

## Branding them ‘Others’ A survey of exclusionism in the history of Islam

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### ABSTRACT

The paper is an enquiry into and surveys the exclusionist tradition in Islam. It attempts to describe how apostasy and heresy have been used as excluding labels for those who differ in their opinions from those in ‘authority’. Is there any religious freedom in Islam? Is an open dialogue possible in Islamic tradition regarding religious freedom within its Identity on institutional level? Historically speaking the labelling tradition has been used throughout Islamic tradition including the modern times to silence the opponents using the traditional time-locked jurisprudence of early scholars. These formulations, being human construct, have been elevated to divine and thought to be fixed and unchangeable. But such labelling tradition has no grounding in religious texts and is entirely based upon the formulations, though appropriate for the times these were formulated, are seriously at odds with modern times, contradict when are tried to implement in different space and time. Islam provides with full freedom and prohibits any kind of coercion in matters of faith.

### Keywords

Labelling, exclusion, apostasy, heresy, fiqh, freedom.

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The challenges of modernity and contemporary civilization have called almost everything into question, especially in religions. It has brought the concept of religious freedom into spot light. Throughout Islamic history there has been serious debate on religious freedom in the context of ‘apostasy’ and ‘heresy’. The question has been if Islam allows for freedom of thought and expression, including freedom to change one’s religion. The majority of the traditional scholars and jurists in Islamic tradition have somehow ‘consensus’ that there is no religious freedom in terms of ‘changing one’s religion once having accepted Islam’ in Islam, and whoever does so commit apostasy and is liable to be punished by death. Now this so called ‘consensus’ to restrict the freedom to change one’s religion and its punishment gave birth to the labeling tradition in Islam. The so called ‘consensus’ on this issue and its punishment made it easy for those in power to ‘label’ anyone as apostate or heretic in order to silence the opponents, in most cases’ political opponents.

After the death of Prophet Muhammad and his companions who had intimate knowledge of Islam and its practices Muslims were soon confronted

with the issues of religious authority defining doctrines and dissent, and consequently with the problem of labeling and inclusion-exclusion. As the Muslim empire expanded outside its Arab origins they were faced with new and alien cultures, beliefs and practices which, on the one hand enriched the culture of Islam while on the other hand (in a way that contaminated Islamic doctrines) gave rise to different interpretations of Islamic doctrines in the context of these new cultures and beliefs.

Islam is the religion revealed to the Prophet to organize a relationship of man with God and with fellow human beings. Man’s relation to God includes beliefs and worship while the relations to fellow human beings include the ethical framework Islam provides. So it covers all life affairs comprehensively. All the people who have such a set of beliefs in Islam are Muslims;

the Quran says that ‘God is closer than jugular vein’(50: 16), leaving no place of clergy in Islam. Islam does not maintain that the two aspects of life, the material and the spiritual, contradict each other, and unlike Christianity, Islam does not lead to two different authorities, the spiritual—the clergy—and the worldly—the king. It sets up a

framework which caters for belief system leaving no room for any authority after the Prophet.

Soon after the death of the Prophet Muhammad and his close companions the contest between different parties over religious authority got more and more intense with the passage of time, and unlike in Christianity there is no generally accepted religious authority and hierarchy in Islam. It gave birth to a kind of tug of war between political, religious and spiritual scholarship to decide who has the 'genuine' religious authority in Islam.

It hardly seems possible, a priori, that definitions of orthodoxy and heresy together with religious authorities who define and set them simply do not exist in Islam.

In the history of Islam there has been no single authority universally recognized as to determine what 'orthodoxy' is and who represents it. So each group claimed to be the followers of true Islam and those not sharing the views were labeled as heretics and apostates. This issue was settled by those who had the most power in their hands as the 'truest' representatives of Islam. As there is no universally recognized authority in Islam, the vacuum was filled by the political authorities, making it easier to label others as apostates and heretics by using the traditional fiqh, even though the traditional formulations of Islamic fiqh by the medieval jurists may have been in accord with the needs of the time, their knowledge and the best interest of people.

The labeling tradition is not something new in Islamic tradition and can be traced back to the late 7th century soon after the death of the prophet Muhammad and the generation that could claim intimate knowledge of his practices. During the Marwanid period, especially under caliph Abd al-Malik (685-705), the persecution of heretics began and continued throughout the Marwanid period.

Having coercive force to implement their own 'brand' of Islam and label people as apostates and heretics, the political authorities used this power to gain their own political goals by using the traditional fiqh formulations. It had nothing to do with the ethical framework provided by the religion per se but was driven by their own political ambitions that these rulers implemented their 'religious vision' to label and exclude those, individuals and groups, whom they feared to be not on the same ideological and political

trajectories, from the boundaries of Islam, using their coercive authority.

