Introduction

Since the very beginning of its long and chequered history, Islam has encountered various religious communities both in the area in which it emerged, and in the vast territories which it conquered during the period of its phenomenal expansion. The most distinctive characteristic of these encounters was the fact that Muslims faced the other religions from the position of a ruling power, and enjoyed in relation to them a position of unmistakable superiority. They were therefore able to determine the nature of their relationship with the others in conformity with their world-view and in accordance with their beliefs. Barring the earliest years of nascent Islam in Mecca, the first two or three years in Medina, the period of the Crusades in certain regions and a few other minor exceptions, this characterization holds true for the pre-modern period of Islamic history in its entirety. Islam formulated toward each community that it faced a particular attitude, which was shaped by the historical circumstances in which the encounter took place, and was influenced to a certain extent by the nature of the respective non-Muslim religious tradition.

These attitudes were intimately related to the matter of religious tolerance or intolerance and interfaith relations between Muslims and others. This was a prominent theme in the Muslim tradition since the early period of Islam. It was extensively discussed in Qurʾānic exegesis, in the various collections of *ḥadīth* and in the literature of jurisprudence throughout the medieval period. A survey and analysis of a portion of these sources will form the mainstay of the present work.

The Qurʾān does not have a specific term to express the idea of tolerance, but several verses explicitly state that religious coercion (*ikrāh*) is either unfeasible or forbidden; other verses may be interpreted as expressing the same notion.[1] Modern Muslim writers find the idea of tolerance mentioned in the prophetic tradition as well. A favourite proof-text adduced in support of the idea of religious tolerance is the *ḥadīth* which reads: "Let (the) Jews know that in our religion there is latitude; I was sent with (the) kindly *ḥanīfiyya*" (*li-taʿlama yahūd anna fī dīninā fusḥatan innī ursiltu bi-ḥanīfiyya samḥa*).[2] Another *ḥadīth* says in a similar vein: "The religion most beloved to Allah is the kindly *ḥanīfiyya*" (*aḥabbu al-dīn ilā Allāh*

[1] See Chapter Three, sections II–VI.
[2] Ibn Ḥanbal, *Musnad*, vol. 6, pp. 116 infra, 233.

al-ḥanīfiyya al-samḥa).[3] Because of the linguistic affinity of *samḥa* with *tasāmuḥ* or *samāḥa*, the modern Arabic terms for tolerance, these *aḥādīth* are sometimes understood as supportive of the idea of Islamic tolerance toward other religions.[4] In their original context, however, the traditions in question carry a substantially different meaning. In Bukhārī's *Ṣaḥīḥ*, the latter tradition is included in a section entitled "The religion (of Islam) is lenient" *(al-dīnu yusrun)* and is pertinent to the Qurʾānic idea according to which Islam is a religion which is considerate to its believers and does not impose on them excessively arduous duties.[5] Several details in Muslim ritual are perceived as examples of such leniency. Muslims are allowed to postpone the obligatory fast of Ramaḍān to the following month of Shawwāl in case of sickness or travel. They may shorten their prayers when they are in danger of attack and may use sand for ritual purification when water is not available.[6] This was also the commentators' understanding of *ḥanīfiyya samḥa*: Islam is a "lenient religion which does not impose hardship or constraints on the people" (*wa al-milla al-samḥa allatī lā ḥaraja fīhā wa lā taḍyīqa fīhā ʿalā al-nās*).[7] Thus, this *ḥadīth* speaks of the lenient nature of Islam for its own adherents rather than about its relationship with members of other faiths.

With the beginning of modern European scholarship on Islam, the subject received a fresh impetus. Responding to criticism directed at the alleged intolerance of Islam as reflected in the idea of *jihād*, both Muslim and non-Muslim thinkers and scholars wrote a substantial number of rebuttals, marshalling arguments in support of the tolerant nature of Islam and of its civilization.[8] Many asserted that

[3] Bukhārī, *Ṣaḥīḥ, Kitāb al-īmān* 29 (ed. Krehl, vol. 1, p. 17). For further references to these two traditions, see S. Bashear, "Ḥanīfiyya and the *ḥajj*", in his *Studies in the early Islamic tradition*, Collected Studies in Arabic and Islam II, The Max Schloessinger Memorial Series, Jerusalem, 2003, XIV, p. 2, note 6.

[4] See, e.g., Shawqī Abū Khalīl, *al-Tasāmuḥ fī al-islām*, Beirut: Dār al-fikr al-muʿāṣir, 1993, pp. 41–42.

