

Religious Conversion in Hadith and the Discourse of Muslim Scholars

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Abstract. This study aims to analyze the status of hadith that serve as the basis for the imposition of sanctions on individuals who convert from Islam to other beliefs (apostasy) and the views of Muslim scholars in understanding the legal messages behind hadith on apostasy. The study utilizes the method of takhrij hadith with an analytical-descriptive approach. The study finds that hadith on the legal sanctions for apostasy have two forms of wording: "man baddala dinahu faqtuluhi - whoever changes his religion, kill him" and "la yahillu damumriin muslimin illa tsalasin - no Muslim's blood is lawful except for three cases." Hadiths on apostasy sanctions fall into the category of ahad hadith with a degree of authenticity (sahih). Furthermore, the study reveals the evolution of Muslim scholars' understanding of apostasy, wherein apostasy was initially understood solely as a departure from the Islamic faith (i'tiqad) but later came to be seen as a departure accompanied by enmity towards Islam. The scholars themselves are divided into two major groups in their interpretation of the position of hadith on apostasy, namely the classical Muslim scholars who interpret it as a legal ruling that can be implemented against apostates. In contrast, contemporary Muslim scholars have started to criticize and reinterpret the status of these hadith, emphasizing the need to reconsider the contextualized understanding of the legal message of apostasy sanctions.

Keywords: Apostasy, Death Penalty, Muslim Scholars, Ahkam Hadith, Takhrij Hadith

Introduction

In recent times, mass media has continued to report on the implementation of legal sanctions against Muslims who convert from Islam to other beliefs (apostasy) in various majority-Muslim countries. In February 2014, a Sudanese woman named Meriam Yehya Ibrahim Ishag was sentenced to death by hanging after being declared an apostate by the Sudanese court.¹ This sanction could have been avoided if the woman, named Islam Adraf alk-Hadi Mohammed Abdullah, had repented and returned to Islam. The court gave her only three days to decide whether to return to her former belief or remain in her new faith.² Fortunately, due to the defence efforts made by activists and human rights organizations in various countries, Meriam was freed from that punishment.

¹Noah K. Tenai, "Religious Extremism: The Case of Sudan's Mariam Yahya Ibrahim Ishag," *Verbum et Ecclesia* 37, no. 1 (March 31, 2016): 1–8, <https://doi.org/10.4102/ve.v37i1.1511>.

²"Pindah Agama, Wanita Sudan Divonis Mati - BBC News Indonesia," accessed June 1, 2023, https://www.bbc.com/indonesia/dunia/2014/05/140515_sudan_murtad_hukum.

The death penalty as a legal sanction was also threatened against Rahaf Mohammed al-Qunun. After changing her belief as a Muslim woman, she was forced to seek asylum in Australia, the United Kingdom, the United States, and Canada.³ This was done after her own family subjected her to physical and psychological torture to make her revoke her decision to change her religious belief.⁴ However, she persisted in maintaining her faith and the new religious practices she believed in. As a result of her decision, she was compelled to seek self-protection in other countries that provide religious freedom⁵ because her own country, Saudi Arabia, imposes a more severe legal sanction, namely the death penalty, on anyone who chooses to leave the Islamic religion.⁶

Fate no better than Rahaf Mohammed al-Qunun was experienced by Ahmad al-Shamri in 2015.⁷ The 20-year-old youth from the city of Hafar al-Batin was sentenced to death. This punishment was imposed on him after he decided to leave Islam, the religion believed and practised by his family, and the dominant religion in his country, Saudi Arabia.⁸ He could not avoid this legal sanction as two appeals he made did not result in a legal decision protecting his decision to leave Islam. Under the strict religious laws of Saudi Arabia, apostasy from Islam is met with harsh penalties, including imprisonment and even the death penalty.⁹

Not only in countries within the Middle East region but decisions to change religion that result in legal sanctions are also observed in neighboring countries like Malaysia. Although not subjected to the death penalty, Lina Joy, for example, had to spend nearly two years in prison after she decided to convert from Islam to Christianity.¹⁰ During that time, a woman named Azlina Jailani, formerly a Muslim, had to undergo religious counseling in order to repent and return to Islam.¹¹ Various legal efforts she made to obtain legal protection ended up reinforcing the legal sanctions imposed by the previous court decision.¹² The prison sentences imposed on Lina and other

³Hussein Solomon and Simone Bekker, "Exploring the Nexus between Democratisation, Authoritarianism and Patriarchy in Iran and Saudi Arabia," in *Politics of Change in Middle East and North Africa since Arab Spring* (London: Routledge, 2022), 33–53, <https://doi.org/10.4324/9781003365334-3>; Lori G. Beaman and Solange Lefebvre, "Critique of Religion in Public Commissions on Cultural and Religious Diversity," in *A Constructive Critique of Religion: Encounters between Christianity, Islam and Non-Religion in Secular Societies*, ed. Mia Lövhelm and Mikael Stenmark, 1st ed. (London, 2020), 13.

⁴Bessma Momani, "By Granting Asylum to Saudi Woman, Canada Shows Its Moral Leadership," Centre for International Governance Innovation, 2019, https://www.cigionline.org/articles/granting-asylum-saudi-woman-canada-shows-its-moral-leadership/?utm_source=cigi_newsletter&utm_medium=email&utm_campaign=how-will-brexite-impact-canada.

⁵Lori G. Beaman and Cory Steele, "Living Well Together: Nonreligion in the Context of Religious Diversity," *Secular Studies* 3, no. 1 (April 26, 2021): 49–70, <https://doi.org/10.1163/25892525-bja10015>.

⁶"Siapakah Rahaf Mohammed Al-Qunun, Perempuan Arab Saudi Yang Kabur Dari Keluarganya, Mengaku Murtad Dan Mencari Suaka?," accessed June 1, 2023, <https://www.bbc.com/indonesia/dunia-46788996>.

⁷Alan G. Nixon, "The Case of Non-Religious Asylum Seekers," *Journal for the Academic Study of Religion* 31, no. 2 (2018): 113–48.

⁸Alan G. Nixon, "'Non-Religion' as Part of the 'Religion' Category in International Human Rights," *Religions* 11, no. 2 (February 10, 2020): 79, <https://doi.org/10.3390/rel11020079>.

⁹"Pria Arab Saudi Segera Dieksekusi Karena Murtad Jadi Ateis," accessed June 1, 2023, <https://internasional.kompas.com/read/2017/04/27/11300001/pria.arab.saudi.segera.dieksekusi.karena.murtad.jadi.ateis?page=2>.

¹⁰A. L. R. Joseph, "Unfettered Religious Freedom Hangs by the Thread of Minority Dissent in Malaysia: A Review of the Dissenting Judgment of the Federal Court in the Lina Joy Case," *Review of Constitutional Studies*, 2009, 205, <https://heinonline.org/HOL/Page?handle=hein.journals/revicos14&id=209&div=&collection=>.

¹¹Maznah Mohamad, "Making Majority, Undoing Family: Law, Religion and the Islamization of the State in Malaysia," *Economy and Society* 39, no. 3 (August 1, 2010): 360–84, <https://doi.org/10.1080/03085147.2010.486218>.

¹²Tamir Moustafa, "Liberal Rights versus Islamic Law? The Construction of a Binary in Malaysian Politics," *Law & Society Review* 47, no. 4 (December 2013): 771–802, <https://doi.org/10.1111/lasr.12045>.

predecessors who chose to change their faith from Islam in Malaysia, such as Kamariah Ali, Daud Mamat, Mad Yacob Ismail, and Mohammad Yad, ranged from two to five years.

The sanctions of mandatory religious counselling to return to the former belief (Islam), imprisonment, and even the death penalty, as experienced by Meriam Yehya Ibrahim Ishag, Rahaf Mohammed al-Qunun, Ahmad al-Shamri, Lina Joy, and others, are inseparable from the severe threats faced by individuals who convert from Islam (apostates) under Islamic law. In this legal framework, apostasy is categorized as a *hudud* offence - *jarimah hudud*, where changing one's belief is considered a violation of the law, and the perpetrator must be subjected to severe punishment to make them revert to their original teachings while also serving as a deterrent to others. One of the fundamental references in the construction of Islamic law regarding apostasy is a hadith of the Prophet, spread across various narrations. One of them is the hadith: "Whoever changes his religion, kill him." مَنْ بَدَّلَ دِينَهُ فَاقْتُلُوهُ.¹³

The existence of such harsh legal consequences for apostates in this hadith is noteworthy for examination due to its contradictory nature to the peaceful message of Islam conveyed in several verses of the Quran, such as Surah al-Baqarah [2]:256. The presence of a hadith with such wording is also interesting as it portrays a harsh face of Islam towards religious freedom, thus becoming a target of criticism from scholars and human rights defenders regarding Islam.

