

Freedom of Religion, Pluralism and Interreligious Dialogue (Islamic Perspective)¹

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ملخص

هناك مسألتان معاصرتان تتعلقان بإعادة التفكير في التعاليم الإسلامية لا سيما فيما يخص بحرية التدين والتعددية والحوار بين الأديان, هما مسألة الردة أو الانتقال من دين إلى آخر ومسألة الدعوة.

إن مسألة حرية التدين خصوصا حرية الانتقال من دين إلى آخر ما زالت مجالاً للنقاش لا سيما عند ربطها بالحقوق الانسانية الاساسية نتيجة التفسير الوحيد للإسلام وعدم المبالاة بواقع أن الإسلام دين قابل لتعدد التفسيرات.

تحاول هذه المقالة إعادة البحث في الأحكام التي سبق إثباتها في العصور الغابرة بشأن مسألة الردة التي لها علاقة بمسألة حرية التدين ومسألة الدعوة. المسألة الأولى: مسألة الردة, فينبغي نظرها من الناحية السياقية بمعنى أن حكم القتل للمرتدين إنما أثبت على اعتبار أنهم قد قاموا بأعمال العنف وليس بسبب أنهم آمنوا بما آمنوا. وبعبارة أخرى إن حكم القتل مبني على أساس اضطراري وعلى اعتبارات تأديبية أكثر منها إلى اعتبارات أخرى. وعلى هذا فإن أعمال العنف التي قاموا بها هي التي تسببهم يستحقون عقوبة القتل.

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أضف إلى ذلك أن الحديث الذي بني عليه حكم القتل للمرتدين ليس متواترا، فيترتب على ذلك أن إثبات هذا الحكم غير قطعي، بل هناك أقوال قائمة بأن ذلك الحديث موضوع. والقرآن كذلك لم يتعرض لمسألة حكم القتل للمرتدين.

المسألة الثانية : مسألة الدعوة، فهي التي كثيرا ما تحدث نزاعا بين معتنقي الأديان، وذلك لأنها تفهم بوصفها وسيلة من وسائل جذب الناس من دين إلى آخر. فيحسن بنا أن نفهمها بمفهوم آخر وهو أن الدعوة حوار. الحوار هنا عبارة عن التربية بمعناها الواسع التي من شأنها أن تقود في النهاية إلى الانتقال كذلك ولكن -ليس إلى الإسلام أو غيره- وإنما إلى الحق. وبهذا المعنى لا يعني أن الحوار جذب الناس من دين إلى آخر وإنما مساعدتهم لأجل أن تعمل رحمة الله في قلبه وعقله. (س س)

Abstrak

Dua isu kontemporer yang berkaitan dengan pemikiran kembali Islam, khususnya sejauh berkaitan dengan kebebasan agama, pluralisme dan dialog antar agama, adalah masalah konversi dan *dakwah/misi*.

Masalah kebebasan beragama, khususnya kebebasan pindah agama, masih menjadi perdebatan. Hal ini terutama dikaitkan dengan persoalan hak-hak asasi manusia, sehingga memunculkan tuduhan bahwa Islam bertentangan dengan hak-hak asasi manusia.

Tendensi di atas disebabkan karena pandangan yang bersifat monolitik terhadap Islam, dan mengabaikan kenyataan bahwa Islam merupakan agama yang *polyinterpretable*.

Paper ini mencoba melakukan peninjauan kembali terhadap hukum-hukum yang pernah ditetapkan dimasa lampau berkaitan dengan persoalan *riddah* (pindah agama) serta problem yang juga berkaitan dengan kebebasan beragama, yaitu masalah *dakwah/misi*. Hukum tentang *riddah* perlu ditinjau secara kontekstual. Artinya, penggunaan kekerasan (dalam hal ini hukum

bunuh) adalah berdasarkan pada kondisi emergency, yang berisi pertimbangan moral ketimbang provokasi agama. Oleh karenanya, hal tersebut bukan terutama karena orang-orang mempercayai atau mengimani apa yang mereka imani, tetapi karena kekerasan yang mereka lakukan sehingga mereka dapat dikenai hukuman. Disamping itu, *hadits* yang menjadi landasan hukuman *riddah* ini secara teknis bukanlah *hadits* yang *mutawatir*, yang konsekwensinya, menurut sistem tradisional, tidak mengikat. Bahkan banyak alasan persuasif untuk memandang bahwa *hadits* tersebut dipalsukan. Dalam kasus ini, *hadits* ini juga bertentangan dengan ajaran al-Qur'an, karena di sana tidak disinggung wajibnya hukuman mati bagi *murtad*.

