

desperate fly find a better life. So here they are, the Egoless. They achieved the ultimate goal. Where are the admiring disciples? Where are the people flocking to them asking for advice, wanting to emulate them? Of course, no one wants to emulate them. Others pity them or want to help them, and some make fun of them or shrug and think: "I'm glad I have a better personality." They tell the Egoless: "You're too timid!"

It wouldn't matter even if they had disciples. These folks are just too depressed to want to help anyone else achieve this blessed state. They don't *want* anything. They strive not.


Not really the good life, is it? If so many world religions push ego transcendence, and, if you believe me when I say that losing your ego feels like hell, then you almost have to conclude that those world religions don't care about your life *here*. You have to lose this one to gain the next life—is that the point? Remember the people (particularly the intolerant types) I described at the beginning? I think they look like they

are having a great time here and now—they are so self-satisfied. They haven't lost this life. Part of me wants to point out that while they are telling other people how to live (i.e., what religion to believe), they themselves are not really following those religions fully. They need a lesson from the Egoless; too bad most of them speak so quietly! The self-satisfied may be experts on every righteous verse, but I think they ignore certain passages that fail to give that feel-good, righteous feeling, that feeling of being on "the winning team."

Perhaps religions do not mean to say you must permanently transcend your ego. But they stress the egoless, selfless state so much that anyone could mistake their intent. Are we to visit that selfless state only occasionally? Then why didn't they say so? Did I miss it, that passage that told us to please, please, come back to our egos and water them as we would a houseplant that's thirsty after our two-week vacation? Jesus, is it OK for me to enjoy my sense of self-importance as I drive my SUV

into the church parking lot? (Let me know. I *am* curious.)

Until I'm corrected, here's my conclusion: some religious texts were probably written to correct a gross abundance of ego (and selfishness) in this earthly life. If you are among those who confidently go out and boss people around, or think you're right all of the time, you may keep reading your preferred religious text but try to focus on the passages that are going to make you feel badly. You need those to be a balanced person, humble and compassionate.

But if you are among those who see suffering everywhere around you, feel guilty, and don't think you're worth the effort of getting a prescription for Prozac, don't look for help in world religions. (A testosterone injection might help, though.) Until you are more confident, less humble, enjoying life more, the "sacred" texts for you are FREE INQUIRY (of course) and *The Onion*. You need those to be a balanced person. After a few good laughs, it's still possible to write poetry. 

ISLAM WATCH

Apostasy and Human Rights

Ibn Warraq

This essay is based on a statement on apostasy that Ibn Warraq delivered at the Plenary of the Sixtieth Session of the UN Commission on Human Rights

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The very notion of apostasy has vanished from the West, where one speaks of being a "lapsed Catholic" or "nonpracticing Christian" rather than an apostate. There are certainly no penal sanctions for converting from Christianity to any other religion. In

Islamic countries, on the other hand, the issue is far from dead. Islamic law, the Sharia, is clear: apostates from Islam should be put to death. And although there is no single system of Sharia recognized throughout the Islamic world, and the legal systems of states vary widely in how apostasy is to be dealt with, many insist on the death penalty and none freely accept the right of Muslims to leave Islam unhindered. In this respect, Islamic law and practice are incompatible with Article 18 of the Universal Declaration of Human Rights (UDHR) and with the International Covenant on Civil and Political Rights (ICCPR).

"There is no compulsion in religion." This statement from sura II.256 of the Qur'an is widely quoted but hardly observed in the Islamic world, and is flatly contradicted by other suras and by the Hadith. It is quite clear that under Islamic

law, an apostate must be put to death. There is no dispute among either classical or modern Muslim scholars over this issue. Sura II.217 of the Qur'an reads:

But whoever of you recants and dies an unbeliever, his works shall come to nothing in this world and the next, and they are the companions of the fire for ever.

Since the ninth century, Muslim commentators have interpreted this and other passages to ordain the death penalty for apostates. The twelfth-century commentator Baydawi (died c. 1315–16) expressed the principle in these words:

Whosoever turns back from his belief (*irtada*), openly or secretly, take him and kill him wheresoever ye find him, like any other infidel. Separate yourself from him altogether. Do not accept intercession in his regard.

This interpretation has continued to our own time. Abul Ala Mawdudi (1903–1979), founder of the Jamat-i Islami movement and perhaps the most influential Muslim thinker of the twentieth century, argued that the Qur'an itself prescribes the death penalty for all apostates.

