vol. 2, pp. 854ff. Comp. Tabarī, *Tafsīr*, Vol. 2, p. 482; also az-Zamakhsharī, *al-Kashshāf*, Vol. 1, p. 255f; Shaykh Ismā'īl Haqqī, *Tafsīr Rūh al-Bayān* (Cairo ?), Vol. 1 p.335.

<sup>55</sup> Quoted by Abd ar-Razzāq as-Samarrā'ī in his *Ahkām al-Murtadd fi al-Shari 'a al-Islāmiyyah*, pp. 35-38.

Madinan verses. It was a period perhaps when the Prophet's softly softly attitude was an absolute necessity. For example, Sūra al-Baqarah [2]: 143 shows that the threat of any form of punishment against those who might defect from Islām subsequent to the change of al-Qibla is at least muted. That this was one of the earliest Madinan verses is supported by the fact that it was revealed just sixteen or seventeen months after al-Hijrah.<sup>56</sup> Sūra Al-'Imrān [3]: 72 is also silent on the punishment of some Jews who decided "to believe at the opening of the day and disbelieve at the end thereof". Here, the action of this Jewish group, according to Abī Hayyān al-Andalusī and other Commentators, was closely connected with the change of al-Qibla.<sup>57</sup> It is therefore an early Madinan verse. Sūra al-Mā'idah [5]: 54 belongs, as does the entire Sūra, to al-Hudaybiyyah period, six years after al-Hijrah. This verse does not go beyond describing the loyal friendship of some of the faithful with the unbelievers (i.e. Jews and Christians) as a step toward apostasy. This is precisely how Al-Shawkānī, at-Tabarsī and Abū as-Su'ūd al-Hanafī view the meaning of this text.<sup>58</sup> Verse 57 of the same Sūra warns that those who apostatize from the faith "soon God will produce a people (instead of them)...mighty against the rejecters, fighting in the way of God". The text is so vague that commentators preferred to classify it as a prophetic prediction pointing to the events which were to take place later under Abū Bakr (the first Calīph).<sup>59</sup> Such an explanation is by no means convincing. More likely, the text reflects an early critical Madinan period that might have witnessed some defections from among the Muslim community. Here again the notion of any form of punishment is simply muted. In verse 95, conformity to the ways of *al-Jāhiliyyah* is another cause of apostasy. The infant community at this early Madinan period still cherished a number of old pagan customs (see vv. 93-94). As failure to obey the Prophet and abstain from them constitutes apostasy, no retribution is pronounced. Instead, an expression reminiscent of the Meccan style is used: "It is our Apostle's duty to proclaim the message in the clearest manner".<sup>60</sup> At any rate, whilst the

<sup>56</sup> See Ibn Hishām , Part 2, p. 176f; Ibn Sa'd, *at-Tabaqāt al-Kubrā*, Vol. 1, pp. 344-347.

<sup>57</sup> See Abū Hayyān al-Andalusī, *at-Tafsīr al-Kabīr* (known also as *al-Bahr al-Muhīt* (Cairo date?)), Vol. 2, p. 493; az-Zamakhsharī, *al-Kashshāf*, Vol. 1, p. 365 f; al-Qurtubī, *al-Jāmi' li Ahkām al-Qur'ān*, Vol. 3, p. 1353.

<sup>58</sup> Muhammad Ibn Alī al-Shawkānī, *Fath al-Qadīr* (Cairo 1964), Vol. 2, p. 51; Abū Alī al-Fadl Ibn al-Hasan at-Tabarsī, *Majma' al-Bayān fī Tafsīr al-Qur'ān* (Cairo 1957), Vol. 6, p. 64; *Tafsīr Abū as-Su'ud*, Vol. 2, p. 56.

<sup>59</sup> It was during Abū Bakr's Caliphate and his wars of the so-called '*riddah*' that most of the Arabian tribes of the Peninsula were really united under Islām. For a full discussion on this text see Rashīd Redā, *Tafsīr al-Manār*, Vol. 6, pp. 434ff. Unfortunately, his views are by no means different from those of his predecessors.

<sup>60</sup> See the Meccan Sūra an-Nahl [16]: 82.

early Madinan verses are silent on any form of punishment for '*riddah*', the Meccan verses are rather vocal about the consequences. But such consequences are a matter for God alone to decide. In Sūra al-An'ām [6]: 159 (late Meccan), the People of the Book who "abandoned (*fāraqū*) their religion", are of no concern to the Prophet Muhammad. "Their case will go to God who then will tell them what they used to do". In Sūra Luqmān [31]: 22-23 (a Meccan Sūra with the exception of vv. 27-29), those who once noted for their submissive faith (in Islām), if any of them later reject the faith, "his rejection should not grieve thee (Muhammad). To Us is their return, and We shall tell them what they did..."

**2) The category of the 'apostasy texts' where divine punishment is clearly pronounced.** They are at least nineteen verses, and all of them were revealed at Madīna. Such verses might reflect a period when Islām at Madīna was perhaps in the process of becoming strong. The passages in Sūra Āl-'Imrān [3]: 86-90,177, which we dealt with earlier (p.84), are strongly vocal regarding the punishment of apostates. Here the curse (*la'nah*) of God, the angels and all men that rests upon the apostates at present, will be realized in their eternal torment in the hereafter. Under particular circumstances noted in Sūra an-Nisā' [4]: 137, they are simply placed beyond God's forgiveness and guidance.<sup>61</sup> Sūra an-Nahl [16]: 106- 110 promises the apostates "a dreadful penalty" (v.107) and "eternal loss in the hereafter"(v.109). Sūra an-Nahl belongs to the late Meccan period. But, if indeed the circumstances connected with this particular passage (and esp. v. 106. See pp. 75-76) are true, then, this passage is almost certainly Madinan, and not only verse 110, as al-Qurtubī has suggested.<sup>62</sup> Sūra Muhammad [47]: 22-28 was revealed (as indeed the entire Sūra) at Madīna about the time of the battle of Badr. The passage is a robust attack against apostates and hypocrites like Abd-Allāh Ibn Ubayy, probably inspired by the recent Muslims' victory at Badr and their growing strength. It describes those who turned back (*tawallaytum* v.22), and apostatized (*irtaddū* v.25) as those "whom God has cursed" (v.23), and for whom there will be dire consequences when the angels of death will come to take them (v.

<sup>61</sup> This verse refers the type of apostates whose motives were mere worldly double dealing. See Rashīd Redā , *Tafsīr al-Manār*, Vol. 5, pp. 461ff.

<sup>62</sup> See al-Qurtubī, *al-Jāmi li Ahkām al-Qur'ān* , Vol. 6, p. 681. In fact, this entire passage alludes to the persecution of the few remaining believers in Mecca after *al-Hijrah*. It is very likely that the passage was revealed early at Madīna. This is strongly implied by Tabarī,. See his *Tafsīr*, Vol. 8, p. 239f.

27).<sup>63</sup> The inference from all these texts is that there is no punishment for apostasy to be enforced in this world. Indeed, the apostate is visualized as dying a natural death. His punishment clearly takes place in the hereafter.

**3) The category of the 'apostasy texts' which hints at some sort of retribution in this world.**

They amount to no less than three Madinan verses. Some commentators have found this category of texts a convenient hunting ground for the apostasy law. The first of these texts that should deserve our attention is in Sūra al-Mā'idah and which reads:

The Punishment of those who wage war against God and His Apostle, and strive with might and main for mischief in the land is: execution, or crucifixion, or the cutting off of hands and feet from opposite sides, or exile from the land. That is their disgrace in this world, and a heavy punishment is theirs in the hereafter. (5: 36)

Several stories are reported regarding the background of this text. The most widely accepted is that of the gang of 'Uraynah. The incident is reported by Suyūti as the real occasion of this verse and accepted by exegetists like Tabarī, al-Qurtubī, al-Alūsī and others. It is also related with all its details by al-Bukhārī, al-'Asqalānī and al-'Ainī.<sup>64</sup> A group of men from 'Uraynah entered Madīna and embraced Islām. After a while they became ill and were sent by the Prophet to live with his flock of camels under the charge of his Nubian grazier, Yāsir. When they recovered, they apostatized, brutally murdered the grazier and his helpers and drove away the camels. They were quickly captured and subjected to the same treatment (described in the text) as they had meted out to the grazier and his companions. The punishment meted out to them, as the majority of scholars assert, was for armed robbery and brutal murder, which in this case was regarded as "war against God and His Apostle".

<sup>63</sup> For the various views regarding the torture inflicted on them by the angels of death, See *Tafsīr al-Jalālayn*, p. 676; also al-Qurtubī, *al-Jāmi' li Ahkām al-Qur'ān*, Vol. 9, p. 6070f.

<sup>64</sup> as-Suyūti, *Lubāb an-Nuqūl fī Asbāb an-Nuqūl*, p. 166; Tabarī, *Tafsīr*, Vol. 4, pp. 279ff; al-Qurtubī, *al-Jāmi' li Ahkām al-Qur'ān*, Vol. 4, pp. 2144ff; al-Alūsī, *Rūh al-Ma'ānī*, Vol. 6, pp. 118-122; *Sahīh al-Bukhārī*, Vol. 3, p. 555f; Ibn Hajar al-'Asqalānī, *Fath al-Bārī fī Sharh al-Bukhārī* (Cairo 1378 H), Vol. 11, p. 91f; Badr ad-Dīn Ibn Ahmad al-Ainī, *Umdat al-Qārī Sharh Sahīh al-Bukhārī* (Cairo date ?), Vol. 11, p. 143.

Consequently, Sūra al-Mā'idah [5]: 36 came to be known as '*ayāt al-muhāribah*' (the verse concerning war-makers).<sup>65</sup> But others have ascribed the revelation of this text to the occasion when Abū 'Amir ar-Rahib (a Hanīf who bitterly opposed Muhammad) sought to establish Masjid ad-Dirār and thus create dissensions among the Muslims. Abū 'Amir is said to have threatened to bring Roman soldiers to fight the Muslim community. At any rate, al-Alūsī argues in favour of the view endorsed by most scholars that this revelation came to cover all the cases of highwaymen, robbers and dacoits. He therefore contends that the expression "who wage war against God and His Apostle" must apply generally to those who fight against the Muslim community. In this sense, for him, the meaning of the text must be understood "according to the generality of the expression used and should not rest on the specific occasion of revelation" (*al-'ibrah bi 'umūm al-lafz lā bi khusūs as-sabab*).<sup>66</sup> This view is also approved by ar-Razi, az-Zamakhsharī and al-Baidawī.<sup>67</sup> However, a few like Abū Qulābah and Ibn Rajab have argued that the text was revealed in relation to '*al-murtaddīn*' (apostates).<sup>68</sup> Ibn 'Abbās, and particularly 'Urwah, have arrived at two slightly different conclusions via their definition of the term '*al-muhāribah*' (war-makers or rebels). For the former, '*al-muhāribah*' are '*al-mushrikīn*'. According to him, this verse has a special relevance to the tribe of Hilal Ibn 'Uwaimar. The latter tried to stop the tribe of Banī Kanānah from accepting Islām. It can also apply to '*mushrikīn*' generally, which al-Aini has fully endorsed.<sup>69</sup> As for 'Urwah, '*al-muhāribah*' are none other than '*al-murtaddīn*' (apostates). But these two dicta have been challenged and characterized by Ibn Hayyān as '*ghair Sahīh 'inda al-jumhūr*' (incorrect according to the majority of the scholars).<sup>70</sup> Sūra at-Tawbah [9]: 73-74 apparently refers to the failed plot by the arch-hypocrite Abd Allāh Ibn Ubayy and his followers to kill the Prophet on his return journey from Tabūk..<sup>71</sup> The culprits were treated roughly, and told that failing to

<sup>65</sup> Quoted by Yūsuf al-Qaradāwī in his booklet *Jarīmat ar-Riddah wa Uqūbat al-Murtadd* (Cairo 1996), p. 65.

<sup>66</sup> al-Alūsī, *Rūh al-Ma'ānī fī Tafsīr al-Qur'ān al-'Azīm*, Vol. 6, pp. 118-22.

<sup>67</sup> Fakhr ar-Razi, *Mafatih al-Ghaib* (or) *Tafsīr al-Kabīr* (Cairo 1308 H) Vol. 3, p. 407; az-Zamakhsharī, *al-Kashshaf*, Vol. 1, p. 615; al-Baidawī, *Anwār at-Tanzīl wa Asrār at-Ta'wīl* (Cairo date ?) Vol. 2, p. 511.

<sup>68</sup> Ibn Rajab, *Jāmi al-'Ulūm wa al-Hikam* (Cairo 1412 A.H), p. 320.

<sup>69</sup> al-Aini goes even further and classifies '*al-harbī*' as an apostate if he is neither a '*Dhimmī*' nor a '*Musta'min*'. But this process of elimination ignores the third category of unbelievers '*Mu'ahidīn*' i.e. those with whom there is a pact of mutual defence; also al-Aini, *Umdat al-Qārī*, Vol. 11, pp. 143-4.

<sup>70</sup> See Ibn Hayyān al-Andalusī, *Tafsīr al-Kabīr* (also known as) *al-Bahr al-Muhīt*, Vol. 3, p. 471.

<sup>71</sup> cf. Sūra at-Tahrim [66]: 9. For a detailed historical background see W. Montgomery Watt, *Muhammad at Madīna*, p. 189f.

repent of their blatant apostasy, “God will punish them in this life and in the hereafter”(v. 74 b). While Tabarī is unclear about the type of the earthly punishment that God might inflict upon them, al-Qurtubī, az-Zamakhsharī and the authors of Tafsīr al-Jalālayn opine that it would be ‘*al-Qatl*’ (lit. killing).<sup>72</sup> But Rashīd Redā has rightly observed that the earthly punishment here corresponds to the expression in v.55 where God’s intention “to punish them in this life” meant simply the withdrawal of His earthly blessing from them so that they will be reduced to a life of confusion and misery.<sup>73</sup> However, some like Ibn Kathīr could even find the punishment for apostasy in Sūra al-Fath [48]: 16 -“Say to the desert Arabs who lagged behind: ‘Ye shall be summoned against a people given to vehement war. Then shall ye fight, or they shall submit’”. The text most probably refers to the Mu’tah expedition in September 629 A.D. against the Christian Arab tribe of Ghassān.<sup>74</sup> According to Ibn Kathīr, az-Zamakhsharī and al-Qurtubī, this was a prophecy that was fulfilled in the campaign against the apostate tribe of Banī Hanīfah during Abū Bakr’s caliphate. Thus, by projecting the meaning of this text to the future time of the first Calīph, the apostasy law is given Qur’ānic sanction.<sup>75</sup> It would not be far off the mark to suggest that the attempt to smuggle the apostasy law into the Qur’ān by the above-mentioned exegetists may indicate their crisis of confidence in the secondary sources – *Sunnah*, ‘*Ijmā*’ (consensus) and *Qiyās* (analogy) – on which the apostasy law actually rests. Alternatively, others might simply perceive such an attempt as a matter of ‘*ijtihād*’ (an exercise of independent judgment). In any case, the fact remains that the Qur’ān speaks only of divine retribution for apostates in the world to come.

In conclusion, it is significant to note that al-Chalpi in his commentary on *Fath al-Qadīr* cites Ibn al-Hammām’s opinion that in the Qur’ān “there is no punishment for the act of apostasy, for its punishment is greater than that, with God”.<sup>76</sup> This comment, as R. A. Rahmān

<sup>72</sup> Tabarī, *Tafsīr*, Vol. 6, p. 239; comp. al-Qurtubī, *al-Jāmi li Ahkām al-Qur’ān*, Vol.5, p. 3046; az-Zamakhsharī, *al-Kashshāf*, Vol. 2, p. 282; Jalal ad-Dīn al-Mahālī & Jalal ad-Dīn as-Suyūti, *Tafsīr al-Jalālayn*, p. 254.

<sup>73</sup> The same idea is found in Sūra al-Hajj [22]: 11; see Redā, *Tafsīr al-Manār*, Vol. 10, pp. 557-8, also p. 474.

<sup>74</sup> See W. Montgomery Watt, *Companion to the Qur’ān*, p. 234; also his *Muhammad at Madīna*, pp. 53-55.

<sup>75</sup> Ibn Kathīr, *Tafsīr al-Qur’ān al-Azīm* (Halab 1980), Vol. 4, p. 190; see also az-Zamakhsharī, *al-Kashshāf*, Vol. 4, p. 329f; al-Qurtubī, *al-Jāmi li Ahkām al-Qur’ān*, Vol. 9, p. 6092f.

<sup>76</sup> *Sharh Fath al-Qadīr ‘alā al-Hidāyah Sharh Badāyah* and on its margin, *Sharh al-‘Inayah ‘alā al-Hidāyah* with commentary by Sa’dullāh Ibn al-Ainī known as Sadi al-Chalpi on *Fath al-Qadīr* (Cairo 1316 H), Vol. 4, p. 388 –9; See also S.A. Rahmān, *Punishment of Apostasy in Islām*, p. 45.

has rightly observed, is very significant and in harmony with the letter and the spirit of the Qur'ānic text.

**b) THE SYSTEM OF NĀSIKH AND MANSŪKH** (Doctrine of abrogation in the Qur'ān).

According to this doctrine, a verse revealed later may abrogate or cancel one revealed earlier. In this way the problem of any apparent conflict or contradiction is resolved. The Arabic term '*an-nāsikh*' designates the 'abrogating' verse, while '*al-mansūkh*' denotes that the verse has been 'abrogated'. In Sūra al-Baqarah we have the reference to this principle of abrogation:

None of our revelations do we abrogate or cause to be forgotten, but we substitute something better or similar... (2: 106).<sup>77</sup>

Muslim theologians have classified '*al-mansūkh*' (verses that have been abrogated) into three parts: (1) The part that has been completely abrogated i.e. literally removed without trace. (2) The part that has been abrogated i.e. literally removed, but whose ruling or command is still binding.<sup>78</sup> (3) The part that has remained in the Qur'ān, but whose commands have been cancelled or abrogated. The latter (by far the largest part), is spread over 63 Sūras. The underlying idea is that these commands in the Qur'ān were only of temporary relevance and application. When circumstances changed they were abrogated or replaced by others. But, although those abrogated commands were no longer considered as applicable, they continued to be recited as part of the Qur'ān. Doubtless some revision of the Qur'ān did actually take place. This is acknowledged by Muslim scholars in their doctrine of abrogation (*an-nāsikh wa al-mansūkh*).<sup>79</sup> At any rate, as the doctrine of abrogation is a highly complex study, the point relevant to our subject is the abrogation (*an-naskh*) of those (mostly Meccan) verses

<sup>77</sup> See Sūra an-Nahl [16]: 101.

<sup>78</sup> Those that still remain, according to Abū al-Qasim Ibn Salamah, are found in 63 Sūras. See his *an-Nāsikh wa al-Mansūkh*, on the margin of an-Nisapuri's *Asbāb an-Nuqūl* (Cairo date ?), p. 14. The two verses that had been removed are: 1) One regarding the stoning of adulterers was mentioned by 'Umar Ibn al-Khattāb. Strangely, although removed, he insisted that the stoning of adulterers must continue as the Prophet himself & his companions practiced it in his own lifetime. See Ibn Hishām, Part 4, p.337. 2, also Ibn Sa'd, *at-Tabaqāt al-Kubrā*, Vol. 3, p. 277. 2). Ibn Mas'ud relates that once the Prophet taught him a revealed text(which he does not mention). He memorized it and then carefully recorded in his book. At night he could not recall that verse. When he went to look it up in his book, he found no trace of it. The Prophet then informed him that it was (miraculously) removed. See Abū al-Qasim Ibn Salamah, *an-Nāsikh wa al-Mansūkh*, pp.11-12.

<sup>79</sup> W. Montgomery Watt & Richard Bell, *Introduction to The Qur'ān* (Edinburgh University 1994), pp. 86-9.



encouraging the passive attitudes of ‘*ikhtiyār*’ (choice), ‘*al-I’rād*’ (avoidance), ‘*as-sabr*’ (patience) and ‘*as-Safh*’ (forgiveness).<sup>80</sup> Muslim scholars generally agree that such verses were repealed or abrogated by two important texts. The first is found in Sūra at-Tawbah [9]: 5, known as ‘*āyat as-sayf*’ (the verse of the sword). This is said to have abrogated 113 verses. The other is also found in Sūra at-Tawbah [9]: 29, known as ‘*āyat al-qitāl*’ (the verse of war), and is said to have abrogated 9 verses. Between them both they have cancelled 122 verses.<sup>81</sup>

In this particular context, it would be relevant to point out that the doctrine of abrogation has never gone unchallenged. But, as expected, the challengers have always been met with calls of ‘blasphemy’ and ‘unbelief’. As recently as 1985, Mahmud Tāhā was executed in Sudan for apostasy. The nature of his alleged apostasy was his argument that the abrogation of the earlier Meccan verses were only a postponement until the appropriate circumstances arose for their implementation. For him, the abrogation should be viewed as related to its rationale i.e. the socioeconomic and political conditions prevailing in Arabia at the time. These conditions have been radically transformed in our modern times. Therefore, Islamic Law should respond by enacting (or reactivating) the verses of the freedom of choice and personal responsibility in order to establish the principles of liberty and equality. These verses should become the basis of *Shari’ah* in the modern day.<sup>82</sup>

Strangely enough, Mahmud Tāhā’s suggestion finds its echo in a recent book by the Islāmic scholar, Yūsuf al-Qaradāwī. But, he stops short of calling for the enactment of the Meccan verses of freedom of choice, personal responsibility and equality, which alone can bring the *Shari’ah* into consonance with the modern way of life. Perhaps even for an enlightened *Salafī* scholar like al-Qaradāwī, there is a serious repercussion in going thus far.<sup>83</sup>

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<sup>80</sup> Khalīl ‘Abd al-Karīm, *al-Islām bain ad-Dawla ad-Dīniyyah wa ad-Dawla al-Madaniyyah* (Cairo 1995), p. 99f.

<sup>81</sup> Ibn Khuzaimah, *al-Mujaz fī an-Nāsikh wa al-Mansūkh* (Cairo date ?), pp. 245-259. Interestingly, Sūra at-Tawbah [9]: 6 “If one among the Pagans ask thee for asylum, grant it to him, so that he may hear the word of God; and then escort him to where he can be secure. That is because they are men without knowledge” is said to have in turn abrogated an unknown number of the rulings related to the sword (Sūra at-Tawbah [9]: 6. See Ibn Khuzaimah p. 251; also Rashīd Redā, *Tafsīr al-Manār*, Vol. 10, p. 178.

<sup>82</sup> Ibid. p. 246 where Ibn Khuzaimah labels those who denied the existence of *an-Nāsikh wa al-Mansūkh* in the Qur’ān as ‘*Malahidah*’ (atheists). Sadly, the conviction and execution of Mahmūd Tāhā’s were endorsed by the Muslim World League and the Azhar University of Egypt. See Abdullāhi Ahmed An-Na’īm, *The Islamic Law of Apostasy and its Applicability: A case from the Sudan*, R, (1986) 16, pp. 204ff.

<sup>83</sup> Yūsuf al-Qaradāwī, *‘Awamil as-Si’ah wa al-Murūnah fī al-Sharī’a al-Islāmiyyah* (Cairo 1999), pp. 70 ff.

It would mean that a good deal of the abrogating (*nāsikhah*) Madinan verses would have to be cancelled and rendered irrelevant for today.

Our research into the doctrine of abrogation demonstrates that as '*ayāt ar-riddah*' (the apostasy texts) are overwhelmingly Madinan, they also happen to be '*ayāt muhkamāt*' (ar. clear, precise and intelligible texts). They are not subject to '*naskh*' (abrogation), since the divine verdict of eternal punishment in the hereafter in these verses is clearly fixed. One would in vain look for one apostasy text in the long list of all the verses that have been repealed either by '*āyat as-sayf*' (Sūra at-Tawbah [9]: 5) or '*āyat al-qitāl*' (v.29). In spite of this, some have sought to classify two apostasy passages as having been abrogated, and which we shall now briefly consider:

**1) *The first passage in Sūra Āl-Imrān contains four verses:***

How shall God guide those who disbelieved after their belief, and (after) they bore witness that the Apostle is true, and after clear proofs had come to them?...Of such the reward is that on them (rests) the curse of God and the angels and of men combined. They will abide therein. Their doom will not be lightened, neither will they be reprieved. Save those who afterward repent and do right... (3: 86-89)

The exponents argue that the punishment of apostates here is '*mansūkh*' (repealed) by '*istiṭhmā*' (exception) i.e. on the exceptional basis of repentance, "save those who afterward repent and do right"(v. 89). According to these scholars, this punishment is not confined only to the hereafter, but it is included also in the here and now. Their position may well be based on the story alleged to have occasioned this revelation.<sup>84</sup> One of the *Ansārs* is said to have returned penitently to Madīna after a brief period of apostasy, and the Prophet "accepted his repentance and spared him".<sup>85</sup> Supposedly, without his change of heart he would

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<sup>84</sup> Stories supposed to have occasioned the revelation of this passage are many and varied. See as-Sayyuti, *Lubāb an-Nuqūl fī Asbāb an-Nuzūl*, p. 92; also his *ad-Dur al-Manthūr*, Vol. 2, p. 54; see also Ibn Kathīr, *Tafsīr al-Qur'ān al-Azīm*, Vol. 2, pp. 58-59.

<sup>85</sup> al-Qurtubī, *al-Jāmi li Ahkām al-Qur'ān*, Vol. 3, p. 1371.

have returned at his own peril. However, this sort of argument is dismissed by Ibn al-‘Arabī as ‘*bātil*’ (false) on the grounds that ‘*istithnā*’ (the exception) i.e. repentance on the part of the apostate, does not constitute ‘*naskh*’ (abrogation).<sup>86</sup>

**2) The second passage is in Sūra an-Nahl, also revealed concerning the apostates.**

Whoso disbelieves in God after his belief – save him who is forced thereto  
and whose heart is still content with faith – but whoso finds ease in unbelief:  
On them is wrath from God, and theirs will be an awful doom. (16:106)

Some exponents of the apostasy law have gone as far as to suggest that this verse has also been abrogated by ‘*āyat as-sayf*’ (Sūra at-Tawbah [9]: 5).<sup>87</sup> The basis on which this claim is made is far from clear. Ibn al-‘Arabī described those who made this claim as “having removed the text too far from its proper meaning”. He then goes on to contend that “the verse did not come to reveal a command that might afterwards introduce ‘*naskh*’. The verse reveals a threat of doom in the hereafter...for the sin of unbelief. This doom is absolutely inevitable”.<sup>88</sup>

Our research therefore concludes that the Qur’ān contains not a verse that would even hint at capital punishment for apostates. On the contrary, the Qur’ānic verses relating to apostates clearly envisage a natural death for them. Moreover, the fact that none of the apostasy verses have been abrogated by any other Qur’ānic verse, is ample proof that only the aggressive, and the dangerously hostile apostate may be killed as in the case of the criminal gang of ‘Uraynah (Sūra al-Mā’idah [5]: 33). There can be no doubt that The Law of Apostasy rests entirely and exclusively on the Tradition (*hadīth*). There is also the thorny and much debated question of whether or not a tradition can abrogate a Qur’ānic command or rule.<sup>89</sup> This view is rejected by the majority of Muslim scholars including Imām Shāfi‘ī, the arch-exponent of *sunnah*.

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<sup>86</sup> Abū Bakr Muhammad Ibn al-‘Arabi, *an-Nāsikh wa al-Mansūkh fī al-Qur’ān al-Karīm*, Ed. Abd al-Kabīr al-Madaghri (Cairo 1992), Vol. 2, p. 123f.

<sup>87</sup> See Ibn Salamah, *an-Nāsikh wa al-Mansūkh*, On the margin of an-Nisabūri’s *Asbāb an-Nuqūl*, p. 207.

<sup>88</sup> Ibn al-‘Arabi, *an-Nāsikh wa al-Mansūkh fī al-Qur’ān al-Karīm*, p. 282

<sup>89</sup> For an interesting discussion on whether or not a Tradition can repeal a Qur’ānic text, see Abū Ja‘far, *an-Nahhas an-Nāsikh wa al-Mansūkh fī al-Qur’ān al-Karīm*, (Cairo date ?), pp. 12-14.

**THE PROBLEM OF THE TRADITION**  
*AND*  
**THE APOSTASY LAW**

**4. 1. THE MEANINGS OF 'HADĪTH' AND 'SUNNAH'**

The primary connotation of the Arabic word '*Hadīth*' is that of 'new'. Its antonym is the term '*qadīm*', 'old'. From this derived the use of the word for an item of news, a tale, a story or a report – it could be historical or legendary, true or false, moral or scandalous, relating to the present or the past. This is the sense in which the term was employed by the pre-Islāmic poets, and also by the Qur'ān and the Prophet. Interestingly, there is a sense in which the Qur'ān itself is called '*hadīth*'.<sup>1</sup> It is worth noting also that storytellers were known as '*huddath*' or '*muhaddithūn*' i.e. purveyors of *hadīth*.

The general sense of the word '*hadīth*' has, as in the case of other words (e.g. *salāt*, *zakāh*, *taqwā* ect..) been changed under the far-reaching influence of Islām. It came to have the special sense of '*tradition*' – the recorded reports of the sayings and actions of the Prophet Muhammad, and as such is regarded by Muslims as a source of Islamic law, dogma and ritual second only in importance to the Qur'ān itself. Thus, in due course, the term '*hadīth*' became increasingly confined to such reports, whilst the word '*khābar*' (pl. *Akhbār*) became the general term for any other 'news'.<sup>2</sup>

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<sup>1</sup> For places where the Qur'ān is called '*Hadīth*', see Sūra at-Tur [52]: 34; Sūra an-Najm [53]: 59; Sūra an-Nisā' [4]: 87; Sūra al-Kahf[18]: 6. Ibn Mas'ud is reported to have used the widely quoted phrase: "The best '*Hadīth*' is the Book of God..." See Ibn Hajar al-'Asqalānī, *Fath al-Bārī fī Sahīh al-Bukhārī* (Cairo 1959), Vol.1,p. 204.

<sup>2</sup> Muhammad 'Ajjāj al-Khatīb, *al-Hadīth qabl at-Tadwīn* (Cairo 1963), pp. 20-22; see also Muhammad Zubayr Siddīqī, *Hadīth Literature: Its Origin, Development and Special Features* (The Islamic Text Society Cambridge 1993), p. 1f.

Another closely connected word to the term '*hadīth*' is '*sunnah*'. Originally, the term '*sunnah*' bears the sense of 'custom' and 'precedent'. According to M. H. Kalamī and M. al-'Azamī, the Qur'ān itself uses it in this sense in sixteen places.<sup>3</sup> There are strong indications to suggest that at first the term was employed by the Muslims for the accepted practices of the Islāmic community, but in later times it was used solely for the practice of the Prophet.<sup>4</sup> The change in the meaning of the term appears to have been initiated by the second Calīph 'Umar who suggested that although the term *sunnah* was not restricted to the Prophet in early Islām, his *sunnah* had the priority. "Whose *sunnah* deserves more to be observed", he asked, "the *sunnah* of the Prophet or the *sunnah* of 'Umar?"<sup>5</sup> It must also be noted, that there have been differences among scholars as to the connotations of the terms *hadīth* and *sunnah*. There are Muslim scholars who have contended that although these two words are philologically unconnected, they are nevertheless entirely synonymous. Others like Goldziher and to some extent Lammens, have attempted to draw distinctions between their connotations.<sup>6</sup> But, whether or not such distinctions have long been theoretical, as Prof. Siddīqī has suggested, is of course open to question. In any case, one cannot overlook the unavoidable conclusion that if the *hadīth* contains details in the figure of the Prophet, the *sunnah* is the resulting whole, the habit of life which the faithful seeks to make his own. In this way, *hadīth* (Tradition) is raw material, *sunnah* (the custom) is the finished product, the ideal of the believer.<sup>7</sup> From this chapter onward we shall use the terms *hadīth* and *Tradition* interchangeably.

#### 4. 2. HADĪTH: ITS OPPONENTS AND PROPONENTS

In a Qur'ānic text, the Prophet is clearly reminded, " We have sent down to thee the Book (the Qur'ān), explaining all things, a guide, a mercy and glad tidings to Muslims" (Sūra an-Nahl [16]: 89). In another text, the Muslims are made aware, " We have neglected nothing in the

<sup>3</sup> Muhammad Hāshim Kalamī, *Principles of Islamic Jurisprudence* (Cambridge 1991), pp. 44-45; M. al-Azamī, *On Schacht's Origins of Muhammadan Jurisprudence* (Riyadh, New York & Manchester 1985), pp. 29-30

<sup>4</sup> M. A. al-Khatīb, *as-Sunnah qabl at-Tadwīn*, pp. 14-22; also for an extensive summary of the concept of sunnah see Kalamī's *Principles of Islamic Jurisprudence*, pp. 44-85.

<sup>5</sup> Quoted by al-Azami in his *On Schacht's Origins of Muhammadan Jurisprudence*, p. 23

<sup>6</sup> Ignaz Goldziher, *Muslim Studies* (London 1967) Vol. 2, pp. 24-25; see also H. Lammens, *Islām : Beliefs and Institutions* (London 1929) p. 69f.

<sup>7</sup> M. Zubayr Siddīqī, *Hadīth Literature: Its Origin, Development & special features*, p.1.

Book (the Qur'ān). Then unto their Lord they will be gathered" (Sūra al-An'ām [6]: 38).<sup>8</sup> From this the Qur'ān is understood to be all-sufficient and all-inclusive, and no other extra-Qur'ānic material was necessary. Such was apparently the stance of the early Muslim community. For example, at the battle of Siffin (653 A.D.), between Alī and Mu'āwiyah, the appeal for judgment and arbitration was made only to the Qur'ān, *sunnah* was never mentioned. But, this does not mean that some oral Tradition was not in circulation. Indeed, the evidence points to the contrary. At the same time the existence of such a tradition does not mean that it was perceived as a source second only in importance to the Qur'ān. This is indicated by the controversy that had arisen as to whether or not it was lawful to write down the Tradition.

#### 4.2.1. THE OPPONENTS OF 'HADĪTH'

If Mālik Ibn Anas, Ibn Sa'd, al-Dhahabī and others are to be believed, the first two 'Rightly Guided Calīphs', Abū Bakr and 'Umar, were strongly against the writing of Tradition, as an extra-Qur'ānic material. They were also noted for obliterating any *hadīth* that had been put into writing.<sup>9</sup> 'Umar is reported to have intended once to write the Tradition, but later he changed his mind. It occurred to him, he said, that "people in the past (i.e. the People of the Book) had written books and devoted themselves to them and forsook the Book of God".<sup>10</sup> The same idea is said to have been expressed by the Prophet. Abū Huraira is reported to have said: 'The Prophet of God came to us while we were writing *hadīth*, and said, "What is this that you are writing?" We said, "*Hadīth* which we hear from you". He said, "A book other than the Book of God! Do you not know that nothing but the writing of books beside the Book of God led astray the peoples that were before you?"<sup>11</sup> Abū Sa'īd al-Khudrī reported that he asked the Prophet's permission to write down *hadīth*, and it was refused. On another occasion he heard the Prophet say, "Whoever takes down from me anything other than the Qur'ān, let him

<sup>8</sup> Cf. Sūra al-Mā'idah [5]: 3.

<sup>9</sup> See Shams ad-Dīn al-Dhahabī, *Tadhkirāt al-Huffāz* (India 1333 AH), Vol.1, p. 5; Yūsuf Ibn Abd al-Barr, *Jāmi' Bayān al-'Ilm wa al-Fazlih* (Cairo date?) Vol. 1, p. 64; Ibn Sa'd, *at-Tabaqāt al-Kubrā*, Vol. 3, p. 213.

<sup>10</sup> See Ahmad Ibn Thabit al-Baghdādī, *Taqyyid al-'Ilm*. Ed. by Yūsuf al-'Ish (Damascus 1949), p. 5; also Ibn Abd al-Barr, *Jāmi' Bayān al-'Ilm wa Fazlih*, Vol. 1, p.64; M.A. al-Khatīb, *as-Sunnah qabl at-Tadwīn*, p. 310.

<sup>11</sup> Alfred Guillaume, *The Traditions of Islām* (Oxford 1924), p. 16; see also Ahmad Ibn Thabit al-Baghdādī, *Taqyyid al-'Ilm*, p. 34.

obliterate it”.<sup>12</sup> It is interesting that neither Abū Bakr nor ‘Umar ever cited the Prophetic prohibition of writing *hadīth* as the basic reason for their action. Moreover, the striking similarity between the statement of the Prophet and that of ‘Umar, raises a serious question. If the prohibition was indeed expressed by the prophet to protect the Muslim community from becoming like the People of the Book, as underlined above, then why did ‘Umar, in expressing similar thing, fail to name his source in order to justify his action? The fact that he first intended to write the Tradition, then changed his mind in case Muslims suffer the fate of the Scriptures, with no reference to the Prophetic source, suggests that the idea was originally ‘Umar’s. It seems highly probable that this *hadīth* was intended to defend the prohibition idea by a retrojection of the notion itself into the Prophet’s own lifetime. Most likely, ‘Umar had never heard a word of it. He simply belonged to the Prohibition Party that had among its ranks a considerable number of distinguished Companions.<sup>13</sup> The fact that Abū Bakr burnt 500 recorded traditions, which he himself had previously compiled, reflects the strong belief of the early Muslim community in the all-sufficiency of the Qur’ān.<sup>14</sup> Their aversion to any other extra-Qur’ānic material was clearly underlined by ‘Umar’s famous phrase, “No (other) book beside the Book of God”.<sup>15</sup> Abd Allāh Ibn Mas‘ūd’s reaction was similar when he was presented with a written *hadīth*. He is reported to have wiped it out while reciting the Qur’ānic verse: “We narrate unto thee the best of narratives in that We have inspired in thee this Qur’ān...” (Sūra Yūsuf [12]: 3).<sup>16</sup> This opposition was later explained by some as a temporary measure designed at that early period to prevent the risk of confusing the Qur’ānic with non-Qur’ānic material. Others like ad-Darīmī argued that the opposition arose because of forgery,

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<sup>12</sup> See Yahya Ibn Sharaf ad-Dīn an-Nawawī, *Sharh Sahīh Muslim* (Cairo 1349 H) Vol. 18, p. 129; also Ibn Abd al-Barr, *Jāmi Bayān al-‘Ilm wa Fazlih*, Vol. 1, p. 63.

<sup>13</sup> The Prophet’s biographer reported that Muhammad on his death-bed said “two religions must not co-exist in Arabia”. Abū Bakr, who of all people would have been sure to know the truth, did nothing to carry out the supposed command of the Prophet. ‘Umar said that he had never heard such a thing. But when he was assured that Muhammad had indeed said so, he expelled the Jews and the Christians from the Hijaz. The truth is that he had intended to expel them before hearing of the Prophet’s alleged ruling. It seems therefore that the *Hadīth* was fabricated to justify ‘Umar’s action. See pp. 15 ff.; see also the conflicting reports on the reason for the expulsion of Jews and Christians in al-Balādhurī, *Futūh al-Buldān* (Beirut 1988), pp. 32 ff, and pp. 71 ff.

<sup>14</sup> al-Dhahabī, *Tadhkirāt al-Huffāz*, Vol.1, p. 5; M. A. al-Khatīb, *as-Sunnah qabl at-Tadwīn*, pp. 310ff.