This study focuses on two questions that seek to be answered. Firstly, the wording, transmission, and status of hadith regarding the legal sanctions for apostasy. Secondly, the definition and legal sanctions for apostasy in hadith from the perspective of Muslim scholars. In addressing these two questions, a tracking of hadith concerning the legal sanctions against apostates is conducted through the application of *hadith takhrij*.¹⁴ The tracking primarily aims to examine the wording (*matān*) and transmission of the hadith in order to analyze the category and degree of hadith concerning the legal sanctions for apostasy. Furthermore, a literature review is carried out to explore the perspectives of Muslim scholars regarding the implementation of apostasy laws as conveyed through the hadith of the Prophet. The entire process of this study is conducted by utilizing both primary and secondary sources with an analytical-descriptive approach. The contribution of this article lies in clarifying the status of hadith regarding the sanctions for apostasy while also providing an overview of the dynamics of Muslim scholars' understanding regarding the implementation of the messages conveyed in these hadith.

Discussion

Hadith about Apostasy

Hadith serve as one of the fundamental references for Islamic principles,¹⁵ including those related to apostasy.¹⁶ Within the structure of Islamic law, hadith are considered a source of law

¹³ Hadith references from Bukhari, number 3017, and An-Nasa'i, number 4059

¹⁴<https://carihadis.com/>.

¹⁵Kamarudin Kamarudin and Sabil Mokodenseho, "A Debate on the Islamic Practice of Pilgrimage to the Grave: Study of the Hadith on Grave Pilgrimage for Women," *AL QUDS: Jurnal Studi Alquran Dan Hadis* 6, no. 2 (August 9, 2022): 495–510, <https://doi.org/10.29240/alquds.v6i2.4390>.

¹⁶Daniel Enstedt, "Understanding Religious Apostasy, Disaffiliation, and Islam in Contemporary Sweden," in *Moving In and Out of Islam* (University of Texas Press, 2018), <https://doi.org/10.7560/317471-004>.

alongside the Quran, *ijma'* (consensus), and *qiyas* (analogical reasoning).¹⁷ Various literature documents a significant number of hadith narrated by a number of companions, which are subsequently used as legal arguments regarding Muslims who commit apostasy. Wahyudi notes that there are at least nine versions of hadith discussing the topic of riddah (apostasy), with an average finding of more than one version of a hadith narrated through multiple chains of transmission.¹⁸ This finding indicates the hadith used as a basis for determining the legal rulings against apostates.

Meanwhile, employing the *takbrij hadith* approach with the takhrij bil lafdzi method or the search based on parts of the hadith text, two hadith texts related to riddah are found. The first hadith employs the wording (*matn*): *فَأَقْتُلُوهُ*: "Siapa yang mengganti agamanya maka bunuhlah dia" ("Whoever changes their religion, kill them"). The second hadith states:

لَا يَجِلُّ دَمُ مُسْلِمٍ يَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَتَى رَسُولَ اللَّهِ إِلَّا بِإِحْدَى ثَلَاثِ أُمُورٍ

"Tidaklah balak darah seorang Muslim yang telah mengucapkan syahadat, kecuali pada salah satu dari tiga hal... (etc.)" ("The blood of a Muslim who testifies that there is no god but Allah and that I am the Messenger of Allah is not lawful except for one of three cases... (etc.)"). In this study, these two hadith texts are used as references to explore the existence of hadith concerning *riddah*.

Using the wording *فَأَقْتُلُوهُ* "Siapa yang mengganti agamanya maka bunuhlah dia," the author attempts to conduct a search and find hadith with this wording spread across various collections of hadith with varying degrees of authenticity using a hadith search application. However, after narrowing down the search to the six major collections of hadith (Kutubusittah), namely Sahih Bukhari, Sahih Muslim, Sunan an-Nasa'i, Sunan Abu Dawud, Sunan At-Tirmidzi, and Sunan Ibn Majah, the following distribution of hadith with the specific wording is found.

Table 1. Hadith with the wording:

" مَنْ بَدَّلَ دِينَهُ فَاقْتُلُوهُ "

Meanwhile, phrase لَا يَجِلُّ دَمُ مُسْلِمٍ يَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَتَى رَسُولَ اللَّهِ إِلَّا بِإِحْدَى ثَلَاثِ أُمُورٍ Using the researcher with the mentioned hadith books, each of authenticity. The presents the hadith with the identified wording:

No	Hadith Book Name	Hadith Number
1	<i>Sabih Bukhari</i>	2794, 6411
2	<i>Sabih Muslim</i>	-
3	<i>Sunan an-Nasa'i</i>	3991, 3992, 3994, 3995, 3996, 3993, 3997
4	<i>Sunan Abu Dawud</i>	3787
5	<i>Sunan At-Tirmidzi</i>	1378
6	<i>Sunan Ibn Majah</i>	2526

when using the phrase لَا يَجِلُّ دَمُ مُسْلِمٍ يَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَتَى رَسُولَ اللَّهِ إِلَّا بِإِحْدَى ثَلَاثِ أُمُورٍ same application, the discovered hadith wording in several with varying degrees following table

Table 2. Hadith with the wording

" لَا يَجِلُّ دَمُ مُسْلِمٍ يَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَتَى رَسُولَ اللَّهِ إِلَّا بِإِحْدَى ثَلَاثِ أُمُورٍ "

No	Hadith Book Name	Hadith Number
1	<i>Sabih Bukhari</i>	6370
2	<i>Sabih Muslim</i>	3175
3	<i>Sunan At-Tirmidzi</i>	1322, 1364
4	<i>Sunan an-Nasa'i</i>	3951

¹⁷Abdul Wahhab Khallaf, *Ilmu Ushul Al-Fiqh* (al-Azhar: Maktabah al-Dakwah al-Islamiyah Syabab al-Azhar, n.d.), 21.

¹⁸Arif Wahyudi, "Analisa Terhadap Hadis-Hadis Hukuman Mati Bagi Orang Murtad Dalam Kitab Kutub Al-Sittah" (UIN Syarif Hidayatullah Jakarta, 2005).

5	<i>Sunan Abu Dawud</i>	3789
6	<i>Sunan Ibnu Majah</i>	2525

From the two tables above, the following are some of the hadith narrated by the transmitters with the wording "*Man Baddala*" (Whoever changes):

1. Sahih Bukhari/Hadith Number 6411

فَأَحْرَقَهُمْ بِرَنَادِقَةٍ عَنْهُ اللَّهُ رَضِيَ عَلَيَّ أَيُّ قَالَ عِكْرَمَةَ عَنْ أَيُّوبَ عَنْ زَيْدِ بْنِ حَمَادٍ حَدَّثَنَا الْفَضْلُ بْنُ مُحَمَّدٍ التُّعْمَانِيُّ أَبُو حَدَّثَنَا لِقَوْلِ وَاقْتُلْتَهُمْ اللَّهُ بِعَذَابٍ تُعَذِّبُوا لَا وَسَلَّمْ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولٍ لَنْهَى أَحْرَقَهُمْ لَمْ أَنَا كُنْتُ لَوْ فَقَالَ عَبَّاسُ ابْنُ ذَلِكَ فَبَلَغَ فَأَقْتُلُوهُ دِينَهُ بَدَلٌ مَنْ وَسَلَّمْ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولٍ

"We have been informed by Abu Nu'man Muhammad bin Fadhl, who narrated to us (Hammad bin Zaid) from (Ayyub) from (Ikrimah), saying that several Zindiq individuals were apprehended and presented before Ali (RA), and Ali burned them. This case reached the ears of Ibn Abbas, and he said, "If it were up to me, I would not have burned them because there is a prohibition from the Messenger of Allah (SAW) who said, 'Do not punish with Allah's punishment.' But I would still kill them according to the statement of the Messenger of Allah (SAW): 'Whoever changes his religion, kill him!'"

The above hadith is narrated by Ibn Abbas (Narrator I), Ikrimah (Narrator II), Ayyub (Narrator III), Hammad bin Zaid (Narrator IV), Abu Nu'man Muhammad bin Fadhl (Narrator V), and Bukhari (Hadith Compiler).

2. Sunan an-Nasa'i/No. 3992

عَنْ ارْتَدُّوا نَاسًا أَنَّ عِكْرَمَةَ عَنْ أَيُّوبُ حَدَّثَنَا قَالَ وَهَيْبٌ حَدَّثَنَا قَالَ هِشَامُ أَبُو حَدَّثَنَا قَالَ الْمُبَارَكُ بْنُ اللَّهِ عِنْدَ بْنِ مُحَمَّدٍ أَخْبَرَنَا اللَّهُ بِعَذَابٍ تُعَذِّبُوا لَا وَسَلَّمْ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولٍ قَالَ أَحْرَقَهُمْ لَمْ أَنَا كُنْتُ لَوْ فَقَالَ عَبَّاسُ ابْنُ قَالَ بِالنَّارِ عَلَيَّ فَحَرَقَهُمُ الْإِسْلَامَ فَأَقْتُلُوهُ دِينَهُ بَدَلٌ مَنْ وَسَلَّمْ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولٍ قَالَ لَقَاتَلْتَهُمْ أَنَا كُنْتُ وَلَوْ أَحَدًا

"We were informed by [Muhammad bin Abdullah bin Al Mubarak], he said: [Abu Hisyam] narrated to us, he said: [Wuhaib] narrated to us, he said: [Ayyub] narrated to us from [Ikrimah] that some people apostatized from Islam, and then Ali burned them with fire. [Ibn Abbas] said, "If it were up to me, I would not have burned them, as the Messenger of Allah (SAW) said, 'Do not punish anyone with Allah's punishment.' But if it were up to me, I would kill them, as the Messenger of Allah (SAW) said, 'Whoever changes his religion, kill him.'"