[5] In contradistinction to the leniency of Islam, some Muslim traditions perceive the Jewish religion as being excessively harsh. Al-Qasṭallānī (*Irshād al-sārī*, vol. 1, p. 123, ll. 11–10 from bottom) explains *al-ḥanīfiyya al-samḥa* as "the *ḥanīfiyya* which is opposed to the religions of Banū Isrāʾīl and the arduous duties (*shadāʾid*) which their religious leaders imposed upon themselves." For an analysis of traditional Muslim views on this matter, see M. J. Kister, "On 'concessions' and conduct: a study in early *ḥadīth*", in G. H. A. Juynboll, ed., *Studies on the first century of Islamic society*, Carbondale and Edwardsville 1982, pp. 89–107, at p. 91 (= *Society and religion from Jāhiliyya to Islam* (Variorum Collected Studies reprints, Aldershot 1990, XIII, pp. 6–7)).

[6] See Qurʾān 4:42, 100–101, 5:7, 22:78,

[7] See Aynī, *ʿUmdat al-qāriʾ*, vol. 1, p. 235, l. 4 from bottom; cf. ʿAsqalānī, *Fatḥ al-bārī*, vol. 1, p. 101 infra. See also Azharī, *Tahdhīb al-lugha*, Cairo: al-Dār al-miṣriyya li-'l-taʾlīf wa al-tarjama, 1966, vol. 4, p. 346 (*al-ḥanīfiyya al-samḥa: laysa fīhā ḍīqun wa lā shidda*). Cf. Ibn Taymiyya, *Majmūʿ fatāwā*, vol. 20, p. 114.

[8] Such books are a legion. One of the first works belonging to this genre is Cherágh Ali, *A critical exposition of the popular "jihád," showing that all the wars of Mohammad were defensive; and that aggressive war, or compulsory conversion, is not allowed in the Koran*. The book was first published in Calcutta in 1883 and has seen numerous editions since. Among the non-Muslim scholars, one should mention T. W. Arnold, whose *The preaching of Islam* was first published 1896. More important in this group is I. Goldziher whose works abound in critical empathy with Islam. See J. Waardenburg, *L'Islam dans le miroir de l'Occident*, Paris and The Hague: Mouton, 1963, pp. 267–270. For an example of Goldziher's defense of Islam, see his *Introduction to Islamic theology and law*, Princeton: Princeton University Press, 1981, pp. 16–19, where he strongly rejects another scholar's view that "Islam lacks the critical concept we call 'conscience'". For his exposition of

Islam was misrepresented in Western scholarship and public opinion as an intolerant religion and aggressive civilization. As a result of this argument and in view of the generally heightened interest in the significance of religious diversity in the twentieth century, the tolerance theme acquired major importance in modern Muslim apologetics and in some modern descriptions of Islam. The whole issue has frequently aroused heated controversy.

Recent decades have seen a dramatic increase in the activities of radical religious groups, and, consequently, in the amount of public and academic debate on questions of interfaith relations. Academic serials dedicated to this field, such as *Islamochristiana*, *Islam and Christian–Muslim relations* and *Studies in Muslim–Jewish relations*, have come into being. Conferences on various aspects of it are repeatedly organized and a substantial number of pertinent collective volumes have seen the light of day.[9] The debates have often been conducted within the framework of interfaith dialogue – or polemics – between Judaism, Christianity and Islam. Frequently they have been sparked by political events, and the protagonists tended to use their perception of the subject in order to influence public opinion in favor of their particular religious group. In this context, it is easy to find simplistic and naive comparisons between the lofty ideals of one's own civilization and the unsavory practices of the opponents. Such comparisons are standard tools of the trade for any polemicist.[10] At other times, the participants strive to achieve a different objective: by stressing the more appealing features of Islam and minimizing the importance of the less appealing ones, they attempt to increase the chances of improving the relationship between their own community and the Muslims. One gains the distinct impression that in such debates the Christian participants are far more receptive to the point of view of their interlocutors than are their Muslim counterparts. It should come as no surprise that in these circumstances only facts and issues supporting the objectives of the participating

Muslim tolerance, see ibid., pp. 32–36. See also B. Lewis, "The pro-Islamic Jews", in his *Islam in history: ideas, people and events in the Middle East*, Chicago and La Salle: Open Court, 1993, pp. 137–151.

