

The Course of Encountering the Shi'a and Sunni Commentators and Islamic Jurists **with the Narrations of "Irtidād"**

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مسار تعامل المفسرين والفقهاء للفريقين مع روايات (الردة)

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Abstract:-

"Irtidād⁽¹⁾" is one of the religious issues raised in the Qur'an and hadiths. Throughout the history of Islam, there have always been disagreements over the definition of "Irtidād", the example of "Murtadd⁽²⁾" and how to deal with "Murtaddīn⁽³⁾". Shi'a and Sunni commentators and Islamic jurists have considered two important sources i.e. verses and narrations and sometimes also the historical background of "Irtidād" in explaining the opinions and rulings related to "Murtadd" and based on that, they have issued rulings regarding apostate people. The findings of this research show that the conceptual scope of the word "Irtidād" in the Holy Qur'an is more general than its jurisprudential usage and meaning, and in terms of the context and combination of phrases, it has become a ruling by mentioning the conditional restrictions on the verses. Hence, some of the Shi'a and Sunni commentators, referring to the definitions of the evidence of "Tawbah", believe that the repentance of the apostate is absolutely permissible and must be accepted, and that definition is whether the apostasy is "Natural" or "National" or that the apostate is male or female, or his disbelief is intentionally accompanied by blasphemous speech or blasphemous action. "Irtidād" in the Holy Qur'an, the hadiths of the infallible Imams (AS) and the life of the infallible Imams (AS) is not just returning from religion and changing beliefs. Rather, in religious teachings, a "Murtadd" is a person who, after observing the truth and surrendering to religion, out of stubbornness and with the intention of attacking religion, turns to disbelief and denies the truth, the divinity of God Almighty, or the mission of the beloved Prophet of Islam (PBUH). The main source of disagreement in issuing the verdict of "Irtidād" was sometimes the basic difference and sometimes the method of inference from the related verses and narrations.

Key words: Irtidād in the Qur'an , Rules of the Murtadd , Irtidād in hadiths , Irtidād in Fiqh .

المخلص:-

تعتبر "الردة" من القضايا الدينية التي تمت إثارته في القرآن الكريم والروايات. طوال تاريخ الإسلام، كانت هناك دائماً خلافات حول تحديد حدود "الردة"، ومصادق "المرتد" وكيفية التعامل مع "المرتدين". فيما يتعلق بشرح الآراء والأحكام المتعلقة بـ "المرتد"، أخذ المفسرون والفقهاء من الفريقين مصدرين مهمين في الاعتبار، وهما الآيات والروايات أحياناً، إلى جانب الخلفية التاريخية لـ "الردة"، وبناء على ذلك أصدروا أحكاماً فيما يتعلق بالمرتدين. تظهر نتائج هذا البحث أن النطاق المفهومي لكلمة "الردة" في القرآن الكريم أكثر عمومية من استعمالها ومعناها الفقهي، ومن حيث السياق وتركيب العبارات، تحظى بجانب حكمي من خلال ذكر القيود الشرطية حول الآيات. لذلك يرى بعض المفسرين من الفريقين مستشعدين بإطلاقات أدلة "التوبة" أن توبة المرتد جائزة علي الإطلاق ويجب قبولها، وذلك الإطلاق يكون بغض النظر عما إذا كانت الردة من النوع "الفطري" أو "المللي"؛ وسواء كان المرتد ذكراً أو أنثى، أو اقترن كفره بالنية أو بالكلام أو بالعمل. إن "الردة" في القرآن الكريم وفي أحاديث وسيرة المعصومين ليست مجرد عودة من الدين وتغيير في الرأي؛ بل في التعاليم الدينية، "المرتد" هو الشخص الذي يتحول بعد مشاهدة الحقيقة واعتناق الدين إلى الجحد وإنكار الـ حق عناداً ويقصد المساس بالدين وينكر ألوهية الله سبحانه وتعالى ورسالة نبي الإسلام . إن المصدر الرئيسي للخلاف في إصدار حكم "الردة" هو أحياناً يتمثل في الاختلاف المبدئي، وأحياناً يعود إلى طريقة الاستنباط من الآيات والروايات ذات الصلة.

الكلمات المفتاحية: الردة في القرآن، أحكام المرتد، الردة في الروايات، الردة في الفقه.