<sup>15</sup> Ibn Abd al-Barr, *Jāmi’ Bayān al-‘Ilm wa al-Fazlih*, Vol.1, p. 65. For a list of those opposed to the writing of *Hadīth*, see al-Khatīb, *as-Sunnah qabl at-Tadwīn*, pp. 303 ff

<sup>16</sup> Ibn Thabit al-Baghdādī, *Taqyid al-‘Ilm*, p. 54.

for “Some were writing their own words”.<sup>17</sup> Ironically, in this situation a forgery could be countered by another forgery in order to assert the overall supremacy of the Qur’ān, and thus blunt the edge of the fast growing tradition. The Prophet was reported as saying: “ If what I am reported to have said agrees with the Qur’ān I did say it; if it does not, I did not say it!” Dr. Mustapha as-Subā’ī argues that this alleged *hadīth* was itself fabricated by ‘*az-Zanādiqah*’ (heretics). More likely it was the product of those who were worried by the overwhelming growth of traditions, many of which were contradictory and unreliable.<sup>18</sup>

Islāmic history is clear that opposition to *hadīth* has never been absent. It has continued long after the *hadīth* had been compiled and established as a canon – a source of Islāmic law, dogma and ritual, next in importance only to the Qur’ān. Forgery, however, was not the sole object of attack by the opposition. With the compilation of *hadīth* during the early part of the Abbasid period, the apparent contradictions involved in this literature became another, if not the foremost, target of the opposition down to the present time. The uncompromising opponents of *hadīth* at that time were the Mu’tazilites. This is indicated by the critical literary work of their prominent scholars like an-Nazzām, Bishr al-Muraysī and Abū Qāsim al-Balkhī.<sup>19</sup> Even more uncompromising than al-Mu’tazilites is the Muslim group today known as ‘*Ahl al-Qur’ān*’ (the People of the Qur’ān). Led by Ghulām Ahmad Parvez, this Muslim school of thought has rejected *hadīth* on the basis that it is contradictory, unreliable and therefore not binding.<sup>20</sup> But, opposition to *hadīth* could even find a platform both in Sunni and Shi’a camps during the 20<sup>th</sup> century. About the middle of this century, the Shi’i scholar, Abd al-Hussein al-‘Āmilī, and the Sunni scholar, Shaykh Abū Rayyah, published their critical works calling into question the canonical collection of *hadīth*.<sup>21</sup> The tremor that these works caused in the Muslim world became a challenge to those who would later be courageous enough to look

<sup>17</sup> al-Khatīb, *as-Sunnah qabl at-Tadwīn*, p.316f. Ibn Abd ar-Rahmān ad-Darīmī, *Sunan ad-Darīmī*(Damascus ad-Darīmī, *Sunan ad-Darīmī*(Damascus 1349 AH) Vol. 1, p. 125.

<sup>18</sup> Mustapha as-Suba’i, *as-Sunnah wa Makanatuha fī at-Tashri’ al-Islāmi* (Cairo 1961), p. 97. Comp. with A. Guillaume, *Islām*, p. 99f.

<sup>19</sup> Abū al-Qasim al-Balkhi, *Qubūl al-Akhbar wa Ma’rifat ar-Rijāl* (Unprinted manuscript at Dar al-Kutub al-Masryya, Cairo); see also A. Guillaume, *Islām*, pp. 106 –108.

<sup>20</sup> See the *Daily Pasnim*, Aug. 15, 1952; also Mirza Tāhir Ahmad, *Murder in the Name of Allāh*, pp. 45, 53, 56.

<sup>21</sup> Abd al-Hussein Sharaf ad-Dīn al-‘Āmilī, *Abū Huraira* (Sayda: Lebanon date ?); Shaykh Mahmūd Abū Rayyah, *Adwā’ ‘alā as-Sunnah an-Nabawiyah* (Cairo 1958).



critically again into the question of the tradition.<sup>22</sup> Often, this courage has not been without a price. In the 1980s Shaykh Ahmad Subhi Mansūr, professor at the Azhar University, presented a study paper calling in question some ‘*hadīths*’. He was consequently expelled from the University, and even jailed for six months at the instigation of Azhar University Faculty.<sup>23</sup>

#### 4.2.2. THE PROPONENTS OF ‘HADĪTH’

The champions of ‘*sunnah*’ have never been reluctant to cite Qur’ānic texts in support of tradition as the second most important principle upon which the Islāmic Law is based. Indeed, it is the second ‘inspired’ element after the Qur’ān, according to Imām Shāfi‘ī.<sup>24</sup> But more of this a little later. There are at least three Qur’ānic texts quoted in this connection. In one the Prophet is reminded of his standing in relation to his divine mission: “He who obeys the Apostle, obeys God: But if any turn away, we have not sent thee as a warder over them” (Sūra an-Nisā’ [4]: 80). The message to the believers is clear that obedience to God and obedience to the Prophet are inextricably linked: “And obey God and the Apostle, that ye may obtain mercy” (Sūra Āl-‘Imrān [3]: 132). Elsewhere the reminder is accompanied by a warning: “Obey God and obey the Apostle, and beware! If ye turn back, know ye that it is our Apostle’s duty to proclaim (the message) in the clearest manner” (Sūra al-Mā’idah [5]: 92).<sup>25</sup> Incidentally, these passages are rendered agreeable to a tradition produced by Ibn Mājah and al-Bayhaqī in which the Prophet is supposed to have said, “what the Messenger of God has forbidden, the same is forbidden by God”.<sup>26</sup> The authority of tradition as a source next in importance to the Qur’ān is thus justifiably established. The fact of the matter, however, is that the establishment of the canonical tradition was justified not so much by the Qur’ān as by new and different circumstances.

<sup>22</sup> See the most critical work on ‘*Hadīth*’ by the Syrian writer, Niyazi ‘Izzi ad-Dīn, *Dīn as-Sultan* “al-Burhān” i. e. The Sultan’s Religion “The Evidence” (Damascus 1997).

<sup>23</sup> ‘Adel Hammūdāh, *Nasr Hamid Abū Zayd: Bayn at-Takfīr wa at-Tanwīr* (Cairo 1996), p. 91.

<sup>24</sup> Muhammad Ibn Idrīs al-Shāfi‘ī, *ar-Risālah* (Cairo 1312 AH), pp. 91-92. Some wonder if al-Shāfi‘ī’s idea of inspiration in relation to ‘*Hadīth*’ is meant ‘*ilham*’ i.e. which is wisdom-inspired rather than ‘*wahyi*’ i.e. divine revelation. For a long and interesting discussion on this, see Nasr Hamid Abū Zayd, *Mafhum an-Nass* (Cairo 1990), pp. 35-65.

<sup>25</sup> Cf. Sūra al-Fath [48]: 10; Sūra al-Hashr [59]: 8.

<sup>26</sup> See Muhammad Ibn Yazīd Ibn Mājah, *Sunan Ibn Mājah* (Cairo date?), Vol. 1, p. 5; also Ahmad Ibn al-Hussein al-Bayhaqī, *As-Sunan al-Kubrā* (Hyderabad 1354 AH), Vol. 1, p. 6.

The Prophet's death in 632 A.D. brought the authoritative divine direction to a sudden conclusion. After a while the community began to feel that a void had now been created. In this situation, the community's attention began to turn to the facts of the Prophet's life. As Muhammad was believed to be the model of what the Muslim ought to be, those taking their faith seriously, were keen to know all the details of his words and acts so that they might imitate him. The faithful were becoming keenly aware that the laws in the Qur'ān were not quite enough to regulate the life of the young community, and that the need for more was necessary.<sup>27</sup> It was natural therefore to look to the Prophet's words and acts to meet that need. Such were the circumstances that gave rise to the collection, recording and classification of '*hadīth*', or traditions about Muhammad. Soon, however, this new insistence on a definite Tradition going back to the Prophet were to influence both the fabrication of '*isnād*' (the chain of transmitters), and '*matn*' (the subject matter of the tradition). To deal with this problem, two things emerged:

a) **ILM AL-HADĪTH** ( the science of the study of *hadīth*).

The earliest literary work connected with this was '*ar-Risala*' (the Epistle) of Imām Shāfi'ī (A.D. 767-820), regarded later as the founder of the *Shāfi'ī madhhab*, or school. This was followed by the works of a long list of scholars, extending down to the 18<sup>th</sup> century A.D. All these works focus almost entirely on the personal qualifications of faith, learning and truthfulness of the transmitters which, for them, determines the veracity of the tradition.<sup>28</sup> The criticism therefore was confined to the '*isnād*' and hardly to the '*matn*' which may not have gone back to the Prophet. Even the divisions of traditions into mainly three classes are generally based on the quality of '*isnād*'. These three classes are: 1. '*Sahīh*' (genuine); 2. '*Hasan*' (fair); and 3. '*Da'īf*' (weak). The latter is further subdivided according to the extent of the deficiency of its transmitters. Subcategories include: the '*mu'allaq*' (suspended); the '*maqtū'*' (interrupted); the '*munqati'*' (broken); the '*mursal*' (incomplete); the '*musahhaf*' (having a mistake either in the '*isnād*' or the '*matn*'); '*shādhah*' (rare); '*mawdū'*' (forged)

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<sup>27</sup> This point is strongly implied in the writings of Muslim theologians. See Ibn Abd al-Bar, *Jāmi Bayān al-'Ilm wa Fazlih*, Vol. 2, pp. 190-191; also Abd al-Ghani Ibn Abd al-Wahid al-Maqdisī, *Kitāb al-'Ilm* (Manuscript in the Damascus Library date ?), p. 51.

<sup>28</sup> Muhammad Ibn Idrīs al-Shāfi'ī, *ar-Risālah*, p. 99; M. Z. Siddiqī, *Hadīth Literature*, p. 108

ect... It is worth noting that this method does its utmost to avoid finding faults with the '*matn*'. One would need to be a Mu'tazilite to denounce in them certain assertions!

**b) *ILM AL-JARH WA AT-TA'DIL* (the science of criticising the reporters of *hadīth*)**

The earliest and greatest pioneer critics in this field were Yahyā Ibn al-Qattān and Abd ar-Rahmān Ibn Mahdī (both died 813 A.D.), whose verdict on the reliability or otherwise of the reporters of '*hadīth*' was widely accepted as final. This is confirmed in the work of al-Jazā'irī, in which he gives a very detailed account of the origins and development of '*Ilm al-Jarh wa at-Ta'dīl*'.<sup>29</sup> One of the most important points that this science deals with is the subdivision of tradition relating to the parallel authentication of '*isnād*' during the first three generations. The study in this field has led scholars to the identification of three types of '*hadīth*' (or pl. '*ahādīth*'):

1) '*Ahādīth Mutawātirah*'. These have been transmitted during the time of the Companions, their successors (*at-Tabi'in*), and their successors' successors (*Tabi'ī at-Tabi'in*) – covering the period of the three generations. This type of tradition is unanimously regarded as above suspicion. According to some scholars, the number of '*ahādīth*' belonging to this category may not be more than three. The first relates to the ritual details of prayer, on which the Qur'ān is silent. In this connection, the Prophet is reported to have said, "Pray as you have seen me pray". The second relates to other devotional rites such as those of '*hajj*' (the major pilgrimage), and '*umrah*' (the minor pilgrimage, which may be made at any time and requires less ceremonial). On this particular point, the Prophet is reported to have said: "Take your devotional rites (*manāsikakum*) from me". Yet, some are of the view that there is only one '*hadīth*' that has proved to be '*mutawātir*', and that is where the Prophet has reportedly said, "He who intentionally speaks falsely on my authority will find his place in hell".<sup>30</sup> Later, however, an element of traditionists emerged, among whom the distinguished Ahmad Ibn Hanbal, who whilst not intentionally lying about the Prophet, they expressly admitted that they

<sup>29</sup> See al-Jazā'irī, Tāhir Ibn Sālih, *Tawjīh al-Anzār ilā Usūl al-Āthār* (Cairo 1328 H), pp. 113-118.

<sup>30</sup> as-Suyūti, *al-Azhar al-Mutanathira fī al-Akhbar al-Mutawathira* (Cairo date ?), p. 191; see particularly an excellent discussion on '*mutawathir*' by Zakariyā al-Barri, *Usūl al-Fiqh al-Islāmī* (Cairo date?), pp. 49ff; also James Robson, 'Muslim Traditions – The Question of Authenticity'. *Memoirs & Proceedings, MLPS*, Vol. XCIII (1951–52), pp. 85–102; see also his 'Standard Applied by Muslim Traditionists', *BJRL*, Vol. XLIII (1961), pp. 459–65.

saw no harm in “lying in his favour”!<sup>31</sup> The following saying is ascribed to two men, both of whom lived about the 8<sup>th</sup> century: “In nothing do we see pious men more given to falsehood than in ‘*hadīth*’”.<sup>32</sup> Interestingly, some have gone as far as to argue that there is nothing to prove the definitiveness and finality of the ‘*ahādīth al-mutawātirah*’. Their recognition as such has been merely due to ‘*Ijmā’*’ (the consensus).<sup>33</sup>

2) ***Ahadīth Mashhūrah***. also known as ‘*Ahadīth Mustafidah*’ (narrated in several ways). One, two or more transmitters in the first generation have transmitted these traditions originally. Then transmitted on their authority by a large number in the following two generations.<sup>34</sup> To this type belongs a large number of ‘*Ahadīth*’ that constitute the main foundations of ‘*Shari‘ah*’- Islamic law. In spite of this, ‘*al-Ahadīth al-Mashhūrah*’, unlike the previous type, do not enjoy the level of certainty (*yaqīn*) and finality (*qat’*). They are characterized as ‘raising (a sort of) suspicion (*tufīd az-zan*) - the suspicion that is close to certainty (*az-zan al-qarīb mina al-yaqīn*).’<sup>35</sup>

3) ***Ahadīth Al-Āhād***. These traditions were transmitted during the first three generations mostly by one narrator, hence the name ‘*Ahād*’. Some have argued for the possible involvement of two, three or four narrators.<sup>36</sup> These *Ahadīth al-Ahād*’ are said to raise suspicion (*tufīd az-zan*), and are considered neither final nor even near final (*la tufīd al-Qat’ wa la al-qurb mina al-qat’*). It is for this reason, according to Abbas Mitwallī, that the schools of al-Mu‘tazila and ar-Rāfida, including some groups of al-Khawārij’ had completely rejected this type of traditions.<sup>37</sup> The majority, however, agree that this type of tradition cannot be employed in matters that are either credal (*i‘tiqādiyyah*), or legal (*shar‘iyyah*).<sup>38</sup> But they may be useful in matters relating to the practical conduct of daily life if the veracity of the ‘*isnād*’ and ‘*matn*’ could be established. However, some have argued that this type of ‘*ahādīth*’ can even be employed for

<sup>31</sup> al-Khatīb, *as-Sunnah Qabl at-Tadwīn*, p. 214; Ibn Hanbal states that he forged traditions in order to soften people’s hearts and make them tender (*tarqiq al-qulub*), see Ibn Hajar al-‘Asqalānī, *Lisān al-Mizān*, (Hyderabad 1329), Vol. 1, p. 419.

<sup>32</sup> Yahya Ibn Sharaf ad-Dīn an-Nawawī, *Sahīh Muslim bi Sharh an-Nawawī* (Cairo 1349 H) Vol. 1, p. 94; al-Khatīb al-Baghdādī, *al-Jāmi li‘akhlaq ar-Rawi wa Adab as-Sami’* (Cairo date ?), p. 159

<sup>33</sup> Nasr Hamid Abū Zayd, *al-Imām al-Shāfi‘ī wa Ta’sis al-Idiolojia al-Wasatiyah* (Cairo 1992), p. 68.

<sup>34</sup> M. H. Kamali, *Principles of Islamic Jurisprudence* (Cambridge 1991), pp. 70-1.

<sup>35</sup> Zakariyā al-Barri, *Usūl al-Fiqh*, p. 51.

<sup>36</sup> M. Z. Siddiqī, *Hadīth Literature*, p. 110.

<sup>37</sup> ‘Abbās Mitwallī, *Usūl al-Fiqh* (Cairo date ?), p. 75.

<sup>38</sup> See Shaykh Mahmūd Shaltūt, *al-Islām ‘Aqida wa Sharī‘a* (Cairo 1959), p. 252.

credal and legal purposes if it can be shown that such traditions rest on reasonable grounds, such as the historical circumstances which occasioned the utterance of the tradition (*addat ilā qawl al-hadīth*). At this stage attention must be drawn to two interesting points. First, the overwhelming majority of traditions belong to this type; and second, the traditions relating to the subject of punishment for apostasy belongs exclusively to this type. Before we discuss these particular traditions, attention must be drawn to the fact that none of them indicate the circumstances that provided the occasion for their utterance. In this case, how have they come to constitute the legal basis for the trial and execution of apostates? To answer this question, we must turn to Imām Shāfi‘ī’s ‘middle position’.

#### 4.2.3. SHAFI‘Ī AND THE DIVINE AUTHORITY OF ‘HADĪTH’

Before Imām Shāfi‘ī wrote his *Risālah*, in which he expounded what is known as ‘middle position’ (*alwasatiyah*), the living tradition in the most important cities of the Muslim empire rested largely on the exercise of independent judgements (*ijtihādāt*) of distinguished jurists like Mālik Ibn Anas, Abū Hanīfah and others. Evidently, both Imām Mālik and Imām Abū Hanīfah preferred ‘*qiyās*’ (analogy) to traditions, particularly the traditions of the ‘*Ahād*’ type.<sup>39</sup> For them, the tradition that was in circulation could be useful, but was by no means binding. It is clear from Mālik’s attitude to *hadīth* that in his opinion and the opinion of his contemporaries it had no overriding authority. They could cite it and follow it when it suited them, but if it did not, they simply ignored it. A little later, tension between the traditionists and the jurists had reached a significant point. The former, known as ‘*Ahl-al-Hadīth*’, traveled far and wide in search for stories about the Prophet, and the result was a huge combination of wheat and chaff, the separation of which has never been an easy task. Meanwhile, the jurists did not always regard even an apparently genuine tradition about the Prophet’s practice as necessarily normative. Many of them, particularly in Iraq, were even averse to traditions partly because of their profound mistrust of them. These were commonly known as ‘*ahl ar-ra’y*’ (Lit. the people of personal opinion, or the independent legal investigators), but dubbed derisively

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<sup>39</sup> It is argued that they did this in imitation of the practice of the Caliph ‘Umar, see Shiblī Nu‘mānī, *al-Farūq* (Lucknow 1898), Vol. 2, p. 196; Muhammad Z. Siddīqī, *Hadīth Literature: Its Origin, Development and Special Features*, p. 112 f; see also for more detail Muhammad H. Kamālī, *Principles of Islamic Jurisprudence*, pp. 48 – 50.

by their opponents as '*al-Arā'aytiyyūn*'.<sup>40</sup> However, in response to this situation, Imām Shāfi'ī devoted a full chapter in his book '*al-Umm*' to this point.<sup>41</sup> This response is extensively elaborated in his principal work '*ar-Risālāh*' (The Epistle), which was essentially designed to present a middle position between *Ahl al-Hadīth* and *Ahl al-Ra'y*. But, the thesis turned out to be wholly and unreservedly biased in favour of the stance taken by *Ahl al-Hadīth*. Until then, the *hadīth* was generally viewed as the Prophet's own personal exercise of judgment (*ijtihād*) to meet particular needs and problems as they arose.<sup>42</sup> This explains why scholars like Mālik, Abū Hanīfah and others had relied more on *qiyās*' and *ar-ra'y* than on *hadīth*. Obviously, many of the needs and the problems they encountered were quite different from those that arose in the Prophet's own time. Their attitude was not only based on their mistrust of the traditions, but could also have been based on their likely concept that such traditions were quite irrelevant to the many issues of their time.

Imām Shāfi'ī's thesis appears to have given a violent turn to the development of Shari'ah by separating it from its historic past. The author obviously ignored the likelihood that the law as it stood when he took it in hand was mostly the practice of the primitive community sanctioned by the Prophet's silence. In this way, he left his people to settle matters by following the customs of their forebears and leaving their descendants to formulate laws to deal with needs and problems as they arose. In his argument on the supreme authority of *hadīth*, Shāfi'ī placed it on par with the Qur'ān itself. He did this on two bases. First, God made obedience to the Prophet obligatory on all the faithful according to the Qur'ānic text (see p. 101).<sup>43</sup> Second, is the infallibility which God bestowed on the Prophets generally and on Muhammad in particular.<sup>44</sup> Here, the Prophet is divested of his humanity, because now what he said came from God as the Qur'ān did. Thus, as Guillaume put it, "divine authority invests a canonical tradition".<sup>45</sup> It soon became clear that one of Shāfi'ī's primary objectives was to establish the superiority of *hadīth* over *qiyās*, *ra'y*' and *ijtihād*. Significantly, he even categorized *ahādīth al-Āhād* as being of greater validity than *qiyās*, in the same way, for example, as the water

<sup>40</sup> Lit. 'the do-you-not-think group'? See al-Shātibī, *al-Muwāfaqāt* (Cairo date ?) Vol. 4, p. 186

<sup>41</sup> al-Shāfi'ī, *al-Umm* (Cairo 1325 H), Vol. 7, pp. 350 ff.

<sup>42</sup> Nasr H. Abū Zayd, *al-Imām al-Shāfi'ī*, p. 48.

<sup>43</sup> Sūra Āl-'Imrān [3]:132; Sūra an-Nisā' [4]: 80; Sūra al-Mā'idah [5]: 92. See al-Shāfi'ī, *ar-Risālāh*, pp. 106-7.

<sup>44</sup> Ibid. pp. 84-86.

<sup>45</sup> A. Guillaume, *Islām*, p. 98; also Alī Hasab Allāh, *Usūl at-Tashrī' al-Islāmī* (Cairo 1959), pp. 40ff.

ablution (*tawadu' bi al-mā'*), is more valid than sand ablution (*tayammum*). Therefore, just as the availability of water invalidates the use of sand for ablution, so the availability of *hadīth al-ahād'* invalidates the use of *qiyās'*, *ra'y* or *ijtihād*.<sup>46</sup> In this way, Shāfi'ī, inadvertently or otherwise, squeezed Islām into a straight-jacket. If his principle were indeed accepted with all its implications - which never entirely were - would cripple all developments in Muslim society. But in one way at least, this doctrine in all likelihood proved counterproductive. Once Shāfi'ī's principle began to gain wide acceptance, the only way to enforce a new law or validate existing practice was to forge a tradition with an *isnād* which conformed to the standard pattern. The critical classification of *ahādīth* into types (i.e. *mutawātir*, *mashhūr* and *ahād'*), which determined their relevance (or irrelevance) for Sharī'a, is now cleverly discarded in favour of their classification as an authoritative text (*nass*) on par with the Qur'ān. Interestingly, Shāfi'ī has also argued that even the *ahād'* traditions (generally considered as unsuitable for use in legal matters), are vested with divine authority and made them the authoritative interpretation of the Qur'ān.<sup>47</sup> In this case, what useful interpretation would those traditions on the death penalty for apostasy have to offer, in view of the total absence of any Qur'ānic criteria for it? The answer to this is that they offer nothing. Such traditions stand on their own merit. Interestingly, the advocates of death penalty for apostasy tend to ignore the relevant classification of such traditions into *Ahād'* type, and focus instead on the alleged idea that these, as all the other traditions, are vested with divine inspiration.<sup>48</sup> In this case, they form the basis of '*hudūd*' – a pl. of '*hadd*' (ordained punishment). Therefore, their place in Shari'ah is thus consolidated. But, the liberal element in the Muslim world have stuck doggedly to the argument of Shaykh Shaltūt that according to many scholars, the *Ahād'* traditions cannot be used as the basis for '*hudūd*'.<sup>49</sup>

#### 4.2.4. 'HADD': ITS MEANING AND DEVELOPMENT

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<sup>46</sup> al-Shāfi'ī, *ar-Risāla*, p. 107.

<sup>47</sup> So that for him, the one who suspects them, after unanimous acceptance, must be made to repent (or recant) '*yustatāb*' see *ar-Risāla*, pp. 460-461.

<sup>48</sup> See Ahmad Rashad Tāhūn, *Hurriyāt al-'Aqida fī al-Sharī'a al-Islāmiyah* (Cairo 1998), pp. 365 – 368.

<sup>49</sup> Shaykh Mahmūd Shaltūt, *al-Islām 'Aqida wa Sharī'a*, p. 252; see also Muhammad Sa'īd al-'Ashmāwī, *Haqīqat al-Hijāb wa Hujjiyāt al-Hadīth* (Cairo 1995), p. 94 f.

The common Arabic word for punishment is ‘*uqūbah*’ or ‘*iqāb*’.<sup>50</sup> While the term is absent from the Qur’ānic passages relating to crimes like theft (al-Mā’idah [5]: 38), highway robbery (vv. 34-35), adultery (an-Nūr [24]: 2) and slander against married women (v. 4), the idea of ‘*iqāb*’ itself is clearly implicit. But, in places where the term actually occurs, it is used in the context of *lex talionis* (an-Nahl [16]: 126; al-Hajj [22]: 60). Incidentally, the more precise designation for *lex talionis* is the term ‘*qisās*’ which occurs four times (al-Baqarah [2]: 178 -9, 194; al-Mā’idah [5]: 48). However, in the rest of other places, the word ‘*iqāb*’ occurs about twenty times and is used entirely in connection with God’s punishment of the wicked in the hereafter.<sup>51</sup> In those traditions which refer to the punishment of apostates, which we shall address shortly, the term never occurs.

The most widely used term in the jurisprudential literature is ‘*hadd*’. Linguistically, it means boundary, limit or borderline. The term occurs in the Qur’ān fourteen times and always in the plural ‘*hudūd*’. It normally refers to the limits or the bounds laid down by God through the provisions of the law, whether commands or prohibitions, beyond which one must not go. The word appears in this sense at the end of the verses relating to the rules of fasting: “These are God’s *hudūd* (the bounds laid down by God), do not come near them (lest you be in danger of crossing them)” (al-Baqarah [2]: 187), concerning the rules of divorce (al-Baqarah [2]: 229; al-Furqān [65]: 1) and also concerning the laws of inheritance (an-Nisā’ [4]: 13-14).<sup>52</sup> It is worth noting that nowhere in the Qur’ān is the term used in the sense of punishment. Indeed, there is no evidence to indicate that the term was ever used or understood in the sense of punishment in pre-Islāmic times or in the time of the Prophet. But, there are indications to suggest that it was only during the first centuries, and particularly during the Abbasid period, that the term ‘*hadd*’ or ‘*hudūd*’ was given the new jurisprudential technical sense of punishment. This may have been arrived at by way of derivation. Just as the ‘*hadd*’ (boundary) serves to restrict or prevent one from reaching beyond it, so the fixed punishment constituted a ‘*hadd*’ “restrictive or preventative ordinance” to ensure that transgression will not occur, and if

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<sup>50</sup> ar-Rāghib al-Asfahānī, *Mufradāt Alfāz al-Qur’ān*, p. 575.

<sup>51</sup> See *al-Mu’jam al-Mufahras li’Alfāz al-Qur’ān al-Karīm*, Ed. by Muhammad Fu’ād Abd al Bāqī (Cairo 1996), p. 573.

<sup>52</sup> ‘*Hūdud*’ also refers to the standing of the unbelieving Bedouins and the true believers (at-Tawbah [9]: 97,112).



it occurred it must not again be repeated.<sup>53</sup> Moreover, in Muslim criminal law, the ‘*hadd*’ in the technical sense of punishment is considered ‘*haqq Allāh*’ (the right of God). In this sense, Ibn Qudāmah, for example, has no qualms that the apostate who stubbornly refuses to recant, the ruler alone must put him to death by the sword, “ *li’annahu qatl yajibu li haqqi Allāh ta’ālā*” (such a death must occur, being a right due to God may He be exalted).<sup>54</sup> For this particular ‘*hadd*’ known as ‘*hadd ar-riddah*’, we are entirely dependent on tradition. But how original and independent is the *hadīth* on this particular issue?

#### 4.2.5. THE OUTSIDE INFLUENCE

There is little doubt that Judaism and Christianity were a source of influence on Islām in the early period of its development. Both in theory and practice the science of historical theology has discovered in the traditional literature some important traces of Islāmic borrowing from Judaism and Christianity.<sup>55</sup>

##### Judaic Influence.

There is a similarity between Islām and Judaism regarding tradition or oral law. On the point of similarity, the oral law in both religions is accepted as an inspired amplification, and even an amendment of the written law. The only difference, however, lies in the fact that whilst in Islām the oral law is ascribed exclusively to Muhammad, in Judaism the oral law, contained in the Mishnah and the Talmud, comes from many authors and ascribed to Moses only in a figurative sense. But where two are similar, the possibility of a mutual or at least unilateral influence is hard to dismiss.<sup>56</sup> Suffice it to take one example relevant to our subject of apostasy and punishment. Both in the Pentateuchal books of the Old Testament and the Qur’ān, apostasy is frequently mentioned and strongly condemned, but no temporal punishment is prescribed for it. In both books the punishment for apostasy belongs to God alone. But in the Jewish oral law

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<sup>53</sup> ar-Rāghib al-Asfahānī, *Mufradāt Alfāz al-Qur’ān*, p. 221.

<sup>54</sup> Ibn Qudāmah, *al-Kāfi fī Fiqh al-Imām al-Mubajjal Ahmad Ibn Hanbal* (Damascus date ?), Vol. 3, p. 161.

<sup>55</sup> Abraham I. Katsh, *Judaism in Islām : Biblical and Talmudic Backgrounds of the Qur’ān and its Commentaries*, (New York 1980); see also A. Guillaume, *The Traditions of Islām : An Introduction to the Study of the Hadīth Literature* (Oxford 1924), pp. 132-149.

<sup>56</sup> Norman Anderson, *Islam in the Modern World: A Christian Perspective*, p.45; S.D. Goitein, *Jews and Arabs: Their Contacts through the Middle Ages* (Schoken, New York 1974), pp. 125-211.

apostates are to be beheaded.<sup>57</sup> Analogous to this is the tradition reported by Zayd Ibn Aslam wherein the Prophet said, “Whosoever changes his religion, smite his neck”.<sup>58</sup> This is a variant of the widely quoted tradition reported by ‘Ikrimah on the alleged authority of his master, Ibn ‘Abbās – “whosoever changes his religion, kill him”.<sup>59</sup> We shall discuss this particular tradition later. Mu‘ād Ibn Jabal tells us that the Prophet sent him to Yemen with the alleged instruction, “Whosoever apostatized call him to recant, if he refused smite his neck...”<sup>60</sup> The borrowing from Jewish tradition in this respect is highly probable.

### Christian Influence.

On many points the Islamic jurisprudence has not escaped the influence of foreign legislations. Amongst these legislations that of the Romano–Byzantine Law, which was in force in Syria and Palestine, when the Muslims settled there. The nature of the *hadīth* clearly allows all material borrowed from foreign sources to be attributed to the Prophet. In this case there is no reason why the death penalty for apostasy, among other points, could not have been borrowed from the Romano–Byzantine Law. Justinian the Byzantine emperor (527-565), became the first Christian monarch to prescribe the death penalty for apostasy. In 535 A.D. the penalty became part of the codification of the Romano–Byzantine Law, and was implemented throughout the empire that embraced Syria and Palestine.<sup>61</sup> It could be argued that the Islamic jurisprudence did not escape the influence of the Byzantine law pertaining to apostasy. Here, the role of the famous Ba‘albek born jurist, Abd ar-Rahmān al-Awza‘ī (d. 774), may have been very important. Al- Awza‘ī’s active life, mostly during the Umayyad period, was in Damascus and Beirut. The latter was renowned for its Byzantine school of jurisprudence. Its eminent law professor, Dorotheus, had a major hand in the compilation of the Codex Justinianus over a hundred years before al-Awza‘ī.<sup>62</sup> During the eighth century in which al-Awza‘ī lived,

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<sup>57</sup> Mishnayoth *Nezikin, Tractate Sanhedrin IX*, 1. Ed. by Philip Blackman (New York, 1964), Vol. 4, p. 280; also Soncino *Babylonian Talmud, Seder Kodashim*, Vol. 2, *Hullin* 41a (Soncino Press 1948).

<sup>58</sup> See Mālik Ibn Anas, *al-Muwattā : Bāb al-Qadā’ fiman Irtadda ‘an al-Islām* (Cairo 1997), p. 565.

<sup>59</sup> *Sahīh al-Bukhārī, Kitāb al-Jihād wa Syar: Bāb la yu‘adhabu bi ‘Adhab Allāh* (Lahore 1979); also as-Suyūṭī *Sunan an-Nisā’i bi Sharh as-Suyūṭī* (Cairo date ?), Vol. 7, p. 92f

<sup>60</sup> See Nur ad-Dīn al-Haythamī, *Majma‘ az-Zawā’id wa manba‘ al-Fawā’id* (Beirut 1982), Vol. 6, p. 263. This alleged tradition is regarded generally as ‘*da‘if*’ (weak).

<sup>61</sup> See *Codex Justinianus*. Ed. Kruger. 1884. III. Novellae. Edd. Scholl and Kroll. 1912

<sup>62</sup> J. B. Bury, *History of the Later Roman Empire: From the Death of Theodosius I to the Death of Justinian* (New York 1958), Vol. 2, p. 396.

Syria/Palestine was still very much under the sphere of the Byzantine legal influence. This may indicate that in this atmosphere, al-Awza‘ī as a jurist, could not have escaped the influence of the Byzantine legal system. After all, it was he who forged a *hadīth* on apostasy and punishment albeit without *isnād*, as we shall discover later.<sup>63</sup> If this is indeed the case, then the punishment for apostasy in Islām is the result of outside influences. Another *hadīth* of similar import was given by ‘Ikrimah, but under a different influence, as we shall discover later.

### 4.3. APOSTASY AND PUNISHMENT IN ‘HADĪTH’

Whereas the Qur’ān contemplates the natural death of the apostates, the *hadīth* envisions no such thing. The massive *hadīth* literature contains no more than two traditions in which the death penalty is prescribed for the apostate. Yet, these traditions are problematical from the outset. Firstly, there are no clues as to the circumstances or background against which they were uttered. Secondly, taken at their face value it is hard to know which of them was first spoken. But the Muslim theologian would not be bogged down. He can always solve the problem with the dictum, ‘*al-‘ibratu bi‘umumi al-lafz lā bi khusūsi as-sabab*’ (the interpretation is made in accordance with the generality of the expression used, and does not rest on the specific occasion of the revelation).<sup>64</sup> The theologian is always free to stretch heaven like a sheepskin! But if these traditions are sheer fabrication, then the problem is solved once we are able to trace the dates of the forgers. First attention must be drawn to these two *Hadīths*.

#### 4.3.1. HADĪTH ‘AR-RIDDAH’ (a)

The most widely known *hadīth* in which the death penalty is prescribed for apostasy is the one narrated by ‘Ikrimah (d.724), who reported his master, Ibn Abbās, as saying that the Prophet said, “Whosoever changes his religion, kill him”. Probably to give it some measure of credence, the *hadīth* is retrojected to ‘Ā’ishah (614-678) by at-Tabarānī, according to az-Zailā‘ī.<sup>65</sup> This *hadīth* is also classified as ‘*mursal*’ (one with an incomplete *isnād* ), and has

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<sup>63</sup> See pp. 194 ff of this research work.

<sup>64</sup> See al-‘Ainī, *Umdat al-Qārī*, vol. 6, pp. 118-22.

<sup>65</sup> az-Zailā‘ī, *Nasb ar-Rāyah li Ahādīth al-Hidāyah* (Cairo date ?), Vol. 3, *Bāb Ahkām al-Murtaddīn*, p. 456.

been given in variant forms. The hadīth is found in Saḥīh al-Bukhārī and not in Saḥīh Muslim.<sup>66</sup> It is, however, given by at-Tabarānī in the words, “whosoever goes contrary to (*khālafa*) his religion, the religion of Islām, smite his neck”.<sup>67</sup> This is indeed a curious twist. According to Mu‘āwiyah Ibn Hidah, another narrator, as recorded in at-Tabarānī’s *al-Mu‘jam al-Kabir*, the full *hadīth* should read: “Whosoever changes his religion, kill him. Verily God does not accept repentance from His servant who has adopted unbelief after having accepted Islām”. The last part of this version clearly contradicts at least one Qur’ānic passage (Āl-‘Imrān [3]:86-89), and is therefore unreliable. At any rate, it is ‘Ikrimah’s version that is given by al-Bukhārī in his *Saḥīh*, and an-Nasa’i in his *Sunan*.<sup>68</sup> The Former, however, attaches to this hadīth the story of the burning of some *Zanādiqah* (heretics) by Alī, the fourth Calīph. On hearing of the incident, Ibn ‘Abbās is reported to have said, “As for me, I would have merely killed them, for God’s Apostle said: ‘Whosoever changes his religion, kill him’. I would not have burned them, because God’s Apostle said: ‘Do not punish with the punishment of God.’”

The lack of any information about the circumstances that might have occasioned this tradition has led to two serious problems, the answer to which has remained inconclusive:

**The First Problem:** Whilst the overwhelming majority of Jurists have accepted this tradition as authoritative, serious differences exist among them regarding its meaning. Must this tradition be understood in a general or in a particular sense? Religious minorities like Jews and Christians have always existed in Islamic states, and have even been described in Islamic jurisprudence as ‘*min ahli dār al-Islām*’ (members of the household of Islām).<sup>69</sup> Does this tradition apply to all the members of the household of Islām, or only to the Muslim section of it? It could be argued that if only the latter was intended, the wording of the *hadīth* would have been, “*mān baddala dīnahu mina al-Muslimīn faqtuhūh*” (whosoever changes his religion from

<sup>66</sup> Saḥīh al-Bukhārī, *Kitāb al-Jihād fī Istitābat al-Murtaddīn*, (Lahore 1979), Vol. 9, p. 45.

<sup>67</sup> Quoted by al-Shawkānī in his *Nayl al-Awtār* (Cairo date ?), Vol. 7, pp. 217 ff.

<sup>68</sup> Saḥīh al-Bukhārī, *Kitāb al-Jihād fī Istitābat al-Murtaddīn*, Vol. 9, p. 45; Sunan an-Nasa’i, *Sharh as-Suyūti*, (Cairo?), Vol. 7, p. 104.

<sup>69</sup> See as-Sarakhsī, *as-Sayr al-Kabīr* (Cairo date?) Vol. 1, p. 140; al-Kāsānī, *al-Badā’i*, (Cairo date?) Vol. 5, 281; Ibn Qudāmah, *al-Mughnī*, Vol. 5, 51. Some even argue that the presence of religious minorities in Islamic states is good for the Muslims themselves. See Yūsuf al-Qaradāwī, *al-Aqalliyāt ad-Dīniyyah wa al-Hall al-Islāmī* (Cairo 1996), p. 77.

among the Muslims, kill him). It was perhaps this kind of argument that led Imām Shāfi‘ī to contend, according to Ibn ‘Abd al-Hakam, that this tradition applied to Muslims and non-Muslims alike. In other words, if a Jew or a Christian, for example, abandoned his religion for another, he is an apostate, and therefore must be killed in accordance with the command given in this *hadīth*. Shāfi‘ī is also reported to have ruled, on the basis of this tradition, that the Prince (*Imām*) might expel him from the land and possess all his property. This should indeed be so because his protection (*dhimmah*) guaranteed only his original faith, not his new one.<sup>70</sup> But, the Shāfi‘ī school itself has been divided on this issue. Some have endorsed Shāfi‘ī’s idea of expulsion should this kind of apostate stubbornly refuse to return to his original faith. Others, strangely enough, maintained that in this situation he must only be compelled to accept Islām or be killed.<sup>71</sup> This last view was fully endorsed by Ibn Hazm.<sup>71</sup> No doubt this view fitted well with his literalist stance. But most jurists take this *hadīth* as applying solely to those Muslims who renounced Islām.<sup>72</sup> It makes no sense to punish someone who has exchanged one form of unbelief for another. Is it not true, as one saying has it, that “*al-kufr ‘ummatun wāhidah*” (all forms of unbelief are one and the same)? At any rate, the logical conclusion of Shāfi‘ī’s argument would lead to the proposition that even a Jew or a Christian who embraces Islām should be put to death for changing his faith! His opinion perhaps can best fit in with the wider Qur’ānic concept and application of apostasy discussed in great detail earlier (see Chapter 2).

**The Second Problem.** In addition to the fact that we possess no information as to the background of this *hadīth*, on the face of it, it has been classified as ‘*mujmal*’ (i.e. a summary statement), and therefore lacks further clarification. Consequently, differences arose among the Jurists as to whether the woman apostate is also intended by this *hadīth*.

Notable figures like al-Awza‘ī, al-Laith, Shāfi‘ī, Ibn Hanbal, Ibn Hazm including the Zaydiyyah branch of Shī‘a have argued that the death penalty applied both to the male and female apostates.<sup>73</sup> According to them, the text can only be understood in this general sense.

<sup>70</sup> See al-Qurtubī *al-Jāmi li Ahkām al-Qur’ān*, Vol. 2, p. 855; see also as-Samarrāī, *Ahkām al-Murtadd*, p. 37.

<sup>71</sup> See the Shāfi‘ī scholar Ibrāhīm al-Baijūrī, *Hāshiyāt al-Baijūrī* (Beirut date ?) Vol. 2, p. 264.

<sup>71</sup> Ibn Hazm, *al-Muhallā* (Cairo 1972) Vol. 11, p. 194.