The above hadith is narrated by Ibn Abbas (Narrator I), Ikrimah (Narrator II), Ayyub (Narrator III), Wuhaib (Narrator IV), Abu Hisyam (Narrator V), Muhammad bin Abdullah bin al-Mubarak (Narrator VI), and Abu Dawud (Hadith Compiler).

3. Sunan Abu Dawud/No. 3787

عَنْ ارْتَدُّوا نَاسًا أَحْرَقَ السَّلَامَ عَلَيْهِ عَلِيًّا أَنَّ عِكْرَمَةَ عَنْ أَيُّوبُ أَخْبَرَنَا إِبْرَاهِيمَ بْنَ إِسْمَاعِيلَ حَدَّثَنَا حَنْبَلُ بْنُ مُحَمَّدٍ بْنُ أَحْمَدُ حَدَّثَنَا وَكُنْتُ اللَّهُ بِعَذَابٍ تُعَذِّبُوا لَا قَالَ وَسَلَّمْ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولٍ إِنَّ النَّارَ لِأَحْرَقَهُمْ أَكُنْ لَمْ فَقَالَ عَبَّاسُ ابْنُ ذَلِكَ فَبَلَغَ الْإِسْلَامَ عَلَيْهِ عَلِيًّا ذَلِكَ فَبَلَغَ فَأَقْتُلُوهُ دِينَهُ بَدَلٌ مَنْ قَالَ وَسَلَّمْ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولٍ فَإِنَّ وَسَلَّمْ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولٍ يَقُولُ قَاتِلْتَهُمْ عَبَّاسُ ابْنُ وَيْحَ فَقَالَ السَّلَامَ

"We were informed by [Ahmad bin Muhammad bin Hanbal], he said: [Isma'il bin Ibrahim] narrated to us, he said: [Ayyub] informed us from [Ikrimah] that Ali (AS) once burned those who apostatized from Islam. The news reached [Ibn Abbas], and he said, "Indeed, I would never burn them with fire. I heard the Messenger of Allah (SAW) say, 'Do not punish anyone with Allah's punishment,' and I would fight them based on the Prophet's (SAW) statement. Verily, the Prophet (SAW) said, 'Whoever changes his religion, kill him.'" This information eventually reached Ali (AS), and he said, "Ibn Abbas is correct."

The above hadith is narrated by Ibn Abbas (Narrator I), Ikrimah (Narrator II), Ayyub (Narrator III), Isma'il bin Ibrahim (Narrator IV), Ahmad bin Muhammad bin Hanbal (Narrator V), and Sunan at-Tirmidzi (Hadith Compiler).

4. Sunan at-Tirmidzi/No. 1378

عَنْ ارْتَدُّوا قَوْمًا حَرَقَ عَلِيًّا أَنَّ عِكْرَمَةَ عَنْ أَيُّوبَ حَدَّثَنَا التَّقْفِيُّ الْوَهَّابِيُّ عَبْدُ حَدَّثَنَا الْبَصْرِيُّ الضَّبِّيُّ عِدَّةَ بَنِي أَحْمَدُ حَدَّثَنَا أَكُنْ وَلَمْ يَفْقَهُوهُ دِينَهُ بَدَلًا مَنْ وَسَلَّمَ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولَ لِقَوْلِ لَقَتَلْتُهُمْ أَنَا كُنْتُ لَوْ فَقَالَ عَبَّاسُ ابْنُ ذَلِكَ فَبَلَغَ الْإِسْلَامَ هَذَا عَيْسَى أَبُو قَالَ عَبَّاسُ ابْنُ صَدَقَ فَقَالَ عَلِيًّا ذَلِكَ فَبَلَغَ اللَّهُ بِعَدَابِ تَعَدَّبُوا لَا وَسَلَّمَ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولَ لِقَوْلِ لِأَحْرَقَهُمْ مِنْ طَائِفَةٍ فَقَالَتْ الْإِسْلَامَ عَنْ ارْتَدَّتْ إِذَا الْمَرْأَةُ فِي وَاحْتَلَفُوا الْمُرْتَدِّ فِي الْعِلْمِ أَهْلٌ عِنْدَ هَذَا عَلَى وَالْعَمَلُ حَسَنٌ صَاحِبِ حَدِيثٍ مِنْ وَغَيْرِهِ الثَّوْرِيِّ سَفِيَانَ قَوْلٌ وَهُوَ تُقْتَلُ وَلَا تُحْبَسُ مِنْهُمْ طَائِفَةٌ وَقَالَتْ وَإِسْحَاقُ وَأَحْمَدُ الْأَوْزَاعِيُّ قَوْلٌ وَهُوَ تُقْتَلُ الْعِلْمِ أَهْلُ الْكُوفَةِ أَهْلُ

We were informed by [Ahmad bin Abdah Adl Dlabbi Al Bashri], who narrated to us [Abdul Wahhab Ats Tsaqafi], who narrated to us [Ayyub] from [Ikrimah] that [Ali] once burned a group of people who apostatized from Islam. This news reached [Ibn Abbas], and he said, "If it were me, I would undoubtedly kill them, as the Messenger of Allah (SAW) said, 'Whoever changes his religion (apostatizes), kill him.' And I would not burn them, based on the Prophet's (SAW) statement, 'Do not torment with Allah's torment.'" This information also reached Ali, and he said, "Ibn Abbas is correct." Abu Isa said, "This hadith is considered authentic (sahih) and good (hasan) and is a practical guide according to the scholars regarding the issue of apostasy. However, they differ regarding the case of a woman who apostatizes from Islam. Some groups of scholars hold the opinion that she should be killed, which is the view of Al Auza'i, Ahmad, and Ishaq. On the other hand, some of them opine that she should be imprisoned and not killed, which is the view of Sufyan Ats Tsaury and other scholars of Kufah."

The above hadith is narrated by Ibn Abbas (Narrator I), Ikrimah (Narrator II), Ayyub (Narrator III), Abdul Wahhab Ats Tsaqafi (Narrator IV), Ahmad bin Abdah Adl Dlabbi Al Bashri (Narrator V), and Sunan Ibn Majah (Hadith Compiler).

5. Sunan Ibn Majah/No. 2526

وَسَلَّمَ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولُ قَالَ قَالَ عَبَّاسُ ابْنِ عِكْرَمَةَ عَنْ أَيُّوبَ عَنْ عِيْنَةَ بِنِ سَفِيَانَ أَنْبَأَنَا الصَّبَّاحُ بِنُ مُحَمَّدٌ حَدَّثَنَا فَاقْتُلُوهُ دِينَهُ بَدَلًا مَنْ

We were informed by [Muhammad bin Shabah], who reported to us [Sufyan bin Uyainah], from [Ayyub], from [Ikrimah], from [Ibn Abbas], he said, "The Messenger of Allah (SAW) said: 'Whoever changes his religion, kill him.'"

This hadith is narrated by Ibn Abbas (Narrator 1), Ikrimah (Narrator 2), Ayyub (Narrator 3), Sufyan bin Uyainah (Narrator 4), Muhammad bin Shabah (Narrator 5), and Sunan Ibn Majah (Hadith Compiler).

Meanwhile, hadith with the wording "la yuhillu" (it is not permissible) among them are:

1. Sahih Bukhari/No. 6370

اللَّهُ صَلَّى اللَّهُ رَسُولُ قَالَ قَالَ اللَّهُ عَنِ عِدِّ عَنْ مَسْرُوقٍ عَنْ مَرَّةَ بِنِ اللَّهِ عَنِ الْأَعْمَشِ حَدَّثَنَا أَبِي حَدَّثَنَا حَفْصُ بْنُ عُمَرَ حَدَّثَنَا الرَّانِي وَالْتَّبَّابُ بِالنَّفْسِ ثَلَاثَ بِإِحْدَى إِلَّا اللَّهُ رَسُولٌ وَأَيُّ اللَّهِ إِلَّا إِلَهَ لَا أَنْ يَشْهَدَ مُسْلِمٌ أَمْرِي دَمٌ يَحِلُّ لَا وَسَلَّمَ عَلَيْهِ لِلْجَمَاعَةِ التَّارِكِ الدِّينِ مِنَ وَالْمَارِقِ

Narrated to us [Umar bin Hafsh], narrated to us [my father], narrated to us [Al-A'mash], from [Abdullah bin Murrab], from [Masruq], from [Abdullah] who said, the Messenger of Allah (peace be upon him) said: "The blood of a Muslim who testifies that there is no god but Allah and that I am the Messenger of Allah is not permissible to be shed except for three reasons: a life for a life, a married person committing adultery, and one who renounces their religion and separates from the Muslim community."

This hadith is narrated by Abdullah bin Mas'ud (Narrator I), Masruq (Narrator II), Abdullah bin Murrah (Narrator III), Al-A'mash (Narrator IV), Umar bin Hafsh (Narrator V), and Bukhari (Narrator VI/Hadith Compiler).

