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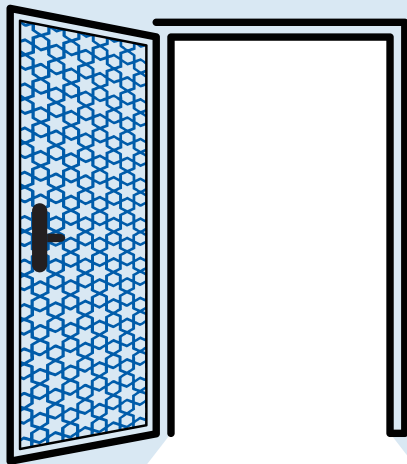
## Homelessness in Singapore:

Living  
in the  
Shadows



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# Towards A Common Balanced Standpoint on Apostasy



BY DR MUHD HANIFF HASSAN

The objective of this article is to highlight the complexity of the issue of apostasy within the unique context of Singapore's Muslim community. It delves into key pillars towards building a balanced standpoint and humbly proposes a possible way forward.

## BACKGROUND ON APOSTASY

Apostasy is regarded a grave sin in Islam. The Quran contains many verses that disprove apostasy. The severe gravity of apostasy in Islam has an impact to the continued existence of any Muslim community. Muslims generally show grave disapproval, concern and will not condone any act of apostasy by fellow Muslims.

However, calmness and rationality must be the order of the day on this issue. We should strive to put the issue in the right perspective based on sound theological understanding rooted in the *syariah* and with further historical facts and contemporary sociological data.

## SINGAPORE'S CONTEXT AND RECENT DEVELOPMENTS

It is inevitable for Singapore's Muslim community to be confronted with the apostasy issue. The Muslim community in Singapore must be careful not to be overwhelmed by emotion when facing this issue; especially given that we live in a multi-cultural and multi-religious context.

It remains to be seen how the community across all segments – *asatizah/ulama*, community leaders, Muslim civil societies, ordinary people *etc.* – could be guided towards a commonly held position that is principled, contextual and civil.

## TOWARDS A BALANCED STANDPOINT

A good starting point on this issue is to recognise that apostasy is inevitable and it is part and parcel of God's natural law. The Quran states that part of the natural law is the presence of a continuous dialectic relationship between opposing ideas/religions until the end of time. The

Quran also states that God guides whom He wishes to Islam or other religions. As a result, some individuals would accept Islam, while some would choose others and some who have chosen or were born into a religion might choose Islam at some point in their life and vice versa.

Apostasy incidents were also reported during the life of the Prophet and among his companions who received his direct guidance and *da'wah* (spreading the teachings of Islam). A companion by the name of Tulaihah bin Khuwailid was an apostate from Islam and claimed to be a prophet during the Prophet's lifetime, although he reverted to Islam during the rule of Abu Bakr, the First Caliph, after his army was defeated in a battle. A companion who was among the early converts of Islam became Christian after migration to Abyssinia. Another companion who was a Christian became Muslim and was appointed as the Prophet's scribe. Later on, he returned back to Christianity and claimed that the Prophet did not know much except what he had taught him from Christianity. Another companion, Abdullah bin Abi Sarh left Islam and joined the Meccans who were the enemy of the Prophet. However, he repented and returned back to Islam and was appointed a governor by Uthman, the Third Caliph. In fact, the Prophet signed a peace agreement known as the *Treaty of Hudaibiyah*, with his Meccan enemies, which guarantees anyone who runs away from Medina *i.e.* those who left Islam to join the Meccans would not be repatriated back. Finally, many Arab tribes left Islam and rebelled against the newly appointed Caliph after the death of the Prophet.

The Prophet himself, despite being the most dedicated and wise preacher of Islam, could not prevent apostasy incidents during his lifetime. His attitude and stand on the matter was to manage them when they occurred, not to eliminate it from happening.

When we assess contemporary issues facing Islam in Singapore, it is pertinent to take a balanced overview in the larger scheme of things pertaining to *da'wah*. Apostasy must be treated as one of many serious challenges within *da'wah* that requires the Muslim community's attention and action. Thus, it must be assessed in accordance to the overall priorities *vis-à-vis* all the challenges and problems as required by *fiqh al-awlawiyat* (jurisprudence of priorities).

Taking a helicopter view of the overall priorities and the larger picture may highlight that this apostasy issue may not be the top most priority that needs immediate attention, despite being a grave sin theologically.