Hal kedua, yaitu masalah *dakwah/missi*. Bertitik tolak dari pengertian *dakwah/misi* dikaitkan dengan praktek atau bentuk-bentuk *dakwah/misi* yang telah banyak dimanipulasi, maka *dakwah/misi* perlu ditinjau ulang. Kata *dakwah/misi* sering mempunyai konotasi sebagai konversi, yang sering membawa konflik dalam memperoleh pengikut.

Sebagai suatu titik berangkat, diusulkan penggantian istilah *dakwah/misi* dengan kata dialog, yang pada dasarnya merupakan pendidikan dalam pengertian yang luas dan mulia. Akhir dari dialog harus merupakan konversi kepada kebenaran dan bukan konversi kepada Islam atau agama lain. Suatu konversi dengan keyakinan akan kebenaran itulah satu-satunya yang absah. Dalam hal ini kita tidak mengkonversi orang, tetapi kita semata-mata hanya membantu agar Rahmat Tuhan bekerja dalam hati dan akal nya.

'Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion of belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance'.²

Two contemporary issues of pressing concern to rethinking Islam, es-

²Article 18 of UDHR, see twenty-four Human Rights Doc. P. 8

pecially in so far as it concerns freedom of religion, pluralism and interreligious dialogue, are conversion and *da'wah* (mission). In the West, people think of the freedom to convert from one religion to another as a central concern of provisions guaranteeing religious freedom. However, in Muslim millieus the perspective is different; and the question of whether there should be freedom to convert to another religion remains a central concern.

It is historically significant that when the Declaration of Human Rights was issued the most influential statement of this freedom, objections were raised by Saudi Arabia. The Saudi Arabian UN representative was particularly outspoken in condemning this provision on the grounds that Islam did not permit Muslims to change their religions.³ This objection has been the basis for much subsequent research and argument concerning Islam and freedom of religion.

A voice favoring the article in question was Pakistan's representative, an Ahmadi, who spoke forcefully in defense of the proposition that freedom of religions as presented in that article was fully consonant with Islam. But other Muslims failed to agree with his opinion. There is still a serious point of conflict and tension between Islam and concepts of human rights as issued by the UN. The conservative Muslim opinion has been supported by the availability of the ban on conversion from Islam and death penalty for apostasy, especially in Egypt.⁴ Although Islam fully recognizes the rights of individuals to practice the religion of their choice, apostasy (*ridda*) in traditional Muslim societies is strictly forbidden and carries harsh sanctions and the punishment of death. The right of Muslim citizens to voluntarily renounce his or her religion is categorically denied. Changing religion as a matter of personal choice is not allowed and sanctions against apostasy appear to be so well-entrenched in penal law, that any conceivable future change in this area seems unlikely.⁵

³David Little, John Kelsay, and Abdulaziz Sachedina (eds.), *Human Rights and the Conflict of Cultures: Western and Islamic Perspectives on Religious Liberty*, Columbia: University of South Carolina Press, 1988, p. 35-37.

⁴In Egypt, since the 1970, there have been insistent demand for a revival of the death penalty for apostasy from Islam. Also the notorious 1994-1996 case of the Egyptian University professor Nasr Hamid Abu Zaid, divorced against his will for his alleged apostasy, showed that Egypt's court were prepare to penalize religious dissent in other ways. See Ann Elizabeth Mayer, *Islam and Human Rights, Tradition and Politics*, Third Edition, Colorado: Westview Press, 1999, p. 154.

⁵*Ibid.*

Much also has been written about the relation of Islam and Islamic culture to Western notions concerning the organization of society and human rights. But one must admit, that the point of much of this writing is to demonstrate that Islam and the West are at the opposite poles with respect to these important issues. Thus, Adda Bozeman concludes that Islamic culture is not guided by notions of right or principle, as the West understand them.⁶ Even James Piscatori said: 'Islamic theory does not present a notion of the right of the individual.'⁷ In other words, these scholars argue that Islam is incompatible with the idea of human rights. Their main argument is that the provisions of the *shari'a* are in conflict with this concept and that these provisions continue to control the minds of Muslims. It is obvious that classical Islamic Law, whose foundations were laid by Muslim jurists living between the eighth and eleventh centuries, does not contain much in the way of modern human right principles. To assume that it should, is anachronistic, judging classical *fiqh* by the standard of modern human rights discourse. This is similar to judging Roman Law with the yardstick of modern international public law. And at the same time this approach fails to recognize the variety within Islam and its potential for change and development. This view point is mainly derived from a monolithic perception of Islam, exclusively referring to radical Islam, especially its development in the Middle East.