These political authorities, in order to achieve their political goals, played with religious doctrines, by using the fiqh as a tool, and hence distorted and contaminated the concept of freedom and dissent in Islam which lies at the very foundation of Islam as a religion. They used their powers to mute the opponents and imposed their binary view banning all kinds of difference of opinions and freedom of thought and expression. Consequently Islam as a religion got the shape of an authoritarian and monolith religion which does not allow Muslims to enjoy freedom of thought and expression let alone freedom of religion. They targeted the Qadarites school of thought especially, who were proponents of human free will decreed by God, which in effect diminished the role of political authority as religious authority, while Umayyad claimed to be vicegerents of God and hence claiming to have full authority over people both in the political and in the religious sphere. The Marwanid considered its Caliph's right to define orthodoxy and heresy and rejected the idea of free will.

This practice, which got its roots in the Umayyad period, was not restricted to their own regime. It gave birth to a tradition in Islam to use the authority against all those who have different ideological or political trajectories than those in power. This labeling tradition which began with Marwanid period carried on throughout later Islamic history. The Abbasid period was not different with respect to this labeling issue either. During Abbasid regime people and even groups were charged and persecuted as heretics as Manicheans were charged with the label of heretics for holding dualist tendencies instead of a monotheistic approach.

In order to implement their own 'brand' of Islam and to achieve political and social goals the special official set ups were introduced to label and prosecute people as heretics. So this labeling tradition got more and more sophisticated with the passage of time in Islamic tradition.

Modern Muslim critics and writers are not immune to this labeling tendency. Samira Al-Lythi considers all the movements against mainstream Arabism or orthodox as heretical and again ends up within the labeling tradition. She condemns Abbasids as being culprits of

flourishing heresies. For her Abu-Muslim and other propagandists of Abbasids were all heretics. This labeling and exclusion tradition that started way back in Islamic history has a great impact on Muslim societies. Independent thinkers, those who dared not to toe the official interpretation of the Holy Scriptures, have found themselves not only marginalized but persecuted and executed. That trend has continued to exist throughout the history of Islam as its throbbing, inexplicable, dogmatic vein. This tradition of labeling and exclusion on religious persecution is still in very much practice in our modern times. The labeling tradition in Muslim societies is still in practice to disrupt and unsettle notions of Islam and the views of those who do not comply with orthodox or those in power.

This labeling tradition has helped individuals, officials and religious Ulema to silence opposition, using Islam as a cover to carry out and achieve their 'specific' gains and purposes using traditional formulations of fiqh. Whoever dares to raise his/her voice against such use of religion is met with a disastrous fate as we have seen recently that the serving governor of Punjab province in Pakistan, Salman Taseer was shot by his own guard because he raised his voice against the manipulation of blasphemy laws while defending a poor and helpless Christian woman in Pakistan. These activities more often have state and religious clergy backings that cannot carry these out themselves openly and not only close their eyes on such crimes but also encourage them. The murderer of Salman Taseer was showered with rose petals when he got arrested and brought to the court. Similar cases can be found throughout Muslim societies, especially those 'charged' with the passion of being 'Islamic' such as in the cases of Abd al Karim Soroush in Iran, Nasr abu Zaid in Egypt and Mahmud Taha in Sudan.

The labeling tradition has not been limited to individuals and groups of people but even labels states as apostate. The states claiming to have constitutional affinity with Islam but fail to fulfill their 'duty' are considered apostates by some scholars.

The problem of religious and sectarian violence, extremism and terrorism in the name of Islam, is also deeply rooted in the labeling tradition. These

extremists think to be 'genuine' followers of Islam in its true spirit and hence consider it to be right to target 'others' as 'enemies' of Islam both non-Muslims and Muslims who do not follow their version of Islam. On such grounds they label moderate and secular Muslims as 'apostates' and 'infidels' and consider their 'religious' duty to fight against them and defend their 'Islam'. The jihad against other Muslims is predicated on the basis of this doctrine of Takfir (exclusion or apostasy).

Religious texts are always open to different interpretations, Islam as a religion has produced different interpretations and ideologies throughout its history and each one of these claim to be based on Quran and hence label and exclude others. These texts are not only used by Muslims for their 'particular' motives but also by non-Muslims portraying Islam as a violent and barbarian culture. After September 11, many western scholars have invoked Koranic verses to make a strong argument against the possibility of tolerance in Islam.

The famous Rushdie affair, brought the issue of religious freedom and human rights in Islam to spot light when various 'fatwas' were issued against him, including the fatwa by Imam Khomeini declaring Rushdie to be liable to death penalty, after the publication of 'Satanic Verses'. The case of Farag Fawdah, who was murdered by the hands of some youth in Egypt, is similar. After his killing the deed was 'justified' by sheikh Muhammad al Ghazali, who called Farag Fawdah as an apostate by taking the traditional position in the matter, which sparked a huge debate regarding religious freedom in Islam.