2. Sahih Muslim/No. 3175

عَنْ مَسْرُوقٍ عَنْ مَرَّةَ بْنِ اللَّهِ عَنِ عَبْدِ عَنِ الْأَعْمَشِ عَنْ وَكَيْعٍ مَعَاوِيَةَ وَأَبُو عِيَاثِ بْنِ حَفْصِ حَدَّثَنَا شَيْبَةَ أَبِي بَكْرٍ أَبُو حَدَّثَنَا ثَلَاثَ بِإِحْدَى إِلَّا اللَّهُ رَسُولُ وَأَتَى اللَّهُ إِلَّا إِلَهَ لَا أَنْ يَشْهَدُ مُسْلِمٌ أَمْرِي دَمٌ يَجُلُ لَا وَسَلَّمْ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولُ قَالَ قَالَ اللَّهُ عَنِ سَفِيَّانَ حَدَّثَنَا عَمْرٌ أَبِي ابْنُ حَدَّثَنَا وَح أَبِي حَدَّثَنَا ثُمَيْرُ ابْنُ حَدَّثَنَا لِلْجَمَاعَةِ الْمَفَارِقُ لِذِيهِ وَالتَّارِكُ بِالنَّفْسِ وَالتَّنْفِيسُ الرَّانِي النَّيْبُ مِثْلَهُ الْإِسْنَادُ بِهَذَا الْأَعْمَشِ عَنْ كُلهُمْ يُونُسَ بْنِ عِيسَى أَخْبَرَنَا قَالَ خَشْرَمُ بْنُ وَعَلِيُّ إِبْرَاهِيمَ بْنِ إِسْحَقُ حَدَّثَنَا وَح

Narrated to us [Abu Bakar bin Abu Syaibah], narrated to us [Hafsh bin Ghiyats], [Abu Mu'awiyah], and [Waki'], from [Al-A'mash], from [Abdullah bin Murrah], from [Masruq], from [Abdullah] who said, the Messenger of Allah (peace be upon him) said: "The blood of a Muslim who testifies that there is no god but Allah and that I am the Messenger of Allah is not permissible to be shed except for one of three reasons: a widow who commits adultery, a person who kills another, and one who renounces their religion and separates from the Muslim community (apostate)." Narrated to us [Ibn Numair], narrated to us [my father]. (In another chain, it is mentioned) Narrated to us [Ibn Abu Umar], narrated to us [Sufyan]. (In another chain, it is mentioned) Narrated to us [Ishaq bin Ibrahim] and [Ali bin Khsyram], both of them said; narrated to us [Isa bin Yunus], all of them from [Al-A'mash] with these chains, as mentioned in the hadith.

This hadith is narrated by Abdullah bin Mas'ud (Narrator I), Masruq (Narrator II), Abdullah bin Murrah (Narrator III), Al-A'mash (Narrator IV), Waki' (Narrator V), Abu Mu'awiyah (Narrator VI), Hafsh bin Ghiyats (Narrator VII), Abu Bakar bin Abu Syaibah (Narrator VIII), and Muslim (Narrator IX/Hadith Compiler).

3. Sunan an-Nasa'i/No. 3951

قَالَ اللَّهُ عَنِ مَسْرُوقٍ عَنْ مَرَّةَ بْنِ اللَّهِ عَنِ عَبْدِ عَنِ الْأَعْمَشِ عَنْ وَكَيْعٍ مَعَاوِيَةَ وَأَبُو عِيَاثِ بْنِ حَفْصِ حَدَّثَنَا شَيْبَةَ أَبِي بَكْرٍ أَبُو حَدَّثَنَا ثَلَاثَ إِلَّا اللَّهُ رَسُولُ وَأَتَى اللَّهُ إِلَّا إِلَهَ لَا أَنْ يَشْهَدُ مُسْلِمٌ أَمْرِي دَمٌ يَجُلُ لَا غَيْرُهُ إِلَهَ لَا وَذِي وَسَلَّمْ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولُ قَالَ قَالَ اللَّهُ عَنِ الْأَسْوَدِ عَنْ فَحَدَّثَنِي إِبْرَاهِيمَ بِهِ فَحَدَّثْتُ الْأَعْمَشَ قَالَ بِالنَّفْسِ وَالتَّنْفِيسُ الرَّانِي وَالتَّنْبِ الْجَمَاعَةِ مُفَارِقٌ لِإِسْلَامِ التَّارِكِ نَفَرٍ بِمِثْلِهِ عَائِشَةَ

Narrated to us [Ishaq bin Manshur], he said; reported to us [Abdurrahman], from [Sufyan], from [Al-A'mash], from [Abdullah bin Murrah], from [Masruq], from [Abdullah], he said: The Messenger of Allah (peace be upon him) said, "By the One in whose hand is my soul, the blood of a Muslim who testifies that there is no deity worthy of worship except Allah and that I am the Messenger of Allah, is forbidden except for three cases: a person who renounces Islam and separates from the community, a married person who commits adultery, and someone who kills another soul." [Al-A'mash] said, "Then I narrated it to [Ibrahim], and he narrated it to me [Al-Aswad], from [Aisha], with a similar narration."

This hadith is narrated by Abdullah bin Mas'ud (Narrator I), Masruq (Narrator II), Abdullah bin Murrah (Narrator III), Al-A'mash (Narrator IV), Sufyan (Narrator V), Abdurrahman (Narrator VI), Ishaq bin Manshur (Narrator VII), and An-Nasa'i (Narrator VIII/Hadith Compiler).

From various narrations of the hadith mentioned above, this article analyzes the hadith transmitted by Imam An-Nasa'i (839 CE - 915 CE) in comparison to those from Bukhari and Muslim.¹⁹ Although the hadith collections of Bukhari and Muslim are considered to have higher

¹⁹The two Hadith collections of Bukhari and Muslim, namely *Sabih al-Bukhari* and *Sabih Muslim*, are widely accepted as the two most authentic and original books in the highest degree (*Ash-Shohibain*). This recognition is attributed to the strict criteria applied by both compilers in accepting the transmission of the hadith they collected.

grades of narration, the renowned scholar – a *muhaddits* – named Abū ‘Abd ar-Raḥmān Aḥmad ‘Alī ibn Syu’aib ibn ‘Alī ibn Sinān ibn Baḥr ibn Dinār al-Khurāsānī al-Qāḍī, known as An-Nasa’i, remains one of the most referenced scholars.²⁰ As one of the narrators of hadith, An-Nasa’i compiled *Al-Sunan Al-Sughra* or *Sunan An-Nasa’i*, a hadith collection that is considered to contain the least number of weak (*dba’if*) hadith after *Sahih Bukhari* and *Sahih Muslim*, comprising 5,761 hadith of the Prophet.²¹ Furthermore, the analysis of the hadith narrated by An-Nasa’i regarding the death penalty for apostasy offers a different perspective. The two hadith concerning the death penalty for apostasy, as narrated by Imam An-Nasa’i, are as follows:

عَنْ ارْتَدُّوا نَاسًا أَنْ عَكْرَمَةَ عَنْ أَبِي بَرْزَةَ قَالَ وَهَيْبٌ حَدَّثَنَا قَالَ هِشَامٌ أَبُو حَدَّثَنَا قَالَ الْمُبَارَكُ بْنُ اللَّهِ عَيْدُ بْنُ مُحَمَّدٍ أَخْبَرَنَا
اللَّهُ بِعَذَابٍ تُعَذِّبُوا لَا وَسَلَّمٌ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولٌ قَالَ أَحْرَقْتَهُمْ لَمْ أَنَا كُنْتُ لَوْ عَبَّاسُ ابْنُ قَالَ بِالنَّارِ عَلَيَّ فَحَرَقَهُمُ الْإِسْلَامِ
فَأَقْتُلُوهُ دِينَهُ بَدَلٌ مَنْ وَسَلَّمٌ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولٌ قَالَ لَقَاتَلْتَهُمْ أَنَا كُنْتُ وَلَوْ أَحَدًا

We were informed by Muhammad bin Abdullah bin Al Mubarak, who said that Abu Hisyam narrated to us, stating that Wubaib narrated to us, saying that Ayyub narrated to us from 'Ikrimah that some people had apostatized from Islam, and Ali burned them with fire. Ibn Abbas said, "If it were up to me, I would not have burned them, for the Prophet Muhammad (peace be upon him) said, 'Do not punish anyone with the punishment of Allah.'" But if it were up to me, I would have killed them, for the Prophet Muhammad (peace be upon him) said, 'Whoever changes his religion, kill him.'"