<sup>72</sup> Shawkānī, al-Shawkānī, *Nayl al-Awtār*, Vol. 7, 219.

<sup>73</sup> Some include Abū Bakr, the first Calīph. For detail see Muhammad as-Saqawī, *Hāshiyāt ad-Dasūqī ‘alā Sharh al-‘Allāmah Ahmad ad-Dardīr* (Cairo?) Vol. 4, p. 357; Ibn Hazm, *al-Muhallā*, Vol. 11, p. 179.

Curiously, when Shāfi'ī and some of his followers included the non-Muslim apostate on the basis of the general sense expressed in the hadīth, as they understood it, the idea was promptly rejected.

However, the disagreement this time came from the Hanafī school with the argument that the death penalty does not apply to the female apostate. The Hanafī scholar, Abū Bakr Sarakhsī, could only allow her execution if she is possessed of sound judgment and capacity to give orders (*sahibatu rai'yi wa tadbīr*) in war.<sup>74</sup> In this case she would be a '*muhāribah*' . Strangely enough, the hard-line Hanbalī, Ibn Qudāmah, disagrees and suggests that a '*muhāribah*' woman should not be killed but only imprisoned.<sup>75</sup> This is a unique exception. Apart from the Hanafī school, all the other Sunni schools (the Mālikīs, the Shafī'īs and the Hanbalīs), including the Zāhiris and the Zaydiyya branch of Shī'a, are for the execution of the female apostate.<sup>76</sup> According to the Mālikīs, if she is suckling her child, her execution may be postponed. But, according to Shāfi'īs and Hanbalīs, her execution may be postponed if she is pregnant until she gives birth. Then if she refused to return to Islam she should be put to death for her apostasy.<sup>77</sup>

The debate is further complicated as the opposite parties appeal to sources that are uncertain and contradictory. The proponents of the death penalty for the female apostate appealed to a *hadīth* reported by Ibn 'Abbās in which, according to al-Qastallānī and Shawkānī, this is clearly confirmed.<sup>78</sup> They further cite the story of the prophet sending Mu'ād Ibn Jabal to Yemen with the instruction that if a male or a female apostate refused to recant "smite his/her neck."<sup>79</sup> But this *hadīth* is already regarded as highly debatable as Ibn Hajar al-'Asqalānī has

<sup>74</sup> Abū Bakr Muhammad as-Sarakhsī, *al-Mabsūt* (Cairo 1324 AH), Vol. 10, p. 108

<sup>75</sup> Ibn Qudāmah, *al-Mughnī* – with marginal notes by M. Rashīd Redā (Cairo date ?) 3<sup>rd</sup> edition, Vol. 8, p. 33.

<sup>76</sup> For Mālikī view see Muhammad 'Alīsh, *Sharh Manh al-Jalīl 'alā Mukhtasar Khalīl* (Cairo 1317 AH) Vol. 4, p. 466; for Shāfi'ī view see Imām Shafī'ī *al-Umm*, Vol. 6, pp. 148-9; for the Hanbalī view see Ibrahīm Ibn Dawyan, *Manār as-Sabīl fī Sharh ad-Dalīl* (Cairo 1378 AH) Vol. 2, p. 404; for Zāhiri view see Ibn Hazm, *al-Muhallā*, Vol. 11, p. 194; and for Zaydiyya view see Ahmad Ibn al-Murtadā, *al-Bahr az-Zakhhār al-Jāmi' limadhāhib al-Amsār* (Cairo 1947) Vol. 5, p. 424.

<sup>77</sup> See Imām Shāfi'ī, *al-Umm*, Vol. 6, p. 149; the view on this point is given by Sharaf ad-Dīn al-Maqdisī, *al-Iqnā'* (Cairo 1351 H) Vol. 4, p. 302.

<sup>78</sup> al-Qastallānī, Ahmad Ibn Muhammad, *Irshād as-Sārī ila Sahih al-Bukhārī* (Cairo 1307 AH) Vol. 1, p.74 & Vol.10, p.77; Shawkānī, *Nayl al-Awtār*, Vol.7, p.218.

<sup>79</sup> In another version reported by Shawkānī, in the case of the woman, "if she returned (to Islām) accept it from her, if she refused call her to repent". Ibid. p. 219.

pointed out.<sup>80</sup> However, Ibn Hajar is strongly inclined to side with the majority who are all for the execution of the female apostate. One cannot fail to notice that as he parades the views of various schools on this point, the opinions of most of the Hanafī scholars are overlooked.

There has been no shortage of response to this opinion from the Hanafī and Imāmiyah opposition. There are the Hanafī scholars like Badr ad-Dīn Ibn Isra'īl, as-Samarqandī, al-Marghinānī, al-Kāsānī and as-Sakandari, including Muhammad al-'Āmilī of the Imāmiyyah branch of Shī'a. These have all argued for the imprisonment of the female apostate and even her torture, but not her execution.<sup>81</sup> The most able and comprehensive response was that of renown jurist, Abū Bakr as-Sarakhsī in his '*al-Mabsūt*'. Here the supposed *hadīth* of Ibn Abbās, allowing the death of the female apostate, is dismissed as superfluous and the story of Mu'ād as weak. Instead, he cites another tradition by Ibn Abbās as reported by Abū Hanīfah that the Prophet said: "Women who apostatized must not be killed"<sup>82</sup> If this is so, then Ibn Abbās must have reported two contradictory traditions. The fact of the matter is that the Hanafīs prefer the version reported in *Sunan Dāraqutnī* and in *Musannaḥ* Ibn Abī Shayba in which the execution of the female is forbidden. This is so in spite of the fact that Isa al-Jazri, the principal narrator of this tradition, is branded by Dāraqutnī himself as a liar and a fabricator of tradition.<sup>83</sup> But, when he gives the tradition in which the female apostate must be killed, that tradition is quietly accepted.<sup>84</sup>

The argument had already been advanced with reference to a tradition stating that the Prophet did put to death an apostate woman named Umm Marwān, after refusing to recant. But, Ibn 'Iddī in his book *al-Kāmil* reports another tradition ascribed to Abū Hurayrah, that when she apostatized the Prophet did not kill her.<sup>85</sup> Similarly, Abū Bakr during his Caliphate, is said

<sup>80</sup> Ibn Hajar al-'Asqalānī, *Fath al-Bārī fī Sahīh al-Bukhārī*, Vol. 5, p. 273.

<sup>81</sup> See Badr ad-Dīn Ibn Israel, *Lata'if al-Isharat* (Cairo ?), p. 136; 'Alā' ad-Dīn as-Samarqandī, *Tuhfat al-Fuqaha'* (Damascus 1959) Vol. 4, p. 530; Burhān ad-Dīn al-Marghinānī, *Hidāyah Sharh Bidayat al-Mubtadi'*, (Aleppo 1936) Vol. 2, p. 122; 'Alā' ad-Dīn al-Kāsānī, *Badā'i as-Sana'i fī Tartīb al-Shara'i'* (Cairo 1910), Vol. 7, p. 135; Kamal ad-Dīn as-Sakandari, *Fath al-Qadīr* (Cairo date?) Vol. 4, p. 389. From the Imāmiyah School, see Muhammad al-'Āmilī, *al-Lam'ah ad-Dimishqiyyah* (Najaf ?) Vol. 9, p. 344.

<sup>82</sup> as Sarakhsī, *al-Mabsūt*, Vol. 10, p. 108 f.

<sup>83</sup> See Sawkānī, *Fath al-Qadīr*, Vol. 4, 389

<sup>84</sup> See al-Qastalānī, *Irshād as-Sārī*, Vol. P. 74.

<sup>85</sup> It is uncertain if the name is Umm Marwān or Umm Rumān. ad-Dāraqutnī and al-Bayhaqī produced this tradition in slightly different ways. In any case, their *isnād* is generally regarded as weak. See Shawkānī, *Nayl al-Awtār*, Vol. 7, p. 218.

to have executed another female apostate named Umm Qirfah. In another tradition, Umm Qirfah was put to death by the Prophet at the battle of Banī Qurayzah, and not by Abū Bakr. There is yet a third tradition reporting that she was killed by one Zayd Ibn Thābit on his expedition to Banī Fazarah.<sup>86</sup> In his response, as-Sarakhsī points to the basic reasons for such executions which his opponents and mainly Imām Shafi‘ī, tended to ignore.<sup>87</sup> He argued that Umm Marwān ( i.e. Umm Qirfah), was put to death because she was a ‘*muhāribah*’ (a fighter) against the Muslim Community and an ardent instigator of war against them. Umm Qirfah’s death was due to the fact that she had thirty sons whom she used to entice against the Muslims. With her death, their hostility was ended. This, he contends, was most probably done for political interest (*bitariq al-maslahah wa as-siyāsah*). In conclusion, as-Sarakhsī returns to Ibn Abbās to bolster his argument. He draws attention to a tradition reported by the latter that once (i.e. in a battlefield) the Prophet saw a dead woman and asked who killed her. A man answered that she reached for his sword to kill him and he killed her. The Prophet retorted: “What has this to do with killing women? Bury her, and do not do this again”. At the conquest of Mecca, the Prophet saw a woman dead and disapprovingly said: “This one was not a fighter.”<sup>88</sup> as-Sarakhsī’s interesting comment is that “it is clear here that death is deserved on the basis of fighting (i.e. against the Muslim the community), and that women do not fight (*fafi hādha bayān istihqāq al-qatl bi ‘illat al-qitāl, wa anna an-Nisā’ lā yuqātilna*)”. He finally points out that the Prophet is never reported to have killed a female apostate.<sup>89</sup>

In the opinion of as-Sarakhsī and his Hanafī colleagues, this rule does not apply to the male apostate who must be killed if he refused to recant. If this is so, then this opinion clearly lacks the imperative for justice. If indeed the basis for the death penalty is ‘*al-hirābah*’ (military hostility), why then should a passive and peaceful male apostate be killed? Neither as-Sarakhsī nor his colleagues seem to address this question adequately. But what appears to be almost certain is the fact that this view rests upon the presumption that most, if not all, male apostates tended to be or actually were ‘*muhāribīn*’. In the context of that period, a change of

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<sup>86</sup> Ibid. Vol. 7, p. 217- 218.

<sup>87</sup> See Shafi‘ī, *al-Umm*, Vol. 6, pp. 148-9.

<sup>88</sup> See Muhammad az-Zarqānī, *Sharh az-Zarqānī ‘alā Sahīh al-Muwattā* (Cairo 1279 AH) Vol. 2, p. 295.

<sup>89</sup> For as-Sarakhsī’s full argument, see his *al-Mabsūt*, Vol. 10, pp. 108-109.



one's religion could almost certainly mean his change of loyalties, and in the circumstances he could easily become a '*muhārib*'.

However, that this presumption was not uncommon is borne out by what al-Marghinānī, another Hanafī scholar, has pointed out in his '*al-Hidāyah*'. Addressing the question whether or not the apostate (male) should be given time to recant, al-Marghinānī declares: "As for us, there is the word of God, 'Kill the associators (*al-Mushrikīn*)...' without restriction as to time for repentance. And so also is the saying of the Prophet (peace be upon him): 'Whosoever changes his religion kill him', and that is because he is a '*kāfir harbī*' (an unbelieving active rebel)".<sup>90</sup> This view is further elaborated and confirmed by scholars of the same school like Ibn Nujaim al-Misrī in his *Bahr ar-Rā'iq*.<sup>91</sup> Moreover, it is interesting to note that exception has been made by Islamic jurisprudence, and with some good reasons regarding a hypocrite, one forced to accept Islām and the very old and the blind.<sup>92</sup>

We can therefore conclude that the hadīth narrated by Ikrimah is '*mujmal*' and is by no means clear. The very fact that it has been subjected to several qualifications indicates that it cannot be taken literally, as some are inclined to do.<sup>93</sup> The main problem lies in the fact that the circumstances in which the words uttered, allegedly by the Prophet, are totally unknown. In spite of this, S.A. Rahmān has ventured to suggest the possibility of a tacit assumption underlying this tradition that a person concerned must be guilty of '*al-muhārabah*' (active military hostility). According to him, this would have the merit of bringing the purport of this hadīth into conformity with what is known as the '*muhārabah*' text: "The only reward of those who wage war against God and His messenger and strive to create disorder in the land, is that they may be slain or crucified..." (Sūra al-Mā'idah [5]: 34).<sup>94</sup> But, the fact remains that the

<sup>90</sup> al-Marghinānī, *al-Hidāyah Sharh Bidāyat al-Mubtadi*, Vol. 2, pp. 122f.

<sup>91</sup> Ibn Nujaim al-Misrī, *al-Bahr ar-Rā'iq Sharh Kanz ad-Daqa'iq* (Cairo ?) Vol. 5, p.139.

<sup>92</sup> See Ibn Hajar al-'Asqalānī, *Fath al-Bārī*, Vol. 5, pp. 263ff; for the old, the blind and others who are exempt from punishment see Muhammad Hamidullah, *Muslim Conduct of State* (Lahore, 5<sup>th</sup> edn., 1966), pp. 172 ff.

<sup>93</sup> Among those who take this stance today are Mazrū'a, *Ahkām ar-Riddah wa al-Murtaddīn min Khilafah al-Shahādātay al-Ghazzālī wa Mazrū'a* (Cairo 1994), pp. 164ff; also Abd al-Azīm Mat'īnī, *Uqūbat al-Irtidād 'an ad-Dīn* (Cairo 1993), pp. 30ff.

<sup>94</sup> In one sense this view is not new. Most ancient (and even contemporary) Muslim scholars of all schools clearly classify '*al-muhārib*' and '*al-murtadd*' as one and the same. They also see the purport of this Hadīth as being in conformity with the Qur'anic text i.e. Mā'idah. 34. The only difference is that they make no distinction between the passive apostate and '*al-muhārib*' apostate, whilst Rahmān does make the distinction between them. See S.A. Rahmān, *Punishment of Apostasy in Islām*, p. 62 f.; Comp. Ibn Rajab, *Jāmi al-'Ulūm wa al-Hikam* (Cairo ?), p. 320.

entire nature of this hadīth is problematical. The absence of its historical background, its varied versions, its vagueness as shown from the style of its summary statement that calls for further elucidation (not to mention the character of its narrators that will occupy us later), cast serious doubts upon its prophetic provenance and authenticity.

#### 4.3.2. HADITH 'AR-RIDDAH' (b)

The hadīth is widely quoted by Muslim jurists. It is reported by Muslim, al-Bukhārī, an-Nisa'ī and others on the authority of Ibn Mas'ūd, the Calīph 'Uthmān and 'Ā'ishah. We shall see later, that for the origin of this tradition we should really look to al-Awza'ī. In any case, this Hadīth runs in the following words: "The Prophet (may God Bless him and give him peace) said: 'It is not lawful to shed the blood of a Muslim person who testifies that there is no god but God and that I am the messenger of God, except in three cases: a married person guilty of adultery, or life for a life, or a person who abandoned his faith and deserted the community'"<sup>95</sup> The reason for the wider use of this tradition among the jurists is that it clearly specifies three kinds of culprits who deserve capital punishment.

1) **The Attribution of the Hadīth to 'Uthmān** . In Sunan an-Nasa'ī, two versions of this hadīth are attributed to Uthmān, the third Calīph, on the occasion of the rebellion that led to his murder. One says: "I heard the Messenger of God (may God bless him and give him peace) say: 'It is not lawful to shed the blood of a Muslim except in one of three cases: a person who apostatizes after accepting Islām, or who fornicates after marriage or one who kills a person without retaliation for murder of another'". The other, in common with most versions, places the adulterer first and the apostate last in the list. The relevant words in this second version read: "Or one who commits apostasy after believing".<sup>96</sup> Not all Muslim historians report 'Uthmān as having addressed this hadīth to the hostile crowd before they finally killed him. For example, in his famous book *'Tārīkh al-Khulafā'* (the History of the Calīphs), as-Suyūṭī reports 'Uthmān as having uttered only two statements on this critical occasion. An

<sup>95</sup> Sahīh Muslim, *al-Qasama wa al-Muhārib* ' in (Beirut 2000), p. 601; al-Bukhārī , *Kitāb ad-Diyāt* Vol. 9, pp.10f.

<sup>96</sup> *Sunan an-Nasa'ī bi Sharh as-Suyūṭī*, Vol. 7, p. 92.

examination of these two statements would show how easily the words of this hadīth could have been put into the mouth of ‘Uthmān.

a) Jalal ad-Dīn as-Suyūfī relates a story told by Ahmad Ibn Hanbal on the authority of an eye-witness, al-Mughirah Ibn Shu‘bah, who visited ‘Uthmān during his siege. In order to save his life, al-Mughīrah urged the Calīph to do one of three things: To go out and fight the hostile mob, to flee to Mecca or to head for Syria where Mu‘āwiyah, his kinsman, was governor. ‘Uthmān rejected these suggestions, pointing out that, (1) fighting the crowd will make him the first successor of the Prophet “to shed the innocent blood of the (Muslim) people”. This obviously recalls the reference in the hadīth regarding “one who kills a person without retaliation for murder of another”. (2) He argued that his departure for Mecca could be a recipe for apostasy. “I heard the Messenger of God say, “A man from Quraysh may stray from the truth (*yulhid*) in Mecca, and will suffer half of the world’s punishment”. Mecca was certainly a pitfall of apostasy for the believers during the Prophet’s early years in Madīna as the story of the *Hudaybiyah* treaty indicates.<sup>97</sup> In any case, this may correspond to the other idea in the hadīth regarding “a person who apostatizes after accepting Islām”. A return to Mecca meant a return to what came to be known later as ‘*dār al-harb*’ (the house or abode of war, i.e. against Islām). (3) He stated that he was not prepared to abandon his Muslim community at Madīna and head for Syria.<sup>98</sup> This may recall the description of the apostate in the hadīth allegedly reported by Ibn Mas‘ūd, albeit with a slight variation and which we noted earlier, as one “who deserts his community”.<sup>99</sup>

b) His second source is Ibn ‘Asākir. The latter cites, an eye witness, Abū -Thawr, who called on ‘Uthmān during his siege and heard him recount, among his several spiritual and moral virtues, the fact that he never “committed adultery in ‘*Jāhiliyyah*’ (i.e. the pre-Islamic period of ignorance) or in ‘*Islām*’ (i.e. the Islamic period)”.<sup>100</sup> This obviously recalls the third reference in the hadīth regarding “one who fornicates after marriage”.

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<sup>97</sup> See Ibn Hishām , Part 3, pp. 365ff.; al-Wāqidī, *Kitāb al-Maghāzī* (Beirut date ?), Vol. 2, pp. 571ff.

<sup>98</sup> For as-Suyūfī, his *Tārīkh al-Khulāfa*’ (Cairo 1969), p. 161; This Hadīth is also omitted by Abd al-Wahhāb an-Najār in his monumental book, *al-Khulaphā’ ar-Rāshidūn* (Beirut 1987), pp. 269-337.

<sup>99</sup> See Sahīh al-Bukhārī , *Kitāb ad-Diyāt : Bāb an-Nafs bi an-Nafs*. Vol. 9, pp. 10-11.

<sup>100</sup> as-Suyūfī, *Tārīkh al-Khulāfa*’ , p. 162.

Significantly, as-Suyūṭī, the author of the commentary on Sunan an-Nasa'ī (reports this Hadīth), does not refer to it once in his historical treatment of the siege of the Caliph 'Uthmān.<sup>101</sup> Perhaps he was aware of the traditionist influence on the narrative, and therefore a later interpolation. The other possibility is that he might also have been aware that 'Uthmān's alleged quotation of this hadīth is not supported by the other versions of his speech on that critical occasion. Indeed, out of more than seven versions of his defence speech during his siege, only two describe him as quoting this hadīth. The hadīth is taken from Muslim and from Ibn Hanbal on the alleged authority of Ibn 'Umar.<sup>102</sup> Later Ibn Mājah (824-87) and mostly an-Nasa'ī (d. 915) were to become the main source of reference to this hadīth.<sup>103</sup> At any rate, it would not be far off the mark to suggest that what we have here is an attempt to establish 'Uthmān's innocence in jurisprudential terms. The contents of his defence speech, mentioned above, co-incidentally fit in with the terms of the hadīth, and this could have provided a good opportunity to put it (i.e. the hadīth) into his mouth. After all, in sacred or religious narratives what matters is not only what actually happened but also what should have happened.

**2) The Attribution of the Hadīth to Ā'ishah** In his Sunan, an-Nasa'ī attributes two versions of this hadīth to 'Ā'ishah, the wife of the Prophet. In the first one, the relevant words for the third category of persons read: "One who commits apostasy, after accepting Islām". Here the additional sentence "and deserts his community" is missing. However, as the meaning of this sentence is quite uncertain, in all probability a further and more comprehensible definition must have been deemed necessary. Such a definition may provide a valuable clue as to the real basis on which the death penalty applied to the apostate. In Sunan an-Nasa'ī the words of this sentence are substituted by almost the exact words of Sūra al-Mā'idah[5]: 35. The one who abandons his Islām is defined as "*yuharib Allāh 'azza wa jall, fayuqtal aw yuslab aw yunfā mina al-ard*" (i.e. whosoever fights God, may He be exalted, must be killed or crucified or banished from the land).<sup>104</sup> A detailed alternative version of this hadīth is also ascribed to

<sup>101</sup> Ibid. pp. 153-165.

<sup>102</sup> See Ibn Kathīr, *al-Bidāyah wa an-Nihāyah* (Cairo 1991) Vol. 4, pp. 234-8; also Muhammad Ibn 'Uthman al-Dhahabī, *al-Khulāfa' ar-Rāshidūn* (Beirut 1992), p. 258f.

<sup>103</sup> Muhammad Ibn Mājah al-Qazwīnī, *Sunan Ibn Mājah* (Cairo 1953) Vol. 2, p. 847; *Sunan an-Nasai' bi Sharh as-Suyūṭī*, Vol. 7, p. 91f.

<sup>104</sup> *Sunan an-Nasai' bi Sharh as-Suyūṭī*, Vol. 7, p. 102

Ā'ishah in Sunan Abū Dawūd . Here again, in terms almost similar to those of an-Nasa'ī and also reminiscent of Sūra al-Mā'idah [5]: 35, the third category (i.e. the apostate) is defined as “*muhāriban Allāh wa rasūlah fa innahu yuqtal aw yuslab aw yunfā mina al-ard*”, (i.e. a fighter against God and his Messenger will be killed or crucified or banished from the land).<sup>105</sup> A similar definition bearing the same theme is to be found in a number of other reported traditions. For example, al-Bukhārī records another version narrated by Abū Qulābah: “ The messenger of God did not execute anyone by way of ‘*hadd*’ (ordained punishment), except for one of three antecedents: a person who commits murder of his own free will, or a person who commits fornication after marriage or a person who fights God and His Messenger and becomes an apostate”<sup>106</sup> Seemingly, Abū Qulābah’s definition contradicts that of al-Qurtubī. The latter contends first that “everyone who abandons the community abandons his religion”. Then realising the difficulties surrounding this statement, he adds, “ except that the apostate abandons it (i.e. religion) all, whereas he who abandons the community (i.e. for the hostile enemy camp) ‘*bighayr riddah*’ (i.e. without abandoning his faith), abandons only part of it”. Abū Qulābah who lived long before al-Qurtubī could not have known, let alone accepted, this categorisation.

However, Abū Dawūd on the authority of Jarīr records a hadīth with a similar theme: “When a servant of God flees to (the land) of ‘*shirk*’, the shedding of his blood becomes lawful”.<sup>107</sup> But in the version given by an-Nasa'ī, this “servant of God” is described only as “a slave”.<sup>108</sup> In his commentary on this, as-Suyūtī points out that what is intended in this hadīth is the fact that “if he (i.e. the slave) flees to the house of war (Ar. *dār al-harb*) with the purpose of supporting the cause of their religious hostility (Ar. *li'ithārati dīnihim*), he has then become an unbeliever. His prayer, supposing he offered it, will not be accepted”.<sup>109</sup> In Sunan Ibn Mājah, this hadīth does not specify the social status of the one who abandoned the Muslim community and joined *al-mushrikīn*. It also seems to imply that the action of such an individual is a matter for God to deal with.

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<sup>105</sup> *Sunan Abū Dawūd* (Cairo 1950), Vol. 4, p. 180.

<sup>106</sup> *Sahīh al-Bukhārī*, *Kitāb ad-Diyāt : Bāb al-Qasamah*, Vol. 9, pp. 25-26.

<sup>107</sup> *Sunan Abū Dawūd*, Vol. 4, p. 180f.

<sup>108</sup> *Sunan an-Nasai' bi Sharh as-Suyūtī*, Vol. 7, p. 102f.; see also *Mishkat al-Masabih*, Trans. By James Robson (Lahore 1963) Vol. 2, p. 755.

<sup>109</sup> *Sunan an-Nasa'ī bi Sharh as-Suyūtī*, Vol. 7, pp. 102f.

Interestingly, however, the hadīth does not hesitate to place this sort of defector firmly in the category of an apostate. The Prophet reportedly said, “God will not accept anything from one who became a *mushrik* after accepting Islām, until he leaves *al-mushrikīn* and returns to the Muslims”<sup>110</sup> If this hadīth is reliable, then the indication is that it applies rather to ‘*al-muhārib*’ than to the passive apostate.

To sum up: the two traditions, as we stated before, belong to the ‘*ahād*’ category - which relied only on one authority - and were not widely known among the Companions of the Prophet. But, even if these traditions are accepted as authentic, they cannot contradict the Qur’ān, which they obviously do. The fact of the matter is that they do not only contradict the Qur’ān, but they also appear to contradict the Prophet’s personal and historical treatment of apostasy and apostates. To cite but one example: Jābir relates a hadīth in *Sahīh al-Bukhārī* by three different chains of narrators, that a Bedouin Arab accepted Islām and took the oath of fealty on the Prophet’s hand. Shortly after, he contracted high fever and returned to the prophet demanding that he be absolved from his Islamic oath. He repeated this demand three times, and each time it was refused. He then went away – apparently unmolested. The Prophet could only remark by describing Madīna as a furnace that separates the dross from what is pure.<sup>111</sup> If indeed apostasy was punishable by death, he could not have been allowed to go with impunity.

Additionally, the entire nature of these traditions is highly problematical. The absence of their historical background, their varied and contradictory versions, including their vagueness as seen from the style of their summary statement that calls for further elucidation, cast grave doubts upon their authenticity and provenance. In our view, these traditions can only reflect the political climate that characterised the late Umayyad and early ‘Abbasid periods. It is also significant that it was during the early Abbasid period that the canonical collections of traditions were compiled.<sup>112</sup> Compared to their Umayyad predecessors, the Abbasids were

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<sup>110</sup> *Sunan Ibn Mājah*, “*Bāb al-Murtadd*” Vol. 2, pp. 847f.

<sup>111</sup> *Sahīh al-Bukhārī*, *Kitāb al-Ahkām*, *Bāb Man Bāya’a thuma Istaqāla al-Bay’ah*, Vol. 9, p. 242.

<sup>112</sup> *Ahl as-Sunnah* (i.e. the Sunnis) have accepted only the materials of the six major compilers (all belonged to the ‘Abbasid period): *Sahīh al-Bukhārī* (194/ 810 – 256/ 870), *Sahīh Muslim* (202/ 817 – 261/ 875), *Sunan Abū Dawūd* (202/ 817 – 275/ 889), *Sunan at-Tirmidhi* (209/ 824 – 279/ 892), *Sunan Ibn Maja* (209/ 824 – 273/ 887), *Sunan an-Nasai* (d. 303/ 915). That some of the Hadīth material in these six major compilations were deliberately forged to provide theological justifications for policies introduced and enacted by the ‘Abbasid regime, cannot be dismissed. This has been acknowledged by Muslim scholars of all theological stripes.

known as the regime that championed Sunnah. But history also perceives that Sunnah was often manipulated and even forged to champion the 'Abbasid regime.<sup>113</sup>

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<sup>113</sup> See as-Suyūṭī, *Tadrib ar-Rawi* (Cairo 1959) Ed. by Abd al-Wahhāb Abd al-Latīf, p.187; also Ibn Kathīr, *al-Ba'ith al-Hathith Sharh Ikhtisar 'Ulūm al-Hadīth* (Cairo 1951) Ed. by Ahmad Muhammad Shākir, p. 94.

## 5

**ABŪ BAKR, THE FIRST CALIPH,  
AND  
THE ‘APOSTASY WARS’**

**5. 1. THE SOURCES FOR THE ‘APOSTASY WARS’**

We have previously argued that capital punishment for apostasy in Islām may well have been borrowed from Talmudic and Byzantine laws (see pp. 110 – 112). Some may go further and point out that this was precisely the line that the Quraysh of Mecca took when they fought the new converts during the Prophet’s time to make them apostatize from their new faith. The Qur’ān appears to have condemned this action as a serious violation of the individual’s right to choose his own religious belief:

“They question thee regarding warfare in the sacred month. Say: ‘warfare therein is a great (transgression), but to turn (people) from the way of God, and to disbelieve in Him and in the Inviolable Place of worship, and to expel His people thence, is a graver in the sight of God; for persecution is worse than killing. And they will not cease fighting you till they have made you apostatize (*yaruddūkum*) from your faith, if they can...” (Sūra al-Baqarah [2]: 217).<sup>1</sup>

One must not be surprised at the ironies of history, providing these ironies are historical truths. According to Ibn Hishām, soon after the Prophet’s death most of the Meccans

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<sup>1</sup> For the background to this text see an-Nīsābūrī, *Asbāb an-Nuqūl*, pp.45f.; also as-Suyūtī, *Lubāb an-Nuqūl*, p. 63f.



decided to apostatize from Islām. In such an atmosphere, ‘Attāb Ibn Asīd, the Prophet’s agent in Mecca, went into hiding. But the Meccan Muslim community led by Suhayl Ibn ‘Amr took courage and made it clear that the death of the Prophet “has added Islām greater strength. Therefore, whomsoever we suspect (i.e. of apostasy), we will smite his neck”<sup>2</sup> If Ibn Hishām’s report is true, then this would be the first recorded incident in Islām where apostasy was threatened with the punishment of death. It is interesting to note that this information is given only by Ibn Hishām, who cites Ā’ishah as his source.<sup>3</sup> We certainly do not hear of such a threat occurring anywhere else in Arabia soon after the Prophet’s death, when some defections might have taken place. However, the story is more likely a later interpolation designed to serve certain purposes. Probably it was designed to provide a precedent to what came to be known as ‘*hurūb ar-riddah*’ (Ar. the apostasy wars). But, we shall touch on this particular point again later and might also look at other probabilities.

The so-called ‘*hurūb ar-riddah*’ (the apostasy Wars) occupy an important place in Islamic history. Yet, the sources for this historical conflict must not be taken at their face value. Indeed, these sources are quite contradictory and unreliable - unreliable especially in the information they give about the real causes of ‘*hurūb ar-riddah*’ that lasted approximately two years (632 – 634 A.D).<sup>4</sup> The real causes can be discovered if these sources are placed through the sieve of modern critical examination. Moreover, a good number of western scholars contend that there are strong indications to suggest, as we shall see later, that Islamic jurisprudence (*al-fiqh al-Islāmī*) has left its indelible mark of influence upon these sources.

### 5.1.1. WESTERN PERSPECTIVES OF THE ‘APOSTASY WARS’

Muslim traditional history portrays the so-called ‘Apostasy Wars’ as an urgent response to the vast movement of various Arab tribes that had defected from Islām soon after the Prophet’s death and took a hostile stand against Islām and its centre of authority in Madīna. It also presents the leaders of this movement as false prophets who sought to proclaim religions that

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<sup>2</sup> Ibn Hishām, Part 4, pp. 345f. The Ar. term for ‘suspect’ used by the author is ‘*rābana*’ which can also mean to ‘provoke and offend’. The idea intended is that ‘whomsoever we suspect of causing us offence or provocation (i.e. by his apostasy) we will smite his neck’, see Luis Ma’luf, *al-Munjid fī al-Lughah*, (Beirut 1956), p. 289.

<sup>3</sup> Ibn Hishām, Part 4, p. 345; followed later by Abū al-Fidā’, *Mukhtasar Tārīkh al-Bashar* (Cairo ?), Vol. 1, p. 152; and also Diyār Bakrī, *Tārīkh al-Khamīs fī Ahwal Anfas Nafīs* (Cairo 1866), Vol. 2, p. 201.

<sup>4</sup> Norman Anderson, *Islām in the Modern World: A Christian Perspective* (Leicester 1992), p. 13.

were wholly unequal to the superiority of Islām.<sup>5</sup> In modern times, this traditional portrait has been strongly challenged by European and even some liberal Muslim scholars. A number of opinions have been offered as more credible alternatives to the traditional portrait already dismissed as highly dubious:

I. The first Western critical perspective of the ‘Apostasy Wars’ came to us from Julius Wellhausen in his *Skizzen und Vorarbeiten*. Here, Wellhausen strongly argued that the alleged ‘apostasy’ (that had occasioned the wars), was merely an act of secession from the political control of Madīna and not a defection from Islām. He further contended that like the Prophet Muhammad, the prophets who appeared in Arabia after him were also proclaiming the worship of one God to the exclusion of other deities. For him, the majority of the tribes were happy to continue the worship of God as Islām teaches, but without the payment of ‘*zakāh*’ (obligatory alms tax). Their hostility was directed against the political leaders of Madīna and not against their God or their religion. In conclusion, Wellhausen acknowledges the fact that the death of the Prophet had been a signal to the tribes to embark on their secession from Madīna. He also observes that the serious differences over the issue of the Caliphate in Madīna and the absence of its fighting forces in Syria under the leadership of Usāma, had given encouragement to the rebels to declare their secession.<sup>6</sup> Wellhausen was to set the critical wheel in motion.

II. Leone Caetani agreed with Wellhausen’s view, acknowledging that only the latter had arrived at this correct conclusion before him. But he goes a little further and points out that the death of the Prophet was the cause of much excitement in Quraysh and probably in at-Tā’if. But among the other tribes it was the main cause of their actual separation from the government of Madīna. There were in fact two of the four major groups, according to Caetani’s divisions of the tribes that had connections with the central authority of Madīna. The first group consisted of the tribes of Mecca and Madīna and their neighbouring areas. These tribes submitted to the Prophet and embraced Islām. The second group comprised the tribes of ‘Amir, Tay’, Sulaim and probably Khath‘am. Their submission to the Prophet was merely political. The third group

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<sup>5</sup> For a detailed account of the ‘Apostasy Wars’ as presented in Muslim traditional histories, see Khurshid Ahmad Farūq, *Tārīkh ar-Riddah* (Cairo 1961), pp. 1-7

<sup>6</sup> Julius Wellhausen, *Skizzen und Vorarbeiten* (Berlin 1884 – 1899), Vol. 6, pp. 6, 7-8.

consisted of those tribes that lived on the fringes of the government of Madīna. Although this group of tribes had submitted to Islām politically, they were called Muslims only figuratively. The fourth group consisted of the tribes of Banū Hanīfah, ‘Abd al-Qays, Azd Umān and Hadramaut. These tribes remained completely independent of Madīna. There was only a small minority among them that is reported to have sought help from Madīna against their opponents.<sup>7</sup> According to Caetani, the declaration of secession from Madīna came only from the tribes of the second and third groups. In his view, these tribes regarded their Islām (albeit politically and figuratively), as a matter of a covenant made with the Prophet personally. They also looked at the election of Abū Bakr as something that concerned only Madīna and in which they had no part. Therefore, they felt free from any obligation towards the government of Madīna. The tribes of these two groups wanted to negotiate a new agreement with Abū Bakr. The latter refused insisting that the agreement made with the Prophet must be wholly implemented. Thus, for Caetani, the secession of these tribes from Madīna during Abū Bakr’s Caliphate was not a religious but a political defection.<sup>8</sup>

III. On the basis of the studies of Wellhausen and Caetani, Carl H. Becker gives us a brief analysis of the history of the so-called ‘Apostasy Wars’. In his analysis he goes farther than Wellhausen and Caetani, and draws attention to the following points:

- 1) As the early Muslim historians failed to find a reason for the wars that occurred after the Prophet’s death, and which consequently brought the Peninsula under Islamic rule, they decided to explain them in terms of ‘Apostasy’.
- 2) No doubt that the death of the Prophet was a sufficient reason for those who might have been forcibly converted to Islām to secede from Madīna as the central authority of Islām.
- 3) Most of those known in Muslim history as ‘apostates’ did not previously embrace Islām as a religion.
- 4) Prophecy in the Arabian Peninsula became widespread in imitation of the Prophet Muhammad. Hence monotheism was perhaps already taking roots among many tribes.

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<sup>7</sup> Leone Caetani, *Studi di Storia Orientale* (Milano 1911- 1914), Vol. 3, pp. 346 – 349.

<sup>8</sup> *Ibid.* pp. 349 – 352.

- 5) The war against what is known as '*ahl ar-riddah*' (i.e. the apostate people) were not really apostates. These were simply tribes that were politically against the central authority in Madīna as they were against the payment of '*zakāh*', and not against the religion of Islām as such.
- 6) Only the minority of tribes accepted the leadership of the Calīph, Abū Bakr. The majority rejected it.
- 7) At the time when Madīna was deprived of her army that was engaged in Syria, the opponents tried to seize this opportunity and launch a sudden attack upon it.
- 8) With remarkable energy, Abū Bakr fought the rebellious seceders and brought them under the Islamic rule of Madīna.<sup>9</sup>

IV. Bernard Lewis' sketch of this event whilst agreeing with much of the above-mentioned views, offers a new suggestion. He argues that the important task of the new regime (i.e. Abū Bakr's Caliphate), was the military confrontation – which came to be identified traditionally with '*ar-riddah*'- against certain seceding tribes. He suggests that the use of the term '*ar-riddah*' is a distortion of the real meaning of the events, and which obviously was the product of later Muslim writers whose view was coloured by their religious belief. The refusal of these tribes to recognize Abū Bakr's Caliphate does not mean that they had turned from Islām to their former idolatry. It simply means that they had terminated the political agreement on the death of the opposite party in the agreement (i.e. the Prophet). The tribes neighbouring on Madīna had in fact already embraced Islām and their interests remained inseparably linked to those of '*al-ummah*' (i.e. the Muslim community). As for the rest, the death of the Prophet had put an end to their relationship with Madīna, and they were able to resume their own life freely. They did not in any way feel obliged to participate in the election of Abū Bakr, as indeed they had no part in it whatsoever. On these bases they hastened to suspend both the treaty and the payment of '*zakāh*'. To establish again the rule of Madīna, Abū Bakr had to make new treaties, which were accepted by those tribes that were nearer. But the far distant tribes refused, and Abū Bakr was forced to subdue them militarily, which finally paved the way to their islamization.<sup>10</sup>

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<sup>9</sup> Carl H. Becker, "*The Expansion of the Saracens*", *The Cambridge Medieval History* (New York 1913), Vol. 2, pp. 335 – 336.

<sup>10</sup> Bernard Lewis, *The Arabs in History* (London 1958), pp. 51-52.

V. In contrast to the above-mentioned scholars, the British Islamicist scholar, W. Montgomery Watt, is quite in agreement with the position taken by Muslim historians. He clearly points out:

“There is thus nothing surprising or impossible about a mass movement into the Islamic community in the ninth and tenth years of the Hijrah; and consequently there is no justification for rejecting outright the statements in the sources because they tend to glorify Muhammad. It may, in European analytical terms, be primarily a political movement, but in the integral reality of the events the religious and political factors were inseparable. To this movement the Riddah was a reaction. It was not the mere revival of anything old, whether paganism or pro-Byzantine or pro-Persian Christianity. It doubtless had roots in these religious systems, but the reaction of pagan or Christian Arabs to the new circumstances created by the growth of the Islamic community produced something new. Moreover, as in the movement towards Islām, so in Riddah religious and political factors were inseparably mixed with one another. The Muslim historians were therefore right in regarding it as a religious movement; it was European scholars who erred by taking ‘religion’ in a European and not an Arab sense. The Riddah was a movement away from the religious, social, economic, and political system of Islām, and so was anti-Islamic.”<sup>11</sup>

### 5.1.2. LIBERAL MUSLIM PERSPECTIVES OF THE ‘APOSTASY WARS’

I Alī Abd ar-Rāziq, a graduate of the Azhar University and a distinguished judge, sent shock waves through the Egyptian Muslim society with the publication of his book ‘*al-Islām wa Usūl al-Hukm*’ during the first quarter of the 20<sup>th</sup> century. In the last chapter of this book, Abd ar-Rāziq outlines his perspective of the ‘Apostasy Wars’, which we sum up as follows:

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<sup>11</sup> W. Montgomery Watt, *Muhammad at Madīna* (Oxford University Press, Karachi 1994), pp. 147-148. The author sees the connection between religion and politics of this period as simply an extension of life from pre-Islamic Arabia. However, the argument that a close connection between religion and politics did exist in pre-Islamic Arabia has been emphasized by J. Rychmans, *L’Institution Monarchique en Arabie avant l’Islām* (Louvain 1951), pp. 329ff.