The Hadith (collections of sayings by and about the Prophet, held authoritative by Muslims) contain many traditions demanding the death penalty for apostasy. The only argument has been over how the apostate should be killed. Abu Dawud, who lived two centuries after the death of Muhammad, recorded a tradition in which the Prophet called for apostates to be killed by the sword, but never burned, as fire is Allah's way of punishing transgressors in the next world. According to a tradition of Aisha, apostates are to be slain, crucified, or banished.

Should the apostate be given a chance to repent? Traditions differ. Under Islamic law, the male apostate must be put to death, as long as he is an adult and in full possession of his faculties. If a pubescent boy apostatizes, he is imprisoned until he comes of age, when if he persists in rejecting Islam, he must be put to death. Drunkards and the mentally disturbed are not held responsible for their apostasy. If a person has acted under compulsion, he is not considered an apostate, his wife is not divorced, and his lands are not forfeit. Authorities differ regarding women; some call for female apostates to be imprisoned until they repent and return to Islam; others say that female apostates, too, should be put to death.

ISLAMIC VIEWS ON HUMAN RIGHTS

Article 18 of the Universal Declaration of Human Rights (1948) states:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

The clause guaranteeing the freedom to change one's religion was added at the request of the Lebanese delegate, Charles Malik, a Christian well aware of the numerous refugees Lebanon had accepted, many of whom had fled persecution for having changed their religion. Delegates from other Muslim countries strongly objected to any guarantee of the right to change one's religion, though Lebanon was supported by a delegate from Pakistan—a member of the Ahmadi community, a Muslim sect that in the 1970s was itself ejected from the Muslim community. In the end, all Muslim countries except Saudi Arabia signed the Universal Declaration of Human Rights.

Various attempts have been made to reinterpret human rights to more closely conform to Islamic law. But the various Islamic human-rights schemes or declarations—such as the Universal Islamic Declaration of Human Rights (1981)—are understandably vague or evasive on the issue of the freedom to change one's religion, since Islam itself clearly forbids apostasy and punishes it with death. As Elisabeth Mayer says in her book, *Islam and Human Rights*:

The lack of support for the principle of freedom of religion in the Islamic human rights schemes is one of the factors that most sharply distinguishes them from the International Bill of Human Rights, which treats freedom of religion as an unqualified right. The [Muslim] authors' unwillingness to repudiate the rule that a person should be executed over a question of religious belief reveals the enormous gap that exists between their mentalities and the modern philosophy of human rights.

Islamic Human Rights schemes are clearly not universal, since they introduce a specifically Islamic religious criterion into the political sphere, whereas the UDHR of 1948 places human rights in an entirely secular and universal framework.

LEGAL SYSTEMS AND PRACTICE

The constitutions of many Muslim countries guarantee freedom of belief (Egypt, 1971; Syria, 1973; Jordan, 1952), while some talk of freedom of conscience (Algeria, 1989) and some of freedom of thought and opinion (Mauritania, 1991). In general, Islamic countries do not address the issue of apostasy in their penal codes, the two exceptions being the Sudan and Mauritania. Under the Sudanese Penal Code of 1991, a persistent apostate will be put to death. Under the Penal Code of Mauritania, an apostate, man or woman, is given three days to repent, after which he or she is to be put to death.

The absence of any mention of apostasy in the penal codes of some Islamic countries in no way implies that a Muslim in that country is free to leave his religion. In reality, such lacunae in the penal codes are filled by Islamic law. For example, in the Sudan, Mahmud Muhammad Taha was hanged for apostasy in 1985, although that nation's penal code did not yet mention such a crime.

CONCLUSION

We have shown that punishment for apostasy as specified in the Sharia and as practiced in many Islamic states is incompatible with the Universal Declaration of Human Rights of 1948, as well as the legally binding International Covenant on Civil and Political Rights (ICCPR) of 1966, to which 147 states are signatories. The same could be said of punishment under the Sharia for unbelief, blasphemy, and heresy.

General Comment No. 22, adopted by the UN Human Rights Commission at its Forty-eighth Session (1993) declares:

Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms *belief* and *religion* are to be broadly construed.

We urge the Commission to call on all governments:

- to recognize that strict adherence to the Sharia is incompatible with the UDHR and ICCPR;
- to take appropriate measures to bring their laws into conformity with their obligations under the human-rights instruments to which they are party; and
- to forbid fatwas and sermons preaching violence in the name of God against those holding unorthodox opinions or those who have left a religion. 