قَالَ اللَّهُ عَيْدُ عَنْ مَسْرُوقٍ عَنْ مَرَّةَ بْنِ اللَّهِ عَيْدُ عَنْ الْأَعْمَشِ عَنْ سُفْيَانَ عَنِ الرَّحْمَنِ عَيْدُ أَنْبَأَنَا قَالَ مَنْصُورٌ بْنُ إِسْحَاقَ أَخْبَرَنَا
ثَلَاثَةٌ إِلَّا اللَّهُ رَسُولٌ وَآيَةُ اللَّهِ إِلَّا إِلَهٌ لَا أَنْ يَشْهَدُ مُسْلِمٌ أَمْرِي دَمٌ يَجِلُّ لَا غَيْرُهُ إِلَهٌ لَا وَالَّذِي وَسَلَّمٌ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولٌ قَالَ
عَنْ الْأَسْوَدِ عَنْ فَحْدَتْنِي إِبْرَاهِيمَ بِهِ فَحَدَّثْتُ الْأَعْمَشَ قَالَ بِالنَّفْسِ وَالنَّفْسِ الرَّانِي وَالتَّيِّبِ الْجَمَاعَةِ مُفَارِقٌ لِلْإِسْلَامِ التَّارِكُ نَفْرٍ
بِمِثْلِهِ عَائِشَةَ

We were informed by Ishaq bin Mansbur, who said that Abdurrahman narrated to us from Sufyan, from Al A'masy, from Abdullah bin Murrab, from Masruq, from Abdullah. He said that the Prophet Muhammad (peace be upon him) said, "By the One in whose hand is my soul, the blood of a Muslim who bears witness that there is no deity worthy of worship except Allah and that I am the Messenger of Allah is not lawful except in three cases: the married person who commits adultery, a life for a life, and the one who abandons their religion and separates from the community." Al A'masy said, "Then I narrated it to Ibrahim, and he narrated it to me from Al Aswad, from Aisha, with the same hadith."

Commentary and Critique of the Hadith Text

Quoting the statement of al-Humaidi (d. 834), Ibn Hajar in *Fath al-Bari* narrated a hadith with the first wording concerning the sanction imposed by Caliph Ali bin Abi Talib (may Allah be pleased with him) on the Murtadins identified as *al-Zanadiqah*. In the event of this punishment, Ali initially ordered digging a trench. On top of it, he lit a fire to be used as a punishment for a group of individuals proven to have apostatized.²² As mentioned in various chains of narration, the information about the legal sanction carried out by Ali reached Ibn Abbas, who at that time held the position of Governor of Basrah. In response, Ibn Abbas said, "If it were up to me, I would not burn them because there is a prohibition from the Prophet Muhammad (peace be upon him) who

These criteria include the continuity of the chain of narrators (*sanad*), the righteousness and integrity of the narrators (*adalah*), as well as their strong memorization skills (*dlabth*). Additionally, the wording (*matan*) of the hadith is free from any inconsistencies (*syadz*) or defects (*illat*).

²⁰Fatchur Rahman, *Iktishar Musthalabul Hadits* (Bandung: Al-Ma'arif, 1974), 383-384.; Abi al-Fadl Ahmad Al-Asqalani, *Tahdib Al-Tahdib* (Beirut: Dar al-Kutub al-Ilmiyah, 1994), 34.

²¹Muhammad Ajaj Al-Khatib, *Ushul Al-Hadith 'Ulumuhu Wa Musthalabuhu* (Beirut: Dar al-Fikr, 1989), 325.

²²Ahmad Ali Ibn Hajar Al-Asqalani, *Fath Al-Bari* (Dar al-Rayyan li al-Turath, n.d.), 279.

said, 'Do not inflict the punishment of Allah,' but I would still kill them according to the statement of the Prophet Muhammad (peace be upon him) who said, 'Whoever changes his religion, kill him.'

Quoting the statement of Ibn Taymiyyah (d. 1328),²³ Ash-Shalabi mentions that the group of apostates who were sanctioned were the Rafidah Shia who believed and declared Ali as their deity. As narrated by Abdullah bin Syuraik al-Amiri from his father, it is told that one day Ali received information about a group of people who declared Ali as their deity.²⁴ Responding to this, Ali called them and confirmed their attitude and view of deifying him. He said, "Woe to you! What are you saying?" They answered, "You are our deity, our creator, and the provider of our sustenance." Hearing this, Ali said, "Woe to you! Know that I am a servant of Allah just like you. I eat food like you. I drink water like you. If you return to obedience to Allah, then I will receive the reward from Allah. And if you disobey Allah, I fear that He will punish me. Fear Allah and return to the true faith." However, they refused and opposed Ali's words. Then, Ali said to them, "If you still insist on saying such things, I will kill you in a humiliating manner." Yet, they continued to reject and resist. Finally, Ali ordered the construction of a trench near the mosque and said, "I will throw you into that trench, or you abandon your misguided beliefs." However, once again, they rejected Ali's command. Ultimately, the Commander of the Faithful threw them into the available trenches and burned them.

Meanwhile, quoting the statement of al-Juzairi (d. 1359), the second hadith pertains to the stance of Prophet Muhammad regarding the law of *qisas* (retaliation) and *diyat* (blood money) for murder. This hadith explains the law of *qisas* and other hadith, such as: "Whoever kills, we will kill him." He also said, "In the Book of Allah, there is *qisas*." In addition to Abdullah bin Mas'ud, a similar hadith is also narrated by Aisha (may Allah be pleased with her) as recorded by Abu Dawud and an-Nasa'i and authenticated by al-Hakim: "The blood of a Muslim is not lawful except in one of three cases: a married person who commits adultery, who should be stoned to death; someone who kills another person, who should be sentenced to death for murder; and a man who renounces Islam and fights against Allah and His Messenger, who should be killed, crucified, or banished from the land."²⁵

From the perspective of the criticism of *matn* (content), the mukharrij (compiler) of the two mentioned hadith is An-Nasa'i. In the first hadith, the chain of narration is transmitted by Abdullah bin Abbas (Narrator I/Sanad VI), Ikrimah (Narrator II/Sanad V), Ayub (Narrator III/Sanad IV), Wuhaib (Narrator IV/Sanad III), Abu Hisyam (Narrator V/Sanad II), Muhammad bin Abdullah bin al-Mubarak (Narrator VI/Sanad I), and An-Nasa'i (Narrator VII/*Mukharrij Hadith*). The second hadith, it is narrated by eight narrators, including 'Abdullah ibn Mas'ud (Narrator I/Sanad VII), Masruq (Narrator II/Sanad VI), 'Abdullah ibn Murrâh (Narrator V/Sanad III/Sanad V), al-A'masy (Narrator IV/Sanad IV), Sufyan (Narrator V/Sanad III), 'Abd ar-Rahman (Narrator VI/Sanad II), Ishaq ibn Manshur (Narrator VII/Sanad I), and An-Nasa'i (Narrator VIII/*Mukharrij Hadith*).

²³Ibn Taimiyah, *Majmu' Al-Fatawa* (Beirut: Dar al-Fikr, 1980).

²⁴Ali Muhammad Ash-Shalabi, *Sirah Amir Al-Mu'minin Ali Bin Abi Thalib* (Jakarta: Pustaka Al-Kautsar, 2012), 326-327.

²⁵Syaikh Abdurrahman Al-Juzairi, *Al-Fiqhu 'Ala Al-Madzahib Al-Arba'Ah* (Jakarta: Pustaka Al-Kautsar, n.d.), 430-432.

Referring to the mentioned chain of narration, both hadith that are the focus of this article have a connected *sanad* (chain of narrators). In the first hadith, Ibn Abbas, as the first narrator, directly connects with Prophet Muhammad (peace be upon him). Apart from being one of the companions of the Prophet, he was also a student of the Prophet and had the privilege of being directly prayed for by the Prophet. Therefore, from the perspective of the hadith transmission's *at-Tabammul wa al-Ada* (reception and transmission), the markers of the narrators in this chain use the word '*anaa*', indicating the narrator's closeness to the one being narrated. The relationship between Ibn Abbas and the subsequent narrator, 'Ikrimah, is also close as companions and teacher-student, resulting in the acceptance of the hadith using the word '*an*'. Furthermore, the connection between 'Ikrimah and the next narrator, Ayyub, is also very close to the teacher-student relationship, similar to 'Ikrimah's relationship with Ibn Abbas.

The interconnectedness of the narrators also continues between Ayyub and the next narrator, Wuhaib. They have a teacher-student relationship that ensures the smooth transmission of this narration, and the process of receiving the narration of the hadith is also strong, using the methods of *al-sima'* (hearing), namely *qala* and *tsana*. The chain of narration also applies between Wuhaib and the subsequent narrators, Abu Hasyam and Muhammad ibn Abdullah. This interconnectedness occurs through the teacher-student relationship, ensuring the quality of the narration is preserved. Moreover, looking at the process of receiving the narration of the hadith, it also uses a strong form of narration, namely *qala* and *tsana*. Furthermore, the relationship between Muhammad ibn Abdullah and the mukharrij of the hadith, An-Nasa'i, is also very close through the teacher-student relationship, with the acceptance of the narration using the wording *akhbarana*.