[9] As prominent examples of this genre, we may mention L. Swidler, ed., *Muslims in dialogue*; G. Speelman et alii, eds., *Muslims and Christians in Europe: Breaking new ground. Essays in honor of Jan Slomp*, Kampen (The Netherlands), 1993; Y. Y. Haddad and W. Z. Haddad, eds., *Christian-Muslim encounters*, Gainsville: University Press of Florida, 1995; H. Lazarus-Yafeh, ed., *Muslim authors on Jews and Judaism: The Jews among their Muslim neighbours*, Jerusalem: The Zalman Shazar Center for Jewish History, 1996 (in Hebrew); J. Nasri Haddad, ed., *Déclarations communes islamo-chrétiennes*, Beirut: Dār al-mashriq, 1997; J. Waardenburg, ed., *Muslim perceptions of other religions: a historical survey*, New York and Oxford: Oxford University Press, 1999; idem, *Muslim-Christian perceptions of dialogue today. Experiences and expectations*, Leuven: Peeters, 2000 (with extensive bibliography).

[10] An excellent example of this is S. Zwemer, *The law of apostasy in Islam.* The author castigates Islam for punishing apostasy with death, and bemoans the consequent paucity of Muslim converts to Christianity. The book is written as if the Christian church has always been an embodiment of the principles of religious freedom and tolerance. On the other hand, Syed Barakat Ahmad (in his "Conversion from Islam") disregards the whole corpus of *ḥadīth* and *fiqh* literature in order to argue that the capital punishment for apostasy is not really sanctioned in Islam. For the development of Muslim attitudes to apostasy in the Qurʾān, *ḥadīth* and *fiqh*, see Chapter Four, below. There is also extensive modern Muslim literature on the question of apostasy; this deserves separate treatment.

protagonists are brought up; others are suppressed or explained away. No clarification of the real issues involved can be expected to emerge from these debates, though some of them have served as significant venues in which adherents of diverse faiths became more conscious of each other's sensibilities and points of view.

Many travelers along this path have commendable goals at heart: they endeavor to increase the chances of achieving interreligious amity and peace. Some are able to contribute to the advancement of these goals while preserving at the same time their scholarly integrity.[11] In other cases, this approach makes inroads into scholarship and tends to obscure certain issues while preventing the discussion of others. This seems to be caused by the unwarranted but pervasive notion that scholarly research that surveys and analyzes intolerant elements in a medieval religious tradition is derogatory toward its modern adherents and will hinder efforts at religious reconciliation. This notion should be resisted. Rather than denying the existence of certain intolerant elements in medieval Islamic thought, modern Muslims might instead admit that such elements exist, while at the same time exercising their power to reject these and embrace the more liberal and tolerant principles of their tradition. Some modern Christian institutions have already taken this way: they grapple with their historical guilt for acts such as the massacres perpetrated by the Crusaders or for the excesses of the Spanish inquisition by decrying, in Vatican II, "the hatreds, persecutions and manifestations of anti-Semitism directed against the Jews at any time and by anyone",[12] rather than embarking on futile attempts to deny their historicity. Muslims can take comfort in the commonly held view that the living conditions of non-Muslims under medieval Muslim rulers were significantly better than those imposed on Jews and other religious minorities by their Christian counterparts.[13] Undisputed facts speak loudly in favor of this proposition, and it need not be substantiated by the patently false claim that medieval Islam was tolerant in the modern sense of the word. Modern interfaith dialogue and understanding should not depend on glowing – but questionable – descriptions of religious tolerance in the Middle Ages; they should emerge from autonomous decisions of contemporary believers. These believers have the freedom to choose from their tradition elements that are compatible with

[11] See, for instance, the judicious article by Christian W. Troll ("Der Blick des Koran auf andere Religionen", in Kerber, ed., *Wie tolerant ist der Islam?*, pp. 47–69). The article bears the subtitle "Gründe für eine gemeinsame Zukunft."

[12] *The declaration on the relation of the Church to non-Christian religions. Vatican II Documents*, Glen Rock: Paulist Press, 1966, p. 14.

