



NO COMPULSION IN RELIGION: AN ISLAMIC CASE AGAINST BLASPHEMY LAWS

A Quilliam Concept Paper

Following the international furore in recent weeks over the amateurish, inflammatory and offensive film, *Innocence of Muslims*, there have been calls around the world to introduce¹ or strengthen rules that would become akin to global blasphemy laws.² Dozens of people have been killed during violent protests in Muslim-majority countries, including US Ambassador Stevens in Libya by a terrorist attack under cover of anti-film protests, and a Pakistani minister has placed a \$100,000 bounty on the head of the film-director.

Quilliam condemns attempts to provoke religious or anti-religious hatred, bigotry, and violence in response to provocation and mindless violence and rioting upon the pretext of taking offence. Quilliam also opposes the idea of strengthening blasphemy laws and supports the weakening of blasphemy laws around the world, based on the following considerations:

1. Blasphemy is difficult to define in a global context: one person's blasphemy may be another's freedom of belief
2. Blasphemy laws are notoriously open to abuse, and are used by repressive governments to enforce discrimination against religious minorities
3. From an Islamic perspective, the prohibition of compulsion in religious matters is a fundamental Qur'anic principle: true faith is based on free will and free choice
4. Religious faith and practice under coercion is clearly not genuine, and therefore counter-productive
5. There is no explicit sanction in the Qur'an and Sunnah (teachings of the Prophet Muhammad) for the criminalisation and punishment of blasphemy: in fact, the opposite is the case; the few scriptural texts that are misquoted in this regard all refer to wartime situations, and the harsh, mediaeval Islamic jurisprudence on blasphemy was developed centuries after the Prophet himself

¹ e.g. Anglican Bishops in the Middle East have written to Mr. Ban Ki-Moon, Secretary General of the United Nations, asking for a declaration that outlaws "intentional and deliberate insulting or defamation of persons (such as prophets), symbols, texts and constructs of belief deemed holy by people of faith." (Anglican Communion News Service, *Anglican leaders condemn anti-Islam film and violence*, 19th September 2012, <http://www.anglicancommunion.org/acns/news.cfm/2012/9/19/ACNS5185>)

² Cf. Statement by The Permanent Representatives of the OIC Member States to the United Nations, *OIC Group in New York Condemns the Release of the Anti Muslim Video, and Calls for Collective Action against Provocations and Systematic Incitement to Hatred*, 22nd September 2012, http://www.oic-oci.org/topic_detail.asp?t_id=7189)

6. The Islamic scriptures promote faith and respect for sacred symbols; any penalties for violations of these are spiritual and other-worldly, and not the business of worldly legislation and punishment
7. The Qur'anic spirit is to freely discuss and debate matters of faith and religion to enable people as free, moral agents to make informed choices about such matters
8. Debate and discussion should ideally be polite, respectful and civilised: when it is not, the Muhammadan character is to respond to insults, uncivilised behaviour and violence with patience, forbearance, forgiveness and compassion

The above considerations are now discussed in more detail:

1. Blasphemy is difficult to define in a global context: one person's blasphemy may be another's freedom of belief

Due to the nature of religious belief, one person's faith often implies that another's is wrong and perhaps even offensive, constituting blasphemy. For example, the major world religions often have very different formulations and beliefs concerning God, Muhammad, Jesus, Buddha and the Hindu deities, as well as about various ethical and social matters. There are intellectual and religious approaches to reconciling the major world religions, such as via mystical traditions and perennialist philosophies, but these tend to be marginalised from public discourse.

Critics of a particular religion or of religion in general, as well as converts from one religion to another, may thus be easily accused of blasphemy and discriminated against on that basis, perhaps even being subject to criminal codes.³

Ironically, Muslims are often the worst offenders when it comes to blaspheming against other religions, yet the most vociferous in taking offence when their sacred symbols are insulted. For example, offensive tirades against Jews are commonplace in Egyptian society and media, whilst incitement of hatred against Christians has directly led to violent, mob attacks in Egypt⁴, Pakistan and Indonesia.⁵

Another example of this is the Qur'anic story about an Israelite community tested with regard to Sabbath law: the tolerant Islamic tradition has always read this introspectively, drawing lessons for Jews, Christians and Muslims. However, Muslim fundamentalist hate-preachers regularly misquote this story to justify referring to Jews (and occasionally, Christians) as "apes and pigs."⁶

³ For examples, see Compass Direct, *'Blasphemy' Laws in Egypt, Sudan Threaten Converts*, May 2011, http://www.compassdirect.org/english/country/egypt/article_112328.html

⁴ Ibid.