In the second hadith, the narration relies on Ibn Mas'ud (d. 650) as the first narrator. He was one of the companions of Prophet Muhammad (peace be upon him) and held a special position as one of the early converts to Islam. Therefore, Ibn Mas'ud had various forms of closeness to the Prophet, not only as a companion but also in age and a teacher-student relationship, further enhancing his proximity to the Prophet. Hence, the acceptance of the narration or the *tabammul wa al-ada'* (reception and transmission) of the hadith uses the wording *qala*. Meanwhile, the relationship between Ibn Mas'ud and the subsequent narrator, Masruq, is also very close as a teacher-student relationship, sharing similar ages and the model of receiving the narration of the hadith using the word '*an*'. The chain of narration continues with the connection between Masruq and the next narrator, Abdullah ibn Murrah, as a teacher-student relationship with the model of receiving the narration using the word '*an*'. Similarly, the relationship between Abdullah ibn Murrah and the next narrator, al-A'mash, also has a close teacher-student bond, with the form of receiving the narration using the word '*an*'.

The same closeness applies to the narrators after them. For instance, al-A'mash was the teacher of the subsequent narrator, Sufyan ath-Thawri, and Sufyan ath-Thawri had a teacher-student relationship with the next narrator, Abd ar-Rahman (d. 788). With such closeness, the form of receiving the narration of the hadith is also sufficiently strong, using the word '*an*'. The continuity of the chain of narration also applies between Abd ar-Rahman and the next narrator, Ishaq ibn Mansur, where Abd ar-Rahman was the teacher of Ishaq ibn Mansur. The closeness of their relationship is also evident in the model of receiving the narration of the hadith, using the words *qala* and *akhbarana*. Lastly, Ishaq ibn Mansur himself was the teacher of An-Nasai, who served as the compiler of the hadith, using the model of receiving the narration with the word *akhbarana*.

From the perspective of the narration acceptance, *tabammul wal 'ad al-abadith*, both hadith use the methodology of the first category, *al-Sama' min lafdzi al-Shaykh*, which involves directly

hearing or listening to the words of the hadith teacher. This can be observed through the predominant use of narrators employing phrases such as *haddathana*, *haddathani*, *akhabarana*, *'an*, *qala*, and others. The category of listening or directly receiving the words from the teacher, known as hadith *al-Sima' min lafdzi al-Shaykh*, is considered to hold a higher status compared to the other seven methods, namely *al-qira'ah 'ala al-Shaykh*, *al-Ijazah*, *al-Munawilah*, *al-Kitabah*, *al-I'lam*, *al-Wasyiyah*, and *al-Wijadah*. According to the traditions of that time, memorizing directly from the teacher was considered the best way to acquire knowledge; thus, memorization was highly regarded in the mastery of a subject.²⁶

Based on the analysis of the hadith chain of narration above, both hadiths fall into the category of *abad* hadith. It is known that *abad* hadith are those whose number of narrators does not reach the level of *mutawatir* narration. A hadith is considered *mutawatir* if it fulfils certain conditions, such as being narrated by a large number of narrators, having a balanced number of narrators in the first layer (*thabaqah*) and subsequent layers (*thabaqah*), and the narrators being incapable of lying or being trustworthy.²⁷ In terms of the acceptance of *abad* hadith as evidence (*hujjah*), both hadiths mentioned above are considered *sahih* (authentic). It is known that scholars classify *abad* hadith into three categories: *sahih*, *hasan*, and *da'if*. Considering the narrators in the two hadith, it can be concluded that they are at least *sahih* because they fulfill all five conditions: the narrators are known for their integrity (*adil*), have reliable memory (*dhabith tam*), the chain of narrators – *sanad* – is continuous, there are no hidden defects (*'illat*), and there are no irregularities.²⁸

Definition of Apostasy Examined from Etymological and Terminological Aspects

Quoting the explanation of Ibn Manzur, the term "murtad" is derived from the word "*riddah*" which comes from the verb "*radda yaruddu*" and it has at least three meanings: "*safarahu*" (to turn away), "*arja'ahu*" (to return), and "*mardud 'alaihi*" (to reject). A similar definition is provided by Ibrahim Unais, stating that *riddah* is the act of rejecting or turning away.²⁹ Munawwir defines *riddah* as a step backwards or returning backwards.³⁰ Sabiq (d. 2000) defines *riddah* as the departure of an adult Muslim, male or female, of sound mind, from the belief in Islam to disbelief, consciously and without any coercion from anyone.³¹ Similarly, Zuhaili (d. 2015) interprets *riddah* as the return of someone from the belief in Islam to disbelief, whether through intention, actions that constitute disbelief, or words, even if those words are not serious, as an expression of denial or as a belief.³² Based on these various understandings, *riddah* is defined as the conscious act of abandoning Islam without coercion, both in attitude and action.

Abdurrazaq specifically collected definitions of apostasy as presented by several Muslim scholars. For example, al-Samarqandī (d. 375) defines apostasy as a return (turning away) from faith (*al-Rajū' 'an-al-Imān*), al-Qarāfī (d. 1285) defines it as the severance of Islam from a mukallaf (*Qatb'u al-Islam min Mukallaḥ*), Alisy defines it as the disbelief of a Muslim through clear statements,

²⁶Muhammad Ajaj Al-Khatib, *Ushul Al-Hadits: 'Imlu Wa Musthalabuhu* (Beirut: Dar al-Fikr, 1975), 233-234.

²⁷ Mahmud Ath-Thahan, *Taisir Musthalab Al-Hadits* (Surabaya: Syirkah Bungkul Indah, 1985), 20.

²⁸ Ath-Thahan, 34-35.

²⁹ Ibrahim Unais, *Mu'jam Al-Wasith* (Ihya al-Turas al-Arabi, 1972), 337.

³⁰ Ahmad Warson Munawwir, *Kamus Al-Munawwir* (Yogyakarta: Yayasan Pondok Pesantren Krapyek, 1995).

³¹ Sayyid Sabiq, *Fiqh Al-Sunnah* (Beirut: Dar al-Kitab al-Arabi, 1397), 450.

³² Wahbah Zuhaili, *Al-Fiqh Al-Islami Wa 'Adillatuhu* (Beirut: Dar al-Fikr, 1996), 183.

indicating actions that imply disbelief (*Kufr al-Muslim bi Qoulin Shorihin aw Lafdihin Yaqtadhiyuhu aw bijf'lin Yatadhommanuhu*), and Qalyūbi (d. 1069) defines it as the deliberate abandonment of Islam with the intention of disbelief, an act of disbelief, or actions that manifest mockery, resistance, or conviction (*Qath'u al-Islam bi niyati kufrin aw qouli kufrin aw fi'lin sawa'un qoulubu istibza'an aw 'inadan aw I'tiqodan*).³³ From all these definitions, Abdurrazaq argues that the definition by Qalyūbi (d. 1069) is comprehensive and can be used as a basis for defining apostasy.³⁴ This is seemingly because the understanding of apostasy in Qalyūbi's definition is not only associated with the decision to abandon the belief in Islam but also accompanied by an attitude of hostility towards Islam.

Similarly to Qalyūbi (d. 1069), the Kuwaiti Ministry of Awqaf states that a person becomes an apostate due to four factors: belief, speech, actions, and abandoning religious obligations. These factors can be explained as follows: in terms of belief, a person is proven to commit shirk (associating partners with Allah), deny Allah, or reject one of His constant attributes. In terms of speech, a person is proven to insult Allah and His Messenger. In terms of actions, a person is proven to worship something other than Allah consciously. The last factor entails a person being proven to consciously abandon religious obligations, such as prayer, or deny the obligation of zakat, fasting, and Hajj.³⁵ On the other hand; legal provisions apply to those who leave Islam if the perpetrator meets three requirements: reaching the age of maturity, being of sound mind, and not being coerced.³⁶ Thus, the definition of apostasy provided by the Kuwaiti Ministry of Awqaf also emphasizes the aspect of insult or hostility towards Islam as one of the foundations for defining apostasy, similar to Qalyūbi's understanding. Therefore, apostasy is not only limited to abandoning the belief in Islam but also accompanied by an attitude of demeaning Islam and hostility towards Muslims.

The various definitions of apostasy presented above illustrate that scholars have provided several boundaries and implemented legal sanctions. The discussion about the boundaries of apostasy mainly concerns understanding to what extent someone can be considered an apostate and the forms it can take. Regarding the punishment for apostasy, much of the discourse revolves around the legal sanctions for apostasy by referring to Islamic legal sources. In terms of the boundary of apostasy – *riddah*, Djazuli mentions that scholars agree on three ways of leaving Islam: apostasy through action or abandoning an action (*bil-fi'li*), apostasy through speech (*bil-qauli*), and apostasy through belief (*bil-i'tiqadi*). Apostasy through action occurs when one performs a forbidden act and considers it permissible, whether done intentionally, disrespecting Islam, treating it lightly, or displaying arrogance. Apostasy through speech can occur when a person utters words that indicate disbelief. As for apostasy through belief (*iketikad*), it can happen when a Muslim holds belief inconsistent with the Islamic creed. However, regarding apostasy in the form of belief (*iketikad*), a mistaken belief alone does not automatically lead to a Muslim being punished as an apostate before it is manifested through speech and action.³⁷

Sabiq (d. 2000) provides a more detailed definition and criteria that lead someone to become an apostate. First, it involves denying established religious teachings, such as denying the

³³ Nu'man 'Abdurrazaq, *Abkam Al-Murtad Fi Al-Syari'ah Al-Islamiyyah* (Riyadh: Dar al-'Ulum, 1983), 19.