Obviously, the monolithic tendency of many Western observers in understanding Islam is due largely to their limited knowledge of its nature. While it may be true that secular bias, as Esposito contends to believe,⁸ has contributed to the failure of many non-Muslim scholars to understand Islam properly, the major pitfall lies in their ignorance of the fact that Islam is a *polyinterpretable*⁹ religion.

It is plain enough that western culture is characterized by diverse

⁶Adda Bozeman, *The future of Law in Multicultural World*, Princeton: Princeton University Press, 1971, p. 71, cited by Charles Amjad-Ali, 'Text and Interpretation: Superfluity on Issues of Human Rights in Islam, *Al-Mushir*, vol. 36, no. 3, 1994, p. 72.

James Piscatori, 'Human Right in Islamic Political Culture', *Moral Imperatives of Human Rights*, ed. Kenneth W. Thompson, Washington: University Press of America, 1980, 157-158, 144, cited by Amjad-Ali, *Ibid.* p. 73.

⁸See John L. Esposito, "Secular Bias and Islamic Revivalism" in *The Chronicle of Higher Education*, May, 1993.

⁹A lengthy socio-historical discussion on this issue is found in, among other, Marshall. G. S. Hodgson, *The Venture of Islam: Conscience and History in World Civilization*, vol. I-III, Chicago: University of Chicago Press, 1974.

perspectives on the issue of human rights. Should one not then, expect a similar diversity within other world cultures and ideological frameworks? And how is one to evaluate this expectation without more extensive attention being paid to the statement of actual representatives of these cultures and ideologies?

Theoretical frameworks

As mention above, Islam is a *polyinterpretable* religion. Although Islam may appear to be monolithic, its form and expression vary from one Muslim individual to another and from group to group. So how is Islam, especially *shari'ah* here to be understood?

There are a number of factors which can influence the outcome of an individual Muslim's understanding of the *shari'ah*. Sociological, cultural and intellectual circumstances, or what Arkoun describes as the '*aesthetics of reception*', are significant in determining the forms and substances of interpretation. '*Aesthetic reception*' means, 'how a discourse, oral or written, is received by listeners or readers', especially, in the case of Islam the reception of the Qur'an. It refers to the conditions of individual perception of each level of culture corresponding to a social group in every phase of historical development.¹⁰

Different intellectual inclinations influence the effort to understand the *shari'ah* and thus lead to different interpretations of a particular doctrine. This can take the form of recovering the true meaning of the doctrine as literally expressed in the text, or finding general principles of doctrine beyond its literal or textual expression. Thus, while accepting the general principle of the *shari'ah*, Muslims do not adhere to a single interpretation of it.

Emergence of a number of different schools of thought in Islamic jurisprudence and various theological and philosophical streams, shows that Islamic teachings are thus *polyinterpretable*. Throughout history the interpretable nature of Islam has functioned as the basis of Islamic flexibility. In addition, it also confirms the necessity of pluralism in Islamic tradition. Therefore, as many have argued, Islam could not and should not be perceived as monolithic. Thus Islam, as it actually exists, because of 'the divergence in the

¹⁰See, Arkoun, 'The Concept of Authority in Islamic Thought', in Klaus Ferdinand and Mehdi Mozaffari, eds., *Islam: State and Society*, London: Curzon Press, 1988, p. 58.

social, economic and political context', has meant different things to different people. And it quite equally, 'it is both understood differently and utilized differently.'¹¹

One also has to take into account the sociological influences while interpreting a divine scripture. No interpretation, howsoever honest, can be free of such influence. The theologians and jurists of the first century of Islam who have acquired great prestige and whose opinion is taken as final in Muslim traditions, were themselves not free from such influences. Their formulations and interpretations must be seen against the sociological perspective of their time, and cannot be seen apart from these limitations. Thus any interpretation of scripture bears marks of the ethos of its own times.

Shari'a, unlike Qur'an, is not devoid of human opinion. It is for this reason that there are various schools of jurisprudence which differ from each other on many questions. According to Abu Zaid, various schools of jurisprudence (*madhāhib al-islāmiyyah*) are nothing but the reflection of the evolution of life in the Islamic world and these schools changed and evolved, transforming according to conditions of time and circumstance.¹²

Earlier Islamic thinkers, like Ibn Taymiyah, had already recognised the necessity for change in view of changing circumstances, and it is for this reason that he came out with a doctrine that religious edicts can change according to changing times.¹³ Even an orthodox thinker like him thought it necessary that *aḥkām* (edicts) should change with the change in historical and sociological circumstances.