[13] For a recent statement by a prominent scholar, see B. Lewis, *The multiple identities of the Middle East*, New York: Schocken Books, 1998, p. 129: "… there is nothing in Islamic history to compare with the massacres and expulsions, the inquisitions and persecutions that Christians habitually inflicted on non-Christians and still more on each other. In the lands of Islam, persecution was the exception; in Christendom, sadly, it was often the norm." See also idem, *The Jews of Islam*, Princeton: Princeton University Press, 1984, p. 62 and B. Z. Kedar, "Expulsion as an issue of world history", *Journal of World History* 7 (1996), pp. 165–180. Expulsions of non-Muslims from Muslim lands were few and far between; for medieval and early modern rulers of Europe expulsions of Jews and "deviant" Christians was routine. See also below, Chapter Three, end of section II.

their values and to disregard those that contradict them.[14] A contemporary Muslim may stress the tolerant elements in Islam, present them as reflecting his own faith and urge his coreligionists to adopt his liberal convictions. For instance, he could adopt the broadest interpretation of Qurʾān 2:256 ("No compulsion is there in religion …") or the strikingly humanistic approach attributed to Ibrāhīm al-Nakhaʿī according to whom a Zoroastrian – and, by extension, any other unbeliever – "is a free and inviolable human being, akin to a Muslim."[15] The adoption of al-Nakhaʿī's approach does not make it necessary to deny the existence of other ideas which also existed in the medieval Islamic tradition, but which are less appealing to a modern person with liberal convictions. And if the historical context of these less appealing ideas is taken into account, even the Muslim law of apostasy – to the denial of whose existence some modern Muslims have devoted so much attention[16] – will not appear so uniquely odious: civilizations comparable with the Islamic one, such as the Sassanids and the Byzantines, also punished apostasy with death.[17] Similarly, neither Judaism nor Christianity treated apostasy and apostates with any particular kindness.[18] The real predicament facing modern Muslims with liberal convictions is not the existence of stern laws against apostasy in medieval Muslim books of law, but rather the fact that accusations of apostasy and demands to punish it are heard time and again from radical elements in the contemporary Islamic world.[19]

Creating a personal system of values by choosing appropriate elements from one's religious tradition is legitimate for a believer and desirable for all, especially in view of the fact that the building blocks for a tolerant version of Islam are indeed available in the Muslim tradition if interpreted with this purpose in mind.[20]

[14] For an excellent example of such an approach among modern Muslim intellectuals, see Abdullahi Ahmad an-Naʿim, *Toward an Islamic reformation: civil liberties, human rights, and international law*, Syracuse: Syracuse University Press, 1990, pp. 86–91, 170–181 and passim.

[15] See Chapter One, the end of section VI and Chapter Three, section V.

[16] S. A. Rahman, *Punishment of apostasy in Islam*, Lahore: Institute of Islamic Culture, 1978; Muhammad Zafrullah Khan, *Punishment of apostacy in Islam*, London: The London Mosque, n.d.; Muḥammad Munīr Idlibī, *Qatl al-murtadd – al-jarīma allatī ḥarramahā al-islām*, Damascus: M. M. Idlibī, 1991. But see Ṣaʿīdī, *Ḥurriyyat al-fikr fī al-islām*, pp. 83–87, who surveys the traditions concerning the punishment of apostates and lends his support to the view of Ibrāhīm al-Nakhaʿī and other scholars who were willing to wait for the apostate's repentance indefinitely, thereby avoiding the infliction of capital punishment. See Chapter Four, at notes 44–48.

[17] A. Christensen, *L'empire des Sassanides: le peuple, l'état, la cour*, København: Bianco Lunos Bogtrykkeri, 1907, p. 69; idem, *L'Iran sous les Sassanides*, Copenhague: Ejnar Munksgaard, 1944, pp. 488, 490; G. Harmenopoulos, *A manual of Byzantine law*, vol. 6 (English translation by E. H. Freshfield), Cambridge: Cambridge University Press, 1930, p. 40; A. Linder, *The Jews in the legal sources of the early Middle Ages*, p. 136 and index, s.v. "Proselytism." See also below, Chapter Five, notes 53–54.

[18] See "Apostasy (Jewish and Christian), in *Encyclopaedia of Religion and Ethics*, s.v. (F. J. Foakes-Jackson), and "Apostasy", in *The Encyclopaedia of Religion*, s.v. (H. G. Kippenberg).

[19] See below, Chapter Five, note 53.

[20] A remarkable recent example utilizing this approach is Ṣaʿīdī's *al-Ḥurriyya al-dīniyya fī al-islām.* The author surveys much of the material which we analyze in Chapter Four, below, and endorses the view that an apostate should enjoy the same religious freedom as any non-Muslim. He must not, in any way, be coerced into reverting to Islam. For the controversy related to the publication of this book, see Muḥammad al-Ṭaḥlāwī, "Raʾy jadīd aqarrahu Majmaʿ al-buḥūth al-islāmiyya: al-murtadd ʿan al-islām lā yuqtal." *October*, April 15, 2001, pp. 62–63. I am indebted to Ms. Aluma Solnick of the Hebrew University for this reference.