⁵ Human Rights First, *Blasphemy Laws Exposed: The Consequences of Criminalizing "Defamation of Religions"*, Updated March 2012, http://www.humanrightsfirst.org/wp-content/uploads/Blasphemy_Cases.pdf

⁶ See Usama Hasan, *When Words Are Immutable*, *The Guardian's Comment Is Free*, 2010, <http://www.guardian.co.uk/commentisfree/belief/2010/feb/26/quran-translation-tafsir> for more details

It should be noted that inconsistent behaviour like this is condemned in the Qur'an:

Woe to those that deal with double standards: those who, when they are owed by others, exact full measure but when they have to reciprocate, give less than due. Do they not think that they will be called to account? On a Mighty Day, a Day when all humanity will stand before the Lord of the Worlds! (83:1-6)

2. Blasphemy laws are notoriously open to abuse, and are used by repressive governments to enforce discrimination against religious minorities

There are numerous documented cases of these. A recent report by a human rights NGO details examples of how blasphemy laws:

- (i) stifle discussion and dissent in the public sphere,
- (ii) spark outbreaks of mob violence,
- (iii) violate freedom of religion, thought, or belief and
- (iv) are used as a weapon to settle private disputes.⁷

The vast majority of the dozens of cases documented in the above report involve allegations of blasphemy against Islam in Muslim-majority countries, although there are a handful of exceptions to this dominant pattern.

3. From an Islamic perspective, the prohibition of compulsion in religious matters is a fundamental Qur'anic principle: true faith is based on free will and free choice

The Qur'anic verse, "*Let there be no compulsion in religion*" (2:256) is proverbial and regarded as expressing a fundamental Islamic value, especially as it occurs immediately after the "Verse of the Throne" (2:255) that is devoted to the majesty of God and was described by the Prophet Muhammad as "the greatest verse in the Qur'an."

Significantly, Ibn 'Abbas, a cousin and disciple (Companion) of the Prophet Muhammad and one of the foremost authorities in Qur'anic commentary, explained that this verse (2:256) was revealed regarding examples where the Companions had children who had converted to Judaism and Christianity; the Companions were forbidden, on the basis of this verse, from forcing their children to convert to Islam.⁸

Another crucial and clear Qur'anic verse in this regard is the following, addressed to the Prophet Muhammad, "*If your Lord wished, everyone on earth would have faith: all of them, together. Will you then force people to become believers?*" (10:99). A leading commentator explains this verse with reference to many others affirming that matters of faith are between individuals and God: no other person can intervene.⁹

⁷ Human Rights First, *Blasphemy Laws Exposed: The Consequences of Criminalizing "Defamation of Religions"*, Updated March 2012, http://www.humanrightsfirst.org/wp-content/uploads/Blasphemy_Cases.pdf

⁸ See the commentaries on Qur'an 2:256 by Tabari, Qurtubi and Ibn Kathir, also available online at <http://quran.al-islam.com>

⁹ Ibn Kathir's commentary on the Qur'an, 10:99

4. Religious faith and practice under coercion is clearly not genuine – this has been noted by Islamic theologians and jurists over the centuries since the early days of Islam

This obvious consideration follows logically from the previous one. Ghazzali, one of the most famous theologians of Islam, emphatically asserted that faith and non-faith involve active belief or unbelief, rather than a passive state or coercion.¹⁰

Therefore, it is never in the public interest to attempt to force belief and faith on other people and restrict their right to question, criticise and explore. Incitement to hatred and violence is a different matter, of course, but that is not limited to religious settings and can be covered by general, civil laws.