“It is not known for sure how the title ‘Caliph’ came to be attributed to Abū Bakr. In any case, he accepted it and used it in his correspondence. Doubtless, the Prophet was the leader and the centre of spiritual unity of the faithful. But after him, Abū Bakr arose rather as king (*mālik*) over them, and became the founder of their political unity. When some called him ‘*khalīfat Allāh*’ (i.e. God’s vicegerent), a title worthy only of the Prophet, he rejected it angrily saying, “I am not God’s vicegerent, but the successor of God’s messenger (Ar. *khalīfat rasūl Allāh*).<sup>12</sup> But many continued to attribute to him the title ‘*khalīfat Allāh*’ so as to make his leadership as fully religious as was that of the Prophet in addition to the political authority of his royal status. Therefore, in their opinion, dissent from Abū Bakr meant apostasy from Islām. And by virtue of his royal authority, and as a defender of the faith, he was duty-bound to fight and kill the apostates”. Abd ar-Rāziq further argued that “Abū Bakr’s military expedition against some religious apostates and false prophets might, if it occurred at all, have occurred briefly at the beginning, and it is possible that from then on all his subsequent wars were given a religious stamp. At any rate, those who acknowledged his Caliphate were within the Islamic fold, but those who refused were regarded as rebels and apostates”. The irony, he points out, is that “Alī Ibn Abī Tālib and Sa’d Ibn ‘Abādah were among those who refused to acknowledge his Caliphate, yet they were never branded as apostates or treated as rebels of any sort. On the contrary, Mālik Ibn Nuwayrah, a Muslim according to some sources, was executed by Khālid Ibn al-Walīd for refusing to pay *sadaqah*, in itself a refusal to acknowledge the rule of Madīna and Abū Bakr”. In fact, according to some sources, Khālid’s deliberate murder of Mālik Ibn Nuwayrah had a dark motive behind it<sup>13</sup>

In conclusion, Abd ar-Rāziq contends that from the early days of Abū Bakr’s Caliphate, “the alleged ‘war against apostates’ was in all likelihood a political rather than a religious war. This is borne out by ‘Umar’s strong opposition to Abū Bakr’s decision to fight the seceders, reminding him of the Prophet’s dictum, ‘I have been ordered (i.e. by God) to fight the people (i.e. the idolaters) until they declare that there is no god but God. If they said it, they will

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<sup>12</sup> Ibn Khaldūn, *Muqaddimah* (Beirut 1992), Vol. 1, p. 202.

<sup>13</sup> some sources report that Khālid executed him to marry his beautiful wife, which he eventually did. However, Abū Bakr ignored this matter despite ‘Umar’s strong insistence that “Khālid has murdered a Muslim, execute him”. For a full detail See Abū al-Fidā, *Mukhtasar Tārīkh al-Bashar*, Vol. 1, pp. 157-158; also Ibn ‘Uthman az -Dhahabi, *al-Khulāfa’ ar-Rāshidūn* (Beirut 1992), pp. 25ff.; Ibn Kathīr, *al-Bidāyah was an-Nihāyah*, Vol. 1, pp. 868 - 870.

preserve their blood and their possession from me...’<sup>14</sup> In this case, it appears that ‘Umar must have regarded the seceders as merely guilty of political insubordination.

II. Abd al-Mut‘āl as-Sa‘īdī, the distinguished modernist, does not share Abd ar-Rāziq’s view that Islām emerged as a political entity only during Abū Bakr’s Caliphate. Instead, he contends that from its very inception under the Prophet, Islām has always been ‘*dīn wa dawlah*’ (i.e. religion and state). Islām has never known a separation of Church and State. However, As-Sa‘īdī views the so-called ‘Apostasy Wars’ as mainly, if not entirely, a politico/economic issue. The leadership in Madīna could do without the stubborn resistance of the Seceders who viewed ‘*zakāh*’ more of a state-tax than a poor-tax. He outlines three stages leading up to the conflict:

1) The seceders regarded the words in Sūra at-Tawbah [9]: 103, “Take of their wealth a freewill offering, to purify them and cleanse them thereby, and pray for them; thy prayer is a comfort to them”, as pertaining only to the Prophet and not to Abū Bakr. The Prophet is alone the possessor and the giver of these spiritual benefits and no one else. In this case, they must have regarded their gifts of ‘*zakāh*’ to the Prophet as some sort of indulgences.

2) They most probably regarded Islām as merely a religion and not a state, and that Abū Bakr had no right to turn religion into a state that must be maintained by taxes.

3) All these objections were within their own right to put forward. But these objections alone did not lead Abū Bakr into conflict with them. It was only when they took up arms against the young Islamic state in defence of their position that Abū Bakr led the war against them.<sup>15</sup>

It is significant, in our view, that the last point has the support of al-‘Ainī. In his commentary on Sahīh al-Bukhārī, he writes: “And as-Siddīq (i.e. Abū Bakr), fought those who refused to pay ‘*zakāh*’ because they had taken up the sword and started a war against ‘*al-ummah*’ (i.e. the Muslim community).” He then goes on to argue that on this basis, “Abū Hanīfah took the ground that he who refuses to pay ‘*zakāh*’ must neither be killed nor even fought. He must, however, be forced to pay it without the use of the sword; and must only be

<sup>14</sup> Abū al-Jaknī, al-Shanqīū, *Zād al-Muslim fī mā ittafaqa ‘alayhi al-Bukhārī wa Muslim* (Cairo 1330 H), Vol. 1, p.45; for Abd ar-Rāziq’s full discussion of this point, see his *al-Islām wa Usūl al-Hukm: Bahth fī al-Khilafah wa al-Hukmah fī al-Islām* (Cairo 1925), pp. 90-103.

<sup>15</sup> See Abd al-Mut‘āl as-Sa‘īdī, *Huriyyāt al-Fikr fī al-Islām* (Cairo ?), pp. 57ff.

killed if he rose up to fight. This is exactly what Abū Bakr did with those who refused to pay 'zakat' during his Caliphate. He did not fight them until they rose up to fight him".<sup>16</sup>

III. The Egyptian scholar, Khalīl Abd al-Karīm, not unlike as-Sa'īdī in certain points, has recently argued that the so-called "Apostasy Wars" must be perceived in the politico/economic context. The secession of the Arab tribes (with the exception of those of the Hijāz ) from the Quraysh government of Madīna, and their refusal to pay 'zakāh', in Abū Bakr's view, had posed a serious threat to the political and economic structure of the young Muslim state. To meet the challenge of this rebellion, Abū Bakr regarded any departure from his Quraysh government of Madīna as simply a departure from Islām itself. Islām and its government were "inseparably the same". In this case, Islām was under threat of being undermined and finally destroyed by those who, whilst accepting Islām as a belief, were unwilling to accept its practical demands and become part of its political and economic structure. Failure to do so constituted apostasy - apostasy that was indeed fought by every cruel means.<sup>17</sup> Abd al-Karīm's argument, which sees the "Apostasy Wars" in the politico/economic context, has been fully shared in recent years by a number of other Muslim liberal scholars.<sup>18</sup>

In our opinion, if the author's perspective of the "Apostasy Wars" is correct, then Abū Bakr's stance in this situation must have anticipated the stance taken by the Khawārij against their opponents some two decades later. The Khawārij themselves had no qualms that they were simply following the example of Abū Bakr in his wars against the apostates.<sup>19</sup> The action of both rested upon their common theological stance that perceived true Islām as being contingent upon obedience to its clear and binding demands. Failure to do so on the part of their opponents made them apostates, bent intentionally no doubt on undermining the unity, or rather the uniformity of Islām. Therefore, in this situation uniformity had to be imposed by the force of arms. The similarity between Abū Bakr's theological stance and the theological stance

<sup>16</sup> Badr ad-Dīn al-'Ainī, *Umdat al-Qārī Sharh al-Bukhārī* (Cairo ?), Vol. 11 and Vol. 12, p. 236.

<sup>17</sup> In the "Apostasy Wars" awful brutalities were practised on the so-called apostates, ranging from burning them alive to throwing them off mountain-tops or into wells, according to the orders given by Abū Bakr to his army. For more detail see Tabarī, *Tārīkh*, Vol. 3, pp. 107ff.

<sup>18</sup> Khalīl Abd al-Karīm, *al-Islām : Bayn ad-Dawlah ad-Dīn iyah wa ad-Dawlah al-Madaniyah* (Cairo 1995), pp. 156 – 162; among those who share the same perspective is Ihsan Sadiq, *Harakat al-Aswad al-'Ansī fī Sadr al-Islām*, The Arabic Journal of Science, Kuwait University, No. 34, Vol. 9, 1989.

<sup>19</sup> See Abū al-Hassan al-Ash'arī, *Kitāb Maqālāt al-Islāmiyyīn wa Ikhtilāf al-Musallīn* (Wiesbaden, Germany 1980), Ed. by Hellmut Ritter, p. 109; also Ibn Tāhīr al-Baghdādī, *al-Farq bayn al-Fīraq* (Beirut 1987), pp. 86f.



of the Khawārij, which consequently led them both to fight their opponents as apostates, does not seem to interest Western or Muslim scholars, of liberal or conservative schools. Presumably, the likelihood of any Muslim scholar equating the policy of Abū Bakr with that of the Kharijites who are already demonized is very remote. The repercussion of stepping into such a minefield, however cautiously, is extremely dangerous. As for Western scholars, any equation of Abū Bakr's theological stance with that of the Kharijites was wholly unnecessary. The prevailing position among them is that the 'Apostasy Wars' was nothing more nothing less than 'Political Wars'. They were simply provoked by political defections on the parts of many Arab tribes. But this position is not entirely the monopoly of Western scholarship. Among Arab scholars, this point of view is not entirely absent as we have noticed already.

## 5. 2. THE CAUSES OF THE 'APOSTASY WARS'

It is of paramount importance that we reassess the so-called the 'Apostasy Wars' by looking again at the sources relating to this particular event. The different point of views presented by the above-mentioned scholars are the outcome of conflicting reports in Muslim sources about the real nature and the cause of the 'Apostasy Wars'. Muslim sources leave the ordinary reader under the impression that when the Prophet died, all Arabia was united under one faith. Abū Bakr's wars were against the tribes that had apostatized from the faith in one way or another. The primary purpose of these wars was to restore them to Islām. This is exactly the portrait of Arabia that the sources have indelibly stamped upon the mind of Muslim readers. A critical examination of these very sources would reveal that when the Prophet died, Arabia was by no means united by one faith.<sup>20</sup>

Early during Abū Bakr's caliphate the situation seems to have remained more or less the same. At this early stage, the question as to who believed what, was not a burning issue as long as they paid *zakāh* (or *sadaqah*) and gave allegiance to Madīna . But when the payment of *zakāh* was refused and allegiance revoked, the reaction was a declaration of war by the government of Madīna on the culprits. In this sense it is hard to dismiss the argument that the so-called 'Apostasy Wars' were basically political or politico/economic wars. But at the same

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<sup>20</sup> C.H. Becker, "The Expansion of the Saracens," The Cambridge Medieval History , Vol. 2, p. 334.

time, there are indications to suggest that religion was brought into play only as a motivating factor and powerful force to confront and overcome the politico/economic threat facing the young Muslim state at that time. This was theo-politics in action, which we shall consider later. The success of Abū Bakr's wars against the rebels had far-reaching consequences on the distant tribes that almost certainly had no connection of any sort with Madīna .

### **5.2.1. A WAR ON BELIEVERS FOR WITHHOLDING 'ZAKĀH'**

The impression one gets from reading Muslim sources is that the 'Apostasy Wars' embraced the entire Peninsula. The mammoth task of having to fight against hordes of apostate tribesmen in order to restore them to the true faith must have had a touch of the miraculous element upon it! Indeed, with their strong theologizing tendency, the authors of these sources do not fail to inject their reports with some miraculous element. In any case, these wars were limited to certain geographic areas and dealt with a specific issue. It was only when military success was realized that steps were taken to go beyond those specific limits into different issues. There was now a change from the policy of political restoration to a policy of the islamization of Arabian tribes. Our task here is to look again at those regional tribes that were allegedly involved in the so-called 'Apostasy Wars' and the extent that religion might have played in them.

#### **1. The Tribes of al-Hijāz Region.**

Most of the sources agree that the tribes of Hijāz were firmly within the Islamic fold and exclude them from any form of apostasy. There is only one source, previously mentioned, which informs us that most of the tribes of Mecca were on the verge of apostasy immediately after the Prophet's death. But this did not happen, thanks to the courage of Suhayl Ibn 'Amar.<sup>21</sup> We have already suggested that this story is more likely a later interpolation designed to provide a precedent for what came to be known as the 'Apostasy Wars'. Another probability is that the interpolated story, most likely of Abbasid provenance, was designed to serve a two-fold purpose: Firstly, the story may have been designed to smear the reputation of the Meccans and their Umayyad governor. Secondly, there is the possibility that the story may have been

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<sup>21</sup> Ibn Hishām, Part. 4, pp.345f.

designed to present Suhayl Ibn ‘Umar, as a man of remarkable courage in extremely difficult times, in fulfillment of a prophetic Hadīth that had foretold the noble stand that he will take for Islām in the future.<sup>22</sup>

The loyalty of Hijāz to Islām was not confined only to its three cities – Mecca, Madīna and Tā’if. It also included the surrounding Bedouin tribes who were dependent economically and politically upon these cities. These tribes seem to have been converted early to Islām, and were quick to respond to Abū Bakr’s call for contingents to fight the supposed apostate tribes.<sup>23</sup> The struggle that the people of Hijāz had earlier revolved only around the burning question of succession (*khilāfah*).

True, it was by *a coup d’etat* that Abū Bakr was elected to succeed the Prophet following the serious division that took place between the parties of *Muḥājirīn* and *Ansārs* in Saqīfat Banī Sā’idah.<sup>24</sup> The bitterness that this *coup d’etat* had left among the *Ansār*’ did not stop them from closing ranks and uniting with their opponents the *Muḥājirīn* in the war against the so-called apostates.

## **2. The Tribes of the Najd Region**

Five major tribes of the Najd province of Arabia were reportedly involved in the conflict, known as the ‘Apostasy wars’. These tribes were Tay’, Asad, Ghatafān, Banū Tamīm and Banū Hanīfah. Our purpose at the outset is to focus on the first three tribes – Tay’, Asad and Ghatafān - due to their early involvement with the Islamic community and their clash with it later following the Prophet’s death. After this we shall focus on the case of Banū Tamīm, and after that on the case of Banū Hanīfah and the circumstances that led, at a later date, to the conflict of this last tribe with the government of Madīna .

According to Ibn Hishām, the Prophet had sent ‘Iddī Ibn Hātim, one of the chiefs of Tay’, to collect *zakāh* both from his tribe and the tribe of Asad. Apparently, *Asad*, in this report, refers to only the minority of this tribe that had been against Talaiyah, and had consequently gone over to the Prophet’s side.<sup>24</sup> Apparently also ‘Iddī could only collect *zakāh* from a branch

<sup>22</sup> Ibid. 345f; al-Diyār Bakrī, *Tārīkh al-Khamīs*, Vol. 2, p. 201

<sup>23</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 100 f; ‘Izzu al-Dīn Ibn al-Athīr, *al-Kāmil fī al-Tārīkh* (Beirut 1960), Vol. 2, p. 351.

<sup>24</sup> Ibn ‘Uthman al-Dhahabī, *al-Khulāfa’ al-Rāshidūn*, pp. 1-9.

of Tay' because the majority had been on the side of Tulaihah, or Talhah. The latter was the chief of Asad tribe, and a bitter opponent of Madīna .

As for the tribe of Ghatafān, Ibn Hishām makes no mention of it. But, al-Balādhurī mentions some groups from Ghatafān in this connection.<sup>25</sup> On this point, he is supported by other sources that mention certain groups from Ghatafān as having refused to pay 'zakāh'.<sup>26</sup> This seems to suggest that other groups of this tribe that had been in alliance with Madīna did pay 'zakāh'.

We have no information from any source to suggest that Talaihah had been appointed by Madīna as agent of his own Asad tribe and entrusted with the task of collecting 'zakāh'. However, Ibn Hishām tells us that 'Iddī Ibn Hātim had been appointed by the Prophet as his agent over the tribe of Asad. It seems strange that Hātim (from Tay') should be appointed as agent in the tribe of Asad that was at enmity with his own. If this is true, then it can only mean that he was appointed agent in that small section of Asad that had been in alliance with the Prophet, as we have just pointed out. In any case, the absence of Tulaihah from the version of Ibn Hishām, and the intransigence of the Asad tribe during the so-called 'Apostasy Wars', might just help us to explain this version of the story.

We must bear in mind that there is no mention whatsoever that any of these tribes ever paid 'zakāh' to the Prophet. It is said that 'Iddī had collected 'zakāh', but before sending it the Prophet died. Consequently, 'Iddī came under pressure from his own tribe of Tay' to return what he had collected to the people. However, he succeeded to calm them down, suggesting that they should wait and see how things were going to develop in Madīna . But when Abū Bakr was elected as Calīph he sent it to him.<sup>27</sup> Two clans of the tribe of Ghatafān, Fazārah and Sulaym took back what they had given as *zakāh* and forced the agents, previously appointed by the Prophet, to flee.<sup>28</sup>

According to the sources in our possession, a delegation representing these tribes came to Madīna to negotiate with Abū Bakr. Their terms were clear. They promised to maintain the daily prayer as the second pillar of Islām, which indicates that they were Muslims.

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<sup>25</sup> Ahmad Ibn Yahya al-Balādhurī, *Ansāb al-Ashrāf* (Cairo 1959), Vol.1, p. 530

<sup>26</sup> al-Diyār Bakrī, *Tarikh al-Khamīs*, Vol. 2, p. 203.

<sup>27</sup> Ibid. Vol. 2, p. 203; Ibn Hajar al-'Asqalānī, *al-Isābah fī Tamyīz al-Sahābah* (Cairo 1939) Vol. 2, p. 461.

<sup>28</sup> Tabarī, *Tārīkh* , Vol. 3, p. 113; see esp. al-Diyār Bakrī, *Tārīkh al-Khamīs*, Vol. 2, p. 203.

Indeed, it was in this particular connection that 'Umar and others protested that it was out of character to fight fellow-Muslims for simply refusing to pay 'zakāh'. Their only demand on this occasion was that they be excused from paying 'zakāh', which Abū Bakr strongly rejected.<sup>29</sup> There can be no doubt that these tribes were willing to enter into an alliance with Madīna, as fellow-Muslims, but with no financial obligation involved. Thus, with Abū Bakr's insistence on the payment of 'zakāh' and the refusal of these tribes to pay it, military conflict became inevitable. When negotiations had failed, the delegation returned home with a grim report. As a result, some decided to stick to the agreement they had made with the Prophet.<sup>30</sup> But the rest of the three tribes – Tay', Asad and Ghatafān - began to prepare for war with Madīna. They formed an alliance and placed themselves under the leadership of Tulaihah Ibn Khuwailid, the chief of Asad.<sup>31</sup> The latter is traditionally classified as 'a false prophet' (*nabī kaddhāb*), or 'a soothsayer' (*kāhin*) according to another version.<sup>32</sup>

### 5.2.2. A WAR ON UNBELIEVERS FOR WITHHOLDING SADAQAH

Tamīm is another tribe of the Najd region. It is scattered over the area between the Yamāmah and the town of al-Hīrah. Some branches of Tamīm were in close relationship with the Lakhmids of al-Hīrah. Many members of the tribe of Tamīm were Christians of the Nestorian Church. It is clear that they did not convert to Islām, but instead they agreed to pay *sadaqah* to Madīna. Ibn Hishām states that a delegation from Tamīm went to Madīna and embraced Islām following an alleged contest of eloquence and poetry between them and the Prophet's friends.<sup>33</sup> However, according to al-Wāqidī and Ibn Sa'd, this contest is linked up with the release of hostages. The hostages were released, the contest followed but no mention of any of the members of this delegation accepting Islām.<sup>34</sup> With a possible exception of very

<sup>29</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 100-103; Ibn al-Athīr, *al-Kāmil fī al-Tārīkh*, Vol. 2, p. 344; Ibn Kathīr, *al-Bidāyah wa al-Nihāyah*, Vol. 3, pp. 854ff.

<sup>30</sup> Tabarī, *Tārīkh*, Vol. 3, p. 102; Ibn al-Athīr, *al-Kāmil fī al-Tārīkh*, Vol. 2, p. 345; al-Diyār Bakrī, *Tārīkh al-Khamīs*, Vol.2, p. 203.

<sup>31</sup> Ahmad Ibn Abi Ya'qub al-Ya'qūbī, *Tārīkh al-Ya'qūbī* (Beirut 1960), Vol. 2, p. 129; al-Balā dhūrī, *Futūh al-Buldān*, pp. 100 – 101.

<sup>32</sup> Ibn Kathīr, *al-Bidāyah wa al-Nihāyah*, Vol. 3, p. 856f.

<sup>33</sup> Ibn Hishām, Part. 4, p. 232; W. Montgomery Watt, *Muhammad at Madīna*, p. 137; H. Charles, *Le Christianisme des arabes nomades sur le Limes et dans the desert syro-mesopotanien aux alentours de l'Hegire* (Paris 1936), p. 55, pp. 60f.

<sup>34</sup> al-Wāqidī, *Kitāb al-Maghāzī* (Beirut 1966), Vol. 3, pp. 973 ff; Ibn Sa'd *at-Tabaqāt al-Kubra* Vol.,1, pp. 417f.

few dissenters, the majority of the tribe of Tamīm agreed to pay *sadaqah* to Madīna . Several chiefs of Tamīm were appointed to collect *sadaqah*. These were Mālik Ibn Nuwayrah, az-Zibriqān Ibn Badr and Qays Ibn ‘Āsim, and perhaps one or two others.<sup>35</sup> It is worth noting, however, that in spite of their appointment to this task, there is no record that any of them actually paid *sadaqah* to Madīna .

Then came the death of the Prophet, which was followed by the struggle at Madīna about a successor. The struggle at Madīna was not helped by the stand taken by the chiefs of Tamīm who, at the same time, were engaged in a power struggle for the leadership of the tribe. In this situation they had no inclination whatsoever to send *sadaqah* to Madīna. Probably, with the uncertainty surrounding the situation at Madīna, and their ongoing power struggle, the chiefs of Tamīm seemed to find themselves in a very difficult position. If one of them were to pay *sadaqah* to Madīna, and afterwards the situation there collapsed, he would lose his prestige in his own tribe, especially if the others had already refused to pay it. On the other hand, if he were to refuse the payment of *sadaqah*, and afterwards Abū Bakr proved an able successor of the Prophet, the prestige of this chief would not be worth a dime in Madīna, especially if the other chiefs had already paid it.

The division in Tamīm became wider when Sājah who claimed to be a prophetess appeared among them. Some of the chiefs allied themselves to her, others stood against her and the third section were reluctant to join the one or the other.<sup>36</sup> But when Abū Bakr became the Calīph, he determined to take punitive measures against Tamīm. With the exception of Mālik Ibn Nuwayrah, one chief after another hastened to send *sadaqah* to Madīna before the arrival of its army.<sup>37</sup> In any case, there are strong indications in the sources to suggest that apart from a very few individuals, Tamīm as a whole was not Muslim. They remained mostly Christians as when they first entered into alliance with the prophet and undertook to pay *sadaqah*.<sup>38</sup>

All the sources agree that the tribes of Najd – Tay’, Ghatafān and Asad (mostly Muslim), and Tamīm (not Muslim) had an alliance with the Prophet and agreed to pay ‘*zakāh*’ or *sadaqah*. We would perhaps prefer to categorize these tribes as ‘*covenanting tribes*’. But,

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<sup>35</sup> Ibn Hishām, Part, 4, p. 271; Tabarī, *Tārīkh* , Vol. 3, p. 22 & esp. pp. 121f; Ibn al-Athīr, *al-Kāmil*, Vol. 2, p. 353.

<sup>36</sup> Tabarī, *Tārīkh* . Vol. 3, pp. 121ff; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh* , Vol. 2, p. 354.

<sup>37</sup> Tabarī, *Tārīkh* , Vol. 3, p. 122. Ibn Hajar al ‘Asqalānī, *al-Isābah* , Vol. 1, p. 525.

<sup>38</sup> W. Montgomery Watt, *Muhammad at Madīna* , pp. 139-140.

soon after the Prophet's death these tribes were split into those who were willing to pay and those who refused to pay their dues to Madīna. It seems quite obvious that the apostates in these events were none other than those who simply refused to pay and were prepared to resort to arms to defend their independence of Madīna.

### 5.2.3. WARS OF CONQUEST

There are certain tribes that fall under different category from the 'covenanting tribes' already mentioned. The agreement between the 'covenanting tribes' and Madīna vis-a-vis the payment of *zakāh* or *sadaqah* was clearly in place, regardless whether or not this agreement was implemented during Prophet's lifetime. Therefore, a war against those tribes that revoked the agreement or 'covenant' (*'ahd*), might arguably be regarded as a just war. But Muslim traditional sources include other tribes, three of them coastal tribes, in the so-called 'Apostasy Wars'. A careful examination of the sources would demonstrate that these tribes appear to have been militarily targeted by Madīna for completely different reasons.

#### 1. The Banī Hanīfah Tribe of Yamāmah

It is certain that the Prophet never extended his authority to Banī Hanīfah. With its political centre in Yamāmah (the surrounding province of Riyadh, the capital of Saudi Arabia today), Banī Hanīfah was by far the strongest and the most important tribe in the province of Najd and the whole of central Arabia. Some sources speak of a letter sent by the Prophet to Hawdhah Ibn Alī, the leader of Banī Hanīfah and a client of Persia, inviting him to accept Islām.<sup>39</sup> It is doubtful if this was indeed the subject of the letter. At any rate, his response to the Prophet's envoy was polite but he did not convert to Islām. He died in 630 AD., probably a Christian like many in Banī Hanīfah.<sup>40</sup> It is very likely that the letter contained a proposal for an alliance with the powerful chief of Banī Hanīfah. But this failed when Hawdhah made this alliance conditional on becoming Muhammad's partner and successor.<sup>41</sup>

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<sup>39</sup> Ibn Sa'd, *al-Tabaqāt at-Kubrā*, Vol. 1, 371; al-Balādhurī, *Ansāb al-Ashrāf*, Vol. 1, p. 531.

<sup>40</sup> A. P. Caussin Perceval, *Essai sur l'Histoire des Arabes avant l'Islamisme* (Paris 1847-8), Vol. 2, pp. 404-8, pp. 575-8; W. Montgomery Watt, *Muhammad at Madīna*, p. 133.

<sup>41</sup> Muhammad Ibn Sayid an-Nas, *'Uyūn al-Athār fī Funūn al-Maghāzī wa as-Siyar* (Cairo 1937), Vol. 2, p. 269; al-Diyār Bakrī, *Tārīkh al-Khamīs*, Vol. 2, p. 40, p.183; al-Balādhurī, *Futūh al-Buldān*, p. 93.

Clearly, there was no agreement arrived at between the Prophet and Banī Hanīfah about an alliance or a payment of *sadaqah*. In fact, the records unanimously report that the overwhelming majority of Banī Hanīfah took their stand with Musaylimah, the so-called false prophet. Moreover, Ibn Hishām does not mention Banī Hanīfah among those tribes to which the Prophet had sent his envoys to collect *sadaqah*. Indeed, the issues that all the sources put forward regarding Banī Hanīfah are completely different from those connected with the other tribes of Najd. The real issue here is not *sadaqah*, but the prophethood of Muhammad and the rule of Madīna over the Peninsula.<sup>42</sup> Musaylimah's claim to be a prophet was in itself a challenge to Muhammad's prophethood and his claim to be the 'Seal of the Prophets' (*khātam an-nabiyyīn*). Also the insistence of Banī Hanīfah on power sharing with Madīna was a serious hindrance to the Prophet's plan (and that of Abū Bakr after him) to unite the Peninsula.

Unlike the other tribes of Najd mentioned earlier, the tribe of Banī Hanīfah was free from internal discord and division. They were strong and united under the leadership of Musaylimah. With many of its members Christians, his leadership of Banī Hanīfah was most certainly political rather than religious. His leadership had its opponents led by Thumāmah Ibn 'Uthāl the ally of Madīna. But this opposition party was small and insignificant and had to flee from Yamāmah when Musaylimah began to prepare for confrontation with Madīna.<sup>43</sup> Unlike the other tribes of Najd, the tribe of Banī Hanīfah would not submit to the authority of Madīna under any circumstances. They determined to preserve their independence at all cost. The protracted and violent nature of the battle that followed was unprecedented in the history of Arabia. Had it not been for the death of Musaylimah that demoralized Banī Hanīfah, and their military blunder in resorting to what was known as '*hadīqat al-mawt*' (the garden of death), history might have been different.<sup>44</sup>

Compared with the other tribes of Najd, the war of Madīna on Banī Hanīfah was not due to an agreement or an alliance they had broken or a *sadaqah* they had withheld. Such issues had never existed in the first place between Madīna and Banī Hanīfah of Yamāmah. The war

<sup>42</sup> al-Ya'qūbī, *Tārīkh al-Ya'qūbī*, Vol. 2, p. 129; al-Balādhurī, *Futūh al-Buldān*, pp. 93f.

<sup>43</sup> Tabarī, *Tārīkh*, Vol. 1, p. 133; al-Diyār al-Bakrī, *Tārīkh al-Khamīs*, Vol. 2, p. 159;

<sup>43</sup> Tabarī, *Tārīkh*, Vol. 1, p. 133; al-Diyār al-Bakrī, *Tārīkh al-Khamīs*, Vol. 2, p. 159; see also Ibn Hajar al-Asqalānī, *al-Isābah fī Tamyīz as-Sahābah*, Vol. 1, p. 203.

<sup>44</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 141f; also al-Balensī, *Kitāb al-Iktifa'* (Cairo 1961), pp. 90f.



was launched with the sole purpose of subduing this tribe and bringing it under the rule of Madīna for the first time. In spite of this, however, the traditional sources classify the war with Banī Hanīfah as one of the ‘Apostasy Wars’.

## 2. The Coastal Tribes of the Peninsula

Traditional Muslim sources point to a number of coastal Arab tribes describing them as having apostatized after the Prophet’s death. Fighting forces were dispatched from Madīna to the coastal tribes of Bahrain, Umān and Yemen to restore them to Islām. But, a critical examination of these sources would reveal that the issue was not as simple as that. Indeed, the sources themselves contain vital clues to indicate that the military objectives of Madīna in these cases were quite different.

### a) Bahrain

The sources dealing with apostasy in Bahrain provide the reader with fragmented and contradictory reports. The picture of the situation in this area after the Prophet’s death is far from clear. For instance, there is confusion in the sources regarding the Prophet’s chief agent in Bahrain, al-‘Alā’ Ibn al-Hadramī. Ibn Hishām tells us that in the tenth year of his immigration to Madīna, the Prophet sent Ibn al-Hadramī to Bahrain to bring *sadaqah*.<sup>45</sup> The same source says elsewhere that the Prophet sent Ibn al-Hadramī to al-Mundhir Ibn Sawā, the ruler of Bahrain, to invite him to accept Islām, and Ibn al-Hadramī remained there as the Prophet’s agent.<sup>46</sup> He is also said to have led the army that conquered Bahrain during Abū Bakr’s Caliphate.<sup>47</sup> But it is not clear whether Ibn al-Hadramī was in Bahrain when the Prophet died or whether he remained there or returned to Madīna. The picture is not clear.

Without naming his source, al-Balādhurī states that the Prophet had dismissed Ibn al-Hadramī and appointed Abān Ibn Sa‘īd Ibn al-‘Ās as his agent in Bahrain. He then cites a second source according to which, Ibn al-Hadramī was an agent over the area of Bahrain,

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<sup>45</sup> Ibn Hishām, Part 4, p. 271<sup>46</sup> Ibid. p. 243

<sup>46</sup> Ibid. p. 243

<sup>47</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 148-150; Ibn Salim al-Balīnsī, *Kitāb al-Iktifa’*, p. 137; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p.369.

which included al-Qatīf. But Abān was over another area of Bahrain, which included a place known as al-Khat. According to al-Balādhurī, the first source is more credible. The author goes on to add that after the Prophet had died and Abān Ibn Sa'īd left Bahrain, the people asked Abū Bakr to appoint al-'Alā' Ibn al-Hadramī over them, which he did.<sup>48</sup>

The conflict in Bahrain had nothing to do with *sadaqah* or apostasy from Islām. In fact, the bulk of the inhabitants there were a combination of Jews, Persians and probably a majority Nestorian Christians. A close examination of certain vital clues in our material should shed some light on what the Bahrain/Madīna conflict was all about. Our material contains three important items of information given by Sayf Ibn 'Umar which are also sustained in other sources. Firstly, Sayf mentions that the death of al-Mundhir Ibn Sawā, the ruler of Bahrain, occurred shortly after that of the Prophet.<sup>49</sup> Secondly, he states that al-Mundhir Ibn Sawā was, to the end of his life, busy fighting the powerful tribe of Rabi'ah. After his death, his followers were besieged in two places, al-Qatīf and Hajar, until Ibn al-Hadramī came to their rescue.<sup>50</sup> Thirdly, reference is made to the uprising of the tribe of Rabi'ah led by al-Hutām Ibn Dubay'ah, shortly after the Prophet's death, against al-Mundhir Ibn Sawā. Then al-Mundhir, who was the ally of Muhammad, died. His followers, who may have included a vast number of Muslims, came under siege. Apparently, al-Hutām was eager to set up a scion of the Lakhmid royal house of al-Hīrah, named al-Gharūr Ibn Suwayd, as prince or king. In this way he aimed to ensure complete independence of Bahrain from Madīna.<sup>51</sup> In this situation, Abū Bakr was able to send an army led by Ibn al-Hadramī to subdue the rebels, whom traditional sources call 'the apostates' of Bahrain.<sup>52</sup>

#### **b) Azd of Umān**

The case of 'Umān in the sources is rather confused. Certain reports, however, carry a ring of truth about them. Firstly, all the sources implicitly refer to the fact that a section of the tribe of Azd was dominant in Umān under the leadership of two brothers, Jayfar and 'Abbād

<sup>48</sup> al-Balādhurī, *Futūh al-Buldān*, p. 88

<sup>49</sup> Tabarī, *Tārīkh*, Vol. 3, p. 148; al-Balādhurī, *Futūh al-Buldān*, p. 90; Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 3, p. 876.

<sup>50</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 149f; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p. 368.

<sup>51</sup> Tabarī, *Tārīkh*, Vol. 3, p. 150; Ibn Salīm al-Balīnsī, *Kitāb al-Iktifa'*, pp. 135ff.

<sup>52</sup> Tabarī, *Tārīkh*, Vol. 3, p. 150; al-Balādhurī, *Futūh al-Buldān*, p. 90; Ibn al Athīr, *al-Kāmil*, Vol. 2, p. 368.

sons of Julunda. They seem to have been clients of Persia. Secondly, it seems that the Prophet had an agent in Umān. Ibn Hishām, who relies entirely on Ibn Ishaq for his information, does not mention Umān at all. However, the sources differ as to the agent the Prophet sent to Umān. With no reference to his source of information, al-Balādhurī, says that the Prophet sent two agents to Umān, Abū Zayd al-Ansārī and ‘Amr Ibn al-‘Ās.<sup>53</sup> According to Ibn Sa’d, the agent was al-‘Alā’ Ibn al-Hadramī; and according to al-Balinsī, the agent was Hudhaifah al-Barīqī.<sup>54</sup> But according to Tabarī and al-Balādhurī, Hudhaifah did not go to Umān until the Caliph Abū Bakr sent him at the head of an army to subdue the rebels.<sup>55</sup> In any case, most traditional sources report that ‘Amr Ibn al-‘Ās was the Prophet’s agent in Umān, and that he departed when the news of the Prophet’s death had reached him.<sup>56</sup>

Ibn Sa’d has preserved the report of ‘Amr Ibn al-‘Ās on his first mission to Umān. The report may throw some significant light on the real cause of the Madīna /Umān conflict. It appears from this report that the approach for an alliance was first made by Jayfar and Abbād to the Prophet. ‘Amr traveled to Umān with a letter from the Prophet in response to their request and with powers to negotiate with them. The contents of this letter are not disclosed. But there is every indication to suggest that the terms of this alliance entailed the relinquishing of sovereignty by the ruling brothers to the extent demanded by the Prophet. At first Jayfar hesitated to accept the terms, but was eventually persuaded by his brother ‘Abbād to accept them. Consequently, ‘Amr stayed in Umān as the Prophet’s agent and assumed control of the *sadaqah*, which he collected from the rich and gave it to the poor. On the death of the Prophet, ‘Amr left for Madīna.<sup>57</sup> His departure from Umān, however, appears to have been more of a hastened flight than a peaceful departure.

The initial approach of the ruling brothers to the Prophet for an alliance may well have been prompted by two critical factors. Firstly, the region was witnessing the growing instability of the Persian Empire at this time, and a search for an alternative alliance was necessary. Secondly, Laqīt Ibn Mālik (known as *dhū at-Tāj*) was the independence party leader in Umān,

<sup>53</sup> al-Balādhurī, *Futūh al-Buldān*, p. 83

<sup>54</sup> Ibn Salim al-Balinsī, *Kitāb al-Iktifa’*, p. 145

<sup>55</sup> Tabarī, *Tārīkh*, Vol. 3, p. 158; al-Balādhurī, *Futūh al-Buldān*, pp. 83f.

<sup>56</sup> Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p. 352; ad-Diyār Bakrī, *Tārīkh al-Khamīs*, Vol. 2, pp. 183 – 208.

<sup>57</sup> See Ibn Sa’d, *at-Tabaqāt al-Kubrā* (Cairo ?), Vol. 1, pp. 372 –3.

an old rival of the Julunda family who posed a serious challenge to the authority of Jayfar and Abbād.<sup>58</sup> The immediate need of this alliance was to keep the challenger at bay. But, when Prophet died, Laqīt led the uprising that forced Jayfar and Abbād to flee to the hills, and most likely also forced ‘Amr to flee to Madīna.<sup>59</sup> Interestingly, al-Balādhurī, like the other traditional sources, describes the reason for Abū Bakr’s military intervention in Umān as being apostasy. But Sayf reports that his military intervention took place only at the request of Jayfar.<sup>60</sup> The report makes sense of the entire Umān issue. Apparently, Jayfar and his brother Abbād lost the power, which their father before them had enjoyed, and were now able to regain it with military help from Madīna. Their alliance with the Prophet after all proved invaluable.

Finally, here we find a remarkable resemblance between the movement led by Laqīt in Umān and that led by al-Hutām in Bahrain. Both were movements of Independence that resisted all outside interference in their coastal territories. However, despite being completely different from the other movements in the Peninsula, the uprising of Laqīt’s movement in Umān, like that of Bahrain, is regarded in the traditional sources as an apostate movement.

### c) The Region of Yemen

The situation in Yemen at this period differed from any other district in the Peninsula. Contact between Yemen and Madīna took place mostly during the last two years of the Prophet’s life (i.e. 630 – 32). During this period the region of Yemen was far from stable. The roots of this instability go back to the year 525 when the Abyssinians conquered Yemen. The conquest appears to have been motivated by the brutal persecution of Christians of Najrān under the Jewish Himyarite king, Dhū Nawās. The disruption of Byzantine trade by Dhū Nawās seems to have been another motive. In any case, the conquest had the full approval and encouragement of Justinian.<sup>61</sup> Apparently, in spite of his orthodoxy, Justinian did not mind to see the presence of Monophysitism there instead of Judaism or Nestorianism. These two had

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<sup>58</sup> Tabarī, *Tārīkh*, Vol. 3, p. 158.

<sup>59</sup> Ibid. p. 158; al-Balādhurī, *Futūh al-Buldān*, p. 83.

<sup>60</sup> See al-Balādhurī, *Futūh al-Buldān*, p. 83. Comp. with Tabarī, *Tārīkh*, Vol. 3, p. 158.