If we carry this argument a little further we can say that while Al-Qur'an was undoubtedly revealed for the whole of mankind and for all times to come, it contained that which had significance for the Arabs to whom it was revealed in order to be acceptable to them in their place and time. To be acceptable to the people to whom it is revealed, scripture must have immediate relevance to them. One might say, scripture is contextually determined by their history, cultures and traditions. One cannot therefore deduce from verses in the Qur'an in isolation from their historical context as constitution

¹¹Nazih Ayubi, *Political Islam: Religion and Politics in the Arab World*, pp. 60-61.

¹²Faruq Abu Zaid, *Al-Shari'ah al-Islāmiyyah baina al-Muḥāfiẓīn wa al-Mujaddidīn*, Cairo: n.d., p. 16.

¹³Cited by Ashgar Ali Engineer, *Islam, Status of Women and Social Change*, dalam *Islam and the modern age*, 1990, 21, p. 190.

or as legal code. It is for this reason that the principle of *ijtihad*¹⁴ was used right from the beginning.

Contemporary implementation of Islam: Rethinking the Shari'a rule on apostasy

Before I apply the above approach to the context of the matter of the freedom of conversion discussed above, first we must determine more precisely what religious liberty is. Bearing the issues of conversion in mind, is religious liberty only the right to become an apostate (unbeliever) ?

According to Muhammad Talbi, 'religious liberty, in fact, is basically the right to decide for oneself, without any kind of pressure, fear, or anxiety, whether to believe or not to believe, the right to assume with full consciousness one's destiny, the right, of course, to jettison every kind of faith as superstitious inherited from the dark Ages, but also the right to espouse the faith of one's choice, to worship, and to bear witness freely.'¹⁵ Is this description in harmony with Islamic teaching ?

Religious liberty is the fundamental right of everyone. From a Muslim perspective, based on Qur'anic teaching, religious liberty is fundamentally an ultimate act of respect for God's sovereignty and for the mystery of God's plan for humanity. Ultimately, to respect human freedom is to respect God's plan. In short, to be a true Muslims is to submit to this plan.

Al-Qur'an states that an individual's spiritual destiny is a matter strictly between the person and Allah. Other people, including our Prophet Muhammad, have no power to alter an individual's religious belief through coercion, nor, for that matter, any responsibility to try. Presumably genuine submission or surrender to Allah's will, along with the appropriate dispositions of gratitude, devotion, steadfastness, etc. must come from the heart, must involve the deepest and most intimate kind of personal consent and com-

¹⁴In general usage, the Arabic word *ijtihad* denotes the utmost effort, physical or mental, expended in a particular activity. In its technical legal connotation, it denotes the thorough exertion of the jurist's mental faculty in finding a solution for a case of law. See, Wael B. Hallaq, 'Ijtihad', in John L. Esposito, ed., *The Oxford Encyclopedia of the Modern Islamic World*, Vol. 2, New York: Oxford University Press, 1995, p. 178.

¹⁵Mohamed Talbi, 'Religious Liberty: A Muslim Perspective', in *Religious Liberty and Human Rights in Nations and in Religions*, ed. Leonard Swidler, Philadelphia: Ecu-
menical Press Temple University and New York: Hippocrene Books, 1986, p. 177.

mitment. So, then, compulsion and external interference would appear to be the anti-thesis of Islamic faith.¹⁶ This is so much so, that even Muhammad was strongly admonished by God not to compel people to follow the truth of revelation. 'If it had been thy Lord's will they would all have believed all who are on earth ! Wilt thou then compel mankind against their will to believe? (10: 99). Thus the principle of the freedom of conscience is firmly established in the Qur'an. As mentioned above, there seems to be a tension between the Islamic and the Western perspective on the matter of human rights. Since Islam is polyinterpretable, any discussion of Islam and religious liberty must begin with the stipulation that a dialogical approach requires a greater appreciation of the statement of Muslims themselves on matters of human rights. Furthermore, it is important to know the extent and nature of disagreement among representatives of Islam on these matters. Our goal must be to understand the different perspectives that may be connected with the tradition of Islam.

For over a hundred years, Muslims have argued that Islamic law can and must be revised and reinterpreted in order to adapt it to present-day needs. Islam and an adherence to Islamic law does not, in itself, have to be an obstacle to the enforcement of human rights principles.

An-Na'im argues that the provisions regarding slavery and discrimination on grounds of gender and religion in *shari'ah*, it must be abolished. While traditionally such practices were the norm, these aspects of public law of *shari'ah* are today fundamentally inconsistent with the realities of modern life.¹⁷ He welcomes the juxtaposition of the *shari'ah* and universal human rights as part of his synthetical exercise, provided that it lead to a very serious reform of *shari'ah*.¹⁸ Furthermore, he states that the aspect of the *shari'ah* which violates freedom of religion and conscience as a human right is the notion of apostasy. Besides its obvious discrimination against non-Muslims, this principle of *shari'ah* also violates the freedom of belief and expression of Muslims themselves.¹⁹ In order to resolve the human rights

¹⁶ Charles Amjad-Ali, 'Text and Interpretation: Superfluity on Issues of Human Rights in Islam', in *Al-Mushir*, No. 36, 1994, p. 79.