Introduction

"Irtidād" comes from the root "R D D" and the infinitive of Ifti'āl, literally means "Returning" or "Returning something to its essence or to one of its states". In the terminology of Islamic jurists, "Irtidād" means "Choosing disbelief after conversion to Islam". In Imāmīyyah jurisprudence, "Irtidād" is divided into two types: "Natural" and "National", but in the four sects of Sunnis, "Irtidād" is only one type and it is discussed with the same rulings as "National" apostate. Since "Irtidād" is interpreted as denying religion or one of its essentials, in some of the penal sentences, its ruling is "Murder". Issuing such a ruling has become a document for human rights defenders and opponents of the Islamic religion, and based on it, they have turned to serious criticism of Islamic rulings and the validity of this religion. Despite the consensus on the meaning of "National Apostate", commentators disagree on the definition and interpretation of "Natural Apostate". The most important basic difference between the Shi'a and Sunni commentators is that some basically believe that the Holy Qur'an has not explained the ruling of "Irtidād" and its details have not been mentioned and it has only been mentioned in hadiths, while others believe that the ruling of "Irtidād" has clearly been stated.

Scattered researches in the form of books, dissertations and articles have been written on the subject of "Irtidād", but in none of them, the issue of "Irtidād" has been discussed and investigated in a comparative way and with a general perspective. More importantly, in the conducted researches, the verses of the Qur'an have not been discussed as an example of the punishment of the apostate. In this research, after looking at the definition of "Murtadd" and its examples, the narrations indicating the mentioned division will be examined, the rulings of "Irtidād" will be stated from the point of view of the Shi'a and the four Sunni sects, and the evolution of the method of confronting the Shi'a and Sunni commentators will be analyzed in various Islamic centuries with the mentioned topic.

1-Terms related to research

In this section, the applied words of the research, which have played an important role in understanding the research topics and have been repeated everywhere, are examined.

-Mabānī

"Mabānī" is the plural of the word "Mabnā", which means foundation, basis, beginning and base in the vocabulary knowledge; therefore, the foundation and root of everything is called "Mabnā"; as in the knowledge of literature, the letters that are the base of the formation of nouns and verbs are called "Mabānī". Based on this, the article "Banū" or "Banī" is used in the meaning of "Building and Creating" and the derivatives of this word (i.e.: "Ibn", "Bunayh", "Binā" and...) and its opposites ("Hadam"), confirms the use of this word in this sense. The word "Mabānī" has entered various sciences in the form of a scientific term, and changing its position from "Word" to "Term" has also caused some changes in its semantic domain. These changes are inevitable and accepted in the path of changing the position of the word to term; as it is stated in the definition of the word "Term" that: a term is a name applied to an object and the "Nation" have agreed to call that object by that name and this name implies a different meaning from its first meaning. In the aforementioned definition, the term "Nation" refers to a group of scholars who choose terms and define new terms based on their scientific needs. The meaning of the first meaning is also the same literal and situational meaning that undergoes changes in the process of changing from the word to the term. Of course, these changes must be in such a way that the semantic core of the word is preserved and there is some kind of link between the meaning of the term and the semantic core of the word.⁽⁴⁾

-Tafsīr

The word "Tafsīr" comes from the root "Fasr" and means to uncover and reveal the meaning of the speaker. "Tafsīr" refers to the process of obtaining the meaning of the Almighty God from the verses of the Qur'an and by expressing the meanings of the verses and discovering the meaning of their content. Understanding the concepts of the verses is the first stage of interpretation and explaining them is the second stage.⁽⁵⁾

-Irtidād

Irtidād in the definition of Islamic jurists and theologians means "The turning away of a Muslim from the religion of Islam and accepting the blasphemy of others". Shi'a and Sunni jurists have

used different expressions in the definition of "Irtidād", which, despite the difference in expression, all have the same meaning, and that is: "The departure of a Muslim individual from the circle of Islam and entering into disbelief".