<sup>61</sup> Axel Moberg, *The Book of the Himyarites* (Lund., 1920-1); see also Assemani (al-Sim‘ani), *BO*, (Vatican, Rome 1719-28), 1, 364, *Anecdota Syriaca* 3, 23

Persian connections, and Persia was the traditional enemy of Byzantium.<sup>62</sup> Fifty years later (575), the Persians conquered Yemen and removed the Abyssinian rule from Arabia. From then until it was incorporated into Islamic State, the region of Yemen remained at least nominally under Persian sovereignty. In the process of time, poor contact with the Persian government in Mesopotamia, owing to the growing waves of internal political instability, led the Persian governor in Yemen to depend on his own resources. The weakness of the Persian Empire, which began about 628, was creating a power vacuum in Yemen, and several groups were out to grab it in a long and bitter struggle. The influence of the Persian governor was now reduced and confined to the city of San‘ā’, where the seat of government was. Both he and the so-called al-Abnā’ (literally ‘sons’ i.e. of Persian fathers and Arab mothers), came to constitute one of the groups that were contending for power in Yemen. There is no indication to suggest that these contending groups ever attempted to form a united front against the Persians. The role of resistance against the Persians in Yemen belonged entirely to al-Aswad al-‘Ansī. The internal anarchy and most of all the weakness of Persia may have prompted al-Aswad to launch his first attack.<sup>63</sup> The traditional sources on this point are contradictory and not entirely reliable as we shall see. But, reading carefully between the lines, the nature of the war in Yemen appears to have been one of Wars of Conquest’ rather than of ‘Apostasy’:

1) There are indications in the sources that in the widespread instability that followed, the leaders of the region began to look elsewhere for an ally to fill the vacuum left by Persia, and they soon found him. The sources give a long list of Yemenī tribes that sent their delegations to the Prophet at Madīna, where they are said to have embraced Islām. Consequently, they returned to Yemen accompanied by teachers of the Qur’ān and collectors of *zakāh*.<sup>64</sup> But, it is highly doubtful if such conversions had actually taken place at this stage. The delegation’s sole aim was to effect a political alliance. In his desire to gain the support from the southern tribes, the Prophet must have been satisfied with purely political alliance. He could not have made such an alliance contingent upon their conversion to Islām. True, there are letters and treaties

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<sup>62</sup> A. Vasiliev, *Justin the First* (Cambridge, U.S.A. 1950), pp. 283-99.

<sup>63</sup> W. Montgomery Watt, *Muhammad at Madīna*, pp. 117ff.

<sup>64</sup> Ibn Hishām, Part 4, pp. 249-261; Ibn As‘ad, *at-Tabaqāt al-Kubrā*, Vol. 1, pp. 451ff; al-Balādhurī, *Futūh al-Buldān*, pp.75ff; Tabarī, *Tārīkh*, Vol. 3, pp. 9ff, & p. 161; ad-Diyār Bakrī, *Tārīkh al-Khamīs*, Vol. 2, pp.194-8.

stating that the persons concerned must perform the worship (Ar. *salāt*) and pay the *zakāh*. But, later editors may well have interpolated these phrases. On the basis of their conception of the history of the Prophet's lifetime, they decided that these conditions must have been concluded.<sup>65</sup> The alleged conversion of these tribes was more likely their entry into the sphere of the *Pax Islamica* rather than into the sphere of the *Religio Islāmica*.

At its face value, the portrait presented by the traditional sources is that after the conversion of Yemen, the Prophet appointed Badhām, the head of al-Abnā' and a new convert, as his agent over Yemen. When Badhām died, the Prophet appointed a number of his own agents over different tribes in Yemen.<sup>66</sup> Then, al-Aswad, assisted by Qays Ibn Makshūh and 'Umar Ibn Ma'diyakrib rose up against them and drove them out.<sup>67</sup> It is also reported that when al-Aswad conquered San'ā', al-Abnā' became his attendants. Shortly after the Prophet's death, al-Abnā' conspired with Qays Ibn Makshūh and assassinated al-Aswad.<sup>68</sup> After his assassination, Abū Bakr appointed Fayrūz, one of the leaders al-Abnā', as his agent over San'ā'.<sup>69</sup> Then Qays turned against al-Abnā' and expelled them from San'ā'. Consequently, Abū -Bakr sent an army led by al-Muhājir Ibn Abī Umayyah to subdue Qays Ibn Makshūh.<sup>70</sup>

2) There is a contradictory and confusing picture here about who of the Prophet's agents were appointed and where. Ibn Hishām tells us that the Prophet sent al-Muhājir Ibn Abī Umayyah to San'ā' and Ziyād Ibn Labīd to Hadramout in 10 AH. He also sent Alī Ibn Abī Tālib to Najrān to collect *sadaqah* from the Muslims and *Jizyah* from the non-Muslims. Alī is the only agent said to have discharged his obligation and returned to Madīna.<sup>71</sup> But other sources differ as to who was the Prophet's agent in San'ā'. Was he al-Muhājir Ibn Abī

<sup>65</sup> This is also the view of many European scholars. But W. Montgomery Watt contends that there must be some element of truth in these sources regarding conversion as a condition for alliance. See his *Muhammad a Madīna* pp. 125f.

<sup>66</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 89-91; 'al-Balā dhīrī, *Futūh al-Buldān*, p. 110

<sup>67</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 162f; al-Balādhurī, *Futūh al-Buldān*, pp. 110f; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, pp. 337-340; Diyār Bakrī, *Tārīkh al-Khamīs*, Vol. 2, p. 155.

<sup>68</sup> al-Balādhurī, *Futūh al-Buldān*, pp. 110-111; Tabarī, *Tārīkh*, Vol. 3, p. 162; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p. 338; Diyār Bakr, *Tārīkh al-Khamīs*, Vol. 2, p. 156; see also Ahmad al-Bayhaqī, *as-Sunan al-Kubrā* (Haydarabad 1937), Vol. 1, p. 176.

<sup>69</sup> Tabarī, *Tārīkh*, Vol. 3, p. 165.

<sup>70</sup> al-Balādhurī, *Futūh*, p. 111; Tabarī, *Tārīkh*, Vol. 3, pp. 166ff; Ibn al-Athīr, *al-Kāmil*, Vol. 2, p. 376-7.

<sup>71</sup> Ibn Hishām, Part 4, p. 271; al-Balādhurī, *Ansāb al-Ashraf*, Vol. 1, p. 384; Ibn al-Athīr, *al-Kāmil*, Vol. 2, p. 301.

Umayyah, Khālid Ibn Sa‘īd or Shahr Ibn Badhām - one of al-Abnā’?<sup>72</sup> According to al-Balādhurī, Khālid Ibn Sa‘īd was appointed by the Prophet over San‘ā, and al-Muhājir over Kindah and as-Sadīf.<sup>73</sup> He also goes on to say that after the Prophet’s death, Abū Bakr appointed Ziyād Ibn Labīd over both Kindah in addition to Hadramout, and appointed al-Muhājir over San‘ā.<sup>74</sup> However, Tabarī, followed by Ibn al-Athīr, and apparently relying on Sayf Ibn ‘Umar, tells us that the Prophet appointed Shahr Ibn Badhām over San‘ā, Khālid Ibn Sa‘īd over the area between Najrān and San‘ā, and Muhājir over Kindah. Then, both authors add that Muhājir, for some unknown reason, did not in fact go to Yemen to perform his obligation.<sup>75</sup>

In addition to the three agents whose names are mentioned in Ibn Hishām’s work, other sources mention a number of other agents with appointments south of Mecca. But there are also differences in these sources as to who was appointed and where. One might opine that these differences could have been the result of the huge number of tribes involved, in addition to the confusion and the instability that prevailed in the region. As for the number of the Prophet’s agents, one might suppose that the Prophet could have sent many of his agents to Yemen, not only as collectors of *sadaqah*, but also as teachers and missionaries with the task of spreading Islām among the natives. But, the common task of such agents was in all probability to unite the allies of Madīna in the region for any possible conflict with their opponents in the future.

3) The conflict was inevitable. Ibn Hishām tells us that al-Aswad rose up against al-Muhājir, the Prophet’s agent, as soon as he arrived in Yemen.<sup>76</sup> The other sources confirm this report and point out that the rise and fall of al-Aswad occurred during the Prophet’s lifetime.<sup>77</sup> There is no indication that al-Aswad and his tribe ever converted to Islām, or that there was an

<sup>72</sup> al-Balādhurī, *Futūh al-Buldān*, p. 76; also his *Ansāb al-Ashrāf*, Vol. 1, p. 529; Tabarī, *Tārīkh*, Vol. 3, pp. 90f;

Maqrīzī, *Kitāb an-Niza’ wa at-Takhāsum fī ma bayn Banī Umayyah wa Banī Hāshim* (Cairo 1937), p. 31.

<sup>73</sup> al-Balādhurī, *Ansāb al-Ashrāf*, Vol. 1, p. 82; also his *Futūh al-Buldān*, p. 76; see also Maqrīzī, *Kitāb an-Niza’ wa at-Takhāsum*, p. 31.

<sup>74</sup> al-Balādhurī, *Futūh al-Buldān*, p. 76; also his *Ansāb al-Ashrāf*, Vol. 1, p. 529.

<sup>75</sup> Tabarī, *Tārīkh*, Vol. 3, p. 90; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p. 336.

<sup>76</sup> Ibn Hishām, Part 4, p. 271.

<sup>77</sup> al-Balādhurī, *Futūh al-Buldān*, pp. 109-111; Tabarī, *Tārīkh*, Vol. 3, pp. 89-99, 161; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p. 340; see also Diyār Bakrī, *Tārīkh al-Khamīs*, Vol. 2, p. 155.

alliance between him and the Prophet. It is worth noting that al-Balādhurī cites a report of a contact between the Prophet and al-Aswad that consequently proved fruitless. In any case, even Muslim traditional historians have viewed this report with grave suspicions.<sup>78</sup>

The sources are clear that al-Aswad's movement in Yemen spread like wildfire. The claim that he was a false prophet (*Nabī Kadhdhāb*) remains unsubstantiated.<sup>79</sup> Studying his portrait in Tabarī and Ibn Kathīr, it appears that apart from using divinatory and magical practices, he does not seem to have made a serious claim to be a prophet. It is not unusual for traditional sources to portray an opponent such as al-Aswad as being the devil's instrument!<sup>80</sup> In any case, al-Aswad is said to have captured Najrān, San'ā' and the rest of Yemen within a very short time.<sup>81</sup> Sayf Ibn 'Umar informs us that al-Aswad had written to the Prophet's agents addressing them as subtle intruders (*al-mutawarridūn*), demanding that they hand back all *sadaqat* they had collected in Yemen, "for we are more deserving of it than you".<sup>82</sup> The situation became so dangerous for the Prophet's agents that they were forced to flee in several directions.<sup>83</sup> But al-Aswad's uprising and his brief successes soon came to an end with his assassination.

4) It is certain that al-Aswad was assassinated by a group of conspirators who were in fact his attendants. The story is reported by Tabarī on the authority of Sayf Ibn 'Umar who received it from Abd Allāh Ibn Fayrūz ad-Daylamī. The latter was one of the leaders of al-Abnā' and was actually involved in the assassination.<sup>84</sup> On capturing San'ā', al-Aswad killed Shahr Ibn Badhām and married his widow. Later, she was able to help the conspirators enter his house and kill him.<sup>85</sup> Here we are forced to ask the question: Was there any relationship between the conspirators and the Prophet? To get the answer to this question, we can turn to the sources

<sup>78</sup> al-Balādhurī, *Futūh al-Buldān*, p. 109.

<sup>79</sup> al-Balādhurī, *Futūh al-Buldān*, p. 109.

<sup>80</sup> See Tabarī, *Tārīkh*, Vol. 3, pp. 89ff; Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 3, pp. 850ff.

<sup>81</sup> al-Balādhurī, *Futūh al-Buldān*, pp. 109f; Tabarī, *Tārīkh*, Vol. 3, pp. 91f; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p. 337; Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 3, p. 850.

<sup>82</sup> Tabarī, *Tārīkh*, Vol. 3, p. 91; According to Ibn Kathīr, he addressed them as rebels (*al-mutamarridun*), see his *al-Bidāyah wa an-Nihāyah*, Vol. 3, p. 850.

<sup>83</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 91,162; al-Balādhurī, *Futūh al-Buldān*, p. 109; Ibn al-Athīr, *al-Kāmil*, Vol. 2, p. 337.

<sup>84</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 91ff.

<sup>85</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 92-99; al-Balādhurī, *Futūh al-Buldān*, pp. 110-1; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, pp. 337-8; Diyār Bakrī, *Tārīkh al-Khamīs*, Vol. 2, p. 156; al-Bayhaqī, *as-Sunan* Vol. 8, p. 176.



themselves. First of all, our attention must turn to al-Balādhurī. According to al-Balādhurī, Qays Ibn al-Makshūh was sent by the Prophet to fight al-Aswad and was urged to woo al-Abnā' to his side. He further tells us that the Prophet also sent Farwah Ibn Masīk, the chief of the Murād tribe to help Qays. But before acting against al-Aswad, the news of the Prophet's death arrived in Yemen. Qays then pretended to be on al-Aswad's side so that he could enter San'a'. Once he entered San'a', Qays organized the conspiracy and finally succeeded in eliminating al-Aswad.<sup>86</sup>

Sayf Ibn 'Umar, however, gives another story regarding the assassination of al-Aswad, which seemingly had been transmitted to him through some of al-Abnā'. He tells us that al-Aswad appeared after the Prophet's farewell pilgrimage (*hujjat al-wadā'*) when his health was failing.<sup>87</sup> At this time, Qays rose up against Farwah Ibn Masīk, the chief of Murād and the agent of the Prophet over his own tribe. Then, al-Aswad appointed the warrior-poet, 'Amr Ibn Ma'diyakrib, as his governor over the tribe of Madhaj. He also appointed Qays general over the army in San'a' and Fayrūz and Dadhāwaih as heads of al-Abnā'.<sup>88</sup> Yet, as soon as al-Aswad consolidated his rule over Yemen, he began to despise and persecute Qays and al-Abnā'.<sup>89</sup> In this situation, the Prophet wrote to al-Abnā' urging them to fight al-Aswad by every possible means. And under the leadership of Fayrūz, al-Abnā' took upon themselves to the task of plotting his downfall.<sup>90</sup>

5) The reports of Sayf and al-Balādhurī appear to have suffered from some editorial bias. Ibn Hajar and Ibn Abd al-Bārr, for example, show that there is a considerable doubt about the alleged contact between Qays and the Prophet.<sup>91</sup> Ibn Hishām reports that Qays had refused to accompany 'Amr Ibn Ma'diyakrib to Madīna. Both Ibn Hishām and Ibn Sa'd report his tribe's delegation to Madīna in which his name does not figure.<sup>92</sup> Accompanied by Qays, Ma'diyakrib had hoped to cut the ropes from under Farwah who had already been there. Perhaps by then Qays must have already joined al-Aswad. In all likelihood Qays had joined al-Aswad out of

<sup>86</sup> al-Balādhurī, *Futūh al-Buldān*, p. 110.

<sup>87</sup> Tabarī, *Tārīkh*, Vol. 3, p. 90f; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p. 337.

<sup>88</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 12, 92; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p. 337.

<sup>89</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 92, 96f; al-Balādhurī, *Futūh al-Buldān*, p. 110.

<sup>90</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 92f; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, 337f.

<sup>91</sup> Ibn Hajar al-'Asqalānī, *al-Isābah fī Tamyīz as-Sahābah*, Vol. 3, p. 261; Ibn Abd al-Barr, *al-Isti'āb fī Ma'rifat al-Ansāb* (Cairo 1960), pp. 1299-1300.

<sup>92</sup> Ibn Hishām, Part 4, pp. 252f; Ibn Sa'd, *at-Tabaqāt al-Kubrā*, Vol. 1, p. 460.

animosity towards Farwah Ibn Masīk. The latter was successful in getting the Prophet's support against Qays and Ma'diyakrib because of what appears to have been an old tribal feud. The Prophet was pleased to appoint him as his agent in Murād, Zabīd and Madh'hij. Thus Ma'diyakrib failed not only in getting Qays to accompany him to Madīna, but his own journey there failed to secure for him the Prophet's help against Farwah.<sup>93</sup> Such were the circumstances that led both Qays and Ma'diyakrib to join forces with al-Aswad, as Sayf Ibn 'Umar points out.

Having lost their Persian support, al-Abnā' looked for any outside help to keep their control of Yemen. That help was soon to be found. One report tells us that on the 10<sup>th</sup> year of Hijrah, the Prophet sent an envoy to al-Abnā' to invite them to accept Islām. The result was that they responded to the invitation and converted to Islām.<sup>94</sup> But, Sayf reports that the envoy was sent to urge them to rise against al-Aswad.<sup>95</sup> In another report, Sayf mentions both Fayrūz and Dadhāwaih as being in the service of al-Aswad. They were both in charge of al-Abnā' on his behalf.<sup>96</sup> According to al-Balādhurī, no sooner had al-Aswad taken San'ā' than he began to persecute al-Abnā'.<sup>97</sup> However, almost all the sources agree in reporting that when Badhām, the head of al-Abnā', died the Prophet divided the government of Yemen between many of his agents.<sup>98</sup> It is apparent, therefore, that prior to the coming of the Muslim army under the leadership of al-Muhājir, San'ā' was the scene of a power struggle between three groups: al-Aswad and his followers, Qays and the members of his tribe, and al-Abnā'. In their bitter struggle for power in Yemen, al-Aswad may have had a slight edge over the other two. This may explain why both Qays and al-Abnā' joined their military forces to put him out of the way. Then, after their success they turned against each other, and with Qays having the upper hand in the struggle, he was able to drive al-Abnā' out of San'ā'.<sup>99</sup>

No doubt, the traditional narrative makes a big issue of the financial payment (*sadaqah*) that was allegedly binding on the Yemenī tribes, and which the Prophet's agents were sent to

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<sup>93</sup> Ibn Hishām, Part 4, pp. 251-254

<sup>94</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 89-90

<sup>95</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 92, 96.

<sup>96</sup> Tabarī, *Tārīkh*, Vol. 3, p. 92.

<sup>97</sup> al-Balādhurī, *Futūh al-Buldān*, p. 110.

<sup>98</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 89-91; al-Balādhurī, *Futūh al-Buldān*, pp. 86f; also his *Ansāb al-Ashrāf*, Vol. 1, p. 529; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p. 336.

<sup>99</sup> al-Balādhurī, *Futūh al-Buldān*, p. 111; Tabarī, *Tārīkh*, Vol. 3, pp. 165-169; Ibn al-Athīr, *al-Kāmil fī at-Tārīkh*, Vol. 2, p. 376.

collect. Yet, the cases, which the narrative mentions regarding al-Aswad and Qays, had nothing to do with finance. Indeed, the sources do not raise the issue of '*sadaqah*' in relation to this movement that was opposed to Islām in Yemen. Apparently, this was neither an apostate movement from Islām it had previously embraced, nor a traitor that had broken an alliance made before with the Prophet. Our critical review of the source material about Yemen shows that what in fact happened in that southern part of the Peninsula was different from the portrait of the traditional narrative. What happened must be seen in terms of a reaction by local chiefs against outside intervention in the interest of other chiefs who were competing with them for power. Obviously, the traditional narrative exaggerates in its emphasis on the spread of Islām in Yemen and the subsequent obligation of the tribes to pay '*zakāh*'. It is therefore, not surprising that the traditional narrative describes the events in Yemen and the power struggle there as apostasy. It was an apostasy that Abū Bakr, the first successor of the Prophet, had to fight.<sup>100</sup> The fact of the matter is that this was not a War of Apostasy, but a War of Conquest. The so-called 'Apostasy Wars' revolved around three sections of the Arabian society:

**The first Section** was that of Najd. The term '*ar-riddah*' here may be applicable, but only in the sense that the agreement made with Madīna during the Prophet's time was now revoked. After his death, the tribes of Najd went back on their commitment to pay '*zakāh*'.

**The Second Section** was that of Banī Hanīfah of Yamāmah. The application of '*ar-riddah*' here is unjustifiable. They had no agreement with Madīna. The issue here was Musaylimah's claim to prophecy and his demand that the government of Arabia must be shared.

**The Third Section** was that of Bahrain, Umān and Yemen. Here too the term '*ar-riddah*' is unjustifiable. In spite of many differences between the tribes of these areas, they shared one common political denominator. The majority of the tribes of these areas did not back their Persian-appointed rulers. In this situation they turned to Madīna for support. But they soon found themselves in conflict with their own tribes. Interestingly, the tribes that rebelled against

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<sup>100</sup> All traditional sources are unanimous that the greatest and indeed the only task of Abū Bakr, during his two years Caliphate was his war against apostasy that had plagued Arabia immediately after the Prophet's death. This is particularly emphasized unreservedly in the writings of al-Balādhurī and Ibn Kathīr. See *Futūh al Buldān*, p. 99-111; and also *al-Bidāyah wa an-Nihāyah*, Vol. 3, pp. 842-882. But, by far more than these are Sayf Ibn 'Umar in his *Kitāb ar-Riddah*, and al-Kilā'i al-Balensī in his *al-Iktifa*'. Both of these books have been edited in one single book entitled *Tārīkh ar-Riddah*, by Khurshid Ahmad Farūq (Cairo 1961).

their chieftains (allies of Madīna or its appointees), seem to have had no previous contact with the Prophet whatsoever. At any rate, in all the southern coastal areas, the tribal leaders who had become allies of Madīna were now in conflict with other local tribal chiefs who were competing with them for power. It is therefore clear that the issue about this section of the Arabian society had nothing whatsoever to do with alliances revoked or payments withheld. In fact, the very term '*ar-riddah*' cannot possibly apply to anything done by either party in the internal conflict.

To Sum up: the treatment of the so-called 'Apostasy Wars' by later Muslim writers, most of them jurists, has been greatly coloured by their religious belief and conviction.<sup>101</sup> But the exception can certainly be found. Ibn Abī Hadīd's verdict on the so-called 'Apostasy Wars' is that these wars were purely political rebellion, or rather a politico/economic rebellion. Surprisingly, Ibn Abī Hadīd's verdict has been regarded as objective and reliable even by conservative Muslim scholars today like Muhammad 'Āmārah.<sup>102</sup> But his verdict is applicable only to **The First Section** (see p. 151), and not to the others, as he seems to suggest. In his '*Sharh Nahj al-Balāghah*', Ibn Abī Hadīd writes: "Why do you say that those whom Abū Bakr fought were apostates? Truly, the apostate is the one who renounced the Islāmic faith after he had embraced it. Now, those who refused to pay '*zakāh*' did not deny the Islāmic faith. But, they were only mistaken in their interpretation (i.e. of the Qur'ān). They misinterpreted God's word (which says): 'Of their goods take alms, that thou mightest purify and sanctify them. And pray for them, for thy prayers are a source of security for them'.<sup>103</sup> They said (to Abū Bakr and the Madinan authority): 'We can only give our '*zakāh*' to him whose prayers are a source of security for us. After the Prophet's death no one is qualified to do so. Therefore, our obligation to pay '*zakāh*' is now cancelled'. This has nothing to do with apostasy. The Companions called them '*ahl ar-riddah*' (the People of apostasy) only to describe metaphorically the enormity of their saying and interpretation".<sup>104</sup>

<sup>101</sup> See for example, Shāfi'ī, *al-Umm*, Vol. 8, p. 255; al-'Ainī, '*Umdat al-Qārī ' fī Sahīh al-Bukhārī* (Cairo 1929), Vol. 8, p. 244; Diyār Bakrī, *Tārīkh al-Khamīs*, Vol. 2, pp. 155, 157, 160, 201

<sup>102</sup> Muhammad 'Amarah, *al-Islām wa al-Harb ad-Dīniyah* (Beirut 1983), pp. 60-64.

<sup>103</sup> Sura at-Tawbah [9]: 103.

<sup>104</sup> Ibn Abī Hadīd, *Sharh Nahj al-Balāghah* (Cairo 1959-1964), Ed. by Muhammad Abū al-Fadl. Vol. 13, p. 187.

## 6

**WAS THERE AN EARLY THEOLOGICAL MOVE  
TOWARDS  
PUNISHMENT FOR APOSTASY?**

**6.1. THE APOSTASY ISSUE IN TRANSITION**

The question whether or not the apostasy issue has undergone a transition since the beginning of Islām is a matter of a ‘silent disagreement’ between history and Islamic jurisprudence (fiqh al-Islāmī). We call it ‘silent disagreement’ because neither the jurists nor Muslim traditional narrators have bothered to draw attention to this vital point. Perhaps the responsibility for (this indirect imposition of) silence may rest with the jurists who usually carry the religious and theological clout. After all, legal and doctrinal matters regulating the life of the community ‘*al-ummah*’, are decided not by historians or traditional narrators, but by the Islamic consensus ‘*Ijmā’ al-Muslimīn*’, and this is the role of the jurists.<sup>1</sup> Take, as an example, the subject of ordained punishments (Ar. *hudūd*).<sup>2</sup> This term, as we previously indicated, later became jurisprudentially a technical term for punishments relating to certain crimes about which the Qur’ān is abundantly clear. These crimes are: a.- Theft, punishable by amputation of hand (s) (Sūra al-Mā’idah [5]: 38). b. Highway robbery, punishable by death (vv. 34-35). c. Fornication, punishable by 100 lashes (Sūra an-Nūr [24]:2).<sup>3</sup> d. Slander against married women, punishable by 80 lashes (v. 4). As we noted before, some commentators and certainly the entire Islamic jurisprudence have added to the list, quite wrongly, the death penalty for apostasy. Thus the

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<sup>1</sup> The roots or sources of the Islamic Sharī’ah (Islamic Law), by which the Sunni Jurists must rule, according to Imām Shāfi’ī, are the *Qur’ān*, *Sunnah*, *Ijmā’* (i.e. Islamic consensus) and *Qiyās* (i.e. analogy). The latter has also been described as a type of ‘*ijtihād*’ (i.e. exercise of independent judgment). It is worth noting that az-Zahiriyyah school, founded by Ibn Hazm, did not recognize *Ijmā’* and *Qiyās*. For a full discussion on these Source see Shu’ban Muhammad Isma’il, *Dirasat hawla al-Ijmā’ wa al-Qias* (Cairo 1993), pp. 9 – 20.

<sup>2</sup> The subject of ‘*Hudūd*’, the plural of ‘*hadd*’, is fully discussed elsewhere in this research work, see pp. 109-111.

<sup>3</sup> The term ‘*zānī*’ means both fornicator and adulterer. The latter was punished by stoning, but there is no Qur’ānic text for it. According to ‘Umar, there was a Qur’anic text on the stoning of adulterers, but that text was removed & abrogated. Yet the stoning continued. See Ibn Hishām, Part 4, p. 337.

question whether the issue of the death penalty for apostasy belonged to the age of theo-politics rather than the age of theocracy appears to have been of little interest to the jurists. After all, they were not dealing so much with time as with eternity. Therefore, theologians were, and still are, allowed to stretch heaven like sheep's skin!

### 6.1.1. APOSTASY IN THE THEOCRATIC AGE

Forced to make his famous *Hijrah* (Ar. emigration), the Prophet Muhammad arrived at Madīna some time in June 622 AD where he was welcomed. This event marked, in addition to his prophetic office, the beginning of the establishment of his theocratic government, which came to a close only with his death in 632 AD.<sup>4</sup> This theocratic rule was confined within the period of ten years. During this period the prophet governed the community at Madīna by divine revelation. Indeed, this view is no longer peculiar to European orientalists or Islamicists, but in recent years this argument has been welcomed in Muslim liberal circles.<sup>5</sup>

In the strict sense, Islām could not be said to have been complete by the time of Hijrah. Most of its institutions were still in a very rudimentary state. There is no indication to suggest that the formal Prayers or Worship were fully recognized, although some sorts of prayers must have been practiced. Evidently, however, night prayers seem to have been in vogue.<sup>6</sup> As for the other pillars of Islām – the confession of faith (*Shahādah*), the fasting (of the month of *Ramadān*), almsgiving (*Zakāh*) and pilgrimage (*Hajj*) – they were not yet developed. Yet the basic beliefs in God, the Last Day, Paradise and Hell the sending of prophets – were all prominent.<sup>7</sup> As for the statutes regulating the life of the community such as the penal laws, they were not in vogue during the Meccan period. They came into existence only when the establishment of a Muslim state under the theocratic rule of the Prophet emerged in Madīna. The penal Law of this theocratic period, as enshrined in the Qur'ān, related only to the four

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<sup>4</sup> For the full story of this Hijrah see among the more reliable Muslim narrators Ibn Hishām, Part 2, pp. 97ff; also Ibn Sa'd, *at-Tabaqāt al-Kubrā*, Vol. 1, pp. 317ff. For modern historians see W. Montgomery Watt, *Muhammad at Mecca*, pp.141ff; M. Lings, *Muhammad: His life based on the earliest sources* (Cambridge 1997), pp.123ff.

<sup>5</sup> See Muhammad Sa'īdī 'Ashmawī, *Jawhar al-Islām* (Cairo 1996), pp. 48-62; also Khalīl Abd al-Karīm, *al-Islām bain ad-Dawlah ad-Dīniyah wa ad-Dawlah al-Madaniyah* (Cairo 1995) pp. 13-19.

<sup>6</sup> See Sūra al-Muzammil [73]: 1-8, 20f. With the exception of v. 20 which is generally recognized as Madinan, the rest of this Sūra is early Meccan. According to al-Qurtubī & az-Zamakhsharī, vv. 10 & 11 are also Madinan. See *al-Jāmi' li Ahkām al-Qur'ān*, Vol. 10, p. 6823; *al-Kashshāf*, Vol. 4, p. 621.

<sup>7</sup> W. Montgomery Watt, *Muhammad at Mecca*, pp. 151f.

crimes already mentioned (see pp. 108, 153). Apostasy, which occurs frequently in the Holy Writ, was not one of them.

Sūra an-Nisā'[4]:89 seems to imply the killing of those who "turned renegades" (*tawallaw*). But the context (v. 88) shows clearly that the reference is to the hypocrites who joined the hostile enemy. It then goes on to say:

Therefore if they withdraw from you but fight you not, and offer you peace,  
God has not given you an occasion to fight against them (v. 90).<sup>8</sup>

It is generally accepted that the Prophet is never reported to have killed an apostate during his theocratic rule in Madīna.<sup>9</sup> Some suggest that the reason why the Prophet never punished an apostate was because such a crime was not made public in his days. The same could be said, for example, of the practice of homosexuality, which was kept very secret.<sup>10</sup> This, however, is not entirely true. Certain historical incidents do indicate that apostates were by no means unknown to the Prophet. And the Qur'ānic texts are sufficiently clear that during his theocratic government in Madīna he inflicted no punishment upon them.

1) We have already discussed the case of the 'Uraynah group in relation to Sūra al-Mā'idah [5]: 36-37 from an exegetical standpoint (See pp. 89-90). It is worth noting that on the one hand most Muslim jurists maintain that the 'Uraynah group were apostates and were simply punished for the crime of apostasy.<sup>11</sup> Orientalists like Samuel Zwemer and even Ignaz Goldziher came to share this view. The former in particular shared, and indeed used, the jurists' argument for polemical purposes. In this way the Prophet Muhammad is presented in a very

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<sup>8</sup> Other passages make it clear that the enemies to be fought were the idolaters (*al-mushrikīn*) who broke the covenant with the Prophet and his forces & were hostile to them (Sūra at-Tawbah [9]: 5, 11-16). The faithful were to fight those involved in '*hirabah*' against God and his Prophet (al-Mā'idah [5]: 33-37). On the other hand whenever religious apostasy is mentioned, the punishment of it belongs to God alone in the hereafter (Sūra al-Baqarah [2]: 217; Sūra Āl-'Imrān [3]: 90, 106; Sūra Muhammad [47]: 38.

<sup>9</sup> See Shawkānī, *Nayl al-Awtār*, Vol. 7, pp. 191-193

<sup>10</sup> See the interesting pamphlet of Yūsuf al-Qaradāwī, *Jarīmat ar-Riddah wa 'Uqūbat al-Murtadd, fī Daw' al-Qur'ān wa as-Sunnah* (Cairo 1996), p. 50.

<sup>11</sup> See Ibn Rajab, *Jāmi al-'Ulūm wa al-Hikam*, p. 320; Ibn Taymiyya, *as-Sārim al-Maslūl 'alā Shātim ar-Rasūl* (India 1322 H), p. 319.

negative light.<sup>12</sup> On the other hand, the widely held view among Muslim commentators is that the 'Uraynah group were guilty of *'al-hirābah'* (armed robbery) and were punished for this crime.<sup>13</sup> The text itself makes this abundantly clear. At any rate, it is universally accepted that the 'Uraynah case has nothing to do with the punishment prescribed in the Islāmic law for apostasy. Indeed, nothing can be inferred from this story to help us determine the punishment for apostates. The theocratic rule of the Prophet in Madīna knew of no punishment for apostasy. Such a rule could determine the punishment of *'al-muhārib'* but not of *'al-murtadd'*.

2) Jabir relates a hadīth in Sahīh al-Bukhārī by three different chains of narrators, that a Bedouin Arab named Qays Ibn Hāzim, accepted Islām and took his oath of fealty on the Prophet's hand (see p. 122). When he later contracted a fever he asked the Prophet to release him from his Islamic oath three times, and each time it was refused. He then went away unmolested. The Prophet could only remark that Madīna was a furnace that separated the dross from what is pure.<sup>14</sup> Ibn Hajar says that this Bedouin came to the Prophet asking for release from Islām.<sup>15</sup> Nawawī on his commentary on the text of Muslim quotes al-Qadī 'Ayyād as describing this Bedouin as being definitely an apostate.<sup>16</sup> If indeed apostasy was punished by death during this theocratic period, he could not have been allowed to depart with impunity. He would have been pursued and brought back to be punished, and his fate would have been similar to that of the 'Uraynah gang.

3) Anas Ibn Mālik, a companion of the Prophet, relates a hadīth, reported by as-Sajastānī (d.819) in his *Kitāb al-Masāhif*, and has five different chains of narrators. It ran as follows: "There was a man who used to write (i.e. revelation) for the Prophet may God bless him and give him peace. And it happened that whenever he (the Prophet) dictated to him (that God is)

<sup>12</sup> Samuel Zwemer, *The Law of Apostasy in Islām* (India 1975), pp. 39-40; I. Goldziher, *Muslim Studies* (London 1967), p. 16.

<sup>13</sup> Tabarī, *Tafsīr*, Vol. 4, pp. 279f; az-Zamakhsharī, *al-Kashshāf*, Vol. 1, p. 615; al-Qurtubī, *al-Jāmi li Ahkām al-Qur'ān*, Vol. 4, pp. 2144f. See also *Tafsīr al-Jalālain*, ed. by Shaykh Muhammad Karīm Ibn Sa'īd Rājih (Beirut 1983), p. 143.

<sup>14</sup> Sahīh al-Bukhārī, *Kitāb al-Ahkām, Bāb man Bāya'a thumma Istaqāla al-Bay'a*, Vol. 9, p. 242.

<sup>15</sup> Ibn Hajar, *Fath al-Bārī*, Vol. 4, pp. 77f.

<sup>16</sup> Abū Zakariyā Nawawī, *Sharh Muslim* (Cairo ?), Vol. 9, p. 391.



*samī'an basīran* (all hearing and all seeing), he wrote '*samī'an 'alīman*' (all hearing and all knowing). He happened to have learned by heart Sūra al-Baqarah and Sūra Āl-'Imrān, which was a great deal to learn by heart in those days. Then he became a Christian and used to say, 'I could write anything I wanted when I was with Muhammad (i.e. for he could not remember). When that man died and was buried the earth vomited him out. He was reburied and the earth vomited him out again. Anas said that Abū Talhah used to say, 'I saw him cast on the surface of the earth.'"<sup>17</sup> In this narrative, which is most probably an older version, the scribe is said to have apostatized by converting to Christianity and is described as having died undisturbed. But on his burial the earth vomited him out, and he names Abū Talhah as an eyewitness.

In Sahīh al-Bukhārī, which was compiled during the Abbasid period, Anas' story has only four different chains of narrators. Like most of al-Bukhārī's hadīths, this one is not only quite embellished, but also reflects the flurry of theological activities of Muslim jurists with which the Abbasid period became famous. It was during this period that Muslim Jurists developed complex sets of rules belonging to the sphere of penal as well as civil laws. These sets of rules included those which pertained to the legal status of those Muslims who abandoned their faiths – apostates, and who in most cases reverted to their former faiths. In al-Bukhārī's version, the Prophet's scribe is described as having reverted to his former Christian faith. In addition to this, he is portrayed as having died a fugitive.<sup>18</sup> Thus for al-Bukhārī, who lived more than half a century after al-Kalbī, the Prophet's scribe was an apostate who reverted to his former religion and a fugitive under the sentence of death for his apostasy. The version of al-Bukhārī seems to have been so interpolated as to bring it into consonance with the developing penal law pertaining to apostates at that period, or simply to help provide a more concrete basis on which such law may be seen to rest.

4) It is very likely that Sūra Āl-'Imrān [3]: 72 is descriptive of a historical situation (see p. 84). A Jewish group in Madīna (*tā'ifatun min ahl al-Kitāb*) had adopted a tactic by which they sought to destabilize the faithful. They pretended to embrace Islām at sunrise and reject it at sunset. According to the Qur'ān, this was done in order to trick the believers into repudiating

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<sup>17</sup> Abū Bakr as-Sajastānī, *Kitāb al-Masāhif* (Lebanon 1985), pp. 7-8.

<sup>18</sup> Sahīh al-Bukhārī, *bihāshiyat as-Sindī* (Cairo ?), Vol. 1, Part 2, pp. 282-283.

Islām. It is worth noting that at this time Islamic government was established in Madīna with the Prophet as its theocratic ruler. It is very difficult to imagine how this group of Jews could have enacted this plan if death was a penalty for apostasy. It is equally hard to imagine how this Jewish group could have encouraged Muslims to abandon their faith in this way if they knew that Muslims would be executed for apostasy? The fact of the matter is that neither this Jewish group nor any that might have been tricked into abandoning Islām had been executed. The present day advocates of the death penalty for apostates have serious difficulties challenging this argument. They have two quite unconvincing answers to this argument: 1. The reason that none of the above apostates were punished was probably because at that stage of the Prophet's rule in Madīna the legislation regarding apostasy had not yet been introduced. 2. As for the behaviour of that Jewish group who planned to destabilize the believers, they were in any case known to the Prophet to be hypocrites. Yet, hypocrites, they argue, were not to be killed but simply fought by word of mouth.<sup>19</sup>

Sūra Āl-'Imrān [3]: 72 was probably revealed during the historic visit of the Christian delegation of Najrān to Madīna about two years before the Prophet's death (630 AD).<sup>20</sup> But, there is no historical evidence to indicate that there was any legislation made regarding apostates during the Prophet's theocratic rule in Madīna. Unfortunately, the second answer seems to portray Islām as rewarding apostates with death if honest, and sparing them if they fake Islām.<sup>21</sup> The legislation regarding apostasy does not seem to belong to the Prophetic or theocratic period. Some suggest that legislation could have begun with the theo-political period, which began with what Islamic history terms as the period of the rightly guided Calīphs.<sup>22</sup>

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<sup>19</sup> Ahmad Rashīd Tāhūn, *Hurriyāt al-Aqīdah fī al-Sharī'ah al-Islāmiyyah* (Cairo 1998), p. 373

<sup>20</sup> Ibn Hishām, Part 2, pp. 204ff; see also W. Montgomery Watt, *Muhammad at Madīna*, p. 127.

<sup>21</sup> According to a tradition, this appears to be the case: "The Prophet is reported to have said, 'I have been commanded to fight the people (i.e. idolaters) until they declare that there is no god but God. Whoever among them declares that there is no god but God, he will save his life and property from me, and he will be accountable to God (i.e. if he did not mean it)'. See Sahīh al-Bukhārī, *Kitāb Istitābat al-Murtaddīn... Bāb Man abā qubūl al-Fara'id*, Vol. 9, pp. 46-47. Apparently, this conviction was echoed first by some 'Ansar' zealots shortly after the conquest of Mecca, and was later attributed to the Prophet. See Ibn Hishām, Part 4, pp. 224f. However, there is no evidence that the idea of 'fighting unbeliever (i.e. idolaters) until they believe' was really practiced by the Prophet and his community, and Arabia was not even mostly islamized when the Prophet died.

