



Religious Freedom and National Identity



The social and political dimensions of the issue of personal choice in religious affiliation in a predominantly Muslim country came into sharp focus in a series of Egyptian court decisions this past month. The cases involved the question of a person's right to convert from Islam to another religion. The court decisions illustrate the struggle by the government and the courts to find a compromise between Islamic jurisprudence on apostasy and the realities of the modern world. In a recent article, writer *Adel Latifi* uses the rulings to outline the problem in predominantly Muslim countries of implementing administrative laws that concern the rights of non-Muslim minorities. More interestingly, however, [PI Online](#) examines the larger philosophical question posed by *Latifi* who notes that the lack of a credible political system in Muslim countries has resulted in religious dogma remaining the focal point for resolving social issues and calls on the government to govern its citizens without regard to their religious affiliation.

The Religious Issue

Traditional scholars hold that those who renounce Islam are apostates who must be punished by death. In the past, Islam viewed apostasy as a form of "treason" and many Muslim scholars of our time, like *Al-Qaradawi*, still hold that apostasy must be fought at any price. Those of that view typically cite to a verse in the Quran [9:11/12],¹ but most Muslims considered the passage too vague to be interpreted credibly in that fashion. Rather, it is in the sayings [*Hadith*] of the Prophet and the conduct of his companions and earlier Caliphates that apostasy was politicized and its punishment enforced to discourage dissent. As demonstrated by several quotes in *Al-Bukhari's* compilation, the *Hadith* and the *Sirah* provide solid support for the notion of apostasy as a high crime punishable by death.²

On the other hand, liberal Muslim scholars, particularly those in sub-Indian continent and in the West, insist that several Quranic verses imply that people are free to chose their religion, but they rely primarily on verse 2:256 which begins with the words "*there is no compulsion in religion . . .*"³ They also differentiate between two kinds of apostasy: the religious freedom to convert, which they consider every

¹ Verse 9:11/12 states: If they do repent pray and practice charity as they are your brothers in faith...but if they violate their oaths after their covenant and defame your religion, fight the heads of the unbelievers. They have no binding oaths, in order that they may desist.

² *Bukhari* vol. 9, #17 Narrated by 'Abdallah: God's messenger said that the blood of a Muslim can only be shed in three cases: if he took another person's life (a life for a life), if a married person commits adultery or **if he deserts his religion (Islam)**. Several other quotes in *Al-Bukhari* were attributed to the Prophet and earlier companions: *Ali, Abu-Musa, Abu-Bakr* [vol.9, #57 & 58 – vol. 4, #656 – In the *Hadith* collection: book 001, #0029 – book 016, #4152]

³ Verse 2:256 states: "There is no compulsion in religion as truth stands out clear from error. Whoever rejects evil and believes in Allah would have grasped the most trustworthy hand which does not break. And Allah hears and knows everything."

person's right, and the more serious accusation of treason, which takes place when a Muslim converts and engages in a rebellion or act of war against Muslims, an action which must be punishable by death.

The Egyptian Cases

The Egyptian Supreme Administrative Court ruled this month that Christians who convert to Islam and wanted to revert back to Christianity are allowed to do so. In Egypt, identity cards specify the person's religion and the issue of whether the religious designation on the card can be changed from Muslim to Christian fell within the court's jurisdiction. It was argued that the individuals who had converted from Christianity to Islam had done so primarily for personal gain (*e.g.* to divorce their wife, which is difficult for Coptic Christians to do, to marry another woman, etc.). They were therefore presumed to have converted to Islam for reasons other than religious conviction. The court held that, given these circumstances, their identity cards could be changed, but stipulated that they must carry the notation: "Previously Muslim." The stipulation was criticized by many because it could subject the individuals to discrimination or death by radicals who would consider them apostates. In addition, the court refused to hold that those who were born Muslims had the freedom to convert even though being born into a religion is no more indicative of religious conviction than conversion for personal gain.

Latifi's Argument

Latifi raises several points. He initially questions the extent to which legal and administrative proceedings should govern personal ideological beliefs in an Islamic society. He intimates that religious faith, which is personal in nature, becomes hostage to legal interpretations that are largely politically driven. The author acknowledges that there is a social context to religion and asks how countries with multi-denominational populations like Egypt, Iraq, Iran and Lebanon can respond to that challenge. He observes that, until now, the Muslim world has seen only two types of response. In the case of Iraq and Lebanon, the result was sectarian conflict, while in Egypt and Iran, minorities were marginalized. These results, he correctly asserts, were due to weak political systems that could not establish, or convince the population to adopt, a concept of "citizenship" with religiously neutral dimensions.

Latifi then suggests that, in the absence of national identity, the basis for laws and governance becomes tribal, sectarian and religious. He touches on the main problems that plague Muslim societies, pointing to the fact that higher cultural development remains narrowly concentrated in the elite segment of the population, eluding the masses. The failure of the educational system and lack of advancement, he argues, have prevented the establishment of a national identity. That political and cultural failure is what has contributed to the increasing power of religious institutions and the views they espouse.

Latifi contends, however, that this trend is temporary; that openness and pragmatism will take over. The premise for this conclusion is his belief that modernization, globalization and the ease of communication are slowly imposing an acceptance of religious diversity. Relative truth is replacing absolute truth, which allows different belief systems to exist in the same geographic space. Religious diversity, *Latifi* contends, is also playing a role in diminishing the austerity of some religious institutions and the severity of their teachings in favor of a more humanistic tone. The reaction of some other religious institutions has been to panic and become more rigid with their followers. In his view, as emerging religious tolerance/diversity pulls in one direction and the overreaction of the traditional clerics pulls in the other direction, the result is a pragmatic breach. That breach is particularly pronounced between the youth who are open to Christian-Muslim interaction and the political and religious establishment who are slow to keep pace with the social transformation.

Standing firmly on one side of that breach, *Latifi* argues that the presence of “religious affiliation” on a governmental document like the identification card is a sign of a backward society. He points to clause 45 of the Egypt’s constitution, which calls for the freedom of belief and worship, and argues forcefully that the only real solution is for the government to stop regulating on the basis of religion and govern its citizens equally, without regard to religious affiliation.

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