It is a quite different matter when a scholar presents one aspect of Islam, or one passage from a Muslim text, disregards all others, arrives at sweeping conclusions and bestows upon them the aura of scholarly truth.[21]

The understanding of these distinctions is essential especially in view of the fact that discussions of religious tolerance or intolerance in the books of Muslim tradition and law are conducted against the background of a Muslim government being in charge of a religiously heterogeneous population. These discussions are therefore irrelevant to modern situations which involve relationships between autonomous political units belonging to different religious traditions, rather than situations in which a community not in power seeks governmental tolerance for its religious beliefs and practices. For example: religious tolerance or intolerance, as defined in Muslim books of *ḥadīth* and in the *sharīᶜa*, may be relevant to the treatment of the non-Muslim population in southern Sudan, of the Bahāʾīs in Iran, or of the Coptic minority in Egypt, but is irrelevant to the solution of the Arab–Israeli conflict, which does not revolve around the rights and obligations of Jews living under Muslim rule.

Modern discussions of our theme have typically focused on the question of whether classical Islam allowed Jews and Christians who lived under Muslim rule to retain their ancestral religion and, additionally, whether it allowed them to practice it freely. These are two distinct questions; yet too often it is assumed that an affirmative answer to the former necessarily implies the same answer to the latter. It is not self-evident that if Jews and Christians were allowed to adhere to their respective creeds, they were also permitted unrestricted freedom of religious observance, particularly in the public sphere. The restrictions imposed by Muslim law on the construction, maintenance and repair of non-Muslim places of worship and on the public manifestations of non-Muslim ritual are cases in point. The total ban on non-Muslim presence in a substantial part of the Arabian peninsula is also a significant part of the over-all picture.[22] Moreover, if the question of religious

[21] Examples of this kind of work are numerous and only a few representative samples need be mentioned here. Issa J. Boullata ("Fa-stabiqū al-khayrāt: A Qurʾānic principle of interfaith relations", in Yvonne Y. Haddad and Wadi Z. Haddad, eds., *Christian–Muslim encounters*, pp. 43–53) states, on the basis of several Qurʾānic verses, that "one of the doctrinal principles enunciated in the Qurʾān is that of religious pluralism" (ibid., p. 43). An uninformed reader of the article may gain from it the impression that the Qurʾān never spoke about Islam as the only true religion, that it never said anything harsh about the non-Muslims, that classical Islamic tradition never imposed restrictions on non-Muslim observance in *dār al-islām* and never designated the Arabian peninsula as a region where Islam was the only faith to be tolerated. The article certainly does not take account of the development of the Prophet's views of these matters throughout his career. For another example in which Islam is described as an absolutely tolerant religion, in total disregard of any evidence to the contrary, see Farooq Hasan, *The concept of state and law in Islam*, Lanham (MD, USA): University Press of America, 1981, pp. 225–247. See also al-Ḥūfī, *Samāḥat al-islām*, p. 77 infra, where Muslims and *dhimmī*s are said to be equal in matters concerning retaliation (*qiṣāṣ*) and blood-money (*diya*), in total disregard of the pertinent controversy in the books of law (see below, Chapter One, section VI). On the other hand, the issue of pluralism is treated in a profound manner, taking into account the complexities of the sources and of the changing historical situations, by Sachedina, *The Islamic roots of democratic pluralism*, pp. 63–97.

[22] See below, Chapter Three, section II, at notes 13–30.

freedom is to be discussed in its modern sense, its scope becomes much wider than that defined by the two considerations mentioned above. It would include, in that case, not only the freedom to practice one's religion but also to preach it; it would involve the same rights with regard to religions other than Judaism and Christianity; the freedom to change one's religious affiliation at will, or to practice no religion at all. Thus, the ruthless attitudes of early Muslims to Arab idolatry are evidently relevant to the subject of this inquiry. The ᶜAbbāsī persecutions of the Manichaeans and of other groups and individuals subsumed under the term *zanādiqa*,[23] as well as the more tolerant stance of Muslim jurisprudents vis-à-vis the Iranian tradition of Zoroastrianism, are also part of the overall picture of Muslim attitudes to other faiths. Nevertheless, they are only infrequently treated in modern descriptions of Islam, written for the benefit of the western reading public. With regard to idolatry, the reason is obvious: Jews and Christians had been as harsh on idolatry as Muslims, and their modern coreligionists are hardly in a position to take the Muslims to task because they would brook no compromise with ancient Arab idol worship. The Muslim stance on idolatry certainly does not evoke the emotional overtones often associated with the treatment extended by Islam to Judaism or Christianity. Like other non-monotheists, Arab idolaters do not have a contemporary "lobby" in the West and there is hardly anyone in the modern world who is willing to take up their forlorn cause; yet the suppression of idolatry in the Arabian peninsula is, in principle, comparable to the suppression of any other religion and deserves the same scholarly attention. The case of the Manichaeans is similar: the Manichaean community hardly exists in modern times, but its erstwhile treatment by the Muslims and their refusal to grant the Manichaeans *dhimmī* status[24] should receive appropriate attention when an evaluation of Muslim tolerance or intolerance is made.