¹⁷ Abdullahi Ahmed An-Na'im, *Toward an Islamic Reformation, Civil Liberties, Human Rights and International Law*, New York: Syracuse University Press, 1990, p. 230.

¹⁸ *Ibid*, pp. 116-118.

¹⁹ Abdullahi Ahmed An-Na'im, 'Qur'an, Shari'a and Human Rights: Foundations, Deficiencies and Prospects, in *Concillium*, no. 2, 1990, p. 64.

Contemporary scholars have found many reasons for rethinking the jurists' ruling that apostate must be executed. Mahmoud Ayoub, in 'Religious Freedom and the Law of Apostasy in Islam' has said that the Qur'an treats the problem of apostasy in the context of faith and the rejection of faith. In this context, apostasy is a religious and moral decision subject to divine retribution or pardon on the Day of Judgement. Apostasy is, therefore, a personal inner moral decision, ultimately lying outside the jurisdiction of the sacred law. In the past, apostasy was never a problem for the Muslim communities. It remained a largely theoretical issue because the people executed for apostasy until the end of the Abbasid caliphate in the thirteenth century were so very few.²⁵

The Lebanese scholar, Subhi Mahmassani, asserts that the circumstances in which the penalty was meant to apply were intended to be narrow. He points out that the Prophet never killed anyone merely for apostasy alone. Indeed, the death penalty was applied when the act of apostasy from Islam was linked to an act of political betrayal of the community. This being the case, Mahmassani argues that the death penalty was not meant to apply to a simple change of faith, but to punish acts such as treason, joining forces with the enemy, and sedition.²⁶

Muhammad Talbi²⁷ said that in this field, traditional theology did not follow the spirit of the Qur'an. Instead it seriously abridged the liberty of choice of one's religion. According to this theology, although the conversion to Islam must be, and is in fact, without coercion, it is practically impossible, once inside Islam, to get out of it. According to this understanding, conversion from Islam to another religion is considered treason, and thus the apostate is liable to the penalty of death.²⁸

The elaboration of traditional theologians relies on the precedent of the first caliph of Islam, Abū Bakar (632-634. C.E), who energetically fought the tribes who rejected his authority after the Prophet's death and refused to pay him the alms taxes, likening their rebellion to apostasy. They also rely on

²⁵ Mahmoud Ayoub, 'Religious Freedom and the Law of Apostasy in Islam' in *Islamochristiana* 20, 1994, p. 78, 90.

²⁶ Subhi Mahmassani, *Arkan Huquq al-Insan*, Beirut: Dar'al-'Ilm li'l - Malayin, 1979, 123-124, cited by Ann Elizabeth Mayer, *Islam and Human Rights*, *Op. Cit.*, p. 58.

²⁷ See Leonard Swidler, *Religious Liberty...*, *Op. Cit.*, p. 182.

²⁸ See, Abd Rahman al-Gazari, *Kitab al-Fiqh 'ala al-Madhahib al-Arba'ah*, Beirut, 1972, vol. 5, pp. 422-426.

the authority of the *ḥadīth*²⁹ 'anyone who changes his religions must be put to death'³⁰.

A careful review of the context in which these references occur, however, reveals that the only permissible use of force is for purposes of defense not for coercion. That is, if non-Muslims themselves instigate force for purpose of military conquest or religious persecution, or through breach of a solemn treaty, then and only then, is forceful reaction justifiable. These passages justify force as retaliation for persecution and the threat of destruction. In other words, the distinction as well as the symmetries between 'morality' and 'religion' are very much in play here. Underlying this justification is an appeal to basic moral requirements - either to keep promises and treaties, or to protect a communities basic welfare and security against aggression. So construed, these injunctions to use force against unbelievers and apostates are grounded in emergency conditions, which consist of moral rather than religious provocation. That is, it is not primarily because the unbeliever holds the beliefs they do, but because of their manifest moral violations, that they are liable to punishment and coercion.³¹

The approach above is consonant with Fazlurrahman's opinion that the aim of Islamic ideology, as it expressed in the Qur'an, is to create a just society, to 'command good and forbid evil'.³² This ideology is presupposed behind each principle of the Qur'an, the principle which was its inspiration, the historical conditions in which it was applied, and, more importantly each of these processes must be placed within the totality of the Qur'anic revelation.