5. There is no explicit sanction in the Qur'an and Sunnah (teachings of the Prophet Muhammad) for the criminalisation and punishment of blasphemy: in fact, the opposite is the case; the few scriptural texts that are misquoted in this regard all refer to wartime situations, and the harsh, mediaeval Islamic jurisprudence on blasphemy was developed centuries after the Prophet himself

As noted earlier, the Qur'an affirms freedom of faith and religion¹¹, with some verses revealed specifically to safeguard this principle for Jews and Christians, even though some of the latter's beliefs would constitute blasphemy (*kufur* or unbelief) from a Muslim viewpoint: e.g. rejection of the Prophethood of Muhammad, rejection of the Christhood of Jesus and deification of Christ.

Some of the verses in this regard are as follows:

- (i) *Those who believe, and those who follow the Jewish scriptures, and the Christians and the Sabians,- any who believe in God and the Last Day, and work righteousness, shall have their reward with their Lord; on them shall be no fear, nor shall they grieve. (2:62 & similarly 5:69)*

This verse has a clear universal message that favours inclusivist interpretations (where salvation is open through a variety of sincere religious endeavours) over exclusivist ones (where the criteria for salvation are understood to be fulfilled only by faithful Muslims).

- (ii) *Those who believe, those who follow the Jewish scriptures, and the Sabians, Christians, Magians, and Polytheists,- God will judge between them on the Day of Judgment: for God is witness of all things. (22:17)*

This verse does not guarantee salvation to all the religious groups mentioned, but reiterates that Divine Judgment amongst them will be manifested in the afterlife. It suggests an obvious, reasonable, practical and pragmatic Islamic approach to peaceful coexistence amongst different religious groups: each religious community is entitled to follow its own path without harming others, perhaps believing and arguing that it is better than others, and God will judge between them all in the Hereafter.

¹⁰ See Hamza Yusuf, *Who are the Disbelievers?*, Seasons Journal, Zaytuna Institute, USA, Spring 2008, pp. 30-50

¹¹ The only exception to this, according to many authorities, is the case of the Arabian *mushrikun* (idolaters or polytheists) because they continuously persecuted the Muslims and waged war on them with a view to eliminating them entirely.

The often-misquoted verse, “*Kill them wherever you find them*” (2:191, 4:89 & 4:91) refers to pagan enemies and treacherous Muslims in wartime. It does not refer to Jews, despite the repeated claims of writers such as Melanie Phillips. This is clear from preceding verses such as “*Fight, in the way of God, those who fight you but do not transgress: God does not love transgressors.*” (2:190)

It is true that, according to Islamic tradition, one or two pagan poets were killed for mocking the Prophet, but these were in the context of war: in the 7th-century Arabian culture dominated by an oral tradition, poetry was used for propaganda and psychological warfare, and was indeed employed effectively by the Muhammad himself, with Hassan bin Thabit and Abdullah bin Rawaha amongst his most skilful composers of verse: “Your verses hurt them far more than our arrows,” as the Prophet observed to Hassan.

6. The Islamic scriptures promote faith and respect for sacred symbols; but any penalties for violations of these are described as spiritual, other-worldly and reserved for the life after death: they are not the business of worldly legislation and punishment

This is true even for mocking God, the Prophet Muhammad and the Qur’an that entails blasphemy against Islam. For example:

- (i) *Say, “Mock! But God will bring to light all that you fear.” If you question them, they declare, “We were only joking and playing.” Say, “Was it God, His Signs and His Messenger that you were mocking?” Make no excuses: you have rejected Faith after you had accepted it. If We pardon some of you, We will punish others amongst you, for that they are in sin. (9:64-66)*

For mocking faith, this verse mentions both divine forgiveness and punishment: the latter is understood to occur in the hereafter, as leading Qur’an-commentaries state.

- (ii) *God and His angels send blessings on the Prophet: O believers! Send blessings on him, and salute him with all respect. Those who annoy God and His Messenger - God has cursed them in this World and in the Hereafter, and has prepared for them a humiliating Punishment. And those who annoy believing men and women undeservedly, bear on themselves a calumny and a glaring sin. (33:56-58)*

These verses have always inspired the dignified Muslim response in the face of provocation: to worship God and revere the Prophet, but to leave offensive behaviour against God, Muhammad and the believers to God to deal with in the Hereafter. The only exception to this is criminal violation of the life, property and honour of living people, for which laws are required to facilitate just redress.

