

Kill the apostate

To everyone acquainted with Islamic law it is no secret that according to Islam the punishment for a Muslim who turns to unbelief is execution.

So begins a book on the Islamic Law of Apostasy by Abul Ala Maududi. The sustained argument of this influential South Asian Islamist was that every person who deliberately leaves the Muslim community must be killed.

A rational debate about shariah would include a careful discussion of the problems which Islamic Law poses for non-Muslims. The physical well-being of people who freely follow their conscience is of interest to many people of goodwill throughout the world.

Maududi confidently states that the scholars of Islamic Law have been unanimous on the punishment of apostasy. He claims that there was no disagreement on this point until the British presence in India drew out expressions of ‘modernist’ Islam in the 19th Century. When he wrote *The Punishment of the Apostate According to Islamic Law* in 1943, Maududi was responding to modernist objections to the law of apostasy. An English translation of Maududi’s book by Toronto scholar Ernest Hahn is accessible at answering-islam.org.uk/Hahn/Mawdudi.

Maududi’s characterization of Islamic Law on apostasy is confirmed in the standard scholarly articles by Mahmoud Ayoub, Wael Hallaq, Wilhelm Heffening, Joel Kraemer, or Rudolph Peters and Gert De Vries. These scholars note some differences among the schools of law on such details as the ‘reconsideration period’ or treatment of women apostates, but all confirm the basic principle of death for apostasy. Some scholars argue that this punishment is not to be found in the Qur’an, but all acknowledge the widely-known *hadiths* in which the prophet of Islam prescribes death.

Some may object that whatever aspects of Islamic Law Muslims might intend to apply in Canada, it could not include this. However, in an article written last year for the journal *Commentary*, Daveed Gartenstein-Ross found that this is indeed the stated intent of one of the figures most closely associated with the initiative to introduce shariah in Canada.

Gartenstein-Ross cited information which can be easily accessed via websites such as that of the Canadian Society of Muslims. There Syed Mumtaz Ali agrees with the consensus of both Sunni and Shi'a jurists that male apostates from Islam must be put to death. He claims that the limits prescribed by Islamic Law with regard to apostasy satisfy the requirements of the Canadian Charter of Rights and Freedoms. In other words, observes Gartenstein-Ross, Mumtaz Ali argues that in order to be consistent and fair, Canada "must allow the country's Muslim community to punish those who renounce or traduce their faith."

It is quite natural that Muslims would be concerned about the departure of people from their community. Respect for Muslims means making the effort to understand the depth of this concern. But physical force, or the threat of force, amounts to compulsion in religion. Is this appropriate? Is the physical well-being of those who freely choose to leave Islam—whether within Canada or elsewhere—no concern of non-Muslims?

Meaningful dialogue on difficult religious issues is a challenge for most people. But we miss a chance to better understand each other when we shut down conversation because the subject at hand seems uncomfortable.

Are the voices of Abul Ala Maududi and Syed Mumtaz Ali representative of Canada's Muslims, or are they merely 'extreme' views? Do Canada's Muslims believe that leaving Islam should be punished? Do they agree with the punishment prescribed in Islamic Law for apostasy? Who are the prominent Muslim leaders who have taken a public stand for freedom of conscience?