"Irtidād" is a jurisprudential term and Islamic scholars also define it "Turning away from Islam".⁽⁶⁾ In jurisprudential books, the topic of "Irtidād" has been mentioned in the following chapters of fiqh, such as: purity, prayer, zakat, fasting, hajj, trade, marriage, and heirs.⁽⁷⁾

In some jurisprudential books, an independent part is specialized on the subject of "Irtidād" under the title of "Kitāb al-Murtadd".⁽⁸⁾ Muḥaqqiq Ḥillī (676 AH) in the definition of "Irtidād" says: "An apostate is someone who disbelieves after Islam".⁽⁹⁾ Among the Sunni scholars, Rafi'i Qazwini (623 AH) as a Shafi'i jurist⁽¹⁰⁾, Ala'iddin Hasfaqi (1088 AH) as a Hanafi jurist⁽¹¹⁾ and Ibn Qudamah (1223 AH) as a Hanbali jurist⁽¹²⁾, each of them, in their works, have expressed a definition relatively similar to the Shi'a definitions of "Murtadd".

2- Irtidād from the view of narrations

The basic document of Islamic jurists about the punishments of apostate and putting him in the category of Ḥudūd is some prophetic hadiths, which will be mentioned in some of the most important cases in order to clarify whether the inference of the punishment of "Murder" for apostates as a limit can be obtained from these hadiths or not.

Hadith of 'Ukl and 'Uraynah fighters

This hadith has been narrated by Bukhārī, Muslim and other Sunni narrators from Anas Ibn Malik Sahabi. The content of the narration is that eight people from the tribe of 'Ukl came to the Prophet (PBUH) and pledged allegiance and became Muslims. After that, the times became difficult for them and they became weak and unable; therefore, they complained to the Prophet (PBUH). The Prophet (PBUH) said: Do you want to go to the desert with a shepherd and his camel to benefit from its milk and other advantages? They said: Yes, so they went with the camel and ate the camel's milk and regained their health. Suddenly, they killed the shepherd of the Prophet and stole away his camel. This news reached the Prophet (PBUH). He immediately sent his group to

follow them. They found and brought them to the Prophet (PBUH), who ordered to cut off their hands, blind their eyes and place them under the sun. They stayed under the sun until they died.⁽¹³⁾"

Some scholars have deduced from the mentioned hadith that the punishment done by the Messenger of God (PBUH) in the above narration is the same as the punishment prescribed for apostasy. For this reason, this narration has been mentioned as "The verdict of warriors and apostates⁽¹⁴⁾" or "The Chapter of Infidel Fighters and Apostates⁽¹⁵⁾". The popular opinion among the scholars is that some people of 'Ukl and 'Uraynah were killed not only because of apostasy, but also because they were considered as "The warrior on the earth"⁽¹⁶⁾.

Ibn Taymiyyah also says: In addition to apostasy, these people had committed murder and stolen property, so they were considered warriors against God and His Prophet⁽¹⁷⁾.

Therefore, Hadith of 'Uraynayn or "Warriors of 'Ukl and 'Uraynah" cannot be cited for those who say that it is permissible to kill apostates; because, the crime of these people was not only apostasy, but also their crime was fighting against God. For this reason, they were sentenced to retribution (murder), because they had killed the shepherd. Therefore, they were retaliated in the same way as they killed the shepherd.⁽¹⁸⁾ It seems that using the word "Irtidād" or "Murtadd" in some hadithi books when narrating the narration of "'Uraynayn" was referring to the state of those people, because in addition to being warriors, they were also considered apostates. Therefore, mentioning their apostasy does not mean that the punishment applied to them is the same as the punishment of the apostate.

Hadiths related to the death sentence of "Murtadd"

In several narrations that have been narrated in both Shi'a and Sunni sources, it has been ordered to kill the apostate. In the following, some of the most important of these narrations will be mentioned:

It is narrated from the Messenger of God (PBUH) that he said: Kill everyone who changes his religion (and returns from Islam).⁽¹⁹⁾

Also, in another narration, it was narrated from the Prophet (PBUH): Killing a Muslim is not permissible except in three cases: a man who commits adultery despite having a wife, who will be stoned;

a man who kills another person unjustly, and a man who becomes an apostate after converting to Islam.⁽²⁰⁾

Imam Bāqir or Imam Ṣādiq (AS) said about a man who returned from Islam: An apostate person will be given repentance, if he repents, his repentance will be accepted, and otherwise he will be killed.⁽²¹⁾

Also, Imam Bāqir (AS) said: "A Muslim who turns away from Islam and disbelieves in what was revealed to Prophet Muhammad (PBUH), his repentance is not accepted and he should be killed."⁽²²⁾