<sup>22</sup> The distinct features of the two periods are described by the Muslim historian, Ibn Burhān al-Halabi, when he wrote, "Do not revile Muhammad's companions, for they accepted Islām in fear of God, and the people accepted Islām in fear of their swords". See his *as-Sirah al-Halabiyah an-Nabawiyah* (Cairo ?), Vol. 1, p. 46.

### 6.1.2. APOSTASY AND THE RISE OF THEO-POLITICS

With the death of the Prophet in 632 AD, legislative activity through the Qur'ānic revelation and no doubt Prophetic authority came to a close. In other words, far from continuing, the death of the Prophet marked the end of the theocratic period in Madīna and the beginning of the theo-political age.<sup>23</sup>

A theocracy, strictly speaking, is a society ruled by God through a Prophet like Moses or Muhammad. The possible example of a theocracy is found in the Old Testament Pentateuch, which portrays the Mosaic theocracy. Here Yahweh is King (Deut. 33:5), Israel was His army and their wars were His wars (Ex.7:4; Num.21:14). We find a counterpart in the theocracy of Madīna under the Prophet Muhammad. Here Allāh is King according to Sūra al-Jumu'a [62]:1, the Muslim '*Mujāhidīn*' (holy warriors) constituted His army and their '*Jihād*' was His '*Jihād*' according to Sūra an-Nisā'[4]:95; Sūra al-Hajj [22]:78. But the concept was not only a military one. Legislative and judicial powers lay also in the hands of God, which He revealed to His prophet who in turns implemented in the community. With the death of the Prophet Muhammad, the scene changes from theocracy to theo-politics.

Theo-politics is the system that relies on religious or scriptural text for guidance, solutions or clarifications in matters religious, domestic or sociological. After the Prophet, it was natural that the succeeding Calīphs should endeavour to guide the Muslim community on the lines of its founder, in consultation with the leading companions of the Prophet. The guiding principles were to be found in the Qur'ān and in whatever meagre element of tradition that might have been circulating at the time. But these were comparatively very narrow foundations to work upon at this very early period. At any rate, with the emerging new situations, which required new policies, the first Calīphs were able to extend these

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<sup>23</sup> For many orthodox (including all so called Fundamentalist) Muslims, Islām is '*Dīn wa dawlah*' (Religion & State). Therefore, the age of theocracy which the Prophet began continues free from '*bida*' (innovations). Judgment by anything other than what God has revealed (in the Holy Qur'ān) is unbelief, transgression and Rebellion as is clear in Sūra al-Mā'idah [5]: 44, 45, 47. This passage is their motto, a clarion call to return to the Islamic theocracy of the Prophet's time. Liberal Muslims argue that the Prophet's period was a theocracy. This, they argue, was not a political but a spiritual period, which governed the life of the first community under the Prophet. It was both unique and unrepeatable, and the companions were fully aware of this matter. For a full discussion see Muhammad S. 'Ashmāwī, *al-Khilāfah al-Islāmiyah* (Cairo 1997), pp. 91-120; also Khalīl Abd al-Karīm, *al-Islām bayn ad-Dawlah ad-Dīniyyah was ad-Dawlah al-Madaniyyah*, pp. 13-19.

comparatively narrow foundations, which eventually led to their interpretation being broadened beyond the original meaning. As representatives of the Prophet, they also saw no problem in having legislative activity of their own, and even on occasions had no qualms altering Qur'ānic laws and authoritative decisions of the Prophet for political, judicial or military reasons. Thus with the death of the Prophet, a theo-political age had dawned.

It may look as historical that according to tradition Abū Bakr is presented as a model of the Prophet when it came to the guiding principles to be found in the Qur'ān and tradition, whilst his successor, 'Umar, was more inclined to interfere and change (see p. 21).<sup>24</sup> But 'Umar was not the first to do so, as some historians seem to suggest. The fact of the matter is that according to our reading of Muslim sources, Abū Bakr was the first to introduce legislative activity of his own and was not reluctant to interfere and change. This can be explained by his reaction to the events that transpired soon after the Prophet's death and led eventually to the so-called 'Apostasy Wars'.

Strangely enough, the three Muslim tribes of Najd, Tay, Asad and Ghatafān (see pp.136f) first provided the spark of trouble. After the Prophet's death, they refused to pay 'zakāh'. In keeping with Arab custom, political allegiance or loyalty was to an individual and could only be terminated by his death. But, for Abū Bakr, the Prophet made this agreement with them on behalf of the community. Therefore, the agreement was meant to continue beyond the Prophet's death with himself as the Prophet's successor and head of the theo-political community. At this stage, attention must be drawn to two points:

1) There is no evidence in the sources to indicate that the Prophet made this agreement on behalf of the community or that it was meant to continue indefinitely. This was clearly Abū Bakr's own inference, and it does not seem to have been shared by prominent Companions like 'Umar, Abū 'Ubaidadah al-Jarrāh and Sālim Ibn Ma'qal. They are known to have had some acrimonious debates with him over this matter.<sup>25</sup> According to al-Wāqidī, 'Umar had suggested to Abū Bakr that "the Arabs withhold their money... and you are doing nothing to stop them

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<sup>24</sup> For a full discussion on 'Umar's notoriety to change rules, see Noldeke, *Geschichte des Qurans* (Leipzig 1909-19), Vol. 1, pp. 48-241

<sup>25</sup> The last one was 'mawla' client of the Prophet, see al-Balensī, *Kitāb al-Iktifa'*, ed. by Khurshid Ahmad Farūq under the title '*Tārīkh ar-Riddah*', pp. 3f.

dispersing from around you. You should perhaps let them keep the ‘*sadaqah*’ for this year”.<sup>26</sup> Yet, that is exactly what Abū Bakr refused to do, saying, “By God, if they refused to pay me even one ‘*iqāl*’ (i.e. a year’s *sadaqah*)... I will fight them for it”.<sup>27</sup> The heated argument between the Companions and Abū Bakr seems to indicate that at least, for some like Ibn Mas‘ūd, the issue of ‘*sadaqah*’ should not be allowed to cause waves and should be set aside.<sup>28</sup> Some may not have seen any harm in the question of loyalty to the Prophet alone in accordance with Arab custom. For others, like ‘Umar, this matter required openness and flexibility. In ‘Umar’s perception, the most important issue is the acceptance of Islām. These tribes were Muslims and the Prophet did not fight Muslims.<sup>29</sup> On the contrary, Abū Bakr was adamant that he will fight them if they refused to pay him ‘*sadaqah*’ or ‘*zakāh*’.<sup>30</sup> He perhaps decided that this refusal was not only a defiance to him and his Madinan authority, but a defiance to Islām itself. He may have perceived failure to pay ‘*zakāh*’ as tantamount to rejecting the third pillar of Islām. Interestingly, according to az-Zuhrī, Abū Bakr at one point ordered his army general, Khālid Ibn al-Walīd, that he must fight the people on the basis of the five pillars of Islām. He who rejects one of them must be fought in the same way as he who rejects them all.<sup>31</sup> But Abū Bakr should have remembered how the Prophet was forbidden to take ‘*sadaqah*’ from the unbelieving hypocrites who gave unwillingly and under constraint according to Sūra at-Tawbah [9]: 53-54. If the report of az-Zuhrī is true, then why did Abū Bakr fail to follow the guideline of the Qur’ānic revelation and walk in the footsteps of the Prophet, instead of taking ‘*sadaqah*’ from another sort of unbelievers, and even using military force to that end? The fact of the matter is that Abū Bakr’s action was not dictated by revelation. It was the product of theo-politics, in which faced with a new and unprecedented situation, he did not hesitate to step in with his own legislative activity in order to deal with it.

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<sup>26</sup> Quoted by al-Balensī in his *Kitāb al-Iktifa’* from one of the books of al-Wāqidī which, according to Khurshid A. Farūq, is now lost, see Ibid. p. 4; also al-Dhahabī, *al-Khulāfa’ ar-Rāshidūn*, p. 20.

<sup>27</sup> In another version it is ‘*inaq*’ (i.e. a ewe lamb). For the two versions see al-Balādhurī, *Futūh al-Buldān*, p. 99.

<sup>28</sup> al-Balādhurī, *Futūh al-Buldān*, pp. 99-100

<sup>29</sup> *Sahīh al-Bukhārī, Kitāb Istitābat al-Murtaddīn... Bāb Man abā qubūl al-Farā’id*, Vol. 9, pp. 46-47; also al-Dhahabī, *al-Khulāfa’ ar-Rāshidūn*, p. 2; Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 3, p. 855.

<sup>30</sup> Interestingly, all the sources report that these tribes had committed themselves to paying ‘*sadaqah*’ to the Prophet. But, there is no record that they actually honoured their commitment. At any rate, about this time ‘*zakah*’ was still identified with ‘*sadaqah*’. But ‘*zakah*’ in later Islamic usage meant the prescribed ‘legal alms’, while ‘*sadaqah*’ meant ‘voluntary alms’. See W. Montgomery Watt, *Muhammad at Madīna*, pp. 369-372.

<sup>31</sup> Quoted by al-Dhahabī, *al-Khulāfa’ ar-Rāshidūn*, p. 21

For him, this was a rebellion that threatened the economic lifeline of the new ‘*ummah*’, or perhaps more precisely, the new religio-political state.

2) It is worth noting that in his heated debate with the above-mentioned Companions, Abū Bakr never invokes any of the Qur’ānic verses on religious apostasy. It could be argued that he did not do so because he knew that such verses mention no death penalty for apostates. But surely as one of the closest Companions of the Prophet, he could have remembered and used at least one of the two hadīths on the death penalty for apostasy, which we have discussed already (see pp. 111-123). This could have left no room for debate. Perhaps there are two possibilities why he did not do so:

a) There is the possibility that privately Abū Bakr did not consider those tribes of Tay’, Asad and Ghatafān that withheld ‘*sadaqah*’ as religious apostates. This may be supported by the fact that throughout his clash with them, Abū Bakr never used or applied the term ‘apostasy’ or ‘apostates’ to them. It is worth returning to ‘Umar’s question to Abu Bakr. ‘Umar asked him: “How can you fight these people when the Prophet has said, ‘I have been commanded to fight the people until they say there is no god but God. Whoever declares there is no god but God, God will save his property and life from me’?”<sup>32</sup> Abū Bakr’s reply may contain a tacit agreement that although the rebels concerned were Muslims, “by God, if they refuse to pay even a year’s *sadaqah* they used to pay God’s Prophet, I will fight them for it”.<sup>33</sup> There are two letters ascribed to Abū Bakr, and reported by Tabarī. One is said to have been sent simply to ‘the apostate Arabs’, and the other to his army leaders. The accusation of apostasy is mentioned twice only in the first letter, using the words ‘*raja*’ and ‘*yarji*’ (to turn back).<sup>34</sup> We are not sure if these two letters can even be considered as a reproduction of the original ones, assuming that the original ones did exist. A careful reading of these letters shows that their theme does not seem as though it was being addressed to a people that had apostatized from the faith. Additionally, the style of the letters is too prosy and appears to reflect the style of a later period, probably the Abbasid period (See these letters in Tabari, *Tarikh*, Vol. 3, pp. 107-9).

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<sup>32</sup> Sahīh al-Bukhārī, *Kitāb Istitābat al-Murtaddīn. Bāb Man abā qubūl al-Fara'id*, Vol. 9, pp. 46-47

<sup>33</sup> Ibid. Vol. 9, pp. 46-47; al-Baladhūrī, *Futūh al-Buldān*, p. 99.

<sup>34</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 107-109. The version of the first letter as reported by Handalah Ibn Alī al-Laithī varies, see al-Balensī, *Kitāb al-Iktifa*’ ed. by Khurshid A. Farūq, in *Tārīkh ar-Riddah*, pp. 27-29.

b) It appears from 'Umar's question that he may not have interpreted the refusal to pay 'zakāh' as apostasy. The members of these tribes, or at least most of them, still confessed the unity of God. Indeed, they had already told Abū Bakr that they will keep the daily 'salāt' (prayer), but they were not prepared to pay 'zakāh'.<sup>35</sup> But Abū Bakr had a problem, and we have a problem with him! He simply refused saying: "By God, I will fight whoever differentiates between prayers and 'zakāh', as 'zakāh' is the right to be taken from property..."<sup>36</sup> Abū Bakr was not prepared to separate the religious confession of faith or the obligatory daily prayers from the obligations to the government, and to that end he was ready to use the army to enforce it. He may even have gone further and viewed the rebels' action, especially when they threatened to attack Madīna, as a declaration of war on the government of the Islamic 'ummah'.<sup>37</sup> In this way, he might have regarded them as "those who wage war against God and His Apostle" according to Sūra al-Mā'idah [5]:36, in order to justify his military expedition against them. But, in doing so, did Abū Bakr become the first to connect religious apostasy (without the death penalty, Qur'ānically), with the political treason (with the death penalty)?

To answer this question it is necessary to re-assess Abū Bakr's perception of this grave issue and compare his policy with that of his successors. In this way we might be able to know whether or not the established policy of death penalty for apostates goes back to Abū Bakr's Caliphate.

## **6.2. THE POLICIES OF ABŪ BAKR AND HIS SUCCESSORS**

The brief rule of Abū Bakr has always been of immense interest to many historians. His Caliphate lasted slightly more than two years (AD 632-634), and was dominated almost entirely by the so-called 'Apostasy Wars' (*hurūb ar-riddah*). The jurists' interest in Abū Bakr's brief rule focuses almost entirely on the issue of the 'Apostasy Wars'. One would in vain look for a jurisprudential treatment of apostasy in which the 'Apostasy wars' issue is not

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<sup>35</sup> Tabarī, *Tārīkh*, Vol. 3, p. 100.

<sup>36</sup> Sahīh al-Bukhārī, *Kitāb Istitābat al-Murtaddīn*... Vol. 9, p. 47; al-Dhahabī, *al-Khulāfa' ar-Rāshidūn*, p. 20; Ibn Kathīr, *al-Bidāyah was an-Nihāyah*, Vol. 3, p. 855.

<sup>37</sup> Tabarī, *Tārīkh*, Vol. 3, pp. 102ff.

cited as a concrete basis for the death penalty.<sup>38</sup> Orthodox Muslim writings have appeared in recent years deploring the present day apostasy and longing for the rise of another Abū Bakr.<sup>39</sup>

With the absence of any form of earthly punishment for religious apostates in the Qur'ān, the jurists resorted to the tradition, and particularly to the two hadīths that prescribe the death penalty for apostasy. But even this has not been easy. These two Hadīths belong to the category of 'Ahād' traditions, and could not be used in matters of legislation, as we previously pointed out in some detail (see pp.111 ff).<sup>40</sup> Some like Bājī, the distinguished Mālikī jurist (d. 494 AH) appears to ignore such traditions making it clear that apostasy is "a sin for which there is no 'hadd' punishment".<sup>41</sup> Instead some of them allow 'ta'zīr' (discretionary punishments), which in their opinion, is a matter for the ruler alone to administer. However, the idea of 'ta'zīr' has not been popular among the bulk of the jurists. In fact, Ibn Qudāmah does not categorize the punishment of apostates as 'ta'zīr'. For him, as for most jurists, the execution of apostates is indisputable, "li'annahū qatl yajibu li haqqi Allāh ta'ālā" (such a death must occur, being a right due to God, may He be exalted).<sup>42</sup> For the jurists, with al-Bukhārī at their head, Abū Bakr's punitive action against the so-called apostates is a perfect example of how the prophetic tradition should be implemented. In his Sahīh, the famous compiler places Abū Bakr's declaration of war against the rebellious withholders of 'zakāh' under the title, **'the Killing of those who refuse to fulfil the Duties enjoined by Allāh and considering them as Apostates'**.<sup>43</sup> The attribution of religious apostasy to the above-mentioned three tribes of Najd is the product of the jurisprudential schools of the Abbasid period, which sought to project the punishment of apostasy to the higher authority of the Companions. This period was noted for the rise of many heresies as well as the rise of many insurrections against the ruling dynasty. The role of the jurists in combating these dangerous elements was an invaluable service to the Abbasids. It was during this period that the apostate who defected from the religion of the

<sup>38</sup> Taysir Khamīs al-'Umar, *Hurriyāt al-I'tiqad fī Zil al-Islām* (Beirut 1998) pp. 269ff; J. Mahmūd al Fudaylat, *Ahkām ar-Riddah wa al-Murtaddīn* (Amman 1987), pp. 296ff; Mahmūd Mazrū'a, *Ahkām ar-Riddah wa al-Murtaddīn* (Cairo 1994), pp. 181ff.

<sup>39</sup> The most famous of them is the book by Abū al-Hassan an-Nadawī, *Riddah walā Abū Bakrīn laha* (i.e. Apostasy and no Abū Bakr to it) (Cairo 1978).

<sup>40</sup> Shaykh Mahmūd Shaltūt, *al-Islām 'Aqida wa Sharī'a*, p. 252.

<sup>41</sup> Sulayman Ibn Khalaf Bājī, *al-Muntaqa Sharh al-Muwattā'* (Cairo ?), Vol. 5, p. 282.

<sup>42</sup> Ibn Qudāmah, *al-Kafī fī Fiqh al-Imām al-Mubajjal Ahmad Ibn Hanbal* (Damascus ?), Vol. 3, 161.

<sup>43</sup> See Sahīh al-Bukhārī, *Kitāb Istitābat al-Murtaddīn. Bāb Man abā Qubūl al-Farā'id wa mā Nusibū ilā ar-Riddah*, Vol.9, p. 46.



Caliph was equaled to one who was in revolt against him. This was a grave violation of the Qur'ānic teaching.<sup>44</sup> The culprits were now *'muhāribīn'* and therefore apostates worthy of death.<sup>45</sup> Yet, in acting the way he did, Abū Bakr may not have intended to connect religious apostasy (without death penalty) with political treason (with the death penalty). This, as we have just suggested, was the work of the jurists of later times. The policy that Abū Bakr adopted under such circumstances was designed to meet a particular need at a particularly critical time. There is no evidence to suggest that Abū Bakr's policy was intended to be the established legal policy for all times and in all circumstances relating to acts of apostasy. Each of the 'Rightly Guided Caliphs' appears to have dealt with it differently when it arose.

### 6.2.1. THE CRITICAL RULE OF ABŪ BAKR

As we mentioned earlier, the name 'apostasy wars' may justifiably apply only in the case of the three tribes of Najd – Tay', Asad and Ghatafān. These were indeed Muslims who simply refused to pay *'zakāh'* to Madīna following the Prophet's death. In the case of the wars of Madīna against the other tribes, the name 'apostasy' is unjustifiable. These, as we shall see, were 'Wars of Conquest' designed to unite the Arabian Peninsula as never before.

The term 'Apostasy wars' even when justifiably used, as in the case of the three above-mentioned tribes of Najd, leaves a great deal of vagueness. For example, were these tribes guilty of political or religious apostasy? According to the Islamic jurisprudence (*al-fiqh al-Islāmī*), this was a religious apostasy. But the heated debate between Abū Bakr and 'Umar and the other Companions indicates that this was a political apostasy (or rebellion) and had nothing to do with religion. In terms of today, this action would be described as a 'political insubordination' or 'civil disobedience'. It appears that in the entire episode of the so-called "Apostasy wars", the Abū Bakr/ 'Umar debate has a remarkable ring of historical truth to it. It

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<sup>44</sup> See Sūra an-Nisā' [4]:59. Obedience to the ruler is an article of faith. In a tradition related by Abū Hurairah, the Prophet is reported to have said, "he who obeys me obeys God and he who disobeys me disobeys God, and he who obeys my ruler (*amiri*) obeys me and he who disobeys my ruler disobeys me". A revolt against the ruler is a revolt against God and His Prophet, and this is tantamount to apostasy. On this point see az-Zamakhsharī, *al-Kashshāf*, Vol. 1, p. 513. However, some commentators take "*Ulu al-Amr minkun*" (those charged with authority among you), as a reference to the jurists, which is doubtful. For a discussion on this point see Qurtubī, *al-Jāmi' li Ahkām al-Qur'ān*, Vol. 3, pp. 1828-1833.

<sup>45</sup> Among the most ardent advocates of this view is the jurist, Abū Qulābah. See Ibn Rajab, *Jāmi' al-'Ulūm wa al-Hikam*, p. 320.

is reported by all sources, with the exception of the additional statement in some of them that at the end 'Umar agreed with Abū Bakr. 'Umar is alleged to have said: "By God, it was nothing, but I noticed that God opened Abū Bakr's heart towards the decision to fight, therefore, I realized that his decision was right."<sup>46</sup> But, it is very doubtful if this was 'Umar's final response to Abū Bakr's decision. As a matter of fact, the sources appear to indicate that 'Umar was never happy with this policy. As the war progressed and terrible news was arriving in Madīna, 'Umar could not conceal his disapproval of this policy. He was bold enough to tell Abū Bakr: "You have sent a man (i.e. the army general Khālid Ibn al-Walīd) to kill Muslims and torch them with fire."<sup>47</sup>

It is worth noting, however, that in the case where religious apostasy was involved, Abū Bakr does not seem to have inflicted any punishment on the culprits. Tabarī reports the interesting incident of two religious apostates, 'Uyainah Ibn Hisn and Qurrah Ibn Hubairah, who had been pardoned by the Calīph Abū Bakr. These two had been captured by the Muslim forces and brought to Madīna to appear before the Calīph. Here 'Uyainah had simply confessed that he had still not believed in God. Qurrah had also secretly become an apostate, though he reportedly adopted hypocrisy in this regard.<sup>48</sup> The treatment of these two individuals seems to indicate the absence of any settled rule regarding the punishment of religious apostates during this particular time.

However, the possibility still remains that for Abū Bakr, defection from obedience to the Calīph and the ruling eldership of Quraysh at Madīna was defection from Islām itself. And defection from Islām on such a large and threatening scale, according to him, had to be checked. But beyond all doubt this was a policy peculiar to the theo-politics of Abū Bakr. There is little doubt that Abū Bakr became the Calīph at a critical period in the political life of the young Muslim community. This critical period required a critical decision. But, although support for it was by no means unanimous, it was never to be repeated in the future by any of his successors. It seems clear therefore that history does not repeat itself, only the jurists repeat themselves!

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<sup>46</sup> Sahūh al-Bukhārī , *Kitāb Istitābat al-Murtaddīn*... Vol. 9, p. 47; al-Dhahabī, *al-Khulāfa' ar-Rāshidūn* , p.20; Suyūṭī, *Tārīkh al-Khulāfa'* (Cairo 1969), pp. 74-75. Tabarī and al-Balādhurī do not report this response.

<sup>47</sup> al-Balādhurī, *Futūh al-Buldān*, p. 103; Tabarī, *Tārīkh* , Vol. 3, pp. 129f.

<sup>48</sup> See Tabarī, *Tārīkh* , Vol.3, p. 115.

### 6.2.2. 'UMAR AND HIS STABLE RULE

'Umar's Caliphate, which lasted for ten years (634-644) was cast into a different theo-political mold from that of his predecessor. There are underlying reasons for this change:

a) The change may be attributed to the very character of the second Caliph himself. Abū Bakr, under certain circumstances, could not be prevented from legislative activity of his own and even interference when necessary. But 'Umar could even go much further. In terms of legislative administration, he did not hesitate to introduce regulations for his non-Muslim subjects. He was the first to establish the institution of a register of those having the right to military pensions (*ad-Dīwān*). He was the founder of the military centres, which grew into the future great cities of Islām, and he was also the creator of the office of 'Qādī' (judge). In matters of worship he was the originator of a series of ordinations such as 'salāt at-tarāwīh' (the prayers of the month of Ramadān) and the obligatory pilgrimage. In addition, he was the first to call for the formation of the Muslim calendar of Hijrah.<sup>49</sup> In matters of penal laws, he introduced the punishment for drunkenness and stoning as a punishment for adultery. He could even cancel the 'sadaqah' (in this sense the freewill offerings) to those Meccans "whose hearts are to be reconciled" (*al-mu'allafatu qulūbuhum*).<sup>50</sup> As for the stoning of adulterers in particular, it looks as if 'Umar did not hesitate to interpolate a verse in the text of the Qur'ān.<sup>51</sup> Under certain circumstances, he could forbid what has been Qur'ānically permitted to the Muslim male, such as marrying females from the People of the Book (see p.25).<sup>52</sup>

b) There is a sense in which the impact of 'Umar's strict rule may have been deeply rooted in his ascetic character. It is obvious that the impact of his strict rule was by no means easy for the community to cope with. This led Caetani to assume that the murderer, Abū Lu'lu'ah, "was only the unconscious instrument of a conspiracy of the Companions who had had enough of the Caliph's tyranny".<sup>53</sup> In any case, his strict rule did much to knock the somewhat crude and unruly community of his time into a more acceptable shape. At times his theo-political rule was

<sup>49</sup> See as-Suyūṭī, *Tārīkh al-Khulāfa'*, pp. 136f.

<sup>50</sup> See Sūra at-Tawbah [9]:60. For a detailed discussion on 'al-mu'allafatu qulūbuhum', see al-Qurtubī, *al-Jāmi li Ahkām al-Qur'ān*, Vol. 5, pp. 3017-3020

<sup>51</sup> Ibn Hishām, Part 4. P. 337; see also as-Suyūṭī, *al-Itqān fi 'Ulūm al-Qur'ān* (Beirut 1999), Vol. 2, pp. 333-334; Noldeke-Schwally, *Geschichte des Qorans*, Vol. 1, pp. 248-251.

<sup>52</sup> Ibn Qayim al-Jawziyah, *Ahkām Ahl al-Dhimah*, Vol. 2, p. 421

<sup>53</sup> See L. Caetani, *Annali dell' Islām* (Milan 1909 – 1912), Vols. 5 & 6 which deal in great detail with the life and politics of the Caliph.

not wholly devoid of change and progress, which was partly due to his tendency to innovate, and partly due to new and unavoidable circumstances that transpired shortly after the death of the Prophet.

Unprecedented political stability and economic prosperity characterized Umar's Caliphate, thanks to the expanding military conquests of his time. With the overwhelming flow of wealth from many conquered territories, the central government of Madīna was now hardly concerned with the meagre contribution of 'sadaqah' it had imposed on the Arabian tribes. Coupled with this undreamed of prosperity was the strong political and military position of the central government. In this situation, there was no longer any fear of those fringe political or religious movements that could constitute an opposition to the state. Indeed, such apostate fringe movements were viewed differently. Neither was there any fear of those who might still nurse the grudge of defeat they recently suffered at the hand of Abū Bakr. Indeed, in this situation 'Umar could even release the prisoners of the recent 'Apostasy Wars' and return them to their own tribes.<sup>54</sup>

It is reported by al-Bayhaqī and Ibn Hazm that when Anas, the emissary of Abū Mūsā, arrived at Madīna, Umar asked him about the six men from Bakr Wā'il who apostatized and joined the rank of the hostile unbelievers. The Muslims in a fight apparently killed them. When the Caliph was informed of this, he observed that it would have been better if they had captured them alive. The emissary asked whether they would have been killed in any case if they were captured. 'Umar replied: "I would have called them back to Islām, and if they refused I would have put them in prison".<sup>55</sup> This is precisely the criteria on which the earliest jurists and followers of the Prophet's companions, Ibrāhīm al-Nakh'ī (d. 95 AH) and Sufyān al-Thawrī (d. 161 AH), based their objection to the death penalty for apostates. For them, the apostate should be invited to recant and should never be sentenced to death. In their words: "*yustātabu abadan*" (he, i.e. the apostate, should be asked to recant forever).<sup>56</sup> This would clearly indicate that even

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<sup>54</sup> See al-Yā'qūbī, *Tārīkh al-Yā'qūbī* (Beirut 1995) Vol. 2, p. 139

<sup>55</sup> Interestingly, al-Bayhaqī goes on to show that these men had in fact been killed in regular battle. See his *Sunan al-Kubrā*, Vol. 8, p. 207; see also Ibn Hasm, *al-Muhallā* (Cairo ?), Vol. 11, p. 221.

<sup>56</sup> Abd ar-Razzāq Ibn Hammām as-San'ānī, *al-Musannaḥ* (Cairo ?), Vol. 10, pp. 165-166; also Ibn Qudāmah, *al-Mughnī* (Cairo ?), Vol. 8, pp. 125-126; and Ibn Taymiyya, *as-Sārim al-Maslūl 'alā Shātim ar-Rasūl* (Beirut 1998), p. 231.

as early as the second Islamic century a fixed law relating to apostasy could not have been in existence.

Mālik Ibn Anas and al-Bayhaqī report another incident. After the conquest of Tustār, Abū Mūsā al-Ash‘arī dispatched his emissary to the Calīph ‘Umar. The Calīph asked if there was any strange news to report. The emissary told him about the case of a man who apostatized after becoming a Muslim. When ‘Umar asked what their reaction was to him, he answered that they executed him. Disturbed by what he heard, the Calīph said: “You should have shut him up in a room three days, and given him a loaf each day. He might have recanted in that time. O God! This was not done in my presence, nor was it done under my orders, nor was I pleased when I heard it”.<sup>57</sup> It seems that for ‘Umar, refusal to give political and religious loyalty to the central government of Madīna on the part of a person or an insignificant group should not be met with fire and sword as in Abū Bakr’s time.<sup>58</sup> He was obviously shocked and had no qualms to express his profoundest displeasure at Abū Mūsā’s action.

Most probably in view of the absence of any law relating to apostasy at that time such an action could have been regarded as out of character. Moreover, a policy of killing every religious or political dissenter may not, in the long or short run, be in the interest of the peace and stability of ‘*al-‘ummah*’ (the community) under ‘Umar’s Caliphate. The Calīph was careful also that stability prevailed in conquered territories, which were the source of ever flowing wealth. Once his aggressive and unpredictable general, Khālid Ibn al-Walīd, confessed: “The Commander of the Faithful put me in charge of Syria. But when things became stable, he removed me and gave the charge to someone else”.<sup>59</sup> The sources reveal that Abū Bakr had designated ‘Umar as his successor on the basis that he was capable of ensuring stability.<sup>60</sup> One tradition reports the Prophet as pointing to ‘Umar and saying: “Behold the one who shall block every channel of ‘*al-fitnah*’ (unrest)”.<sup>61</sup> Inaction in matters relating to renegade individuals or renegade groups was in all probability part of ‘Umar’s policy not to make waves in a state that

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<sup>57</sup> Mālik Ibn Anas, *al-Muwattā*, as narrated by Muhammad Ibn al-Hasan al-Shaybānī (Cairo 2000), p. 283; al-Bayhaqī, *Kitāb as-Sunan as-Sughra* (Beirut 1982), Vol. 2, p. 232.

<sup>58</sup> Great terror was practiced by the forces of Madīna on the opponents from Tay’, Ghatafan and Asad. The terror ranged from impaling, to burning, to even throwing the so called ‘apostates’ from high mountain tops. See Tabarī, *Tārīkh*, Vol. 3, p. 117.

<sup>59</sup> al-Ya‘qūbī, *Tārīkh al-Ya‘qūbī*, Vol. 2, p. 139.

<sup>60</sup> See as-Suyūṭī, *Tārīkh al-Khulāfa*, p. 82; also Ibn Sa‘d, *at-Tabaqāt al-Kubrā*, Vol. 3, p. 195.

<sup>61</sup> The saying most probably reflect the view of a later period. See as-Suyūṭī, *Tārīkh al-Khulāfa*, p. 118..

had already been experiencing an unprecedented wealth, calm and stability under his firm administration.

### 6.2.3. 'UTHMĀN AND THE 'FITNAH (UNREST)

With the Caliph 'Uthmān whose rule lasted twelve years (644 –656), we enter a very peculiar period in Islamic history. It is the period in which for the first time the Caliphate is on a very severe trial. Muslim sources perceive 'Uthmān's caliphate in terms of six good and six bad years which ended with '*al-fitnah al-kubrā* (the great unrest). It was during the last six years that weakness and blatant nepotism contaminated 'Uthmān's theo-political rule.<sup>62</sup> He was consequently killed by a mob that had equated his action with that of the infamous 'Uraynah gang who strove "to create disorder in the land"(Sūra al-Mā'idah [5]:36).<sup>63</sup> According to the mob, his acts of injustice and nepotism were tantamount to '*al-hirābah*' (warring) against '*al-'ummah*' (the Muslim community). In this case the apostasy indictment was quite implicit. In his own defence, he is alleged to have quoted one of the two traditions on apostasy. "It is not lawful to shed the blood of a Muslim except in one of three cases: a person who apostatizes after accepting Islām or who fornicates after marriage or one who kills a person without retaliation for murder of another". The use of this hadīth in this context appears to be a later interpolation designed to establish 'Uthmān's innocence in jurisprudential terms.<sup>64</sup> It is worth noting that the crowd wanted to kill him not for his alleged apostasy, but for striving "to create disorder in the land"

Later jurists sought to provide veiled apologetics for 'Uthmān. "Creating disorder in the land" was an indictment that placed the Caliph in the Category of the 'Uraynah gang. The Qur'ān has already characterized them as, "those who make war upon God and His Messenger". For al-Bayhaqī, the eleventh century jurist, the notion had already been established that the death penalty applied both to passive as well as hostile apostates. For example, a Muslim who joined the hostile rank of the enemy will not be regarded as a Muslim,

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<sup>62</sup> See as-Suyūti, *Tārīkh al-Khulāfa'*, p.157; Ibn 'Abd Rabbih, *al-'Iqd al-Farīd* (Beirut 1999), Vol. 2, p. 194.

<sup>63</sup> Ibn Khaldūn, *Tārīkh*, Vol. 2, p. 573.

<sup>64</sup> See our full discussion on this point in pp. 120-122. For a detail account of the unrest, trial and death of 'Uthman see Tabarī, *Tārīkh*, Vol. 4, pp. 97-141; also Ibn Khaldūn, *Tārīkh*, Vol. 2, 560-575; as-Suyūti, *Tārīkh al-Khulāfa'*, pp. 141- 165.

and even his prayer will not be accepted.<sup>65</sup> He is therefore an apostate. It seems that in the theological atmosphere of the period, such a serious indictment against the third Caliph necessitated some sort of apologetics. How could he be indicted for “creating disorder in the land”, with all that that implied in terms of ‘*riddah*’ and ‘*hirābah*’, when in his zeal for Islām, he was so ruthless against apostates in his own time? Such apostates were obviously invented. Interestingly, such apologetics, albeit veiled, come to us entirely from the pen of the jurist and not the historian. For example, in the lesser-known compilations of hadīth like al-Bayhaqī’s collection, ‘*Kanz al-‘Ummāl*’, we encounter a particular category of traditions. These traditions have been regarded as unreliable by discerning Muslim scholars like Shāh Walī Allāh of Delhī and others.

The first entry in ‘*Kanz al-‘Ummāl*’ is a statement ascribed to ‘Uthmān. He is reported to have said, on the authority of a so-called ‘*Musnad ‘Uthmān*’, that “whosoever turned unbeliever after he had voluntarily adopted the faith, he would be killed”.<sup>66</sup> The statement here is bare and abstract. Not much weight can be lent to such abstract sayings. Moreover, the statement lacks the information as to the circumstances in which the Caliph spoke these words.

The second instance found in ‘*Kanz al-‘Ummāl*’ is that of a report from Sulaimān Ibn Mūsā. Here ‘Uthmān is reported to have called on an apostate three times to recant. When he refused to comply with the demand, ‘Uthmān ordered him to be killed.<sup>67</sup> Just who this person was, we are not told. This brief account amounts almost entirely to an inferential statement in which the circumstances are shrouded in complete darkness. In both of the above instances, there is no reference to any authority in the Qur’ān or Sunnah in support of the execution.

Finally, we have a story related by ‘Abd Allāh Ibn Mas‘ūd in ‘*Kanz al-‘Ummāl*’ about a group of people who apostatized. Ibn Mas‘ūd wrote to the Caliph ‘Uthmān asking what was to be done with them. In his reply, ‘Uthmān told him that if they agreed to accept Islām, they should be left alone. But if they refused, ‘*yajibu qitāluhum*’ (i.e. they should be fought against).<sup>68</sup> This last sentence appears to betray the truth that lay behind the story which in all probability indicates that these people were rebels against whom military measures had to be

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<sup>65</sup> See as-Suyūti, *Sunan an-Nasa’ī bi Sharh as-Sayūti*, Vol. 10, pp. 102f.

<sup>66</sup> ‘Alā’ ad-Dīn Muhammad ‘Alī Muttaqī, *Kanz al-Ummāl* (Rampur 1966), p. 511.

<sup>67</sup> Ibid. p. 512

<sup>68</sup> ‘alā’ ad-Dīn Muhammad ‘Alī Muttaqī, *Kanz al-Ummāl*, p. 514. 1

taken. Clearly, this instance does not warrant the conclusion that passive or peaceful apostasy by itself would have been regarded as punishable by death.

Having said this, one cannot overlook the fact that there is one serious problem with this last story. If indeed this story is true then the indication is that any settled rule for the punishment of apostates was not yet in existence, otherwise Ibn Mas'ūd would not have written to ask the Caliph what to do with those apostates. But more about this story in the next chapter.

#### 6.2.4. 'ALĪ AND MORE UNREST

The five years rule of 'Alī (656–661) was the saddest and most tragic chapter in the history of the 'Rightly Guided Calīphs'. His Caliphate had the misfortune of being involved in three civil wars, which consequently led to his assassination in Kūfa, in 661. On the very year he succeeded 'Uthmān, the war broke out between him and 'Ā'ishah, the Prophet's wife, and her staunch allies, Talhah Ibn 'Ubaidillāh at-Taymī and az-Zubayr Ibn al-'Awwām. This is known in Muslim annals as the Battle of the Camel (*Ma'rakat al-Jamal*) in 656, in which 'Alī was the victor. The following year (657) he was unsuccessful when he met Mu'āwiyah, the governor of Syria, at the Battle of Siffīn. The setback was soon compounded by the rise, from within his army, of '*al-Khawārij*', a most implacable sectarian group of seceders.

At the Battle of Siffīn, a group of 'Alī's soldiers objected to any form of arbitration between him and Mu'āwiyah in respect of succession to the Caliphate. They protested raising the slogan "*lā hukma illā lillāh*" (there is no judgement except that of God) against 'Alī before leaving the army. Later on they were joined by other erstwhile supporters of 'Alī from al-Kūfā. It was this incident that gave these seceders the name '*Khawārij*'.<sup>69</sup> The name derives from the Arabic verb '*kharaja*' (to go out, to secede). The beliefs of '*al-Khawārij*' were by no means uniform. Being divided into a number of sub-sects, some were so fanatical and exclusive that they maintained that sinners would be in hell forever, and therefore they were entirely outside the Muslim community. Indeed, according to them the non-*Khawārij*' were '*kuffār*'

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<sup>69</sup> For a full historical account of '*al-Khawārij*', see Tabarī, *Tārīkh*, Vol. 4, pp. 313ff; Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 3, pp. 356f; al-Dhahabī, *al-Khulāfa' ar-Rāshidūn*, pp. 322-342; as-Suyūtī, *Tārīkh al-Khulāfa'* pp. 174-176.



(unbelievers), or more precisely '*murtaddīn*' (apostates) and would be killed.<sup>70</sup> But, it is not clear whether '*the Khawārij*' could kill the non-*Khawārij*' apostates simply because they were non-*Khawārij*' apostates. There is certainly no historical evidence to indicate that they actually did so. However, it is clear from the sources, that the killing of non-*Khawārij*' apostates took place only in the context of political and military conflicts.<sup>71</sup> Indeed, not every meeting *al-Khawārij*' had with their opponents was an occasion for slaughter!

1) 'Alī's war with *al-Khawārij*' is often used as evidence to justify the view that apostates deserve to be killed. The question whether *al-Khawārij*' must be regarded as merely on the fringe, or altogether a group of apostates outside the pale of Islām, has never been settled. There are at least two schools of thoughts:

a) One school of thought views *al-Khawārij*' as indeed apostates who should be put to death. This is the '*Salafiya*' school, which consists mostly of jurists who base their stance on traditions that were interpolated much later. In these traditions, *al-Khawārij*' are actually named and condemned as '*māriqīn*' i.e. those who "will go out '*yamraqūn*' (apostatize, or depart) from Islām as an arrow darts through the game's body". These traditions are found in Sahīh al-Bukhārī in one chapter entitled '*Whoever gives up Fighting against al-Khawārij*'...<sup>72</sup>

b) The other school of thought maintains that *al-Khawārij*' had never ceased to be Muslims. This school of thought consists of some modern Muslim scholars like Shāh Walī Allāh and others who prefer to look to history rather than tradition regarding this matter.