Similarly, the issue must also be balanced with the need for preservation and attainment of other *maslahah* (benefit) or prevention and elimination of other *dharar* (harm).

One way of looking at the issue is to make a simple deduction between the number of people leaving Islam (loss) and the number who convert to it (gain). If there are more gains than losses, the issue may not be as serious as one may perceive.

In a similar vein, if we look back at the *Treaty of Hudaibiyah*, the Prophet accepted the lopsided conditions in the treaty because he took into consideration the larger picture and *maslahah* at the time and in the future. History proved that the Prophet was correct in his decision. Due to the peaceful conditions brought about after the Treaty, the number of people converting to Islam increased exponentially compared to the pre-Treaty period. The period after the Treaty allowed the Prophet to focus all his resources on peaceful *da'wah* without fear of war and hostility from the Meccans and their allies.

It is impossible to call upon the Muslim community to strive for a zero apostasy rate. This kind of rhetoric fuels possibly

dangerous enthusiasm and emotions, and, in actual fact, is an unrealistic proposition which goes against God's natural law.

## TWO KEY PILLARS FOR A BALANCED STANDPOINT

This article highlights two key pillars for a balanced standpoint on the issue. Firstly it is crucial to rethink the dominant theological rule on apostasy. Secondly a clear guiding principle can reiterate the proper social conduct and norms to take towards apostates we encounter.

### Rethinking of the Dominant Theological Rule

The discussion on apostasy in Islam cannot be separated from the Islamic jurisprudence (*fiqh*) standpoint pertaining to the punishment of apostates.

The dominant view pertaining to the punishment of apostates among Muslim scholars is death penalty after all the necessary due process has been exhausted *i.e.* investigation, proper trial, conviction and opportunity for repentance.

However, it must be highlighted that there are differences of opinion among scholars on the punishment of the death penalty. These differences of opinion have existed since the classical period.

Abd Al-Razzaq Al-Sari'aniy in his book titled *Al-Musannaf* related a few differing opinions from the early generation of Muslim scholars. Among them is a view held by Al-Nakha'iy related by Sufyan Al-Thawriy that an apostate is required only to repent. In another report, a companion by the name of Anas asked Umar about the punishment for apostasy. Umar answered that he preferred to arrest the person and demand repentance from him. If he refused, Umar would send him to prison.

Al-Baji, a Maliki scholar, wrote in his book titled *Al-Muntaqa Sharh Al-Muwatta'*, viewed that apostasy is an abomination with no specific *hudud* law.

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When commenting on a *hadith* on the death penalty for apostate, Ibn Taimiyah opined in his book titled *Al-Sarim Al-Maslul* that the *hadith* refers to a person who has committed both apostasy and *hirabah* (serious crime involving violence and threat to public order such as armed robbery, banditry and terrorism).

The Hanafite school of jurisprudence (*mazhab*) holds to the view that punishment for apostasy does not fall under *hudud* law which are immutable. Scholars of this school regard apostasy as an offence under *ta'zir* punishment; where power to determine and implement falls under the prerogative and discretionary power of Muslim authorities. This also includes power not to impose any criminal punishment at all.

Based on these differences above and the contemporary realities today, current Muslim scholars have attempted a critical review of the dominant *fiqh* position that stipulates death penalty for apostasy.

Among them is Mahmud Shaltut, former Grand Shaykh of Al-Azhar University. In his book titled *Al-Islam; 'Aqidah Wa Shari'ah*, he was of the view that apostasy only does not entail death penalty. A similar view was expressed by Muhammad Salim Al'Awwa in his book titled *Fi Usul Al-Nizam Al-Jinaa'iy*.

The crux of the various works from some contemporary Muslim scholars is that Islam does not command a specific punishment for apostasy such as death penalty, although it is undoubtedly a grave sin. The death penalty mentioned in scriptural evidences and the war against apostates during the rule of Abu Bakr, the First Caliph, was not due to apostasy alone. It involved other serious offences such as *hirabah*, treason and rebellion against the Muslim ruler that threatened public security.

The scholars view that action against apostasy falls under the discretionary power of the Muslim authority depending on the *maslahah* of the time. Furthermore, the differences of opinion among Muslim scholars should provide flexibility for contemporary Muslim scholars to formulate new measures and approaches that better suit the current context, instead of preserving and defending the dominantly held view.

