



Exploring Muslim Perceptions of Apostasy and Religious Freedom in Islamic Law: An Empirical Study in Sri Lanka

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Abstract: Freedom of religion is a fundamental principle in the Universal Declaration of Human Rights (UDHR). However, some international human rights activists argue that Islam does not emphasize religious freedom. Despite this claim, historical accounts indicate that the prophetic tradition ensured religious freedom. While various studies have explored apostasy, they often overlook the perceptions of both Muslims and non-Muslims. Sri Lanka is a diverse country with multiple ethnic and religious groups and has experienced significant clashes over the years. Recognizing differences in views on apostasy among Muslims, this study examines their perceptions regarding religious conversion and its consequences in relation to Islamic legal norms derived from the Quran, Sunnah, and existing literature. The study focuses on the Kurunegala district, a region with a large pluralistic society. Using the Krejcie and Morgan sample selection table, 84 participants were selected, and self-administered questionnaires were used for data collection. The data were analysed using SPSS version 26. Additionally, research articles, books, and web publications were reviewed to construct a conceptual framework. The findings reveal that 78.9% of participants agree that Islam upholds religious freedom, while 16.1% disagree. A majority (78.5%) are unaware that Islam does not criminalize conversion under coercion, which contradicts Islamic teachings. Furthermore, 62.8% believe that individuals who convert from Islam to another religion should be punished, even if they do not harm the Muslim community. This study highlights the need to address misconceptions about apostasy among Sri Lankan Muslims, particularly in the Kurunegala district. It aims to contribute to strategies for reducing these perceptions and promoting a clearer understanding of Islamic teachings on religious freedom.

Keywords: Apostasy, Sri Lanka, Islamic law, Muslims.

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Abstrak: Kebebasan beragama adalah prinsip fundamental dalam Deklarasi Universal Hak Asasi Manusia (UDHR). Namun, beberapa aktivis hak asasi manusia internasional berpendapat bahwa Islam tidak menekankan kebebasan beragama. Meskipun demikian, catatan sejarah menunjukkan bahwa tradisi kenabian telah menjamin kebebasan beragama. Sementara berbagai studi telah meneliti tentang murtad, banyak yang tidak membahas persepsi baik dari umat Muslim maupun non-Muslim. Sri Lanka adalah negara dengan keberagaman etnis dan agama yang luas serta telah mengalami berbagai konflik signifikan selama bertahun-tahun. Dengan menyadari adanya perbedaan pandangan tentang murtad di kalangan Muslim, penelitian ini bertujuan untuk mengkaji persepsi mereka mengenai konversi agama dan konsekuensinya berdasarkan norma hukum Islam yang bersumber dari Al-Qur'an, Sunnah, serta literatur yang ada. Studi ini berfokus pada distrik Kurunegala, sebuah wilayah dengan masyarakat yang pluralistik. Menggunakan tabel pemilihan sampel dari Robert V. Krejcie dan Daryle W. Morgan, sebanyak 84 peserta dipilih, dan kuesioner yang diisi sendiri digunakan untuk pengumpulan data. Data kemudian dianalisis menggunakan sistem SPSS versi 26. Selain itu, artikel penelitian, buku, dan website dikaji untuk membangun kerangka konseptual. Hasil penelitian menunjukkan 78,9% peserta setuju bahwa Islam menjunjung tinggi kebebasan beragama, sementara 16,1% tidak setuju. Sebagian besar (78,5%) tidak menyadari bahwa Islam tidak mengkriminalisasi seseorang yang berpindah agama karena paksaan, yang mana hal ini bertentangan dengan ajaran Islam. Selain itu, 62,8% berpendapat bahwa individu yang berpindah dari Islam ke agama lain harus dihukum, meskipun mereka tidak merugikan komunitas Muslim. Penelitian ini menyoroti perlunya mengatasi kesalahpahaman tentang murtad di kalangan Muslim Sri Lanka, khususnya di distrik Kurunegala. Studi ini bertujuan untuk berkontribusi dalam mengurangi persepsi yang keliru dan mempromosikan pemahaman yang lebih jelas tentang ajaran Islam mengenai kebebasan beragama.

Kata Kunci: Murtad, Sri Lanka, hukum Islam, Muslim.

Introduction

Sri Lanka is a unitary state characterised by a multi-ethnic population. Sinhalese, Tamils and Muslims have coexisted in this region for an extended period.¹ Numerous historical artefacts provide evidence of the long-standing cohabitation of these communities. However, it is evident that political conflicts occurring periodically have manifested as ethnic tensions.² In the aftermath of the

¹ Ahamed Sarjoon Razick, Iqbal Saujan, and Seyyath Mohammed Hakeema Beevi, "Buddhist and Muslim Interaction in the Post-War of Sri Lanka," *International Journal of Islamic Thought* 20, no. December (2021), p. 13–24.