Regarding the apostate woman, it was also narrated from Amir al-Mu'minin Ali (AS): A woman who returns from Islam will not be killed, but will be imprisoned forever.⁽²³⁾

In another narration, the Holy Prophet (PBUH) said: Kill those who change their religion (and returns from Islam).⁽²⁴⁾

3- The approach of Shi'a and Sunni scholars and commentators towards the issue of "Irtidād"

When talking about the issue of "Irtidād", most of the Shi'a and Sunni scholars, in addition to the relevant verses, also considered the narrations transmitted in the hadithi societies and based their views regarding this matter on those narrations. Especially, the details of the conditions and rulings of the apostate are not clearly stated in the verses, but the narrations contain the examples of the apostate, the rulings of the apostate, and other issues related to this issue. In the following, the opinion of Shi'a and Sunni scholars in this field will be discussed:

- The view of Allameh Tabataba'i

Allameh Tabataba'i, a prominent Shi'a commentator, wrote in his Tafsīr al-Mīzān about Irtidād: The meaning of "فلان ارتدَّ عن دينه" is that he returned from his religion. And this, in the terms of the people of religion, means returning from faith and turning to disbelief, whether his faith was preceded by another disbelief (such as someone who was a disbeliever and then believed and returned to his previous disbelief) or whether it was not preceded by disbelief (such as someone who was born as Muslim who was not infidel before choosing Islam, but he became an infidel after choosing Islam (without a history of disbelief). The first type of apostate is called a

"National apostate" because he has actually returned to his previous nation and religion, and the second type is called a "Natural apostate" because he has returned from the pure monotheistic religion. This naming is a Shar'i term or at least a term that has become popular in the tradition of jurists.⁽²⁵⁾

- The view of Muḥaqqiq Ḥillī

Muḥaqqiq Ḥillī said about the Murtadd: He is someone who apostates after converting to Islam. Ṣāḥib Jawāhir adds: Whether blasphemy is before his Islam or after it. His speech contains the same contents as the previous definitions. In Islamic culture, since the true and chosen religion before God is "Islam", the essence of all divine religions is one, and that is the call to submit to God Almighty and obey His commands, and perhaps the meaning of "Islam is the religion of Allah" is the same, although according to the difference in social conditions, the holy rules are also transformed, but only one Shari'a is right in every age, and the other ones are considered abrogated due to the difference in previous conditions or the occurrence of distortion.

Islam's respect for previous religions such as Judaism and Christianity is only due to practical tolerance and approval of peaceful coexistence, not accepting their current righteousness and authenticity.

- The view of Abu al-Qasim Khoei

Muḥaqqiq Khoei said: We have several narrations that criterion in Islam, bloodletting, inheritance, and the permissibility of marriage is "Witnesses to Tawḥīd and Nubuwwah of the Holy Prophet (PBUH)". For this reason, Sheikh Ṭūsī issued a fatwa that if a Muslim performs Ḥajj and then becomes an apostate, that Ḥajj will also be invalidated. The ruling issued by the sheikh is derived from the application of the holy verse.

In this argument, two questions must be answered, the first question: If someone says, "Spoiling of deeds only means the invalidation of deeds in terms of rewards in the hereafter and has nothing to do with worldly punishment", we will answer: "This is far from fair because God considers all actions including prayer, fasting, worship, as well as marriage and other matters that have a religious color, as well as testifying to Islam, Tawḥīd, and Nubuwwah, to be

null and void due to apostasy, and He declares them to be invalid both in this world and in the hereafter. The necessity of this point is to say that spoiling of deeds in this world means the same worldly punishment. In other words, the meaning of spoiling of deeds is not only the destruction of the good deeds that are being performed, but it means that as if a person has not performed any action and had no testimony, and that which caused him to be respected is also an involuntary act, and his disobedience is no longer respected and the lack of respect is a subject for deserving punishment. In other words, if we all accept the holy verse doesn't mean the destruction of acts in the world, especially about murder, but we consider the principle of worldly punishments as a corresponding meaning or a normal necessity for it, and the opponents of the necessity of killing an apostate claim that the Qur'an has not stated any worldly punishments for apostasy, and no verse in this verse explicitly refers to it, while the above argument completely distorts this claim..