It is quite clear that apostasy and heresy are grievous sins in Islam. The traditional formulations of fiqh (Islamic jurisprudence) during the early centuries of Islam set out capital punishment for apostates and heretics. The development of such formulations was primarily the outcome of the conditions of those times. The experiences of the community with the problems of apostasy and rebellion against the rulers and its references in the Quran and Hadith led the traditional jurists to come up with a certain formulation of fiqh.

The fiqh, literally means 'knowledge' or 'understanding', and it has basically four roots in order of precedence, the Quran, the Sunnah

(sayings and acts of the Prophet), ijma (the consensus) and qiyas (analogical reasoning). The Quran, being a direct word of God, is the primary source of fiqh. The jurists when confronted with a problem would consult the Quran first; if no satisfying answer is found they would resort to the decisions and practices of the Prophet. These two sources are foundational in developing social, political and legal norms and institutions, providing a broad ethical framework. If both of these sources proved unsatisfying for dealing with an issue, the ijma comes into play. In the early Islamic history of Muslim conquest the scholars interpreting the laws in different areas relied on the consensus and agreement to formulate a legal injunction, though based on the Quran and Hadith, hence becoming the third source of Islamic law. This 'consensus' was widely accepted by the Muslim community. The fourth source of Islamic law, qiyas, the analogical and syllogistic reasoning, comes into play when a solution of a problem could not be found in the three aforementioned sources. This formation of fiqh is also based upon a Hadith when a companion of the Prophet was being sent to be a judge in Yemen. The Prophet was pleased to know, when the companion, when asked how he would make decisions, answered that he would use the Quran and Hadith for guidance in decision making and would use his own reasoning if he could not find any solution there.

This is quite significant in terms of leaving room for theological dialogue. The Prophet expressed his likings when heard the companion saying that he would use his own reasoning when confronted with a problem, after consulting the Quran and Sunnah, which entails and reaffirms the Quranic invitation to man to reflect and think (critically). And it is such spirit of Islam, as a dynamic religion, which provides us with the basis to question authorities, using one's own reasoning, and think freely. This spirit of using analogical reasoning clearly advocates an open dialogue in theological issues in Islamic tradition, and was used in the same vein when Muslim jurists came up with the formulation of fiqh in early centuries of Islam. Using reason, as directed by the Quran time and again, led to different interpretative traditions in Islam, which could be seen in terms of five major schools of theological interpretative

schools in Islam, Hanafi, Shafi'i, Ma'liki, Hanbali and Ja'firi.

There was open dialogue upon theological issues between different scholars and schools of thought in Islam, which obviously adds to the beauty and diversity of any tradition, but later on when such interpretative traditions were used by the political authorities as a tool to label people and suppress dissent, the tolerant spirit of Islam was put aside altogether. Hence the problem is not having a difference of opinion in theological matters, of course by using reason, but using one as a tool against opponents. The traditional interpretations of the jurists of those times were in accord with the needs of the time, and it is difficult to say that these were formulated without taking into consideration the interest of the community. These formulations might be perfect according to the situation in which they were formulated for the first time, but the problem arises when these are re-implemented in different contexts and at different times. The problem arises when such formulations of fiqh are elevated to the status of divine commands and considered to be exempt from critical analysis, making Islamic tradition absolutely rigid and time-locked.

With the passage of time the traditional formulations of fiqh have been considered to be the totality of shariah as fixed and unquestionable commands, though on an institutional level the fiqh is just the formulation of the Islamic law by the scholars of early centuries in Islam according to their knowledge and demands of their time. Instead of considering fiqh as divine rulings which could not be changed, one need to perceive it as a methodology of the human interpretation of the Quran and Sunnah. Questioning the formulations of traditional fiqh does not mean questioning the validity of Islam as a religion but the interpretations which understandably were at par with those times and conditions, though manipulated and used by different purposes throughout Islamic tradition. We need to look into these formulations in the historical context rather than elevating them to the level of divine commands. It is to be understood in the light of the same Hadith, and together with the notion of ijihad in Islam. Ijihad is a legal reasoning by analogy and syllogism, an aspect of Islam making it a dynamic religion, which keeps room for change according to the needs of the time. Hence



there seems to be no problem whatsoever regarding religious identity of Muslims while adapting to the needs of the time in broader ethical framework that Islam provides us with. The labeling and prosecuting of heretics and apostates based on the rulings of fiqh in the early centuries of Islam to be re-examined in order to get rid of excluding traditions in Islam. Tolerance being the core value of Islam, the difference of opinions and dissent should not lead to label and exclude people. The concrete outcome of religious forbearance and tolerance in Islam can not only create harmony in diverse groups of Muslim societies but also will help them to progress and move forward in a positive direction and make this world worth living not only for Muslims but for all human beings. The modern Muslim intellectuals feel the need for a new fiqh in order to come up with the solutions for the modern times restoring and safeguarding an open theological dialogue between different interpretative trends. Although modern approaches to Islamic fiqh, by using the same tools, have common ground with those traditional approaches but significantly differ in terms of religious freedom and open dialogue, they consider the traditional fiqh to be incapable to cater for modern times.

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