

## Table of Contents

- [\*\*\*Apostasy no longer punishable by death?\*\*\*](#)
  - [\*\*\*Morocco religious authorities rule leaving Islam is no longer punishable by death\*\*\*](#)
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## **Apostasy no longer punishable by death?**

### ***Researchers found out it is not a fatwa but only the opinion of several ulemas***

HRWF (20.02.2017) - We recently reported some information published by *Christian Today* (but also by *La Croix* and other Catholic media) according to which the High Religious Committee of Morocco had retracted a previous ruling making apostasy from Islam punishable by death and had said that Muslims may now change their religion.

This information is however questioned by the website <http://www.yabiladi.com>. The Superior Council of the Ulemas in Morocco has not changed its position on apostasy, according to the website yabiladi.com (<http://bit.ly/2morbxZ>).

The original source of this news had been *Morocco World News* which published an article on 6<sup>th</sup> February entitled "Morocco's High Religious Committee Says Apostates Should Not Be Killed" (<http://bit.ly/2lyRHOf>) in which a document titled "The Way of the Scholars" had been distributed on the occasion of a recent ordinary session of the Council (See below). Upstream, another source was identified by *Alyaoum 24* as being the website of *Islam Maghribi* which covers news on Islam in Morocco. *Islam Maghribi* said on 4<sup>th</sup> February that the Superior Council of the Ulemas had allegedly changed its position on apostasy but it was to be taken "for what it is worth". Indeed, it argued that "The Way of the Scholars" was only the opinion of a number of ulemas, was not a fatwa and was distributed in the margins of the ordinary session. *Islam Maghribi* also quotes **Mohamed Yssef**, secretary general of the Council, who would have clarified that it is not an official document of the Council but the expression of opinions and several scenarios raised during the work of the members of the Council. » See hereafter the wrong news that was referred to by the international media.

### ***Wrong News: Morocco's High Religious Committee Says Apostates Should Not Be Killed***

Casablanca(06.02.2017) - <http://bit.ly/2jXJU82> - ***Morocco's High Religious Committee has retracted its Islamic ruling stating that apostasy is punishable by death and has decided to permit Muslims to change their religion.***

The High Religious Committee in charge of issuing Fatwas (Islamic rulings) released a book in 2012 where it articulated its position on apostasy and argued that a Muslim who changes his or her religion should be punished with death, drawing on a widespread jurisprudence tradition.

Recently, however, the same entity issued a document titled "The Way of the Scholars," in which it backtracked on its position of killing apostates. Instead, it redefined apostasy not as a religious issue but as a political stand more closely aligned with "high treason."

The view that the apostate should not be killed in Islam is not a new one and can be found in the teachings of Sufyan al-Thawri in the first century AH. The scholar reviewed historical situations where the prophet Mohammed acted on the ruling, as opposed to the

times he did not order the killing of the apostates. He concluded that killings occurred for political purposes and were not decisions based on religion. The apostates could, theoretically, disclose the secrets of the then fragile Islamic nation.

The reasons behind Morocco's High Religious Committee's change in position are not different from those advocated by Sufyan al-Thawri. Their newly released statement says:

"The most accurate understanding, and the most consistent with the Islamic legislation and the practical way of the Prophet, peace be upon him, is that the killing of the apostate is meant for the traitor of the group, the one disclosing secrets, [...] the equivalent of treason in international law."

The High Religious Committee presented the Prophet's statement that "whoever changes his religion, kill him" in the light of his explanation "the one who leaves his religion and abandons his people." The statement further explains that, at the time of continuous wars against the Islamic revolution in Arabia, apostates represented the threat of disclosing the secrets of new Ummah to its many enemies.

The document went on to explain that during the Treaty of Hudaibiyyah, Prophet Mohammed himself observed the provisions stating that whomever became a Muslim and renounced it must be allowed to return to Quraich, the Muslim nations' most powerful enemy at the time. When a Bedouin decided to leave Islam after the Treaty, therefore, the prophet simply let him go.

Using Islam's primary source of legislation, the High Religious Committee stated that the Quran talks in many instances about apostasy and its punishment in the hereafter, without mentioning any punishment in this life as in Chapter 2 verse 217 that says: "And whoever of you reverts from his religion [to disbelief] and dies while he is a disbeliever – for those, their deeds have become worthless in this world and the Hereafter, and those are the companions of the Fire, they will abide therein eternally."

The document also explained that the famous Wars of Apostasy launched by Abu Bakr as-Siddiq, the Muslims world's first Caliph, were in line with his effort to keep the newly established state together and fight all sorts of internal divisions. This was a decision based on political reasoning rather than by religious motivations.

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## **Morocco religious authorities rule leaving Islam is no longer punishable by death**

By Joseph Hartropp

Christian Today (06.02.2017) - <http://bit.ly/2kFjNr6> - The High Religious Committee of Morocco has retracted a previous ruling that apostasy from Islam is punishable by death and says that Muslims may now change their religion.

Previously the committee, which holds the responsibility of issuing Fatwas (Islamic rulings), had stated that defection from Islam merited the death penalty. Now however, the committee has retracted its position, Morocco World News reports.

In a document titled *The Way of the Scholars* the committee defines apostasy not as a religious issue but a political one.

"The most accurate understanding, and the most consistent with the Islamic legislation and the practical way of the Prophet, peace be upon him, is that the killing of the

apostate is meant for the traitor of the group, the one disclosing secrets, [...] the equivalent of treason in international law," it says.

Apostasy is described as something that in the earliest period of Islam was punishable for its political consequences – those who fled Islam might disclose the secrets of the nation to its enemies. The context of apostasy and its punishment, the committee suggests, was predominantly pragmatic and political. Such tensions are no longer relevant to most cases of apostasy, it says.

The committee noted too that in various instances the Quran speaks of apostasy being punished in the life to come, but not in this present life. For example, it says (2:217): "And whoever of you reverts from his religion [to disbelief] and dies while he is a disbeliever – for those, their deeds have become worthless in this world and the Hereafter, and those are the companions of the Fire, they will abide therein eternally."

The document also said that the prophet Mohammad, during the Treaty of Hudaibiyyah, followed the tradition that anyone who renounced Islam must be allowed to return to Quraich, Islam's greatest enemy at the time.

Christians represent a small minority in Muslim-majority Morocco. Moroccan Christians have previously spoken up for their faith and challenged the harsh anti-apostasy laws, despite the threat of persecution.

Late last year the US State Department released its annual report on religious freedom, which included serious concerns about harsh and dangerous laws against blasphemy and apostasy in certain parts of the world, which are used to target vulnerable religious minorities.

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