Questions of religious change have also a place in the framework of this inquiry. It stands to reason that few people converted to Christianity, Judaism or Zoroastrianism under Islamic rule in the Middle Ages, even if abandonment of Islam was not involved. Nevertheless, Muslim traditionists and jurists deal with this rather theoretical issue. As we shall see in the forthcoming chapters, they often make a distinction between non-Muslims who had adhered to a religion

[23] G. Vajda, "Les zindīqs en pays d'Islam au début de la période abbaside", *Rivista degli studi orientali* 17 (1938), pp. 173–229; S. and G. G. Stroumsa, "Aspects of anti-Manichaean polemics…", pp. 38–39; Ḥusayn ᶜAṭwān, *al-Zandaqa wa al-shuᶜūbiyya fī al-ᶜaṣr al-ᶜAbbāsī al-awwal*. Beirut: Dār al-jīl, 1984, pp. 25–26. See also Mahmood Ibrahim, "Religious inquisition as social policy: the persecution of the *zanādiqa* in the early Abbasid caliphate," *Arab Studies Quarterly* 16/2 (1994), pp. 53–72. Ibrahim maintains that the persecution of the Manichaeans should not be seen as mainly religious, but as "an attack on an undesirable political culture inimical to aristocratic and absolutist rule." (p. 68) In a similar vein, D. Gutas (*Greek thought, Arabic culture*, London and New York: Routledge, 1998, p. 67) maintains that "al-Mahdī took them (i.e. the Manichaeans) very seriously because of the Persian revivalist trends they represented and their ideological appeal to many in the ᶜAbbāsid administration with Persian background …" I am indebted to Professor S. Stroumsa for the last reference. The most recent comprehensive treatment of the *zanādiqa* is Melhem Chokr's *Zandaqa et zindīqs en Islam.*

[24] See, for instance, al-Khallāl, *Ahl al-milal*, pp. 527–528 (nos. 1340–1341).

before the emergence of Islam, and those who embraced such a religion at a later time. Belonging to the Jewish, Christian or Zoroastrian community while Islam was not yet in existence is considered within the natural order of things and thus acceptable. Continuing to belong to these faiths after the emergence of Islam is regrettable but tolerated. Embracing one of them during the Muslim period (even if no apostasy from Islam is involved) is controversial and according to some views such converts are not to be tolerated by Muslims and should be expelled from the land of Islam.[25] The present writer is not aware of any expulsions carried out by Muslim governments in accordance with this ruling, but it does reflect a pervasive notion that adherents of non-Muslim religions should not increase in number after the emergence of Islam.

Wholly different is the case of religions which came into being after the revelation of the Qurʾān. For them the harshest treatment is reserved, especially if they are derived from Islam. Few people tried to establish a new religion in the lands ruled by Muslims in the medieval period and no toleration was accorded to those who did. In view of the dogma asserting the finality of Muḥammad's prophethood, any prophetic claim in the Muslim period was nipped in the bud.[26] Modern times, on the other hand, saw several significant attempts to launch new religions or religious groups. Again, none of them was tolerated. The emergence of the Bābīs and Bahāʾīs in Iran and of the Aḥmadiyya in British India are two cases in point. The two groups are similar in the sense that their first adherents had been Muslims, but they are different from each other in numerous other respects. The Bahāʾīs eventually ceased to be Muslims by their own admission; the Aḥmadīs, on the other hand, have always insisted that they were Muslims in the fullest sense of the word. The Bābīs and Bahāʾīs emerged in a country ruled by Muslims, while the Aḥmadīs came into being in British India. The Bābīs and Bahāʾīs were ruthlessly persecuted by successive Muslim governments;[27] the Aḥmadīs aroused vehement opposition of the Muslim mainstream, but as long as the British were the sovereign power in India, they were allowed to preach and practice their beliefs freely. At that stage, the dispute concerning the Aḥmadīs was

[25] See Chapter Four, section VII.