7. The Qur’anic spirit is to freely discuss and debate matters of faith and religion to enable people as free, moral agents to make informed choices about such matters

Important but lesser-known Qur’anic verses in this regard are:

- (i) *Announce the Good News to My Servants! Those who listen to the Word and follow the best meanings in it: those are the ones whom God has guided, and those are the ones endued with understanding. (39:17-18)*

The classical commentator Zamakhshari confirms that this verse may be interpreted as follows: people are entitled to different interpretations of scripture (and therefore, of Islam and religion in general), and to follow whatever makes most sense to them.¹² This Qur'anic principle provides a further Islamic basis for peaceful coexistence amongst different religious communities and sects.

- (ii) *Say, "Who gives you sustenance, from the heavens and the earth?" Say, "It is God. Truly, either we or you are on right guidance or in manifest error!" (34:24)*

This verse, as is clear from its Meccan context, is part of a debate between Islam and the pagan idolatry and polytheism prevalent in Arabia during Muhammad's lifetime. The Qur'an reiterated on numerous occasions that Islamic monotheism was far superior to the primitive, Arabian idolatry. However, in this verse, for the sake of argument, the Prophet was instructed to adopt a neutral stance: let's present our arguments – either of us may be right or wrong. This Qur'anic principle was one of the inspirations for the rich Islamic tradition of free thought, debate and discussion.

In Islamic history, some of the caliphs actively encouraged high-level, interfaith, theological debates about core issues of belief. Some of these debates were held in the courts of the caliph himself with leading Rabbis, Bishops and Islamic theologians. Furthermore, leading Muslim thinkers, philosophers and poets openly expressed "heretical" views without facing prosecution. For example, the greatest Muslim scientists and philosophers such as Al-Kindi, Al-Razi, Al-Farabi, Ibn Sina (Avicenna) and Ibn Rushd (Averroes) were denounced as heretics and accused of blasphemy by "orthodox" Sunni Muslim theologians such as Ghazzali and Ibn Taymiyyah. In fact, the leading "orthodox" figures were often denounced as heretics and accused of blasphemy in their own lifetimes by others, and even subjected to imprisonment, flogging and mob violence: this is true, for example, of some of Sunni Islam's greatest figures such as Abu Hanifa, Ahmad bin Hanbal, Ashari, Bukhari, Ghazzali, Qadi Abu Bakr, Ibn Arabi, Ibn Taymiyyah, Subki and Ibn al-Qayyim.

The state-sponsored rationalist (Mu'tazilite) *mihna* or inquisition (827-847) instituted by the Abbasid Caliph al-Mamun against traditionalist beliefs and teachings such as those of Ahmad bin Hanbal was eventually abandoned by later caliphs after two decades. Mainstream Islam generally learnt from this experience about the folly of attempting to enforce religious beliefs upon others, given the wide diversity of traditional and rational, intellectual interpretations of Islamic scripture that had blossomed within two centuries of the Prophet Muhammad.

Other examples of free thought, including satirising contemporary religious practice, are provided by Muslim poets. For example, a leading poet during Abbasid times was Abul Atahiya (748-828), who famously commented, less than two centuries after the Prophet, that:

*There are only two types of people amongst mankind:
Those of mindless faith, and those of faithless mind.*

Atahiya was accused of heresy but never prosecuted for this: he was only imprisoned for upsetting a caliph by writing love poems about one of the caliph's concubines.

¹² Zamakhshari's commentary on the Qur'an 39:17-18, *Al-Kashshaf*, Dar al-Kutub al-'Arabi, n.d.

Another example is the 12th-century poet Omar Khayyam, whose *Rubaiyat* has been known and loved throughout the English-speaking world ever since the 19th-century publication of its translation by the Victorian poet Edward Fitzgerald. In the *Rubaiyat*, Khayyam famously pours scorn on following religious paths or worrying about mysteries such as heaven and hell, life after death and fate, and sings the praises of drowning one's confusion by regularly getting drunk on wine.

Although devout Muslims still abhor some of the sentiments expressed by Atahiya and Khayyam, it is a fact of Islamic history that they were commonly expressed by poets during their times, i.e. 900-1200 years ago.