The *ḥadīth* above-mentioned, upon which the penalty of death essentially rests, is always more or less involved with rebellion and highway robbery in the traditional sources. The cited cases of 'apostates' killed during the Prophet's life or shortly after his death, are all without exception, persons who, as consequence of their 'apostasy' turned their weapons against

²⁹In Islam *ḥadīth* is the term applied to specific reports of the Prophet Muhammad's words and deeds as well as those of many of the early Muslims. See, R. Marston Speight, 'Hadith' in John L. Esposito, *The Oxford Encyclopedia... Op. Cit.*, p. 83.

³⁰For this *ḥadīth* see, e.g., Buhari, *Sahih*, Cairo: ed. Al-Sa'b, n.d., ix, ; Abu Dawud, *Sunan*, Cairo, 1952, II, p. 440. See also Buhari, *Sahih*, viii, 201-202, and ix, 18-20; Abu Dawud, *Sunan*, II, pp. 440-442.

³¹Charles Amjad-Ali, 'Text and Interpretation...', *Op. Cit.*, pp. 81-82.

³²Qur'an, 3: 104 and 110; 9: 71.

the Muslims, whose community at that time was still small and vulnerable. The penalty of death appears in these circumstances as an act of self - defense in a war situation. Furthermore, the *ḥadīth* authorizing the death penalty is not, technically *mutawatir*³³, and consequently it is not, according to the traditional system of *ḥadīth*, binding.

From the modern point of view, this *ḥadīth* can and must be questioned. Even according to Talal, there are many persuasive reasons to consider it undoubtedly forged. It may have been forged under indirect influence of Judaism and Christianity.³⁴ In any case, this *ḥadīth* at variance with the teaching of the Qur'an, where there is no mention of a required death penalty against the apostate.

What is needed for a new understanding is to transcend beyond our apparently limiting sociological and historical necessity. We are often unaware of the extent to which we are bound by sociological, cultural and historical circumstances, which make us see them as being absolute. It seems to us that we are bound by a sociological determinism which makes us intolerant and disrespectful to others, and thus unable to support religious liberty. Indeed, negative confrontation, such as that mentioned at the beginning of this paper, relating to the freedom of religion, could be avoided if we could transcend ourselves from the experiential limits of our social and cultural circumstances. Concerning conversion, if the Saudi Arabian representative could transcend his socio-cultural experience, he would ask himself 'why does Islam impose the death penalty on someone who convert from Islam to other religion, seeing that this penalty is in the level of *fiqh*, not in the level of the Qur'an. There is no injunction in the Qur'an on penalty or punishment. That standard is available in the Qur'an, but an edict that the convert must be killed is only in the *shari'ah* which is polyinterpretable. For this reason one way to create further understanding interreligious relations is go back to the Qur'an. Only then, can we transcend ourselves beyond our socio-cultural, socio-historical even socio-psychological necessity. This was fully consonant with the actions of Umar, a second caliphate, when faced with the

³³*Ḥadīth* is called *mutawatir* when it is transmitted by several driving chains of reliable warrantors.

³⁴According to Muhamed Talbi it is related to death by stoning as punishment for blasphemy for both Israelites and non-Israelites in the Hebrew Bible (based on Lev 24: 16 and Deuteronomy 13: 2-19). See Muhamed Talbi, 'Religious Liberty: A Muslim Perspective', in Leonard Swidler, *Ibid.*, p. 184.

death of the Prophet Muhammad. He had the courage to say, 'the Qur'an is enough for us'. Iqbal as well is of the opinion that the Qur'an has been the ultimate source for Islamic consideration.³⁵

To recapitulate, there is no mention in the Qur'an of any kind of penalty for conversion. To use the technical term for legal penalty explicitly specified in the Qur'an, we would say that there is no specified *hadd* in this matter. On the contrary, Muslims are advised to 'forgive and over look till God accomplished this purpose, for God hath power over all things'.³⁶

Muslims who currently call for the execution of apostate are not compelled to do so by unambiguous Islamic authority supporting this penalty. There are ample grounds for deciding that the juristic rules on apostasy no longer apply. Muslims can select alternative interpretations of the Qur'an consistent with modern ideas of religious freedom. When they insist that apostates are to be executed, one must wonder whether Islam or political concerns provide their motivation.

Da'wah and interreligious dialogue

Another problem related to the freedom of religion is *da'wah* or 'mission'. Dictates of religious freedom call for a new understanding of the concept in Muslim practice. There is a widespread feeling among Muslims today that traditional *da'wah* dynamism is going weaker and it caused by, among others, repeated interreligious communication, including interreligious dialogue.³⁷ It seems that *da'wah* and dialogue are in a conflictual relationship, and this could lead to review and rethink the problem of *da'wah*.