³⁴ 'Abdurrazaq, 37.

³⁵Wizaratul al-Awqaf Kuwaitiyah, *Al-Mausu'atul Fiqhiyyah Al-Kuwaitiyyah*, ed. 22 (Kuwait: Wizaratu al-Awqaf wa al-Syu'un al-Islamiyyah, 2007), 184.

³⁶Wizaratul al-Awqaf Kuwaitiyah, 180.

³⁷A. Djazuli, *Fiqh Jinayah (Upaya Menanggulangi Kejahatan Dalam Islam)*, 2nd ed. (Jakarta: Raja Grafindo Persada, 2000), 114.

oneness of Allah, denying Allah's creation of the universe, denying the existence of angels, denying the prophethood of Muhammad (PBUH), denying the Qur'an as Allah's revelation, denying the Day of Resurrection and retribution, and denying the obligation of prayer, zakat, fasting, and Hajj. Second, it includes permitting something that is universally considered forbidden, such as allowing alcohol consumption, adultery, usury, consuming pork, or justifying the killing of innocent people. Third, it involves prohibiting something that is universally considered permissible, such as prohibiting the consumption of lawful and good things. Fourth, it entails insulting the Prophet Muhammad (PBUH). Fifth, it involves insulting the religion of Islam. Sixth, it includes claiming to receive revelations from Allah. Seventh, it encompasses desecrating the Qur'an by throwing it into impure places and treating its contents lightly. Eighth, it entails belittling the names of Allah and disregarding His commands and prohibitions.³⁸

According to Akram Ridha, as cited by Moqsith, *fuqaha* (Islamic jurists) have categorized apostasy (*riddah*) into four categories.³⁹ First, apostasy based on belief (*i'tiqadi*) that contradicts the fundamental principles of Islam, such as doubting Allah's existence (*al-shakk fi Allah*), doubting the prophethood of a Messenger, doubting a part of the Qur'an, disbelief in the Day of Judgment, disbelief in heaven and hell, disbelief in the concept of reward and punishment, disbelief in one of Allah's attributes, believing something forbidden is permissible, denying matters that are universally known and agreed upon, such as the obligation of the five daily prayers. Second, apostasy is based on actions (*fi'li*). Examples include prostrating to idols, the sun, or anything else (*alsujud li sanam aw li shams aw makbluq akbar*).

Third, apostasy is based on words (*qawli*). Some examples include calling other Muslims "O infidel," saying, "If Allah punishes me because I did not pray while I was sick, then Allah is unjust to me," saying, "Prayer is not suitable for me," "I do not find any goodness in prayer," insulting someone with the same name as the Prophet with the intention of insulting the Prophet, belittling the fatwas of scholars with the intention of belittling Islamic law, comparing the face of a righteous person to a pig, someone saying, "I desire a certain amount of wealth, whether lawful or unlawful," not responding to the call to prayer and not listening when the Qur'an is recited, insulting the Companions of the Prophet. Fourth, apostasy through the abandonment of teachings (*tark turuq*) with the intention of opposing and denying Islamic law (*al-tark yadull 'ala al-'inad wa almu'aradab li al-shar'i istikbaran aw jubudan*), such as abandoning prayer, fasting, and zakat with the intention of opposing the obligation of these acts of worship. From these various explanations, it can be concluded that apostasy is not only based on the decision to change beliefs from Islam to non-Islam but also involves an attitude of hostility towards Islam.

Discourse on the Application of Apostasy Legal Sanctions

The following discourse revolves around the legal sanction of capital punishment for apostates. In the classical Muslim scholarly circles of *fiqh* (Islamic jurisprudence), there is a strict consensus on implementing the death penalty for individuals who decide to leave Islam. However, there is also a debate regarding whether apostates should be given time to reconsider their decision,

³⁸Sabiq, *Fiqh Al-Sunnah*, 454.

³⁹Abd Moqsith, "An Exegesis on Apostasy Law in Islam," *Abkam: Jurnal Ilmu Syariah* 13, no. 2 (2013): 283–94, <https://doi.org/10.15408/AJIS.V13I2.940>.

repent, and return to Islam or be steadfast in their choice to change religions. Another point of contention is whether the death penalty for apostasy applies equally to both male and female apostates.

Quoting from Surah Al-Baqarah (2:217), an-Nawawi (d. 1277) first defines *apostasy* as someone who abandons Islam and embraces disbelief: "Whoever of you turns back from his religion, then dies while disbelieving—those are they whose works have become worthless in this world and the Hereafter. Furthermore, those are the companions of the Fire. They will abide therein." An-Nawawi clarifies that the determination of apostasy itself can be considered valid if the act is committed by a person who has reached the age of maturity (*baligh*), possesses a sound mind, and does so voluntarily.⁴⁰ Therefore, acts of apostasy carried out by children who have not reached the age of maturity or individuals who are mentally ill, as well as cases involving coercion that threatens one's life, cannot be established as instances of apostasy.

According to Imam Shafi'i, as quoted by Imam Nawawi, the condition of coercion threatening life exempts an individual from the punishment of apostasy. "If clear evidence is established that a person has uttered words of disbelief while being held captive and bound, and the evidence does not mention that the person uttered those words under duress, then that person cannot be sentenced with the punishment of disbelief, because the fact that they are a captive and are being restrained is clear evidence that they are being coerced."⁴¹

Once someone is convincingly proven to have apostatized, scholars unanimously agree on the need for legal sanctions, including the imposition of the death penalty. As-Syirazi (d. 1083), as quoted by an-Nawawi (d. 1277), states the necessity of imposing the death penalty when someone is proven to have committed apostasy. As-Syirazi bases this legal ruling on the hadith of the Prophet: "The blood of a Muslim is not lawful except in one of three cases: a person who reverts to disbelief after embracing Islam, or someone who commits adultery after being married, or one who kills a soul other than in retaliation for killing."⁴² However, the scholars also agree that the death penalty for apostasy should be implemented after going through stages that encourage the apostate to return to Islam or repent. Al-Malibari (d. 987/1028), for example, argues that a person who commits apostasy, whether male or female, must first be instructed to repent because previously they were considered inviolable (*muhtarom*) due to their adherence to Islam. They may have experienced doubt, which can be eliminated instantly. If the person refuses to repent even after being instructed to do so, then they can be sentenced to death, with the decision made by a judge.⁴³

Regarding the legal status of repentance for apostates, an-Nawawi (d. 1277) mentions that there are two groups of scholars who differ in determining the legal status of repentance, namely non-obligatory and obligatory. The group that obligates repentance bases its position on the decision of Umar (may Allah be pleased with him) who established a policy of granting a three-day period for apostates to seek repentance. If, after three days, they agree to repent and return to Islam, they are exempted from the death penalty. However, if they do not repent, they can be sentenced to death directly. Regarding the time frame for the opportunity to repent, Nawawi

⁴⁰Imam Nawawi, *Al-Majmu': Syarah Al-Muhadzdzab* (Jeddah: Maktabah Al-Irsyad, n.d.), 689.

⁴¹Nawawi, 689.

⁴²Nawawi, 690-691.

⁴³Zainuddin bin Abdul Aziz al-Malibari Al-Fannani, *Fathul Mu'in*, 2nd ed. (Bandung: Sinar Baru Algesindo, 2014), 1556-1557.

clarifies that there are two opinions. *First*, a three-day period allows apostates to reflect (*tadabbur*) and clarify the doubts that led them to leave Islam. If they repent and return to Islam within this period, they are spared from the death penalty. If not, they can be sentenced to death. This opinion refers to the hadith narrated by Umar (may Allah be pleased with him). *Second*, the apostate is requested to repent immediately and is not given time to reflect on the reasons for their apostasy. If they refuse, the apostate can be sentenced to death directly.⁴⁴ Imam Shafi'i himself prefers to give time for contemplation to the apostate before imposing punishment.⁴⁵

Regarding the provision of a time frame for repentance and the determination of the death penalty mentioned above, Ibn Taymiyyah (d. 1328) provides further clarification by classifying apostates into two categories: *riddah mughballadhab* (severe apostasy) and *riddah mukhaffafah* (light apostasy).⁴⁶ The category of *riddah mughballadhab* refers to apostates who display hostility towards Islam and influence other Muslims to leave the faith, while *riddah mukhaffafah* is defined as simply departing from the beliefs and practices of Islam without exhibiting hostility towards the religion. Although both categories are subject to the death penalty if they do not repent, Ibn Taymiyyah observes differences in implementing the punishment. Apostates in the first category are sentenced to death without waiting for them to return to Islam. In contrast, those in the second category are requested to repent first, with an explanation provided regarding the reasons for their apostasy. If they are willing to repent, they can be accepted back into Islam, and the death penalty is automatically revoked. Conversely, suppose they refuse to repent and persist in leaving Islam. In that case, the death penalty applies to them after three days are given for them to reconsider their decision to repent or remain apostate.

Based on the exposition mentioned earlier, classical Muslim scholars in Islamic law agree on the imposition of the death penalty for apostates. Differences arise when implementing this policy. In addition to being encouraged to choose Islam or remain in their new belief, classical Islamic jurists also differ in their opinions regarding the opportunity given to apostates to contemplate their decision to change their belief.