- Shahid Motahari's point of view

Allameh Shahid Motahari says: It is not enough for a person to have a religion, and just believes that the religion is caused by one of the heavenly prophets with this argument that the heavenly guides are all valid, and they are the same at all time. But the true religion is just one in all time, and it is necessary for everyone to obey the Prophet who has the law of God in that era. Now it is the turn of Prophet Muhammad (PBUH) to be obeyed. At this time, if someone wants to seek a way to God, he should seek guidance from His instructions on the religion and, and accept no other religion than Islam according to the explicit command of the Qur'an.⁽²⁶⁾

And even if Islam is not our religion, but rather its literal meaning (i.e.: submission to God), it should be known that the truth of submission has a form at any time, and in this time (the era after the Prophet Muhammad's (PBUH)) mission, its form is the same as Shari'a of Muhammad (PBUH). And the word "Islam" necessarily applies to it and that's it; because this law is the last commandment of God and the last commands must always be obeyed. Of course, it should be noted that there are no differences and conflicts among the divine messengers, but the human being should not accept all the prophets as their prophet. And man should know that the previous prophets were the evangelists of the later prophets,

especially their best and last ones, and the later prophets were approving the previous prophets.⁽²⁷⁾

The point of view of Sunni jurists

Abu Yusuf from abu Hanifa explained that an apostate is given an opportunity to return to Islam, if he does not accept it, he will be killed, unless he asks for more time. In this case, three days will be given to him. The famous saying of the companions in Sunni sources is that an apostate person is not killed until he is asked to repent. In the eyes of Ahl al-Sunnah, Kāfir and Murtadd are the same. Mālik says: Zandīq people (infidels) are killed and they are not asked to repent. There is a difference of opinion about individuals who have gone from disbelief to disbelief; Mālik and most of jurists have said: We should have nothing to do with such a person; because he is in his previous state (disbelief).

- Jalāl al-Dīn Suyūṭī's point of view

Jalāl al-Dīn Suyūṭī in al-Durr al-Manthūr, under the commentary of verse 54 of Surah Al-Baqarah⁽²⁸⁾, quoted Imam Ali (AS)⁽²⁹⁾: The Israelites [after worshiping the calf] asked Prophet Musa (AS): What is our repentance? Prophet Musa (AS) said: You must kill each other, so they took knives and killed each of their brothers, fathers and children, while God did not pay attention to [this] slaughter, until seventy thousand of them were killed. At this time, God revealed to Prophet Moses (PBUH): Order them to stop killing. He has forgiven those who were killed and accepted the repentance of those who are alive.⁽³⁰⁾

If this report (slaughter) has been occurred, we must pay attention to the fact that the holy verse refers to the calf-worshipping by Israelites and their group apostasy; therefore, the Irtidād of one individual cannot be inferred from it. Someone may say: according to "So you must repent", the repentance has been obligatory for all of them independently. Hence, the death sentence for the "Irtidād" of each of them is carried out independently, and as a result, the apostasy of each person is an independent subject for the execution of the death sentence.

- Ibn Ashur's point of view

Regarding the ruling of the apostate and his actions and the existing disagreement among the scholars, Ibn Ashur says: "There

are also differences of opinion among the scholars of different religions regarding the repentance of the apostate returning from Islam: Mālik and Abu Hanifah believe that if someone (a Muslim) returns from the religion, then he converts to Islam again, his actions before apostasy will not be returned to him. If there is a promise or an oath to return to Islam, then those issues are dismissed. And if he has performed Hajj before the apostasy, then when he returns to Islam, he must perform Hajj again, and he will not be punished for the sins he did during the Hajj, but he will be punished for his disbelief. Shafi'i also says: As soon as the apostate returns to Islam, all the deeds he did will return to him. Ibn Arabī said: Our scholars have stated that God has specified the punishment as a condition because he has mentioned the permanence of punishment, and whoever commits disbelief, God will place him in eternal punishment. He means that in verse 217 of Surah Al-Baqarah⁽³¹⁾, God's word has been divided between two conditions and two answers. Perhaps the reason for the repetition of the referent noun "And those" in the verse is an indication that this phrase is the second answer. The other verses have come in the absolute form and free from the adverb "Down with disbelief" are a proof that in this verse, this adverb has a meaning. In this reasoning, it can be concluded that the rule of absolute carrying on the bound is abolished. Maybe Malik's opinion is not that these rulings are the rulings that return to the principles of religion, he can speak about this on the basis of suspect evidence.⁽³²⁾ Shafi'i says about the ruling of the apostate: "The apostate will be killed without repentance. The reason of Shafi'i in this regard is counting the absolute on bound; as Fakhr Razi mentioned, and Ibn Faras Maliki has approved it.