- 8. Debate and discussion should ideally be polite, respectful and civilised. When it is not, the Muhammadan character is to respond to insults, uncivilised behaviour, provocation and violence with patience, forbearance, forgiveness and compassion. Those who claim to be following Islam and the Prophet Muhammad should be showing such characteristics rather than being provoked into mindless acts of violence and bloodshed, or into attempts to close down freedom of thought and expression.**

The following Qur'anic verses are just some of those that extol the virtues of forbearance and forgiveness in response to provocation and insult:

Hold to the path of forgiveness; enjoin goodness; turn away from the ignorant. (7:199)

The servants of the All-Merciful are those who ... when addressed by ignorant people, they reply, "Peace!" (25:63)

We know indeed the grief which their words do cause you (O Muhammad). It is not you they reject: it is the signs of God that the unjust deny. Rejected were the messengers before you: with patience and constancy they bore their people's rejection and wrongdoings, until Our victorious help did reach them. There is none that can alter the words and decrees of God. Already, there have come to you some stories of those messengers. (6:33-34)

We do indeed know how your heart is distressed at what they say. But celebrate the praises of your Lord, and be of those who prostrate themselves in adoration. And serve your Lord until there comes to you the Hour that is Certain. (15:97-99)

The following incidents from the life of the Prophet, taken from canonical Islamic tradition, illustrate how Muhammad practically manifested the sublime teachings of the Qur'an.

The Prophet's enemies in Mecca referred to him as Mudhammam (the oft-cursed), an inversion of Muhammad (the oft-praised). The Prophet simply stated, "Their words do not apply to me, for they are using a false name, whereas I am Muhammad."¹³

When the Prophet went to the mountainous town of Taif to preach his message, its people rejected him and incited their youth to throw stones at him, leaving his feet bleeding. The Archangel Gabriel came to him and offered to crush the people of Taif between the

¹³ In *The Satanic Verses* (1988), Salman Rushdie used a mediaeval, anti-Islamic Christian corruption of the Prophet's name for the main figure in his novel: Mahound. In almost a quarter of a century since then, no Muslim authority has publicly invoked the Prophetic answer that may be paraphrased as, "Don't worry, since that is not my name anyway!"

mountains, having the power to do so. Muhammad replied, "Don't do that: I hope that one day, their descendants will worship the One God." Within a decade or two, the entire population of Taif converted to Islam.

The Prophet was asked repeatedly to curse his enemies who had persecuted, tortured and killed Muslims and were trying to obliterate them. He replied, "I was sent as a mercy to people, not as one who curses them."

A group of people came to the Prophet's house and greeted him with *as-samu alaykum* (death be upon you) rather than *as-salamu alaykum* (peace be upon you). Aisha was provoked by this and replied, "May the curse of God be upon you!" Muhammad reprimanded her saying, "God is gentle, and loves gentleness."

The Prophet owed a Bedouin some money. The latter came to angrily ask for repayment and pulled the Prophet's cloak violently in such a way that his neck was bruised. When his disciples demanded retaliation, he replied, "Leave him alone, for a creditor may be entitled to be annoyed."

The Prophet once distributed some spoils of war amongst the Muslims. One of them accused him of not being just, and of showing favouritism. Although the Prophet rebuked him verbally, he took no further action against him, despite the fact that accusing the Prophet of injustice is tantamount to blasphemy.

The Prophet taught, "The strong person is not the one who throws his opponent during a wrestling match: the strong person is one who controls himself when angry."

A man came to the Prophet and repeatedly requested him, "Please advise me." The Prophet replied every time, "Do not become angry." Muslim scholars have explained that this advice includes avoiding any situation that is likely to make a person unnecessarily angry. This certainly applies to viewing offensive films, cartoons or books about the Prophet or other sacred symbols.

Conclusion

Islam historically had a strong tradition of tolerance and freedom of thought and debate, even regarding fundamental aspects of faith. Discussions of faith, and even religious belief itself, necessarily entail statements that may be offensive to others and interpreted as blasphemy. The Islamic response to provocation is based on spirituality, dignity and forgiveness. This tradition of openness and generosity desperately needs to be revived in Muslim-majority countries and societies today, especially given the appalling amount of violence generated by religious intolerance and bigotry.

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