Muslim sources report that 'Alī heard a man proclaim near the mosque: "*La hukma illā Lillāh*" (there is no judgement except that of God). This was the slogan *al-Khawārij*' raised against 'Alī for having agreed to arbitration as regards succession to the Caliphate. Others followed and repeated the same slogan. Then 'Alī stood up and acknowledged that what was

<sup>70</sup> For a full account on *al-Khawārij*' and their various sects and their beliefs see Abū al-Fath Muhammad Ibn Abi Bakr al-Shahrastani, *al-Milal wa an-Nihal* (Beirut 1986), pp. 114-138; Ibn Tāhir al-Baghdādī, *al-Farq bin al-Firaq* (Beirut 1987), pp. 54-92

<sup>71</sup> Their wars were with Alī and Mu'āwiyah, their political and military adversaries. They killed Abd Allāh Ibn Hubāb and his wife, seemingly in revenge for what they regarded as an insult to them. See al-Baghdādī, *al-Farq bain al-Firaq*, p. 57. al-Mubarrad gives a slightly different version, see his *al-Kāmil*, Vol. 2, p. 143. According to al-Mas'udī, Ibn Hubāb was Alī's governor over Madīna, see his *Murūj al-Dhahab*, Vol. 2, p.415.

<sup>72</sup> Sahīh al-Bukhārī, *Kitāb Istitābat al-Murtaddīn wa al mu'anidīn wa qitāluhum*, Bāb Man taraka qitāl *al-Khawārij*', Vol. 9, pp. 52-54; see also Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 4, p. 380.

said was right and told him that he had three things to offer that man and his fellow *Khawārij*. 1. They will not be prevented from entering the Muslim mosques to pray. 2. They will not be prevented from sharing in ‘*al-Fai*’ (i.e. the booty that accrues to Muslim warriors, without fighting), so long as their hands were with his hand. 3. The Caliph will not initiate the fighting with them. This could only imply that ‘Alī did not regard them as unbelievers. It seems that on the whole it was *al-Khawārij*’ that considered all that did not belong within their community as apostates and not the other way round. The fighting between the Caliph’s army and *al-Khawārij*’ resulted from their stance that those who did not share their beliefs were liable to be killed as hostile unbelievers.<sup>73</sup>

2) ‘Ikrimah, whom we shall meet later, reports that the Caliph ‘Alī had ordered the burning to death of certain ‘*Zanādiqah*’. When the news reached Ibn Abbās, he remarked that he would have killed them and not burned them, because God’s Messenger forbade it, saying, “Do not punish anybody with God’s punishment (fire)”. However, Abū Dawūd reports that ‘Alī accepted this hadīth confessing that he had never heard it.<sup>74</sup> This tradition is very likely the product of the Abbasid period. It was during this time that the people known as *Zanādiqah* were hunted down more than at any other period in Muslim history.<sup>75</sup> In addition, the record of history seems to stand in glaring contrast to the report of this tradition. According to the latter, ‘Alī did know that Prophet forbade the faithful to inflict a cruel death on any body. History records that when Alī lay fatally wounded, he ordered that in the event of his death his assassin, Abd ar-Rahmān Ibn Muljam, should simply be killed. They should not make a horrible example of him, for he had heard the Prophet once warning against such a practice.<sup>76</sup>

3) Another report is given by al-Bayhaqī from one called Abū at-Tufail. The latter was included

<sup>73</sup> Tabarī, *Tārīkh*, Vol. 4, pp. 333 – 334; Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 4, p. 372; Ibn Khaldūn, *Tārīkh*, Vol. 2, p. 609.

<sup>74</sup> This report is included in Sahīh al-Bukhārī, *Kitāb Istitābat al-Murtaddīn, Bāb Hukm al-Murtadd wa al-Murtaddah*, Vol. 9, p. 45. Abū Dawūd and an-Nasa’ī describe them simply as apostates. See *Sunan Abi Dawūd* (Beirut 1988), p. 124; *Sunan an-Nasa’ī* (Beirut Date ?), p. 104. But, al-Bayhaqī does not seem to be sure if they were *Zanādiqah* or just simply apostates, see his *Sunan al-Kubrā, Kitāb al-Murtadd*, p. 195

<sup>75</sup> The Muslim Historian as-Sayuti in his famous book *Tārīkh al-Khulāfa*’ is most informative on this point.

<sup>76</sup> Tabarī, *Tārīkh*, Vol. 4, p. 397; Ibn Khaldūn, *Tārīkh*, Vol. 2, p. 617; al-Dhahabī, *al-Khulafā’ ar-Rāshidūn*, p.396.

in an expedition sent by 'Alī against the tribe of Banī Nājiyah. They found this tribe divided into three groups. One group consisted of converts from Christianity to Islām, and these were happy to remain so. The second group stated that they were always Christians and had no intention of changing their faith. The third group declared that after converting from Christianity to Islām, they decided that they had made a wrong move and reverted to their former faith. When called upon to return to Islām, they refused and were killed in the fighting that ensued and their families were taken as slaves. This was apparently a rebellion that the expedition was purposely sent to quell. A careful study of al-Bayhaqī's report would show that the story appears to have been worked to portray an instance where religious apostasy was punished.<sup>77</sup> But even as it stands, the story does not support the stance that perceives apostasy to be a crime rather than a political rebellion.

The above story recalls an instance related by al-Mas'ūdī, the historian. He tells of the desertion of al-Hārith Ibn Rashīd an-Nāji (of the tribe of Banī Nājiyah) and three hundred of his troops from 'Alī's army and their return to their home and their former faith, Christianity. Apparently, al-Hārith's tribe (which al-Mas'ūdī does not name), or at least the Christian section of it, seem to have had a profound hatred for 'Alī. One of its prominent members named 'Alī Ibn Jahm, used to curse his own father for giving him the name 'Alī'. However, the Calīph 'Alī sent an expedition led by Ma'qal Ibn Qais ar-Riyāhī after al-Hārith and his troops. He defeated them, killed them and took their families as slaves. These were later ransomed and freed by Masqalah Ibn Hubairah, 'Alī's governor over al-Ahwās who immediately thereafter deserted to Mu'āwiyah.<sup>78</sup> It seems the defeat and the killing of the al-Hārith an-Nāji and his troops had hardly anything to do with their religious apostasy. Probably, at the time when Damascus was rising in power above al-Kūfā, the change of loyalty from 'Alī's camp to that of Mu'āwiyah would be a foregone conclusion. It is likely that al-Hārith and his comrades were deserting the Calīph 'Alī in favour of Mu'āwiyah as Masqalah were to do later, but with no retribution. Unlike al-Hārith, Masqalah was safe under Mu'āwiyah.

4) In the same collection of Hadīth, al-Bayhaqī relates the story al-Mustaurad Ibn Qabīсах of

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<sup>77</sup> See al-Bayhaqī, *as-Sunan al-Kubrā*, Vol. 8, p. 208; Tabarī, *Tārīkh*, Vol. 4, p. 378

<sup>78</sup> al-Mas'ūdī, *Murūj al-Dhahab*, Vol. 2, pp. 418-419 comp. with al-Bayhaqī, *as-Sunan al-Kubrā*, p. 208.

the tribe of Banī ‘Ijl, who converted to Christianity. He admitted this fact when he appeared before ‘Alī. However, in the course of his conversation with the Calīph, he whispered something in his ear that led the Calīph to order his immediate execution. What the nature of the provocation thus offered, is a matter of conjecture. According to al-Bayhaqī, some body in the audience had overheard him say in Alī’s ear, “*al-Masīh Rabbah*” (Christ is his Lord).<sup>79</sup> But this statement alone could not have been the reason for his immediate execution. It is extremely difficult to know the real nature of the provocation. For all we know, he may also have been a ‘*Muhārib*’, for not much is mentioned about this man’s history.

### 6.3. THE AUTHORITY OF THE PRIMARY AND SECONDARY SOURCES

The Qur’ān as Islām’s primary source, abounds with references to apostates in which they are strongly condemned. But, there is no suggestion in any of these references that they should be killed or harmed in any way. Their punishment rests with God alone in the hereafter. Apostates are thus envisaged as dying a peaceful death. On this point, the Qur’ān, Islām’s primary source, is not dissimilar from the primary sources of the other related monotheistic faiths i.e. Judaism and Christianity. The Old Testament (the Jewish Scriptures) and the New Testament (the Christian Scriptures), whilst strongly condemning apostasy they prescribe no earthly punishment for it whatsoever. Here too the punishment of apostates belongs only to God in the hereafter.<sup>80</sup> Therefore, is the absence of any earthly punishment for apostates in these primary sources accidental or deliberate? The answer we prefer to give is that this absence is simply natural. In other words, the prescription of any punishment for apostates in these sources would be utterly inconsistent with the very doctrine of the Last day or the Judgement-Day, which they strongly emphasized. The punishment of apostasy is characteristic only of secondary sources.

#### 6.3.1. THE JUDGEMENT OF GOD

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<sup>79</sup> See al-Bayhaqī, *as-Sunan al-Kubrā*, Vol. 8, p. 206

<sup>80</sup> The Old Testament is clear as to the seriousness of the sin of apostasy (Dt.32:15; Josh. 22:18f; Dan. 9:9). In Daniel 12:2-3 the contrasting groups are those of the martyrs who died instead of denying their faith, and the arch-sinners who preferred to abandon their faith and live. The passage must be seen against the background of Antiochus’ Hellenization policy, which he sought to enforce brutally in Judea. Regarding the New Testament see II Thess. 2:2; Heb. 6: 4-6; Luke 12: 9.

With the exception of the religion of ancient Israel, the eschatological writings of later post-exilic Judaism, the New Testament and the Qur'ān is a major and very important element.<sup>81</sup> Yet, each of these sources has its own distinct emphasis regarding the Last day. For example, the New Testament and the Qur'ān share the same concept of the Last Day, but with two distinct emphasis. Whilst viewing the Last Day as the day of reckoning, The New Testament tends to perceive it in terms of the coming triumph of the Kingdom of God, for which the faithful are instructed to pray, "Thy Kingdom come".<sup>82</sup> The Qur'ān on the other hand perceives the Last Day entirely in terms of the Day of Judgement in which God will judge all mankind. Hence God Himself is uniquely described in Sūra al-Fātihah as "King of the Judgement-Day" (*Mālikī yaumi ad-dīn*).<sup>83</sup> The Judgement-day and its subsequent pleasures of Paradise, and most of all, its terrors of Hell are emphasized over and over again in the Qur'ān more than in the other Revelations. In fact, twenty terms are used in the Qur'ān to describe this most awesome of days.<sup>84</sup> The Qur'ān is also full of graphic descriptions of this Day. This dreadful Day, mentioned mostly in the Meccan Sūras, was proclaimed to be very much at hand, which may also explain why the laws regulating the life of the community in these Suras are few. Indeed, nothing compared to the Pentateuch of the Old Testament where the notion of the eminent end of the world and the hereafter do not exist.

However, the Last Day will be marked by the sounding of the trumpet,<sup>85</sup> the splitting asunder of the heavens,<sup>86</sup> the reduction of the mountains to dust,<sup>87</sup> the darkening of the sky and the boiling over of the seas.<sup>88</sup> The graves will be opened and mankind (and jinn) will be resurrected and called to account.<sup>89</sup> These beings will have their deeds weighed in the Balances (*'al-mawāzīn'*).<sup>90</sup> Having thus been judged by God, they will then be assigned either to the

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<sup>81</sup> Apart from Daniel 12:2-3 which reflect the theology of late post Exilic period, the religion of ancient Israel had no concept of the hereafter.

<sup>82</sup> Mat. 6:10; Luke 11:2.

<sup>83</sup> See 1:4. Sūra al-Fatihah is the Muslim equivalent of the Christian '*Pater Noster*' or "Our Father" Mat.6:9-13.

<sup>84</sup> All these terms are mentioned in detail in Thomas Patrick Hughes, *Dictionary of Islām* (Kazi Publications, Chicago 1994), pp. 537, 694-695.

<sup>85</sup> Sūra al-Mu'minūn [23]:101; Sūra Yāsīn [36]: 51; Sūra ad-Dāriyāt [51]: 20; Sūra al-MuddAthīr [74]:8.

<sup>86</sup> Sūra al-Mursalāt [77]: 9 cf. Sūra at-Takwīr [81]: 11.

<sup>87</sup> Sūra al-Mursalāt [77]: 10

<sup>88</sup> Sūra al-Qiyāmah [75]: 8; Sūra al-Mursalāt [77]: 8; also Sūra at-Takwīr [81]: 6.

<sup>89</sup> Sūra al-Hajj [22] 7; Sūra al-Infītār [82]: 4; Sūra al-'Ādiyāt [100]: 9

<sup>90</sup> Sūra al-Anbiyā' [21]: 47; Sūra al-Qāri'ah [101]: 6-8

eternal bliss of Paradise, or to the everlasting torment of Hell.<sup>91</sup> This last eternal abode is reserved for apostates and several other sorts of unbelievers.

We have already discussed all the Qur'ānic passages dealing with the status and destiny of apostates (see pp. 76ff). Every passage conveys explicitly or implicitly the strong admonition that the apostates in the hereafter will incur the wrath of God, but there is no hint of any other earthly or temporal punishment. Such a punishment would be totally irrelevant, and would only serve to encourage either martyrdom or hypocrisy. It is thus clear that the punishment of apostates belongs to God alone and is postponed to the Day of Judgement. Therefore, the absence of any earthly punishment of apostates in the Qur'ān is a foregone conclusion.

### 6.3.2. THE JUDGEMENT OF MAN

The issue of punishment for apostasy falls entirely within the scope of the secondary sources of the three related monotheistic religions – Judaism, Christianity and Islām. These secondary sources have their own particular functions. They were basically designed to meet new situations, which did not exist at the birth of the primary sources. And even if some of them did exist then, they may have been regarded as irrelevant in view of their eschatological emphasis that there was no time left.

However, with the removal of the founder, and no sign of the end on sight, the community decides to leave the issue of the end-time in God's hand and get on with its own life. In the process, new and challenging situations inevitably confront the community. Now, if the community is to hold together, guidance in all the changing conditions of life must be provided. Of course, the first source – the sacred text – could be invoked, and that demanded authoritative explanation. But this did not always provide help to meet the changing conditions. In this case, a secondary source vested with divine authority becomes a necessity. It is called 'the oral law' or 'oral tradition'.

In both Judaism and Islām, the oral tradition (the Talmud and Hadīth) was accepted as an inspired amplification and often amendment of the written sources. The difference is that in Judaism the oral law (the Talmud & Mishnah) emanates from many authors, and is ascribed to

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<sup>91</sup> Sūra al-A'rāf [8]: 8-9; Sūra al-Mu'minūn [23]: 102-103.

Moses only in the most figurative sense.<sup>92</sup> In Islām the oral law (Hadīth) is ascribed exclusively to Muhammad, and this has not gone unchallenged by some Muslim scholars.<sup>93</sup>

Far from coming out of the blue, these sources with their complex sets of rules pertaining to every aspect of life, were the product of deep seated social, economic and political needs and problems that had first risen in the community. The law pertaining to apostasy appears to have been among those elements that originally served either to meet political needs or serve political ends. Therefore, the apostasy law must always be seen in the context of its contemporary politics, and this is by no means peculiar to Islām.

1) The Old Testament frequently refers to apostasy and strongly condemns it. But it prescribes no temporal punishment for it. But, in the Jewish oral law (secondary source), apostates are to be decapitated.<sup>94</sup> The political roots of this rule go back to the critical period of the Maccabean struggle in the second century BC. The war of the Hasmoneans was in fact waged, to a considerable extent, against apostate Jews and not entirely against the Greeks. Sadly, many scholars blur this important point. In the Books of Maccabees we have a panegyric to Judah Maccabee who fought against 'the lawless and evildoers'. These were the apostates who also sided militarily with the Selucids.<sup>95</sup> Twenty years after his death, his brother, Simon, conquered Jerusalem – from the Hellenized (or apostate) Jews.<sup>96</sup> Indeed, apostates were often killed for simply having abandoned the faith of the community and separated themselves from it.<sup>97</sup>

2) In the imperial Rome of the pre-Constantine era, there was concern for the maintenance of the annual worship of the divine Caesar as the very embodiment of the unity of the Roman

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<sup>92</sup> J. H. Hertz, *Sayings of the Fathers*, with an introduction and commentary (London 1952), pp. 12 f.

<sup>93</sup> Among them are the group known as Ahl al-Qur'ān led by Ghulam Ahmad Parvez that regards the Hadīth as totally unreliable and cling only to the Qur'ān. In recent decades Shaykh Mahmūd Abū Rayah paused almost the same challenge. See his book *Adwā' 'alā as-Sunnah al-Muhammadiyah* (Cairo 1937).

<sup>94</sup> Mishnayoth *Nezikin*, *Tractate Sanhedrin* IX, 1. Ed. Philip Blackman (New York. 1964), Vol. 4, p. 280; also Soncino *Babylonian Talmud*, *Seder Kodashim*, Vol. 2, *Hullin* 41a (Soncino Press).

<sup>95</sup> His father, Mattathias, began the conflict before him against the apostates, I Mac. 1:1-14; for Judah see 2: 1-6; II Mac. 4 7-20.

<sup>96</sup> I Mac. 13: 49-53.

<sup>97</sup> III Mac. 7:10-16

Empire.<sup>98</sup> There was also concern for the maintenance of the *pax deorum*. Any action that might violate the Roman gods was not conducive to the unity and wellbeing of the Empire. Converts, particularly to Judaism, provoked deep-felt loathing and hostility and were regarded as the 'national apostates'.<sup>99</sup> After Constantine's conversion apostasy became a serious offence punishable by law. Christianity had now replaced the divine Caesar and the Roman gods. But it was Justinian the Byzantine emperor (527 – 565 A.D) who became the first Christian monarch to prescribe the death penalty for apostasy. In 535 A.D the penalty became part of the Roman-Byzantine law, and was implemented throughout the Byzantine Empire, which included Syria and Palestine.<sup>100</sup>

In the West, the death penalty for apostasy came into being as an agreement between Church and State in 1231 A.D.<sup>101</sup> This law continued to be implemented well into the period of the Enlightenment. The Church did sanction this law, which the State rigorously implemented to preserve the political and religious unity of Medieval Europe.

3) Islām in this respect is not different from the above-mentioned faiths. The Qur'ān, as the primary source, contemplates the natural death of apostates. But the Hadīth (the secondary source), envisions no peaceful exit for them. In all the Hadīth literature there are only two traditions in which the death penalty is prescribed for apostasy. Taken as they stand, these traditions are the sole grounds on which apostates could be punished. Thus an apostate stands to suffer a double judgement – the Judgement of God in the hereafter preceded by the judgement of man in the here and now.

We have already referred to these two traditions earlier, and discussed them from the theological and jurisprudential standpoint.<sup>102</sup> We shall return to them again shortly. But before we do so, we wish to propose the argument that these two traditions are the product of the post-prophetic period and are deeply rooted in the politics, or theo-politics of that time. This would

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<sup>98</sup> There is an allusion to this in the book of Revelation 13: 16-17.

<sup>99</sup> W. H. C. Frend, *Religion Popular and Unpopular in the Early Christian Centuries* (London 1976), pp. 152f; see also Mommsen's letter in *Expositor* (1893). 1 – 7 under the title 'Christianity in the Roman Empire'.

<sup>100</sup> J. B. Bury, *History of the Later Roman Empire: From the Death of Theodosius I to the Death of Justinian* (New York 1958), Vol. 2, p. 396; also *Codex Justinianus*. Ed. Kruger. 1884. III. *Novelae*. Edd. Scholl. 1912.

<sup>101</sup> Will Durant, *The Story of Civilization* (New York 1950), Vol. 16, p. 96.

<sup>102</sup> See pp. 113 & 120 of this research work.



require a careful re-examination of the sources relating to certain religio-political events that were taking place during the rule of the late Umayyad and early Abbasid regimes.

**UMAYYAD AND ‘ABBASID PROVENANCE  
OF THE TWO  
APOSTASY TRADITIONS**

At the start of this concluding chapter, we should point out that many Muslims accept the two traditions on apostasy as of prophetic authority. But, as we have already observed, when the argument vis-à-vis the authenticity of these traditions is critically examined, it appears to rest somehow on hypothesis, (see pp. 111-123). However, we want to propose a different hypothesis. Here we want to suggest that the authenticity and provenance of both Hadith (a) and Hadith (b) are in all probability not prophetic but rather belong to the late Umayyad and early ‘Abbasid periods.

The theo-political age of the ‘Rightly guided Calīphs’ was followed by the Umayyad and Abbasid dynasties with new forms of theo-political governments. Each of these ruling dynasties came into power by way of naked aggression and bloodshed and left it in the same way. Their tight grip on power had to have the helpful backing of religious forces that were only too happy to serve their rulers’ political ends. But this was apparently more characteristic of the Abbasid regime than that of the Umayyad.

### 7. 1. THE UMAYYAD REGIME

The Umayyads are generally seen as more tolerant than the Abbasids precisely because historically they seldom defined themselves as Muslims. This tolerance seems to have had odd consequences. R. A. Nicholson has put it: “ It is characteristic of the anti-Islamic spirit which appears so strongly in the Umayyads that their chosen laureate and champion should have been a Christian who was in truth a lineal descendant of the pagan bards”.<sup>1</sup> The famous al-Akhtal,

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<sup>1</sup> R. A. Nicholson, *Literary History of the Arabs* (Cambridge 1930), p. 241

one of the three greatest Arab poets of the Umayyad period, was a Christian who was liable to turn up at the court unannounced coming into the Caliph's presence reeking of wine and wearing a golden cross. This tolerance was proof for Henri Lammens that the Umayyads were more Arabs than Muslims.<sup>2</sup> The Umayyads, more than anything, were ardent champions of Arab nationalism.<sup>3</sup>

The tolerance of the Umayyads may also be due to the doctrine of '*al-qadā' wa al-qadar*' (i.e. the divine will and power), which they also passionately championed doubtless for their own political end. It was used to legitimize or justify any policy they might wish to embark on however much appalling it might be. Ma'bad al-Juhannī had told al-Hasan al-Basrī, "These (Umayyad) kings shed the believers' blood and take their money and then say, 'our actions are ordained by God'". "These enemies of God lie", al-Basrī replied. Ma'bad was later tortured to death as a dangerous trouble-maker.<sup>4</sup> The belief in '*al-qadā' wa al-qadar*' seemed to have suited the Umayyads in curbing the masses who might rise against their rule, and also served to keep the role of the Fuqahā' out of the political life of the community. Mu'āwiyah, for example, needed no jurisprudential fatwā to execute the godly Hijr Ibn 'Iddī al-Kindī. He was accused of sedition and gross unbelief. In fact, he was eliminated because he angrily criticized Mu'āwiyah for his policy of cursing 'Alī.<sup>5</sup> Yazīd, his son and successor, needed no jurisprudential justification when he killed al-Hussein at Karbalā.<sup>6</sup> He also needed no fatwā to justify his conquest of Madīna and the desecration of al-Ka'bah.<sup>7</sup> These and other acts were justified on the basis of the theological concept of '*al-qadā' wa al-qadar*'. The only occasion when the Umayyads needed jurisprudential help was in the case of Ghaylān ad-Dimishqī, an active opponent of the Umayyad rule and an ardent advocate of the '*Qadariyyah*' school of thought.<sup>8</sup> As an eloquent orator he was able to draw a considerable following. In this case, the Umayyad Caliph, Hishām Ibn Abd al-Mālik, dared not execute him without trial, instead he set

<sup>2</sup> Henri Lammens '*al-Akhtal*', in *EI*, (1913–1936), Vol. 1, pp. 234-236

<sup>3</sup> Ahmad Amīn, *Fajr al-Islām* (Cairo 1933), pp. 79f; also Norman Anderson, *Islām in the Modern World*, p.15.

<sup>4</sup> See al-Qādī Abd al-Jabbar, *Tabaqāt al-Mu'tazilah* (Cairo date ?), p. 334.

<sup>5</sup> Tabarī, *Tārīkh*, Vol. 4, pp. 401ff.

<sup>6</sup> al-Mas'udī, *Murūj al-Dhahab*, Vol. 3, pp. 70-72; also Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 4, pp.694ff.

<sup>7</sup> Tabarī, *Tārīkh*, Vol. 5, pp. 18-20.

<sup>8</sup> The *Qadariyyah* was the school of theology in early Islām that championed the concept of man's free will. It stood in glaring contrast to the *Jabriyyah* school that advocated the idea of predestination and determinism, which the Umayyads championed.

the chief faqīh of that time, Abū ‘Amr al-Awza‘ī, on him. The result was that al-Awza‘ī passed a fatwā condemning Ghaylān of unbelief and apostasy, urging the Calīph to execute him and one of his companions. The Calīph Hishām did this promptly and in the cruelest fashion.<sup>9</sup> It is noteworthy that al-Awza‘ī makes no mention of any of the traditions on apostasy as the basis for his fatwā. In our opinion such traditions were not in vogue, or if they were (which we doubt), he might not have been aware of them, otherwise he would have cited at least one of them in such a situation.

There are indications to suggest that the apostasy that incurred capital punishment during the Umayyad period seems to have been political (or theo-political) apostasy. It had to do with sedition or insurrection against God’s vicegerent and guardian of the faith – the Calīph, and his divinely ordained rule. According to a passage in Sūra an-Nisā’, the Muslim *Ummah* owes obedience to him as one who is charged with authority over all its faithful members:

O ye who believe! Obey God, and obey the Apostle, and those of you  
who are in authority. (4:59)

This means that disobedience or rebellion against the Calīph was a sin as well as a crime against God and His Prophet. The culprit is placed outside the bounds of *al-Ummah* as a renegade and a ‘*muhārib*’ against God and His apostle. He must therefore be eliminated.<sup>10</sup> But there seem to have been some passive and silent ‘*muhāribah*’ who perceived that the indictment should boomerang on the unworthy despots of the Umayyad regime.

#### 7.1.1. IKRIMAH, HIS TIME AND ‘HADĪTH AR-RIDDAH’(a)

The tradition in which the Prophet is alleged to have said, “Whoever changed his religion, kill him”, was, according to al-Bukhārī, reported by Ikrimah, the slave of Ibn Abbās and later client of his family.<sup>11</sup> But how authentic is this tradition? Is this tradition to be

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<sup>9</sup> See al-Qādī Abd al-Jabbar, *Tabaqāt al-Mu‘tazilah*, p. 233.

<sup>10</sup> Sūra al-Mā‘idah [5]: 36.

<sup>11</sup> Sahīh al-Bukhārī, *Bāb Istitābat al-Murtaddīn...* Vol. 9, p. 45. For Ikrimah slave and later client of Ibn Abbās, see Ibn Sa‘d, *at-Tabaqāt al-Kubrā*, Vol. 5, p. 343.

regarded as a legal or as a political tradition? To address these two questions one must point out that the question of the authenticity of the entire prophetic tradition is a very thorny one.

1) Muslim traditional sources and modern scholarship agree that the compilation of tradition began under Abū Ja‘far al-Mansūr, the first Abbāsīd Caliph (143 AH).<sup>12</sup> But western critical approach to the study of tradition has hardly been appreciated in Muslim traditional circles, and at the same time hardly ever challenged. Re-evaluating Islamic Traditions, Schacht, and to some extent Goldziher, reject the Muslim traditional assumption that there existed originally an authentic core of information going back to the Prophet’s time. They also dismiss the notion that spurious and tendentious additions were made to this core of information, many of which were later eliminated by the criticism of ‘Isnād.’<sup>13</sup> Goldziher in particular has ably argued in what H. R. Gibb described as ‘the standard critical study of the Hadīth’ that the traditions from the Prophet and his companions do not really contain authentic information on the earliest period of Islām to which they claimed to belong. They rather reflect opinions held during the first two and a half centuries A.H.<sup>14</sup> If, as it seems, the compilation of the tradition began in 143 AH., the period from 200 AH onward witnessed a growth industry in the *isnād*.<sup>15</sup> This is probably a positive indication that the tradition in question is not authentic. But the ‘*isnād*’ criticism proved precarious as numbers of individual witnesses in it were later discovered to be *persona non grata*. We shall give examples of this shortly. Interestingly, in the dogmatic treatise of the early years of the second century and which is allegedly ascribed to Hassan al-Basri, the author explicitly states, “Every opinion which is not based on the Qur’ān is erroneous”.<sup>16</sup> This might reasonably indicate that according to the ancient schools, traditions from the Prophet as such did not as yet possess an overriding authority, most probably because they were regarded as spurious. For this reason, therefore, it is doubtful if Ikrimah’s tradition could be accepted as reliable. Moreover, ‘Ikrimah claimed to have received the tradition on apostasy from Ibn

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<sup>12</sup> See al-Dhahabī, *an-Nujum az-Zahirah* (Cairo ?), Vol. 1, p. 351; also as-Sayūti, *Tārīkh al-Khulāfa’* p. 261.

<sup>13</sup> J. Schacht, ‘A Revaluation of Islamic Traditions’ *JRAS*, (1949), pp.143- 154.

<sup>14</sup> Ibid. p. 143; also Ignaz Goldziher, *Muhammedanische Studien*, Vol. 2, pp. 10ff.

<sup>15</sup> Mahmūd Abū Rayyah, *Adwā’ alā as-Sunnah an-Nabawiyah* (Cairo 1957), p. 239.

<sup>16</sup> Text, ed. H. Ritter, in *Der Islām*, 21 (1933), pp. 67ff.; translation and commentary by J. Obermann, in *JAOS* 55 (1935), pp. 138ff. For a study of the authenticity of Tradition as a whole see J. Robson, ‘Muslim Tradition - the question of authenticity’ *Memoirs and Proceedings, MLPS*, XCIII (1951), no. 7, pp. 87–102. This particular article may be old but by no means outdated.

Abbās. It is significant to note that according to al-Amadī, “Ibn Abbās had heard from the Messenger of God no more than four hadīths, owing to his very young age”.<sup>17</sup> In addition, as we said earlier, the background of this tradition is completely unknown (see pp.111ff.).

2) We have already pointed out that the traditions from the Prophet and his companions contain no information about the earliest period of Islām to which they claim to belong. They rather reflect opinions held during the first two and a half centuries A.H (see p. 185. This is true particularly regarding the great mass of legal traditions that invoked the prophetic authority.

With the close of the theo-political rule of the ‘Rightly Guided Calīphs’ in Madīna, the Caliphate moved to Syria under the Umayyads, and later to Iraq under the Abbasids. Then the simple Arabian environment of the desert began to change with the expansion. In view of the absence of the legal traditions as the basis for regulating their community, the Umayyads found it easy to conform to the Syrian environment, which later earned them the name of being irreligious. On the other hand, the Abbasids were credited with being true to Islām. This suggests that they governed ‘*al-ummah*’ in accordance with the practice of the Prophet, and soon legal traditions were produced to confirm that the Abbasid policies go back to the Prophet’s time. However, the claim that the Umayyads followed the devices and desires of their own hearts is grossly unfair. As a matter of fact, in Umayyad times the legal traditions were hardly in vogue (see p. 187, note 23). They apparently originated only in the time of Shāfi‘ī (767 –820), who is credited with having fought successfully to establish the ‘Hadīth’ as the supreme source of authority after the Qur’ān. Before him, Abū Hanīfah (699–767) and Mālik Ibn Anas (709–795) lived most of their lives under the Umayyads. It is significant that Abū Hanīfah has been blamed for relying too much on analogy (*qiyās*) or opinion (*ra’y*) rather than on Tradition. Mālik is also known to have relied on his own opinion as well as Tradition.<sup>18</sup> But some like Ibn Ma‘īn and al-Laith Ibn Sa’d contend that Mālik was purely a man of opinion (*sāhib ra’y*).<sup>19</sup> This indicates that even at this stage there was precious little if any to rely on in terms of legal traditions. Unsurprisingly, Abū Hanīfah has left us no written statement

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<sup>17</sup> Sayf ad-Dīn al-Amadī, *al-Ihkam fī Usūl al-Ahkām* (Cairo?), Vol. 2, pp. 178 – 180; others like Ibn Ma‘īn, Ibn Qātān and Abū Dawūd say that ‘Ibn Abbās heard only nine Hadīth s from the Prophet’. See Abū Rayyah, *Adwā’ alā as-Sunnah*, p. 44, note 1. But Ibn al-Qayyim is generous when he said “the number of Hadīths Ibn Abbās heard did not reach twenty”. See his *al-Wabīl as-Sayyib fī al-Kalim at-Tayyib* (Cairo ?), p. 77.

<sup>18</sup> Ibid. pp. 87-88

<sup>19</sup> Mahmūd Abū Rayyah, *Adwā’ al as-Sunnah*, p. 272.

regarding the punishment of apostates or otherwise. This was written by his pupil, Ibn al-Hasan al-Shaybānī (749-805), when legal traditions as a basis for regulating the community were being developed.<sup>20</sup> According to Shaybānī's reliable version of '*al-Muwatta'*', Mālik mentions no tradition concerning the punishment of apostates when dealing with the subject of apostasy. Here he refers only to the report given to 'Umar about the execution of an alleged apostate in Tustār, which greatly disturbed him (see p. 169).

Significantly, Mālik places the apostate within the chapter that deals with the histories (*as-Siyar*), the *Jihād* and the wickedness of *al-Khawārij*.<sup>21</sup> He is not placed within the chapter that deals with ordained punishments (*hudūd*). Apparently, for Mālik, the incident must have suggested that the apostate was not merely one who renounced his Islām, but rather one whose religious apostasy was linked to his sedition and armed rebellion against '*al-Ummah*'. In any case, at this stage of fluidity when legal traditions as a basis for regulating the community were being developed, Sufyān al-Thawrī (d. 161 A.H.) could say that the (passive) apostate "should forever be asked to recant."<sup>22</sup> In our opinion, this does not conflict with 'Ikrimah's alleged prophetic tradition, "Whoever changes his religion, kill him". It seems that whilst the statement of al-Thawrī is to be seen in jurisprudential and theological context, Ikrimah's supposed prophetic tradition seems to carry strong polemical and political implications.

### 7.1.2. IKRIMAH AND HIS KHARIJITE AFFILIATION

'Ikrimah died in 107 A.H. (725 A.D.), aged 84. This means that he lived his entire adult life under the despotic reign of the Umayyads, which extended over a period from 41–132 A.H. (661-750 A.D.). We have already indicated that during this period the legal traditions as a basis for regulating the community were hardly in vogue. Indeed, as Goldziher has argued, "those traditions that were current in the Umayyad period were hardly concerned with law. They were rather concerned with ethics, asceticism, eschatology and politics."<sup>23</sup>

<sup>20</sup> Ahmad Subhī Mansūr, *al-Husbah: Dirāsah Usūliyyah Tārīkhiyah* (Cairo 1995), p. 44; In fact

<sup>21</sup> Mālik Ibn Anas, *al-Muwattā'*, as narrated by Muhammad Ibn al-Hasan al-Shaybānī (Cairo 2001), p. 283.

<sup>22</sup> Ibn Qudāmah, *al-Mughnī* (Cairo 1969), Vol. 8, p. 126; Abd al-Wahhāb A. Sh'urani, *Mizān* (Cairo 1318 A.H.), Vol. 2, p.134.

<sup>23</sup> I. Goldziher, *Muhammedanische Studien* (Halle, 1889-1890), pp. 72f; also J. Schacht, 'A Revaluation of Islamic Traditions,' *JRAS*, (1949), p. 143.

‘Ikrimah’s alleged prophetic tradition, although elevated later by some to a legal tradition,<sup>24</sup> in all probability, was concerned with politics. Undeniably, ‘Hadīth’ more than anything else has been a theological dumping ground for a number of religious and political ideologies in the early Islamic centuries. It is not difficult, for example, to trace in al-Bukhārī and Muslim the elements of *‘al-Isrā’iliyyāt’* (Israelite or Jewish stories from the Old Testament and the Talmud), and *‘al-Masīhiyyāt’* (stories from the New Testament and the New Testament Apocrypha).<sup>25</sup> Interestingly, elements of political ideologies of al-Khawārij’ can also be traced in the Hadith. Abū Hulai‘ah is reported to have heard a former leader of al-Khawārij’ say: “Watch from whom you learn your religion, for we were in the habit that if we fell in love with something, we immediately put it into a Hadīth.” This is confirmed by Ibn Hajar who wrote: “The heresy of al-Khawārij’ existed in the beginning of Islām when plenty of the Companions were still alive, and it existed also in the time of their followers and their followers’ followers. If favourably disposed to something, they simply turned it into a Hadīth and disseminated it.”<sup>26</sup> Therefore, we should not be surprised if we find ‘Ikrimah himself cast into this Kharijite mold. In fact, the sources reveal that there are precisely eighteen indictments leveled against Ikrimah. Nine of them indict him of dishonesty and unreliability, and the other nine of adopting the Kharijite ideology and belonging to one school or another of this sect.

According to al-Dhahabī, Ahmad Ibn Hanbal said: “ ‘Ikrimah held the view of the *Sufriyyah* sect of al-Khawārij’. He left no place unvisited—(he propagated his Kharijite ideology in)—Khurāsān, Syria, Yemen, Egypt and North Africa (*al-Maghrib*).”<sup>27</sup> However, Ibn al-Madanī reports on the authority of Ibn al-Hadramī and his grandfather that “ ‘Ikrimah shared the view of the *Ibādiyyah*” school.<sup>28</sup> But Ibn al-Madani himself believed that he “shared the view of the

<sup>24</sup> This Hadīth has been classified as one of the Ahad traditions which cannot be used for legislative purposes. This has been endorsed by modern Muslim scholars like Muhammad ‘Abduh, Rashīd Redā and more recently by Muhammad Shaltūt, the head of al-Azhar, as we pointed out earlier. For more detail see Mahmūd Abū Rayyah, *Adwā’ alā as-Sunnah an-Nabawiyah*, pp. 336ff.

<sup>25</sup> Ibid. pp. 118-165; also Alfred Guillaume, *The Traditions of Islām : An Introduction to the Study of the Hadīth Literature* (Oxford 1924), pp. 132-149.

<sup>26</sup> Ibn Hajar al-Asqalānī, *Fath al-Bārī bisharh al-Bukhārī*, Vol. 1, pp. 161f.

<sup>27</sup> Ibid. Vol. 4, p. 16. The *Sufriyyah* school was founded by Ziyad Ibn al-Asfar who dissented from al-Azariqah sect of al-Khawārij’. See Muhammad Abd al-Karīm al-Shahristānī, *al-Milal wa an-Nihal* (Beirut 1986), Vol. 1, p. 137; also al-Maltī, *at-Tanbih wa ar-Rad* (Cairo ?), p. 52.

<sup>28</sup> al-Dhahabī, *Mizān al-‘itidāl*, Vol. 4, p. 15. Ibadiyyah school takes the name of its founder, Abd Allāh Ibn Ibād. See Abd al-Qāhir al-Baghdādī, *al-Farq bain al-Firaq*, p. 82; also al-Shahristānī, *al-Milal wa an-Nihal*, p.134f.



*Najdiyyah*” school. His keen stance for the Kharijite ideology was such that, according to Mis‘āb az-Zubayrī, ‘Ikrimah did not hesitate to claim that his former master, Ibn Abbās, “held the Kharijite view”.<sup>29</sup> Members of these Kharijite schools were notoriously bloodthirsty and violent militants. This explains why the people of Madīna were reportedly hostile to ‘Ikrimah. Both Ibn Sa‘d and al-Dhahabī report on the authority of Mis‘ab Ibn az-Zubayri that as “‘Ikrimah was of the Kharijite view, some of the (Umayyad) governors of Madīna sought to arrest him, but fled to Dawūd Ibn al-Hasīn for hiding and stayed with him until he died”.<sup>30</sup> His death coincided with the death of Kuthayr ‘Azzah, the poet, and were buried the same day. People are said to have gone in the funeral of Kuthayr and abandoned that of ‘Ikrimah.<sup>31</sup>

The militant character of the Khawārij was expressed in their relentless violence towards their opponents, if not in action at least in words.<sup>32</sup> Ibn al-Madanī reports on the authority of al-Hadramī and his grandfather that, “ ‘Ikrimah once stood at the door of a mosque and cried out, ‘Everyone inside it is an unbeliever’”.<sup>33</sup> As an eye-witness, Khālid Ibn ‘Imrān reports an incident that occurred during the pilgrimage and ‘Ikrimah was there. As the people crowded around the Ka‘bah, ‘Ikrimah said, “I wish I had a javelin in my hand. With it I would have killed, right and left, those who came to the pilgrimage.”<sup>34</sup>

The Hadīth that al-Bukhārī reported on the authority of ‘Ikrimah simply reads, “Whoever changes his religion, kill him”.<sup>35</sup> We have already referred to political character of this tradition. If this is so, then the object of its verdict could not be other than the contemporary Umayyad regime, which like all non-Khawārij, was in a state of gross and defiant apostasy. The Khawārij’s fiercest and bloodiest battles occurred with the Umayyads and the Muslim community they ruled, and whom they regarded as apostates who “were making

<sup>29</sup> al-Dhahabī, *Mizān al-I’tidāl fī Naqd ar-Rijāl*, p. 16. Najdiyyah branch of al-Khawārij’ takes the name of its founder Najdah al-Hanafī. See al-Ash‘arī, *Kitāb Maqālāt an-Islāmiyyīn wa Ikhtilāf al-Musallīn*, pp. 89f.