So, if someone says that: "Islam has approved the righteous deeds of the ignorance era, because the Prophet of Islam said to Hakim ibn Hazam: "You have converted to Islam that is known as a good religion", so is the apostate from the religion of Islam less than the people of ignorance era?" The answer is that: the state of ignorance proceeded the religion of Islam has been the state of lack of Islamic law, and one of the virtues of the Islamic religion [over ignorance] is the interpretation and expression of the Shari'ah.⁽³³⁾

- The views of Shi'a jurists regarding Irtidād and Murtadd

Contrary to the opinion of the Sunnis, the Imamiyyah jurists divide the religious into "Natural" and "National". Natural apostate is someone who, because of his Muslim parents, was born according to the nature of Islam and then left Islam. The punishment for such apostate is "Murder", and if he repents and returns to Islam, his repentance will not be accepted, and this ruling is agreed upon by the Shi'a jurists. The document of this ruling is many narrations that have been narrated by Infallible Imams (AS) in this regard.⁽³⁴⁾

In the case of a "National" apostate, Islam is offered to him first. If he accepts Islam, he is not punished, but if he didn't repent and didn't accept Islam, according to the consensus of jurists, according to the hadith of Infallible Imams (AS), his punishment is "Murder". Also, contrary to the opinion of the majority of Sunni scholars, according to the narrations of Infallible Imams (AS) and consensus of Shi'a jurists, the punishment for an apostate woman, even if it is natural, is not murder, but it is imprisonment with hard labor. In a hadith narrated from Imam Bāqir and Imam Ṣādiq (AS): If a woman becomes an apostate, she will be repented, and if she repents and returns to Islam, she will be freed.⁽³⁵⁾

Otherwise, the imprisonment will be eternal and will be severe and strict.⁽³⁶⁾

Therefore, according to the Shi'a, the punishment of murder in the case of Irtidād is certain in the case of natural apostate that no repentance is accepted. However, the national apostate will be killed if he does not accept Islam.

Some of the contemporary scholars find it problematic to agree on the punishments for apostasy in terms of "Ḥudūd" and are of the opinion that apostasy is not about the actions, but it comes back to the type of belief. Sahib Masālik criticizes Sahib Sharāyī and says: The famous among the jurists is that it is from "Ḥudūd".⁽³⁷⁾ The method of most parties is that "Irtidād" was mentioned at the end of the discussion of "Ḥudūd" and under the title of "Various punishments" and they did not mention the punishments of the apostate.

One of the practical results of the limited or discretionary punishment of the apostate, in addition to mentioning the general rules of the chapter on limits, such as: "Major penalty is not given in case of suspicious proof; in cases of doubt the prescribed major

punishment (Ḥudūd) is not imposed" and the permission of the Imam to pardon for the punishment that is proven by confession, is that if we consider the punishment of apostasy as discretionary, the execution of the punishment of the apostate will be done by the "ruler" and, unlike Sabb al-Nabi⁽³⁸⁾, it will not be Mahdur al-Dam⁽³⁹⁾ towards all persons, and only the imam or vice-imam can punish the apostate. As in the words of the jurists, the need to implement the apostate limit has been emphasized by the imam or vice-imam. The First Martyr says in the Book of Lessons: "The killer of the apostate is the Imam (AS) or the Imam's deputy."⁽⁴⁰⁾

Conclusion

From the examination of the narrations of apostasy and also the process of encountering the Shi'a and Sunni commentators with these narrations, it became clear:

1. The core and basis of the interpretation of the phenomenon of apostasy and the explanation of its rulings by different commentators is firstly in the Holy Qur'an and then in the narrations. Some have also come up with special interpretations of the texts through Ijtihād in this field.
2. Among the four Sunni religions, the Hanafis have considered "Irtidād" as "Ta'zīrāt". Shafi'i separates the rulings of confronting Ahl al-Baghy and Ahl al-Raddah from "Kitāb al-Ḥudūd" in Kitāb al-'Umm. Abu Hanifa, Malik, Shafi'i, and all Sunni scholars do not believe that a "Murtadd" should be repented, whether he was originally a Muslim and then apostatized, or he was originally an infidel, then became a Muslim, and then turned to disbelief and apostatized. From their point of view, if the "Murtadd" doesn't repent, it is obligatory to kill him.
3. The issue of "Irtidād", like many other issues in Islam, was not specific to this religion, but was also considered in other divine teachings, and Islam has also emphasized on the necessity of punishing the "Murtadd". "Irtidād" is considered in Judaism as a "Personal deviation" and in Christianity as a "Political deviation", but in Islam it is presented as an individual, social and political deviation. Since the rule of "Murtadd" exists in almost all Abrahamic religions (Judaism, Christianity and