[26] See Friedmann, "Finality of prophethood in Sunnī Islam", pp. 193–197 (= *Prophecy continuous*, pp. 64–68).

[27] The literature on the Bābīs and Bahāʾīs is constantly growing. For a survey of Bābī religion, see A. Amanat, *Resurrection and renewal*; P. Smith, *The Bābī and Bahāʾī religions: from messianic Shīʿism to a world religion*, Cambridge: Cambridge University Press, 1987; Juan R. I. Cole, *Modernity and the Millennium: the genesis of the Bahāʾī faith in the nineteenth century Middle East*, New York: Columbia University Press, 1998 (especially pp. 26–29). For a Bahāʾī survey of the persecution of their community after the revolution of 1979, see *Die Bahāʾī im Iran. Dokumentation der Verfolgung einer religiösen Minderheit*, Hofheim-Langenhain: Baha'i-Verlag, 1985. It is noteworthy that Khumaynī explicitly refused to accord protection to the Bahāʾīs as a religious minority, arguing that "they are a political faction; they are harmful; they will not be accepted." See Denis MacEoin, *A people apart. The Bahāʾī community of Iran in the twentieth century*, London: School of Oriental and African Studies, 1989, p. 5. Denying the religious nature of the Bahāʾī movement is intended to obviate the glaring contradiction between the treatment of the Iranian Bahāʾīs and the principle of religious tolerance. For rulings of some Egyptian courts on the Bahāʾī question, see Aḥmad Rashād Ṭāhūn, *Ḥurriyyat al-ʿaqīda fī al-sharīʿa al-islāmiyya*, Cairo, 1998, pp. 339–349.

between voluntary religious organizations, none of which had a state machinery or powers of coercion at its disposal. Only when the Aḥmadiyya moved its headquarters to the state of Pakistan after its establishment in 1947, did it come into conflict with the power of a professedly Islamic state. The religious establishment of Pakistan immediately tried to use the state machinery for the attainment of its anti-Aḥmadī goals. The Pakistani government resisted these attempts in its early years, but has succumbed to them more and more since 1974. In that year, the Aḥmadīs were declared non-Muslims in a constitutional amendment passed by the parliament of Pakistan; in 1984, a decree issued by President Źiyā al-Ḥaqq transformed practically any religious activity of the Aḥmadīs into a criminal offense. Anti-Aḥmadī riots and persecutions followed the promulgation of the 1974 amendment and of the 1984 decree.[28] Thus, neither the Bābīs and the Bahāʾīs, nor the Aḥmadīs were treated with any toleration by the Muslim mainstream or by the Muslim states in which they were active.

Furthermore, questions of religious freedom are pertinent not only to non-Muslims who live in a Muslim state, but also to Muslims who deviate from beliefs considered orthodox by the religious establishment of their time and place. With regard to the Muslims, we should ask whether they are allowed to abandon Islam, to question its basic tenets, or to refrain from religious observance or from some of its aspects. Keeping these considerations in mind, our discussion will include the laws concerning apostasy.[29] The attitude to Muslims who fail to fulfill such religious obligations as participation in the Friday prayer or observance of the fast of Ramaḍān, are also relevant to the subject of this inquiry. One should also consider the stance taken towards Muslims who deviate from a doctrine held by the religious establishment of their times; the *miḥna* during the period of the ʿAbbāsī caliph al-Maʾmūn is a case in point.[30] The martyrs of Cordova who were done to death in the mid-ninth century for provocatively disparaging Islam and the Prophet[31] and the execution of al-Ḥallāj in 922 A.D. may be mentioned as well. These and similar matters are pertinent to the question of Islamic tolerance, though they do not constitute part of the present study.

It goes without saying that the purpose of the present writer is not to measure medieval Muslim attitudes by the yardstick of an absolute ideal of religious freedom that has not been implemented even at the present time in most areas of the world. The period in which classical Islamic thought came into being was not

[28] See Friedmann, *Prophecy continuous*, pp. 45–46, 192–194; Antonio R. Gualtieri, *Conscience and coercion: Aḥmadī Muslims and orthodoxy in Pakistan*, Montreal: Guernica, 1989; B. A. Rafiq, ed., *From the world press: persecutions and atrocities against the Ahmadiyya movement in Pakistan as seen through the world press*, London: The London Mosque, 197?; Ṭāhir Aḥmad, *Madhhab kē nām par khūn* ("Blood in the name of religion"), Rabwa, n.d.