The imposition of legal sanctions on apostasy by classical Muslim scholars differs from the perspective of contemporary Muslim scholars regarding the punishment for apostasy. Said (d. 2022) argues that the hadith commanding the death penalty for apostates from Islam should be re-examined, primarily questioning the credibility and integrity of its narrators. Said presents two important observations. Firstly, this hadith is only traced back to the narration of Ibn 'Abbas (d. 687) through the chain of transmission of Ikrimah (d. 636), and then transmitted through several other narrators. Said points out that some companions and scholars have questioned the credibility of Ikrimah. For instance, Ibn 'Umar once said to Nafi', "Fear Allah. Woe to you if you accuse me falsely as Ikrimah did about Ibn 'Abbas." Secondly, one of the narrators in the chain of the hadith, Muhammad ibn al-Fadl al-Sadusi, is regarded as a narrator whose intellectual capacity does not match that of other narrators, and is also known for his senility. The capacities of these two narrators, Ikrimah and al-Sadusi, concerning this hadith are considered to have led to the hadith's

⁴⁴Nawawi, *Al-Majmu': Syarah Al Mubadzdzab*, 692-693.

⁴⁵Imam Abu Abdillah Muhammad bin Idris Al-Syafi'i, *Al-Umm* (Jakarta: Pustaka Abdi Bangsa, 2020), 225.

⁴⁶Ibn Taimiyah, *Majmu' Al-Fatawa* (Mesir: Daarul Wafa, n.d.), 343.

quality of "*man baddala dinahu faqtulub*" (whoever changes his religion, kill him) not reaching the level of *mutawatir* (mass transmitted) but only attaining the level of *abad* (singular) hadith.⁴⁷

Said (d. 2022) evaluates the hadith regarding the death penalty for apostates as contradictory to Quranic verse 2:256, which states, "*la ikrab fi al-din*." (There is no compulsion in religion).⁴⁸ In the verse *la ikrab fi al-din* "there is no compulsion in religion," Said argues that it emphasizes the prohibition of killing apostates and the prohibition of any form of religious coercion. Said contends that the hadith "*man baddala dinah*" cannot invalidate the Quran, which guarantees religious freedom. In other words, the popularity of the hadith containing the command to kill apostates cannot surpass the higher authority of the verse "There is no compulsion in religion." Furthermore, Said points out that the Quran never mentions the death penalty for apostates. Said concludes that the hadith regarding the death penalty for apostates holds a weak position. Additionally, the narrators of the hadith do not provide details about the circumstances, period, and location of the hadith's transmission by the Prophet, which suggests that the relevance of the hadith may be limited to a specific time and place.⁴⁹

A contemporary Muslim scholar from Indonesia, Shihab, also emphasizes the need to reexamine the hadith that contains the command for the death penalty for apostates. According to him, although there are hadith that command the death penalty for apostates from Islam, they should be seen as a form of the Prophet's wisdom in governing society. Shihab states that this ruling may apply to certain societies and specific periods, but it does not necessarily apply universally in all conditions and periods. The context in which the Prophet conveyed the command for the death penalty in the hadith should also be taken into consideration, whether it was as a Messenger, a provider of religious verdicts, a judge, or a leader of the community, which would require the adoption of policies that are more suitable to the situation and conditions being faced.⁵⁰

Shihab's statement above, according to Moqsith, is a reaffirmation that the punishment for apostasy in the hadith is contextual and not universal. This means that the hadith cannot be a general reference that applies to all conditions and situations, but rather its context needs to be considered. Based on this, Moqsith believes that the death penalty for apostates is still open to implementation if it aligns with specific conditions and situations. However, the criteria for such conditions and situations need to be reanalyzed. Shihab himself did not explain the specific circumstances that underlie the presence (*sabab al-wurud*) of the hadith, nor did he clarify whether the Prophet conveyed it in his capacity as a Messenger, a provider of religious verdicts, a leader, or in another capacity.⁵¹

The discourse on apostasy laws among Muslim scholars has witnessed a notable paradigm shift. Classical scholars believed severe legal penalties should be imposed on apostates, whereas contemporary scholars rejected this perspective. Those who oppose it argue for reevaluating the

⁴⁷ Jawdat Sa'id, *La Ikrab Fi Al-Din: Dirasah Wa Abhath Fi Al-Fikr Al-Islami* (Damaskus: al-'Ilm wa al-Salam li al-Dirasah wa al-Nashr, 1997), 37-38. Bandingkan dengan Abd Moqsith Ghazali, *Argumen Pluralisme Agama: Membangun Toleransi Berbasis Al-Qur'an* (Depok: Katakita, 2009), 234-235.

⁴⁸"There shall be no compulsion in [acceptance of] the religion. The right course has become clear from the wrong. So whoever disbelieves in Taghut and believes in Allah has grasped the most trustworthy handhold with no break in it. And Allah is Hearing and Knowing."

⁴⁹ Sa'id, *La Ikrab Fi Al-Din: Dirasah Wa Abhath Fi Al-Fikr Al-Islami*, 36-37.

⁵⁰ Muhammad Quraish Shihab, "Wawasan Al-Qur'an Tentang Kebebasan Beragama," in *Passing Over: Melintasi Batas Agama*, ed. Komaruddin Hidayat and Ahmad Gaus (Jakarta: Gramedia, 1998), 190.

⁵¹ Ghazali, *Argumen Pluralisme Agama: Membangun Toleransi Berbasis Al-Qur'an*, 233.; Moqsith, "An Exegesis on Apostasy Law in Islam."

status of the hadith that have served as the basis for implementing apostasy laws. This reassessment should consider the authenticity and reliability of the hadith and the contextual factors of time and place. The rejection of the classical interpretation is further grounded in the contradiction between the teachings of these hadith and the message of the Qur'an, which is regarded as the supreme source of Islamic jurisprudence and does not explicitly prescribe legal sanctions against apostates.

In light of the contrasting positions held by classical and contemporary Muslim scholars, the author aligns with the perspectives of the latter. Apart from the arguments put forth by contemporary scholars, there are compelling reasons to reconsider the application of the death penalty for apostasy in the present era. *Firstly*, implementing capital punishment for individuals or groups who choose to change their faith from Islam to another religion contradicts the diverse legal frameworks prevalent in contemporary societies that safeguard human rights, including freedom of religion. For instance, Article 18 of the Universal Declaration of Human Rights explicitly acknowledges the freedom to practice, profess, or change one's religion as an essential human right. *Secondly*, the imposition of the death penalty runs counter to the model of an ideal society found in Medina during the early Islamic period, exemplified by the Prophet and his companions, as enshrined in the Charter of Medina. This Charter, encompassing 47 articles, advocates for a pluralistic society founded on respecting and protecting human rights, including the right to embrace and practice one's chosen religion. Notably, Articles 25 to 35 illustrate how different religious communities, such as the Jewish community, were respected and integrated into the social fabric of Medina as outlined in the Charter.

Conclusion

Based on the findings and discussions, there are various interpretations of apostasy (*murtad*), but generally, it is understood as the 'reversion' of someone from the Islamic faith to disbelief, either through intention, actions that render them as disbelievers or statements, whether non-serious expressions of denial or as a belief (*riddah*). Other Muslim scholars define *apostasy* as the act of consciously abandoning Islam with the intention of disbelief, engaging in acts of disbelief, or displaying mockery, resistance, or alternative beliefs. Apostasy can be beliefs, statements, actions, or neglecting religious obligations. In general, two narrations of hadith explain apostasy, one stating: "*Whoever changes their religion, then kill them.*" This hadith can be found in Sahih Bukhari, Sunan Nasa'i, Sunan Abu Dawud, Sunan At-Tirmidhi, and Sunan Ibn Majah. Another narration states: "*The blood of a Muslim who testifies that there is no god but Allah and that Muhammad is the Messenger of Allah is not lawful to shed except in three instances...etc.*" This hadith can be found in Sahih Bukhari, Sahih Muslim, Sunan An-Nasa'i, Sunan Abu Dawud, Sunan At-Tirmidhi, and Sunan Ad-Darimi after thorough verification.

There is a difference of opinion among Muslim scholars regarding the understanding of the hadith that commands the killing of apostates. The majority of classical Muslim scholars in the field of Islamic law agree on the imposition of the death penalty for apostates but with the provision of an opportunity for them to reconsider their decision to leave Islam, whether by choosing to repent and return to the Islamic faith or by persisting in their decision to leave Islam. If they choose repentance and Islam, their return to the faith is accepted, and they are exempted from the death penalty. Conversely, if they persist in their decision to leave Islam, the death sentence applies to them. Meanwhile, some contemporary Muslim scholars criticize the understanding of classical

Muslim scholars and advocate for reevaluating the existence of the hadith, including considering the quality of narrators and the contextual aspects of the hadith. Contemporary Muslim scholars view the death penalty for apostates as contradictory to the absence of clear evidence in the Qur'an that commands the killing of apostates and contrary to the guarantee of religious freedom within the Qur'an.

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