Islam), "Irtidād" cannot be defined as leaving Islam but it is used for all religions.

4. What is obtained from examining the historical course of "Irtidād" is that the "Irtidād" at the early Islam was not "Intellectual", but it was political, economic and tribal, and many of those who were labeled as "Murtadd" were not actually apostates, but were given the title of apostates by government interests.
5. 5- The religion of Islam, in order to prevent the bad events that may affect the Islamic society through conversion, explicitly orders that if a Muslim man born from Muslim parents becomes a "Murtadd" (which is called a "Natural apostate"), his punishment is death. But if he was born from non-Muslim parents and then he accepted Islam and then became an infidel (who is called a "National apostate"), he will be ordered to repent for a while, and if he does not accept, he will be given the death penalty.
6. The religion of Islam has considered an easier punishment for a woman who becomes an apostate; however, it is explained that in Sunni jurisprudence, an apostate woman (Natural or National) is not killed, but she is called to repent. If she repents, they will release her, otherwise she will remain in prison and they will be forced to live in poverty. In Imamiyah Fiqh, National and Natural apostate, whether male or female, have the same rulings, and in each case, special or criminal punishment is imposed. The punishment for an apostate man is to kill him. A natural apostate is killed without seeking repentance, of course, if he himself repents, the punishment for killing him will be cancelled. A national apostate will be killed if he doesn't repent after being asked for repentance, but if he repents, the punishment for killing him will be waived. In Shi'a rules, an apostate woman is not killed in any way, but is imprisoned and tortured until she repents or dies in prison.
7. All Islamic religions, including the Shi'a and the Sunnis, have considered apostasy to be one of the crimes that deserve punishment; the only difference is that some jurists have called apostasy a "Ḥudūd" and others a "Ta'zīrāt".

8. What can be said as the wisdom of legislating the laws of apostasy is that the Islamic government is based on faith and belief, and apostasy is, in a way, hitting the Islamic government and weakening its foundations.
9. There are subtleties about the example of Murtadd and the conditions for achieving Irtidād. People cannot be considered apostates simply by stating some issues, as in some verses, "Muḥāribah" is emphasized. Knowing the mentioned conditions and the example of those who are sentenced to apostasy requires knowing the correct interpretation of the verses of the Qur'an and related narrations in this field. Undoubtedly, considering the reasons for the revelation of apostasy verses, paying attention to the context of the verses, the behavior of apostates in the early history of Islam, as well as knowing the dignity of issuing narrations, helps us in understanding the issue of apostasy correctly.

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- (28) And remember Moses said to his people: "O my people! Ye have indeed wronged yourselves by your worship of the calf: So turn (in repentance) to your Maker, and slay yourselves (the wrong-doers); that will be better for you in the sight of your Maker." Then He turned towards you (in forgiveness): For He is Oft-Returning, Most Merciful. (Baqarah/54)
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- (30) This report has been narrated briefly and in detail in many Sunni interpretations, and in some sources, it has been accompanied by Israeli additions. For example, see: Tha'labi Nayshabouri, Al-Kashf wa al-Bayān an Tafsir al-Qur'an, vol. 3, pp. 310-311.
- (31) They ask thee concerning fighting in the Prohibited Month. Say: "Fighting therein is a grave (offence); but graver is it in the sight of Allah to prevent access to the path of Allah, to deny Him, to prevent access to the Sacred Mosque, and drive out its members." Tumult and oppression are worse than slaughter. Nor will they cease fighting you until they turn you back from your faith if they can. And if any of you Turn back from their faith and die in unbelief, their works will bear no fruit in this life and in the Hereafter; they will be companions of the Fire and will abide therein. (Baqarah/217)
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- (39) Mahdur al-Dam is one whose killing is allowed.
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