[29] See Chapter Four, below.

[30] The most recent treatment of this topic seems to be J. A. Nawas, *Al-Maʾmūn: miḥna and caliphate*, Nijmegen, 1992.

[31] See Kenneth B. Wolf, *Christian martyrs in Muslim Spain*, Cambridge: Cambridge University Press, 1988; Jessica A. Coope, *The martyrs of Córdoba. Community and family conflict in an age of mass conversion*, Lincoln and London: University of Nebraska Press, 1995.

one in which religious tolerance, religious freedom, or equality of religions in the modern sense were considered as positive notions or desirable goals; and Islam should not be blamed for its failure to transcend the mood of the times. Bernard Lewis has written in one of his recent works that "for Christians and Muslims alike, tolerance is a new virtue and intolerance a new crime";[32] and we should keep this apt observation in mind as we proceed. We should also keep in mind that classical Muslim traditionists and jurisprudents had no hesitation about unabashedly proclaiming the exaltedness of their religion and way of life. For them it was only natural that this exaltedness be expressed in a concrete manner wherever possible. More than a few details in Muslim law and world-view in general were explained by classical jurists as being based on this premise.[33] In this respect, Muslims were clearly not different from their non-Muslim contemporaries: the positive self-image of the Byzantines was apparently as ingrained as their own.[34] Comparable feelings were the norm in medieval civilizations. When the Muslims reached China in the eighth century A.D., "they found a Confucian élite with a heightened sense of its own superiority. Chinese civilization was, to the officials, scholars and landlords … more advanced than any other culture."[35] In his classic description of Indian civilization in the eleventh century A.D., al-Bīrūnī reports that the Hindūs rarely engage in religious disputes among themselves and certainly do not put their life or limb in harm's way because of conflicting views; however, as far as foreigners are concerned, they consider them impure (*mlechha*) and refuse to have any association with them.[36] They believe that

> there is no other country on earth but theirs, no other race but theirs, no kings other than their leaders and no religion except theirs. (They believe) that science is (only) what is in their possession. They are haughty, self-conceited and ignorant … (*yataraffaᶜūn wa yatabaẓramūn wa yuᶜjabūn bi-anfusihim fa-yajhalūn*). They do not think that … anyone except them has any knowledge. Thus, when they are told about a science or a scholar in Khurāsān or Persia, they consider the one who told them about it as ignorant …[37]

[32] B. Lewis, *The Jews of Islam*, p. 3; idem, *The multiple identities of the Middle East*, pp. 128–130. See also the judicious remarks of R. Peters, "Islamic law and human rights: a contribution to an ongoing debate", in *Islam and Christian-Muslim relations* 10 (1999), pp. 5–13 and C. Troll, "Der Blick des Koran auf andere Religionen", in W. Kerber, ed., *Wie tolerant is der Islam?*, p. 56.

[33] See Chapter One, section V.

[34] See Chapter One, at note 109.

[35] Morris Rossabi, "China and the Islamic World", in B. Lewis et alii, eds., *As others see us. Mutual perceptions, East and West.* New York: International Society for the Comparative Study of Civilizations, 1985, p. 270. For a more general exposition of "Sinocentrism" and of the assumption of Chinese superiority, see J. K. Fairbank, "A preliminary framework", in idem, ed., *The Chinese world order*, Cambridge: Harvard University Press, 1968, pp. 1–4; W. Gungwu, "Early Ming relations with Southeast Asia: a background essay", in ibid., pp. 34–47. I am indebted to my colleague Dr. Michal Biran for the last two references.

[36] Bīrūnī, Abū Rayḥān Muḥammad b. Aḥmad, *Taḥqīq mā li-'l-Hind min maqūla maqbūla fī al-ᶜaql aw mardhūla*, Ḥaydarābād (Deccan): Dāᵓirat al-Maᶜārif al-ᶜUthmāniyya, 1958, pp. 14–15; for a critical analysis of al-Bīrūnī's view of the Hindus, see Arvind Sharma, "Albīrūnī on Hindu xenophobia", in *Studies in "al-Beruni's India"*, Wiesbaden: Otto Harrasowitz 1983, pp. 117–122.

[37] Bīrūnī, *Taḥqīq mā li-'l-Hind*, p. 17. See also Sachau's translation in *Al-Beruni's India*, London: Kegan Paul 1910, pp. 22–23.