<sup>30</sup> Ibn Sa‘d, *at-Tabaqāt al-Kubrā*, Vol. 5, p. 351; also al-Dhahabī, *Mizān al-I’tidāl* (Cairo 1985), Vol. 4, p. 16.

<sup>31</sup> Ibid. Vol. 4, p. 16.

<sup>32</sup> The violent murder of those who differed from them like Alī, Abd Allāh Ibn Khabab and his wife etc... See Muhammad Abū Zahrah, *Tārīkh al-Madāhib al-Islāmiyah* (Cairo 1997), pp. 58-60. Wasil Ibn ‘Ata’ used a trick to save himself from them. See Ibn Yazīd *al-Mubarrad, al-Kāmil*, Vol. 1, Parts I-X, pp. 528f.

<sup>33</sup> See al-Dhahabī, *Mizān al-I’tidāl*, Vol. 4, p. 15.

<sup>34</sup> Ibid. Vol. 4, p. 15.

<sup>35</sup> *Sahīh al-Bukhārī, Bad Istitābat al-Murtaddīn*, Vol. 9, p. 45. We have already pointed out that the sentence here is rather vague, and has in fact been understood in a general sense. It may even apply to a non-Muslim who abandons his religion, as Shāfi‘ī and Ibn Hazm understood it. See pp. 113ff.

war against God and His Apostle” like Alī,<sup>36</sup> or as “the pagan Arabs from whom nothing could be accepted except Islām or the sword.”<sup>37</sup>

Finally, we should not forget another possibility. This tradition might have originally been expressed in much stronger and clearer political terms than we have it today. Recent studies have discovered that corruption crept into the Hadīth literature through the procedure of transmitting according to the sense (*bi al-ma'nā*) rather than verbatim (*bi'al-lafz*) and through the effects of political conflicts and sectarian prejudices. It has been said that even trustworthy transmitters erred in their understanding of what was said (either by the Prophet or someone else for that matter), and unwittingly transmitted misleading reports so that not even men like al-Bukhārī and Muslim were free from corruption. Such corruption can only be dealt with through careful criticism of the content of the Hadīth.<sup>38</sup>

## 7.2. THE ABBASID REGIME

As we have indicated, both the Umayyads and the Abbasids looked to the support of the religious forces that were only too happy to serve their political ends. Yet, this was uniquely more characteristic of the Abbasids than their predecessors, the Umayyads. The Umayyads' reliance on religious forces was hardly significant. It was mostly limited to their theological support for the doctrine of '*al-qadā' wa al-qadar*', which justified the existence and perpetuation of their political power. Here, for example, the service of their great jurist, al-Awza'ī, was invaluable in destroying Ghaylān ad-Dimishqī, the ardent political and theological opponent of the Umayyad regime.<sup>39</sup> On the other hand, the Abbasids focused entirely on the legitimacy of their religious and spiritual cause. In this case, their reliance on religious forces was both significant and fruitful. Probably, the investment of the Abbasids in the religious forces of their time soon sparked off a growth industry in forged tradition, which would be to their political advantage. There are a number of things that possibly contributed to the forgery of Hadīth:

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<sup>36</sup> Sūra al-Mā'idah [5]:36-37. Alī was eventually killed by one of al-Khawārij' .

<sup>37</sup> This was the view of the Azariqah school of al-Khawārij' , which the other schools of the sect also shared. See Abd al-Qāhir al-Baghdādī, *al-Farq bain al-Firaq*, pp. 62f; also al-Shahrastani, *al-Milal wa a- Nihal*, pp. 118f.

<sup>38</sup> For a good discussion on this point, see Daniel W. Brown, *Rethinking tradition in Modern Islamic thought* (Cambridge 1996), pp. 113 –114.

<sup>39</sup> See p. 184; see also Abd al-Jabbar, *Tabaqāt al-Mu'tazilah*, p. 233.

a) The Abbasids from the outset were keenly alive to the idea, as Abū al-‘Abbās as-Saffah put it in his inauguration speech, that they were ‘*ahl al-bait*’ (of the Prophet’s household). Also as chosen guardians of Islām, they were qualified “to be its maintainers (*quwwāmūn bihi*) ... and its defenders (*al-dhābbīna ‘anhu*)”.<sup>40</sup> Thus, most likely, an enormous number of traditions were forged to bestow prophetic confirmation and legitimacy on the ‘Abbasid rule. One of them is cited by Tabarī and as-Suyūṭī that the Prophet “informed al-‘Abbās, his uncle, that the caliphate will rest in his descendants”.<sup>41</sup> Such merits were further enhanced by scholars, acting perhaps as spin-doctors, who could testify that, “in the whole world, the sons of al-‘Abbās were incomparable as ardent students of the Qur’ān and as devout worshippers”.<sup>42</sup>

b) Religious and ethnic conflicts might also have contributed to the forgery of tradition. For example, the so-called *Zanādiqah* (those who professed Islām, but secretly held Manichean beliefs), are said to have circulated over 12 000 forged hadīth. The problem was so serious that the narrators (*al-muhaddithūn*) could hardly conceal their grave concern.<sup>43</sup> Out of 700 000, al-Bukhārī could select only 9000 traditions. Even well meaning *traditionists* failed to stem the tide. It is said that there were ‘*muhaddithūn*’, who simply could not prevent forgeries from being transmitted in their own names.<sup>44</sup> We may therefore waive the claim of Harūn ar-Rashīd that such a huge number of forgeries “can easy be excised by (the scholars) Abī Ishaq al-Fazārī and Abd Allāh al-Mubārak”.<sup>45</sup>

c) It is possible that The ‘Abbasids’ policies regarding non-Arabs might also have contributed to the forgery of Hadīth. At first the ‘Abbasids, unlike the Umayyads, championed the policy that made all Muslims equal regardless of their racial origins. In a heterogeneous empire, that was wise politics. This policy was probably inspired by the significant military role that the Persians, under Abū Muslim al-Khurasānī, played in bringing the ‘Abbasids into power.

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<sup>40</sup> See as-Suyūṭī, *Tārīkh al-Khulāfa’*, p. 257.

<sup>41</sup> Tabarī, *Tārīkh*, Vol. 6, p. 368; also as-Suyūṭī, *Tārīkh al-Khulāfa’*, p. 256.

<sup>42</sup> Ibid. p. 256

<sup>43</sup> Muhammad Aslam Jayrajpurī, *‘Ilm-i –Hadīth* (Lahore date ?), p.15

<sup>44</sup> Ibid. pp. 15-16; also Daniel W. Brown, *Rethinking tradition in Modern Islamic thought*, p. 96.

<sup>45</sup> See as-Suyūṭī, *Tārīkh al-Khulāfa’*, p. 293.

Consequently, the term 'Arab' was dropped from the official record (*Diwān*).<sup>46</sup> A tradition was found where the 'Arab' and the 'Ajamī (basically a term for Persian) are portrayed as equal. In a tradition cited by at-Tirmidhī, the Prophet said: "An Arab has no privilege over a Ajamī except with *at-taqwā* (awe and fear of God)."<sup>47</sup> But, in another tradition cited by Muslim, the Persian appears to rise above the Arab. The Prophet, whilst placing his hand on Salmān al-Fārisī (the Persian), said, "If faith were to be found in '*al-thurayyā*' (Pleiades), it would be reached by men of this kind (or race)."<sup>48</sup> Later, however, old Persian families who were incorporated in Islām had a national interest in the revival of Persian religious ideas and traditions, which were probably a reaction against the Arabian character of the Islamic faith. These came to be known as '*Zanādiqah*', the Manichean freethinkers that were a dangerous threat to the orthodoxy of that period.<sup>49</sup> Under the 'Abbasids, repression and executions were applied to them with relentless ferocity. Yet, traditions justifying this policy were fabricated, as were others, during the Calīph al-Mu'tasim (796-842), justifying public hatred and enticement against the Turks who were flooding Baghdad.<sup>50</sup> Apparently, at this period the '*Zanādiqah*', whom al-Bayhaqī in his Sunan terms as '*Muslim Zanādiqah*', also earned the interchangeable name of 'hypocrites'.<sup>51</sup> In what seems to be a reflection of a contemporary debate regarding the fate of such culprits, the result as given by al-Bayhaqī is inconclusive whether a '*Zindīq*' should be freed after recantation or executed in spite of it. However, the advocates of the latter were in all possibility the justifiers of the official line, which was particularly implemented with the utmost rigour under the Calīphs al-Mansūr (754-775), al-Mahdī (775-785) and al-Hādī (785-786).<sup>52</sup>

It is likely that it was in the field of the theo-politics of the early Islamic centuries that the Hadīth, rather than the Qur'ān, assumed the prominent role. Yet, ironically, what made its role prominent was perhaps its vulnerability. It could be varied, expanded and above all forged

<sup>46</sup> Ibid. pp. 258f.

<sup>47</sup> Abū 'Isa at-Tirmidī, *Sunan at-Tirmidī*, No. 3266. The appellation '*Ajami*' generally refers to a non-Arab alien. Later on, beginning at the Abbasid period, it was preferably used to designate a Persian.

<sup>48</sup> Sahīh Muslim, *Kitāb Fada'il as-Sahābah*, No. 1297 (Beirut 2000), pp. 940-41.

<sup>49</sup> I. Goldziher, *Muslim Studies*, Vol. 2, pp. 363-4

<sup>50</sup> as-Suyūti, *Tārīkh al-Khulāfa'*, p. 335. As for the traditions that were forged against the Turks, see Muhammad al-Jinkī al-Yūsufī, *Zād al-Muslim fī ma ittafaqa 'alāihi al-Bukhārī wa Muslim* (Cairo ?), Vol. 5, pp. 240-3.

<sup>51</sup> See al-Bayhaqī, *as-Sunan al-Kubrā* (Hyderabad 1354 AH), Vol. 8, pp. 195 -201

<sup>52</sup> See as-Suyūti, *Tārīkh al-Khulāfa'*, pp. 261, 271-273, 279.

to support new policies and justify the regime's drastic measures, or vest them with divine approval. We propose to illustrate this by looking at the historical incident that led, in my opinion, to the possible invention of what became known as another '*hadīth ar-riddah*'.

### 7.2.1. AL-AWZA'Ī, AND '*HADĪTH AR-RIDDAH*' (b)

It is wrong to assume that the forgery of the Hadīth was entirely the work of the anti-Islamic *Zanādiqah* like Abd al-Karīm Ibn Abī al-Awjā', Bayyān Ibn Sam'ān and Muhammad Ibn Sa'īd.

It appears that The *Zanādiqah* wrought social upheaval by fabricating thousands of traditions. According to Hammād Ibn Zayd, "they invented 14 000 traditions in the Prophet's name".<sup>53</sup> Ibn Abī al-'Awjā' alone reportedly forged about 4000 traditions.<sup>54</sup> Another *Zindīq* confessed before his execution by Harūn ar-Rashīd that he forged 1000 traditions in the Prophet's name.<sup>55</sup> The most serious threat however came from certain pious Muslims. Yahyā Ibn Sa'īd al-Qattān was aware of this when he wrote: "In nothing do we see pious men more given to falsehood than in tradition."<sup>56</sup>

It would not difficult to understand why such devout Muslims could attribute their own forgeries to the Prophet. The tendency to flatter the Calīph in the hope of immediate material gain apparently proved stronger than truth and scholarship. For example, Ghiyāth Ibn Ibrāhīm, the courtier of the Calīph al-Mahdī, made deliberate changes in the Hadīth literature.<sup>57</sup> Muqātil Ibn Sulaymān (d. 767) was a well-known courtier of the same Calīph. On one occasion he expressed to the Calīph his readiness to fabricate some traditions eulogising al-Abbās, the forefather of the Calīph.<sup>58</sup> A combination of fear and ambition could also be a powerful motive in forging traditions. One of those traditions is the tradition regarding the punishment for apostasy i.e. Hadīth ar-riddah (b), which we assume to be of early 'Abbasid provenance. Here attention must focus, as we said before (see pp.118f), on the interesting figure of Abū 'Amr al-Awza'ī (died c. 774), the important early jurist of the Syrian law school. Attention will also be

<sup>53</sup> as-Suyūti, *Tadrīb ar-Rāwī*- Commentary on an-Nawawī's *at-Taqrīb wa at-Taysīr* (Cairo 1307 H), p. 103.

<sup>54</sup> Ibid. p. 103.

<sup>55</sup> as-Suyūti, *Tārīkh al-Khulāfa'*, p. 293.

<sup>56</sup> Quoted by Muslim in his book, '*Fath al-Mulham*' (Cairo ?) Vol. 1, p. 132

<sup>57</sup> al-Dhahabī, *Mizān al-'itidāl fī Naqd ar-Rijāl*, Vol. 4, pp. 257-8; also M. Z. Siddīqī, *Hadīth Literature*, p.33.

<sup>58</sup> Ibid. p. 3; also A. Guillaume, *The Tradition of Islām*, p. 73.

drawn to the famous compiler Abū al-Husayn Muslim Ibn al-Hajjāj who might well have vested this Hadīth with elaborate *isnād*.

Little is known about al-Awza‘ī’s jurisprudential position. But although his works on law did not survive, other jurists often quote him. From these quotations it appears that he placed considerable emphasis on the role of tradition. According to al-Dhahabī, he was a narrator of Hadīth and “‘*Imām thiqah*’ (a trustworthy leader), but not to the level of Mālik and ‘Uqail, according to az-Zuhrī”.<sup>59</sup> Later he cites Ibn Hibbān’s attack on Masrūr Ibn Sa‘īd, al-Awza‘ī’s pupil, for having “narrated on the authority of al-Awza‘ī many abhorrent things”.<sup>60</sup>

However, there are signs that al-Awza‘ī had been one of ‘*Ulamā’ as-Sultah*’ (religious scholars in the service of the government). He was instrumental to the Umayyads in destroying heretics like Ghaylān ad-Dimashqī and others.<sup>61</sup> But when the Umayyads fell from power, al-Awza‘ī was summoned to appear before Abd Allāh Ibn Alī –the uncle of the first ‘Abbasid Caliph, ‘*as-Saffāh*’. Possibly Abd Allāh did not think that his brutal destruction of the Umayyad household would be complete without the elimination of their chief-agent, al-Awza‘ī. After three days in hiding, he appeared before Abd Allāh Ibn Alī and his armed henchmen. What follows is his own report of that terrifying experience as given by Ibn Kathīr:

“I entered to find him sitting on his princely seat and a bamboo stick in his hand, and men in black standing on his right and on his left armed with swords and iron rods. I greeted him, but he did not answer. Instead he prodded the ground with his bamboo stick then said, ‘How do you see the manner in which we removed the hands of oppression from off the people and the country...? I replied: ‘O prince, I heard Yahyā Ibn Sa‘īd say, I heard Muhammad Ibn Ibrāhīm at-Tamīmī say, I heard ‘Alqamah Ibn Waqqās say, I heard ‘Umar Ibn al-Khattab, may God be pleased with him, say, I heard the Aposle of God say, ‘The rewards of deeds depend upon the

<sup>59</sup> al-Dhahabī, *Mizān al-I‘tidāl*, Vol. 3, p. 294; also Ibn Kathīr, *al-Bidayah wa an-Nihayah*, Vol. 5, p. 614.

<sup>60</sup> The phrase can suggest that his master, al-Awza‘ī, himself was not sound. Ibid. Vol. 5, p.222.

<sup>61</sup> See al-Qādī Abd al-Jabbār, *Tabaqāt al-Mu‘tazilah*, pp. 233-4.

intentions. And every person will get the reward according to what he has intended. So, whosoever emigrates for (the sake of) God and His Messenger, his emigration will be for God and His Messenger. And whosoever emigrates for worldly benefits or for a woman to marry, his emigration will be for what he emigrated for”<sup>62</sup>.

He prodded the ground with his bamboo stick harder than before, while those around him grabbed the handles of their swords; he then said: ‘O Awza‘ī, what do you say about the (spilt) blood of the Umayyads?’. I answered: “ The Messenger of God has said: ‘The blood of a Muslim...cannot be shed except in three cases: life for a life, or a married person guilty of adultery or a person who abandons his (Islamic) faith and deserts the community’”.

He prodded the ground with his bamboo stick much harder than previously, and said, ‘What do you say about the wealth of the Umayyads?’. I said, ‘If it was forbidden to them to possess, it is forbidden to you too. But if it were lawful for you, it will be so only through legal process’’. He prodded the ground even much harder than before, and said, ‘Should we not put you in charge of ‘*al-qadā*’ the judicature?...’”<sup>63</sup>

The account of al-Awza‘ī’s experience as given by Ibn Kathīr provides us with some vital clues:

a) On this critical instance, al-Awza‘ī mentioned ‘*Hadīth innamā al-a ‘mālu bi an-niyyāt*’ (the rewards of deeds depend on intentions) and gave it an elaborate *isnād*. But, when he mentioned what we term as ‘*Hadīth ar-riddah*’ (b), he gave it no *isnād* whatsoever. In fact, during this period *isnād* was hardly in use, which left the door wide open to fabrications. We are therefore of the opinion that this tradition appears to be al-Awza‘ī’s own fabrication in this situation. After all, if he could claim that he had actually seen God in his dream and heard Him praising him for his piety, we assume that inventing a Hadīth would hardly be a problem, considering also the highly precarious position in which he found himself.<sup>64</sup>

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<sup>62</sup> This Hadīth is found in Sahīh al-Bukhārī and Sahīh Muslim. See *Zād al-Muslim*, Vol. 1, pp. 6-7.

<sup>63</sup> Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 5, pp. 614-15.

<sup>64</sup> Ibid. Vol. 5, p. 613.

b) There is also the possibility that this tradition was al-Awza‘ī’s clear signal to the new regime that he was ready to serve his new ‘Abbasid masters as loyally as he served his former Umayyad masters. But most of all, this tradition seems to have the hallmark of a theological justification of the obscene slaughter that the ‘Abbasids perpetrated on the Umayyad household.<sup>65</sup> Often the theologian’s intent is not to tell the truth but to satisfy the questioner!

The ‘Abbasids were already aware of the reaction that their appalling act had caused even among some of their supporters and fellows in arm. Allies like Shurayk al-Mihri had consequently seceded declaring, “We did not follow the Prophet’s household to shed blood and act unjustly”.<sup>66</sup> The Hadīth that al-Awza‘ī produced on this occasion maybe a double edged-sword. It justified the ‘Abbasids’ action, and legitimized the elimination of the Umayyads. After all, the shedding of their blood was lawful on the basis of three things mentioned in this Hadīth. Firstly, the Umayyads were historically knee-deep in blood. They murdered al-Husayn and his household at Karbalā and thereafter spared no claimant from their descendents. Their last victim was Ibrāhīm Ibn Muhammad who was killed by the last Umayyad Caliph, Marwān Ibn Muhammad.<sup>67</sup> Thus, the phrase of the Hadīth “life for a life” probably applied to them. Secondly, the Umayyads were known for their immoral behaviour and debauchery, for which Yazīd Ibn Abd al-Mālik and al-Walīd Ibn Yazīd were highly notorious. Thirdly, it was easy to accuse them of having “abandoned the faith and deserted the community,” especially that they were on the whole irreligious. They were notorious for neglecting the obligation of prayer, and careless about the religious and spiritual well being of ‘*al-ummah*’.<sup>68</sup> Thus the elimination of the Umayyads was now implied as perfectly legitimate, having the prophetic seal of approval upon it.

c) The hadīth of al-Awza‘ī were to have a far-reaching significance in the political life of the ‘Abbasid regime. Their Persian clients under their leader, Abū Muslim al-Khurasāni, did much to promote the cause of the ‘Abbasids and bring them to power.<sup>69</sup> When that was realized, they

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<sup>65</sup> Ibid. Vol. 5, pp. 522-3; See Tabarī, *Tārīkh*, Vol. 6, p. 403; As-Suyūti, *Tārīkh al-Khulāfa’*, p. 257.

<sup>66</sup> Tabarī, *Tārīkh*, Vol. 6, p. 403.

<sup>67</sup> See Ibid. Vol. 6, pp. 381f; also al-Mas‘udī, *Murūj al-Dhahab*, Vol. 3, pp. 70-72.

<sup>68</sup> Ibid. Vol. 3, pp. 207-210, 225ff.

<sup>69</sup> Tabarī, *Tārīkh*, Vol. 6, pp. 330-6, pp. 411f; Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 5, pp. 515-6.



were excluded and Abū Muslim himself was murdered.<sup>70</sup> The Persian reaction to this appeared in two areas. In East Persia, the insurrections that followed were brutally put down by vast armies dispatched from Baghdad.<sup>71</sup> In Baghdad itself, the systematic elimination of the intellectual Persian cast, which most probably had political sympathies with the Persian insurrections, was taking place under the pretext of ‘*Zandaqah*’. The stigma of religious indifference and loose morals attached to the Persians may have also helped to establish their conviction and elimination in accordance with al-Awza‘ī’s Abbasid legislation, based in all probability on this so called Hadith. Muslim historical sources clearly state that the ‘Abbasid Caliph, “al-Mahdī, destroyed *az-Zanādiqah* and hunted them down at every turn...”<sup>72</sup> And al-Mahdī was the son and successor of al-Mansūr who had al-Awza‘ī as his mentor, and in the words of Ibn Kathīr, “He loved and revered him very highly”.<sup>73</sup>

### 7.2.2. ‘HADĪTH AR-RIDDAH’ (b) AND THE PROBLEM OF ITS ISNĀD

Great efforts must have been expended by the jurists of the ‘Abbasid period to disseminate the Hadīth given by al-Awza‘ī. This was a period of immense theological and legal literary activities. According to Sūyūtī, it was a period when every bit of material that might be of legal import was valued, reshaped or manipulated to meet particular needs.<sup>74</sup> It was in the jurisprudential realm that this hadīth must have proved to be a great asset. Meanwhile, as the *isnād* was being recognized as a sort of insurance cover for tradition, this hadīth could not be left without it. Some have even attributed it to ‘Uthmān, the third Caliph, in order to lend it antiquity and authenticity.<sup>75</sup> But this receives no support from the distinguished Muslim historian, as-Suyūtī, as we have previously indicated (see pp. 120ff.). For the same reasons it has been put into the mouth of Ā’ishah’, the Prophet’s wife. But here, as we pointed out earlier, we simply end up with a portrait of a ‘*muhārib*’ rather than a religious apostate (see pp. 120f.).<sup>76</sup>

<sup>70</sup> Tabarī, *Tārīkh*, Vol. 6, pp. 421ff; Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 5, pp. 545f.

<sup>71</sup> Tabarī, *Tārīkh*, Vol. 6, pp. 434-5; as-Suyūtī, *Tārīkh al-Khulāfa’*, p. 262.

<sup>72</sup> as-Suyūtī, *Tārīkh al-Khulāfa’*, p. 273

<sup>73</sup> Ibn Kathīr, *al-Bidāyah wa an-Nihāyah*, Vol. 5, p. 616.

<sup>74</sup> See as-Suyūtī, *Tārīkh al-Khulāfa’*, p. 261.

<sup>75</sup> See later compilations like an-Nasai’ *Sunan* (Cairo ?), p.103; also al-Bayhaqī, *as-Sunan al-Kubrā*, p. 194; also Ibn Mājah, *Sunan* (Cairo date ?), p. 20. No. 2533; and at-Tirmīdhī, *Sunan, Kitāb ad-Diyāt* (Cairo ?), Vol. 4, p. 19, No. 4352.

<sup>76</sup> see Abū Dawūd *Sunan* (Beirut 1988), Vol. 4, p. 124. No. 4353

Nearly two centuries after the death of al-Awza‘ī, Muslim in his *Sahīh* mentions this Hadīth with a chain of transmitters and authorities exceeding that of al-Bukhārī.<sup>77</sup> However, this chain does not include al-Awza‘ī. The hadīth as compiled by Muslim reads as follows:

Abū Bakr Ibn Abī Shaybah informed us on the authority of Hafs Abū Ghayyāth and Abū Mu‘āwiyah, on the authority of Wakī‘, on the authority of al-A‘mash, on the authority of Abd Allāh (Ibn Mas‘ūd) who said: ‘the Messenger of God Said, ‘It is not lawful to shed the blood of a Muslim, who testifies that there is no god but God and I am the messenger of God, except in three cases: life for a life, or a married person guilty of adultery or a person who abandons his (Muslim) faith and deserts his community.’<sup>78</sup>

We have already touched on the complex science of *Isnād* criticism. The curious feature of the criticism is that the genuineness of traditions was considered settled by the reliability of the men who transmitted them, rather than by any inherent truth the traditions might possess. As the chain of authorities through which it had been transmitted must precede each tradition, a good knowledge of those that appear in these chains was considered as very important.<sup>79</sup> But this rule can be counterproductive. A close look at the chain of transmitters and authorities preceding this Hadīth would serve as a good example.

In the *Isnād* list which al-Bukhārī attaches to this Hadīth, there are six transmitters, four of them are found in the *Isnād* list of Muslim, which in fact has a total of eight men. The question is, how reliable are these eight transmitters?

1) The list begins with Abū Bakr Ibn Abī Shaybah, whose real name is Abd ar-Rahmān Ibn Abd al-Mālik (d. 739). Apart from Ibn Abī Fudaik who speaks of his reliability, Abū Ahmad al-Hākim described him as ‘*laysa bimātīn*’ (not solid), and Abū Bakr Ibn Abī Dawūd referred

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<sup>77</sup> *Sahīh al-Bukhārī*, *Kitāb ad-Diyāt*, Vol. 9, p. 11.

<sup>78</sup> See *Sahīh Muslim*, Vol. 5, p. 106.

<sup>79</sup> For an interesting discussion on the qualities of the transmitters, see Abū ‘Amr al-Shahrazuri, *Muqaddimat Ibn as-Salah fī ‘Ulūm al-Hadīth* (Beirut 1995), pp. 84-96.

to him as '*da'if*' (weak). In his book '*al-Thuqāt*' (The Reliable Men), Ibn Hibbān pointed out that '*rubbamā akhta*' (he was perhaps wrong).<sup>80</sup>

2) The next name is that of Hafs Ibn Ghayāth. His surname was Abū 'Umar an-Nakh'ī (d. 809). He was a judge during the 'Abbasid period and apparently a useful legal agent in the Caliph's administration. Whilst some like Yahyā Ibn Ma'in had passed him as reliable, his friend Ibn Hibbān accused him of '*ghalat*' (incorrectness) and '*wahm*' (delusion). For Dawūd Ibn Rushayd, Hafs' 'mistakes were too many'; and Abū Zur'ah says that '*sā'a hifzuhu indamā ustuqdiya* (his grasp i.e. of things pertaining to the tradition, became bad after becoming judge). Even Abd Allāh Ibn Ahmad reported on the authority of his father, Ahmad Ibn Hanbal, that Hafs was very wrong.<sup>81</sup>

3) The person next in the list is Abū Mu'āwiyah ad-Darīr. There is no consensus as to his reliability. Ibn Khirāsh, for example, tells us that whilst to some like al-A'mash he may be reliable, to others like Ahmad Ibn Hanbal his reliability is questionable. According to al-Hākīm an-Nīsābūrī, although al-Bukhārī and Muslim quote him, he was well known for his extremist Shī'a stance. Ibn Ma'in tells us that Mu'āwiyah reported traditions that were '*manākīr*' (abhorrent). With one breath al-'Ajli speaks of his reliability and with another accuses him of the Marji'iyyah heresy.<sup>82</sup> Ya'qūb Ibn Shaybah also speaks of his reliability, but thinks that he could have '*dallas*' (practiced deception). He also adds that because of his Marji'iyyah views, Wakī' (the next in the list of the transmitters of this Hadīth) did not even go in his funeral.<sup>83</sup>

4) The next is Wakī'. His full name is Wakī' Ibn al-Jarrāh Abū Sufyān ar-Ru'āsī al-Kūfī. Not much is known about him except that he was a noted scholar. But Ibn al-Madaynī says that Wakī' 'was known for making grammatical mistakes. He also adds, '*kāna fihi tashayu'un qalīl*'

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<sup>80</sup> al-Dhahabī, *Mizān al-I'tidāl fī Naqd ar-Rijāl*, Vol. 3, p. 292; and Vol. 6, 177.

<sup>81</sup> Ibid. Vol. 2, pp. 90-91.

<sup>82</sup> al-Marji'iyyah maintained that judgment in this world must be postponed until the day of judgment. For detail, see al-Shahrastani, *al-Milal wa an-Nihal*, Vol. 1, pp. 139f.

<sup>83</sup> al-Dhahabī, *Mizān al-I'tidāl*, Vol. 6, p. 249.

(there was a bit of Shi‘ism in him).<sup>84</sup> Such accusations were obviously intended to compromise his status as a scholar and transmitter.

5) We come to al-A‘mash, one of the most famous transmitters. His full name is Sulaymān Ibn Mahrān Abū Muhammad al-Kāhili al-Kūfi al-A‘mash (d. 765).<sup>85</sup> According to al-Dhahabī, “People ill-treated him because of his ‘*at-tadlīs*’ (deceit)”. Both Ibn al-Mubārak and Mughīrah were in agreement that al-A‘mash was responsible for “corrupting the Kūfi prophetic traditions”. Ibn Hanbal reportedly said that, “the traditions of al-A‘mash were very disturbing”. In other words, one does not feel at ease with what he transmitted. He also dismissed the claim that he narrated traditions on the authority of Anas, and pointed out that he had never heard anything from him. According to al-Madaynī, “he was ‘*Kathīra al-wahm*’ (greatly deluded).<sup>86</sup> However, al-Hākim an-Nīsābūrī, placed al-A‘mash firmly among those noted for deceit in the field of Hadīth, using the opinion of al-Shadhkūnī who said, “those wanting to devote themselves to Hadīth should take nothing from al-A‘mash...”<sup>87</sup>

6) There follows Abd Allāh Ibn Abī Murrāh. He should not be confused with another transmitter by the same name.<sup>88</sup> We know nothing about his background. To our knowledge, he is mentioned only by al-Dhahabī who describes him simply as ‘*lā yasihhu*’ (not sound).<sup>89</sup>

7) Then comes Masrūq Ibn al-Marzubān. Some have described him as reliable, but Abū Hātim has described him as ‘*laysa biqawī*’ (not strong). In other words, he is unreliable.<sup>90</sup>

8) The interesting key figure in this tradition is Abd Allāh Ibn Mas‘ūd, the very early convert to Islām and the notable companion of the Prophet.<sup>91</sup> He figures as one who heard and reported this tradition. But the story seems to stand in glaring contrast to another event. He was governor

<sup>84</sup> Ibid. Vol. 6, pp. 9-10.

<sup>85</sup> See his biography in Ibn Hajar al-Asqalānī, *Tahdhib at-Tahdhib* (Cairo ?), Vol. 4, 222.

<sup>86</sup> al-Dhahabī, *Mizān al-I‘tidāl*, Vol. 2, p. 414

<sup>87</sup> al-Hākim an-Nīsābūrī, *Ma‘rifat ‘Ulūm al-Hadīth* (Beirut ?), pp. 105-107.

<sup>88</sup> al-Dhahabī, *Mizān al-I‘tidāl*, Vol. 3, p. 215 particularly No. 4595.

<sup>89</sup> Ibid. Vol. 3, p. 215, see No. 4594 and comp. with No. 4595.

<sup>90</sup> Ibid. Vol. 5, p. 223.

<sup>91</sup> Ibn Mas‘ud was a notable companion of the Prophet. He is of particular interest in Qur’anic studies.

over Iraq when a group of people, described in *Kanz al-'Ummāl* as apostates, were brought to him.<sup>92</sup> Ibn Mas'ūd tells us that in this situation, he wrote to the Caliph 'Uthmān asking him what to do with them. Ibn Mas'ūd is supposed to have directly heard the prophetic instruction relating to the case of one becoming an apostate. It makes no sense to be told later that when a group of apostates were brought before him, he had to seek advice as to how to proceed.

## CONCLUSION

Pre-Islamic Arabia was a multi-religious society in which the frequent inter-tribal conflicts hardly ever took on a religious character. Pagan gods and non-pagan religions there mixed freely and tolerably. The birth and ascendancy of Islām brought all this to an end.<sup>93</sup> Understandably, it is in the nature of any monotheistic faith like Islām to brook no rival deities or competing faiths even if they had much in common with it. As a monotheistic faith it had to reign supreme, which confirms what Breasted once said: "Monotheism is but imperialism in religion".<sup>94</sup> In its ascendancy, Islām was unable to eclipse completely Arabia's old pagan religion or dismantle Judaism and Christianity from the peninsula. This may call into question the allegation that Islām spread by the sword. The Qur'ānic text in Sūra al-Baqarah clearly forbids compulsory conversion.<sup>95</sup> Interestingly, the Qur'ānic text concerned, according to Muslim expository sources, may be understood against the background of an apostasy case.<sup>96</sup> Yet, in the event of apostasy, one is compelled either to recant or be killed. Presently, death for apostasy is almost universally acknowledged to be the unique characteristic feature of Islām, which if it had existed in other religions in the past, it has long since fallen into disuse.

One would look in vain for the basis of this law in the Qur'ān, the principle text of Islām. The period immediately following the death of the Prophet, witnessed the transition from theocracy to theo-politics under the 'Rightly Guided Calīphs'. In the struggle for political control that followed, the portrait of political opponents was formed. They came to be

<sup>92</sup> 'alā' ad-Dīn al-Muttaqī, *Kanz al-Ummāl*, p. 514

<sup>93</sup> This point has recently been strongly argued by Abd al-Hādī Abd ar-Rahmān, in his excellent book, *The Authority of the Text* (Beirut 1998), pp. 152ff.

<sup>94</sup> J. H. Breasted, *The Development of Religion and Thought in Ancient Egypt* (London 1912), p. 315.

<sup>95</sup> Sūra al-Baqarah [2]: 256

<sup>96</sup> Tabarī, *Tafsīr*, Vol. 3, pp. 22f; al-Qurtubī, *al-Jāmi' li Ahkām al-Qur'ān*, Vol. 2, pp. 1088f; also as-Suyūti, *Lubāb an-Nuqūl fī Asbāb an-Nuzūl*, p. 77.

classified, basically, as politico/economic apostates, whose refusal to pay *zakāh* to Madīna had marked them out as rebels against the community and had to be fought into submission. This came to be known in Muslim sources as '*hurūb ar-riddah*' (Apostasy Wars) under Abū Bakr. This seems to be a distortion of the real events. This is, most probably, either the product of later Muslim writers who failed to find a reason for these wars, or simply their assessment of them was hugely coloured by their religious belief. Later, Muslim jurists were to employ the so-called 'Apostasy Wars' event as '*qiyās*' (analogy) for the punishment of apostates, or as an object of appeal to that end.<sup>97</sup>

However, the punishment for apostasy in Islām rests entirely upon the two traditions, which we have already identified as Hadīth (a) and Hadīth (b). Somehow there are two Muslim perceptions of these particular traditions:

1. The vast majority of Muslim scholars still perceive these two traditions as being of prophetic provenance and therefore the basis of the death penalty for apostates. But other traditions cited in commentaries and jurisprudential books in the context of apostasy may raise problems of interpretation. Such traditions appear to cover a more serious situation than mere passive apostasy.<sup>98</sup> However, when challenged, some of these scholars are forced to defend their position by saying simply that Sharī'ah is beyond defence or justification. Others would contend that the death penalty for the apostate is based on the principle that Islām is not only a religion, but also a social and political order. For them, apostasy is a form of a serious conspiracy against Islām, which aims at destroying the structure of Islamic society.<sup>99</sup> Muhammad al-Ghazālī, a representative of this school, goes further and argues, for example, that apostasy in the form of conversion to Judaism or Christianity cannot be tolerated. For him, these religions have since Muhammad's lifetime always harboured inimical feelings towards Islām.<sup>100</sup>

<sup>97</sup> The following book is a good example: Abū al-Hasan an-Nadawī, *Riddah wa la Abū Bakrin lahā* (Cairo 1978).

<sup>98</sup> For example, the case of the infamous 'Uraynah Gang. See Sūra al-Mā'idah [5]:36. In connection with this, see Tabarī, *Tafsīr*, Vol. 4, pp. 279ff; also Muslim Ibn al-Hajjāj, *Mukhtasar Muslim* (Beirut 2000), pp. 597-8.

<sup>99</sup> Among the most ardent advocates of this view is Abd al-Qadīr 'Awdah in his book *at-Tashrī' al-Jinā'ī a-Islāmī muqarin bi al-Qanūn al-Wad'ī* (Beirut date ?), Vol. 1, p. 536.

<sup>100</sup> M. al-Ghazālī, *Huqūq al-Insān bayn Ta'ālīm al-Islām wa I'lān al-Umam al-Muttahidah* (Cairo 1963), pp. 99f.

2) Other scholars, albeit a minority, hold that the apostate cannot be killed merely on the ground of apostasy. The Qur'ān nowhere prescribes the death penalty for apostasy. They view these two traditions as belonging to the category of '*khābar al-ahād*' (traditions that relied only on one authority), and they were not widely known amongst the Companions of the Prophet. So, even if these traditions are accepted as authentic, they cannot contradict the Qur'ān, which they apparently do. Among the advocates of this view are Abd al-Mut'āl as-Sa'īdī and S. A. Rahmān. According to the former, these two traditions must be interpreted as referring only to the inimical and fighting apostates.<sup>101</sup> According to the latter, these two traditions could only refer to the actively or militarily hostile apostate. But, "in the writings of the old jurists, the distinction between apostasy simpliciter and active hostility to the community came to be blurred, and in the course of time the assumption hardened into the rule that an apostate, unless he repents, must be condemned to death".<sup>102</sup> It would not be difficult to note that the advocates of this argument seem to be as dubious about the authenticity of these traditions as about their provenance. In our judgment, theirs is not so much an argument as a hypothesis.

Our hypothesis, therefore, takes a completely different direction. The apostasy law in Islām did not originally emerge fully-grown and blown, as most Muslim fundamentalist and conservative schools maintain. The seed of the idea might have accidentally been sown during the theo-political rule of Abū Bakr, the first of the four 'Rightly Guided Calīphs'. The so-called 'Apostasy Wars' was no more than a 'political insubordination' or a 'civil disobedience' that had to be brought to order. Then the death penalty applied only to active rebels against the community i.e. political apostates.<sup>103</sup> It may be that in the aftermath of those wars, hostile political apostasy has become confused in some minds with passive religious apostasy. In this case, it could be assumed that it was only much later that the two came to be inextricably linked.<sup>104</sup>

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<sup>101</sup> See Abd al-Mut'āl as-Sa'īdī, *al-Hurriyah ad-Dīniyah fī al-Islām* (Cairo 1957), pp. 170-1, also Peters and Davries, 'Apostasy in Islām', XVII *Die Welt des Islāms* (1976-77), pp. 14-15.

<sup>102</sup> S. A. Rahmān, *Punishment of Apostasy in Islām* (New Delhi 1996), p. 127.

<sup>103</sup> E.g. note the strong political implication in the tradition cited in *Sunan Abū Dawūd*, Vol. 4, p. 124, No. 4353.

<sup>104</sup> *Sunan Ibn Mājah, Bāb al-Murtadd*, p. 20, No. 2536.

However, Hadīth (a) and Hadīth (b) are generally viewed as the clear and sole basis on which the apostasy law rests in Islām. This thesis has tried to illustrate that these two Hadiths could also have appeared during the late Umayyad and early Abbasid periods.



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