Islam is a missionary faith; among its adherents there is a desire to share the riches of the faith and the heritage with others. But notoriously, in the attempt to fulfill this missionary vocation, *da'wah* activities of Muslims

³⁵ Muhammad Iqbal, *The Reconstruction of Religious Thought in Islam*, Lahore: Sh. Muhammad Ashraf, 1968, p. 168.

³⁶ Al-Qur'an II: 109.

³⁷ This phenomenon has also occurred recently in the church. Proclamation leading to conversion is seen only as one aspect of evangelization, the other aspects being dialogue, liberation and inculturation. And the other religions are seen in a more positive light as 'ways of salvation' calling for interreligious dialogue, see e.g. Mary Motle and Joseph R. Lang (eds.), *Mission and Dialogue*, Maryknol Orbis, 1982, pp. 633-642 and J. Neuner, (ed.), *Christian Revelation and World Religions*, London: Burns and Oates, 1967.

among other religion, have sometimes led to grievances.³⁸

Islam considers its messages from God to be relevant to all people, everywhere; Islam considers that the truth it was entrusted with is universal in nature. Thus, Muslims are under a constraint to present their faith as a fundamental religious duty. This is expressed in *da'wah*, the invitation or call to Islam, based on the verse 'Call men unto the path of your Lord by wisdom and goodly counsel. Present the cause to them through argument yet more sound' (Q. 16: 125). *Da'wah* is, thus, the fulfilment of this commandment 'to call men unto the path of Allah', and essential religious duty. Furthermore, it is an effort, by Muslims to enable other humans to share and benefit from the Supreme vision of religious truth, which he has appropriated.

According to Islam, *da'wah* is certainly not coercion, for Allah has commanded 'No coercion in Religion' (Q. 2: 256). It is an invitation whose objective can be fulfilled only with the free consent of the called. Since the objective is an exercise by the called of his own recognition that Allah is his Creator, Master, Lord and Judge, a forced recognition is a *contradictio in adjecto*.³⁹ Humanistic ethic regards coerced *da'wah* as a grave violation of the human person, which is why al-Qur'an specified the means of persuasion to be used. 'Argue the cause with them (non-Muslim) with the more comely argument' (Q. 16: 125). If they are not convinced, they must be left alone (Q. 5: 108), 3: 176-177 and 47: 32)

Indeed, it is wrong to say, if we go by scripture, that there is no injunction in the holy Qur'an to convert to anybody to that particular faith. On the contrary, there are two clear directions laid out in the Qur'an: First, that the Qur'an does not give you any new truth. It only preaches to you the truth, previously preached by other prophets. Secondly, the Qur'an says, 'Call people to the way of God'. The expression used here is the way of God, not

³⁸ Concerning Christian/Muslim missionary activities,, Emilio Castro has hinted at the potential for a deteriorating relation between Islam and Christianity in their comparable concern to fulfill 'mission' imperatives. It might be assumed that this is purely because of a mutually exclusive message, but the theological question is not so clear cut. See, Castro E. *Editorial, International Review of Missions*, (Chambesy Dialogue on Da'wah and Mission) 65, 1976, pp. 365-366.

³⁹ Ismail Faruqi, 'On the Nature of Islamic Da'wah' in Ismail Faruqi, *Islam and Other Faiths*, edited by Attaullah Siddiqui, The Islamic Foundation and The International Institute of Islamic Thought, 1998, p. 306. This article was published in *International Review of Mission*, vol. lxxv, No. 260, October, 1976, pp. 391-406. See also, *Christian Mission and Islamic Da'wah*, Leicester : The Islamic Foundation, 1982, pp. 33-42.

'Islam'. The avoidance of the word 'Islam', creates a specific implication.⁴⁰ That is people must be called to the way of God, persuasively rather than violently.⁴¹ Indeed according to the Qur'anic protestation, even the Prophet Muhammad was a 'warner'. While Muhammad felt sorry for disbelievers, again and again, both in Meccan and Medinese period of his carrier, al-Qur'an said that, 'We have no sent the Qur'an to you that may live in anguish' (Q. 20: 2), 'are you, then, going to melt away your soul in sorrow for them that they do not believe in this Teaching?' (Q. 18: 6). '...wherefore do not feel sorry for the disbelievers'. (Q. 5: 68).