#### **Proper Social Conduct and Norms Towards Apostates**

The right social conduct and norms towards apostates are equally important to the contextual theological stand. The way Muslims treat former Muslims at a social level has an impact on the image of Islam and Muslims. These behavioural norms are especially relevant to the immediate relative or family members and, to some extent, Muslim counsellors, social workers and *asatizah* who may have to deal with apostates when the case is brought to their attention.

The following is an excerpt taken from an online interview with a self-claimed agnostic, Mr Zim Aliwal and his experiences ever since he chose to leave Islam.

“For 26-year-old Zim Aliwal, four nights spent sleeping on the staircase landing outside his HDB flat has turned into six years since he last set foot at home or saw his family.

As for what kept him going, he tells me: “One of the last things my mum said to me was, ‘You will never survive. You will never make it. You will come back to me begging for forgiveness.’ That was the exact opposite of what she should have said...

Four nights after being thrown out of the house, Zim decided to leave home for good. He packed two bags, hopped into a cab, and left for the hostel 5Footway Inn in Kampong Glam...

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Zim relates that a person like him is viewed by the community, “the “Malay pariah”, someone who has “stepped out of the culture and the inner circle”.”

While this case is simply one anecdote, an honest reflection would concede that negative treatment towards apostates is not a singular incident, even though the severity differs. Various social studies have established that intolerance by family and community in such incidents is common. Thus, the same experience also could be found and related by those who leave other religions when converting to Islam. In some situations, the difficulty to deal with the incident by a family or community leads to violence to the person or sectarian conflict between Muslim and non-Muslim communities.

To mitigate this, theologically sound social conduct and norms at a familial and community level when dealing with such apostate incidents need to be socialised deeper among the Muslim community.

The first consideration is the principle of “hate the sin, not the sinner”. This principle continues to be deliberated by many contemporary Muslim scholars. Additionally, Islam recognises that a person’s door towards repentance is not closed as long he is alive. Stories of sinners discovering or rediscovering the truth is not uncommon. This can be achieved best when there is continuous *da’wah* with sustained attitude of compassion and gracious relationships remain present with former Muslims.

We remain compassionate and gracious in our reaction to help and rehabilitate those who had committed other sins and immoral acts such as drug abuse, pregnancy out of wedlock, teen offenders and those who are caught in crime due to poverty. There is no reason it cannot be applied to apostasy.

### GUIDANCE FROM SINGAPORE MUSLIM INSTITUTIONS AND SCHOLARS

There are institutional bodies in Singapore to manage the issues of the Muslim community. One such body is the Singapore Islamic Scholars and Religious Teachers Association (PERGAS). Another is the Office of Mufti (OOM) at the Islamic Religious Council of Singapore (MUIS), which is woven into the fabric of state governance as a government-linked statutory board. These bodies represent the voice of Muslim scholars and Islamic religious authority in Singapore. However, these bodies have yet to issue a statement or publish an *irsyad* (theological guidance) specifically on apostasy and apostates.

### MOVING FORWARD

*Wasatiyah* (justly balanced) must be the guiding principle when addressing the issue of apostasy in Singapore. Two points are critical for consideration in order to achieve *wasatiyah*.

Firstly, we must recognise that apostasy is a complex issue. Multiple factors are involved such as psychology, economy, educational background, family and religious learning. It is far too simplistic and naïve to point the finger to the *asatizah* and other religious institutions for not doing enough *da’wah* in the community or to blame modern institutions and the media for promoting secularism and hedonism among Muslims. It cannot be addressed simply by educating the Muslim public that apostasy is forbidden (*haram*) and a grave sin that must be avoided.

A deep collaboration between Muslim scholars and scholars of other disciplines is necessary for a thorough deliberation on the apostasy issue. A good starting point would include inter-disciplinary insights from experts in qualitative sciences of sociology, psychology, economics, humanities and theology coupled with quantitative surveyed data. By taking in all possible perspectives, we are able to take into account the special consideration to the unique context of Singapore.

Secondly, as a starting point, it is critical to have a consensus among *asatizah* on what is the right theological position towards apostasy and social norms of behaviour towards apostates because the *asatizah* is a key segment responsible for guiding the Muslim community on theological matters.

Issues such as theological sanction vis-à-vis freedom of religion and rule of law, persuasive and preventive measures need to be thoughtfully deliberated. This consensus among *asatizah* can be a good starting point to build towards a broad framework together with religious institutions, civil society and other stakeholders. An ever increasing globalised context makes it pertinent for key stakeholders of Singapore’s Muslim community to build a consensus based on sound theological footing. ■

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