Islamic *da'wah* is, therefore, an invitation to think, to debate and argue rather than a forceful mission. Islamic *da'wah* operates only under the principle that the right to think is innate and belongs to all men. *Da'wah* is a critical process of intellection; thus never dogmatic. Since it is always critical involving the intellect, it should always keep itself open to new evidence and to new alternatives, so that it continually casts and recasts itself in new forms, in cognizance of the new discoveries of human science, and of new needs of the human situation. In engaging in *da'wah*, the *da'i* (preacher) is not the ambassador of an authoritarian system, but is a co-thinker who is cooperating with the *mad'u* (tha called) in the understanding and appreciation of Allah's revelation.

While the above definition of *da'wah* is certainly true, there have been many manipulative or corrupt forms of *da'wah*. This can be said for both Islam and Christianity. Barbara Sigmund argues that *The Great Commission* upon which Christian mission is based, is influenced by Roman legal thought, 'that this is right and that is wrong, that it should be done and that should be abandoned'. In practice, the mission calling people to be Christians, even by coercion, is based on the motive of the aspiration for salvation.⁴² Islam can be seen to be quite similar. The word '*da'wah*' often has connotations of conversion, leading to conflicts over gaining converts. It is for this reason, that we must rethink the *da'wah*. A starting point might be replace the word

⁴⁰The world Islam here means a specific religion, not in its generic meaning. In generic meaning, all religions are Islam, means surrender to God.

⁴¹Asghar Ali Engineer, 'The Islamic Outlook on Interreligious Dialogue' p. 20.

⁴²Barbara Zigmund, 'Dialog agama-agama dalam konteks Missionary baru' (Interreligious Dialogue in a new Missionaries Context) in *Passing Over*, Jakarta: Paramadina, 1998, p. 27.

'da'wah/mission' with the word dialogue, as Faruqi suggested.⁴³ Furthermore, the word 'dialogue' is a dimension of consciousness, a category of ethical sense and the altruistic arm of Islam and Christianity. Dialogue is, in fact, education in its widest and noblest sense. It is a method through which reality becomes known. It is a means of free intercourse of ideas. The end of dialogue must be a conversion of truth, not a conversion to Islam or to any other religion. A conversion with conviction of truth is only legitimate.⁴⁴ The success of interfaith dialogue is expressly dependent on the exclusion of any attempts at converting one other. In this case we do not convert people, but we merely help them for the grace of God work in his heart and head.

If such a perspective is accepted, *da'wah/mission* for all religions could be carried out in an atmosphere of respect and acceptability. God's universal saving will is present and active everywhere through various ways. Because of the universal salvific will of God, and the socio-historical character of the human person, the salvific divine-human encounter is takes place through all religions and their symbolic structures, Scriptures and codes of conduct and rituals. It is its principle, that the Qur'an does not recognize the exclusivistic notion of the phrase, '*Extra ecclesiam nullus propheta*', neither '*Extra ecclesiam nulla sallus*'. Instead al-Qur'an proclaim that,

Those who believe (in the Qur'an) and those who follow the Jewish (Scriptures) and the Christians and the Sabians, whoever believe in God and the last day and work righteousness, shall have their reward with their Lord; on them shall be no fear nor shall they grieve.⁴⁵

Those who believe (in the Qur'an) and those who follow the Jewish (Scripture) and the Sabians and the Christians, any who believe in God and the Last Day and work righteousness, on them shall be no fear nor shall they grieve.⁴⁶

On the face of the universality of religions and of their fundamental unity, all of the apparent differences among religions are but the external forms and the symbolical expressions of the same and one perennial truth

⁴³Muhammad Shafiq, 'Triologue of the Abrahamic Faiths Guidelines for Jews, Christian and Muslim Dialogue: Analysis of the Views of Ismail Raji al-Faruqi' in *Hamdard Islamicus*, vol. xv, No. I, p. 70.

⁴⁴Ismail Faruqi, 'Islam and Christianity: Problems and Perspectives' in *The World in the Third World*, pp. 167-168.

⁴⁵Al-Qur'an 2: 62.

⁴⁶Al-Qur'an 5: 69.

which is basically ineffable,⁴⁷ since what counts at the deepest level in religion is the spirit of faith and not any formal affiliation. God gives every community their own way to attain salvation⁴⁸, and there are many, not one, of doing so⁴⁹ although man should be cautious regarding some of them which may misleading.⁵⁰ We are co-pilgrims in pursuit of the Divine.

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⁴⁷Nurcholish Madjid, 'The Islamic Concept of Man and Its Implications for the Muslim's Appreciation of the Civil and Political Rights', paper prepared for the seminar on Enriching the Universalities of Human Rights: Islamic Perspectives on the Universal Declaration of Human Rights, Geneva, 9-10 Nov. 1998, p. 6.

⁴⁸Al-Qur'an 5: 48.

⁴⁹Al-Qur'an 29: 69 and 5: 16.

⁵⁰See Al-Qur'an 16: 9.