² Jayadeva Uyangoda, *Ethnic Conflict in Sri Lanka : Changing Dynamics*, Washington: East-West Center Washington, 2007.

Easter attacks on 21 April 2019, misinterpretations and misconceptions regarding Islam have proliferated.³

Consequently, Muslims are encountering various religious and socio-economic challenges, with their religious beliefs, practices, history, and presence being scrutinised by non-Muslims and extremist groups.⁴ Muslim religious leaders in Sri Lanka have emphasised the necessity of engaging in interfaith dialogue to address these challenges through intellectual discourse and to safeguard the faith and existence of Muslims. The primary allegations pertain to Islamic perspectives on religious freedom, the Islamic penal system for apostasy, and forced conversion.⁵

Muslims constitute a minority within the majority communities in the Kurunegala District of the North Western Province of Sri Lanka, and consequently, they have an obligation to coexist harmoniously with other communities. In the aftermath of the Easter attacks, individuals from other religious backgrounds have posed numerous questions about Islam, either as neighbours or acquaintances.⁶ Particular interest has been expressed regarding the status of those who have departed from Islam. It is crucial to comprehend the reality of asceticism and to provide appropriate responses to individuals of other faiths. This study aims to investigate the perceptions of Muslims residing in the area concerning the apostasy or the renunciation of Islam (riddah or murtad). Apostasy refers to the abandonment of one's faith, religion, party, or principles, or the formal renunciation of a religion. It is not solely in Islam that apostasy is regarded as an offense; Christianity also considers the act of leaving the faith a punishable crime, resulting in automatic excommunication⁷.

Research Statement

Religious freedom has been the subject of scholarly debate over the past few decades and is closely associated with individual rights, religious freedom, gender discrimination, punishment and asceticism. From the perspective of human rights standards, particularly in the context of global trends in religious freedom, Western opinion and international treaties, Islam is perceived as the sole religion that restricts conversion and imposes sanctions on converts. Meanwhile, Sri Lanka is a multi-ethnic nation. Religious freedom and choice are two

³ Zakhir Khan, Muhammad Junaid Ghauri and Riffat Adam, "Exploring the 'Civil Repair' Role of Media: A Case Study of the Easter Bombings in Sri Lanka," *Pakistan Social Sciences Review*, 5, no. 4. (2021), p. 531-546.

⁴ A. R.M. Imtiyaz, "The Easter Sunday Bombings and the Crisis Facing Sri Lanka's Muslims", *Journal of Asian and African Studies* 55, no. 1 (2020), p. 3-16.

⁵ Robert W. Hefner, "Islam and Institutional Religious Freedom in Indonesia," *Religions* 12, no. 6 (2021), p. 415.

⁶ Imtiyaz, "The Easter Sunday Bombings and the Crisis Facing Sri Lanka's Muslims."

⁷ Harda Armayanto, Adib Fattah, "Managing Religious Diversity: An Ihsan Approach," *Afkar* 25, no. 1 (2023), p. 99-113

inextricable components in a pluralistic environment. The criticism of religious freedom in Islam has impeded the reconciliation of the Muslim minority in Sri Lanka with other religions and has fostered an atmosphere of apprehension and suspicion between Muslims and non-Muslims. This diminishes interaction and prevents them from engaging in social welfare activities with a collective approach. In the Kurunegala district, which serves as the study area, individuals from all communities are interdependent in various aspects. They coexist as neighbours, collaborate in the same workplaces, and study together in schools and educational institutions, avoiding ethnic disputes and maintaining social harmony through unity and mutual understanding. Non-Muslims frequently encounter information regarding conversions and other religious practices of Muslims. It is questionable whether these inquiries are addressed with a proper understanding of Islam in a manner that can enhance the reputation of the religion. The responses provided may have a negative impact on the perception of Islam and Muslims among non-Muslims. Alternatively, such responses may reinforce misconceptions about Islam.

Consequently, what is the position of Islamic jurisprudence regarding converts? Is a convert subject to capital punishment in Islam? What is the interpretation of punishment? What is the understanding among Sri Lankan Muslims about conversion to Islam? This study aims to address questions such as the discrepancy between their understanding and Islamic positions. Based on these considerations, this research has been conducted to achieve the following aims. This study has been carried out in order to identify the perception of samples regarding those who leave Islam and evaluate it with Islamic jurisprudence.

Method and Research Design

This study employs a quantitative methodology. This approach was selected as the researchers deemed it most appropriate for describing the study's results and ascertaining, through a questionnaire, the extent of people's understanding of apostasy from Islam within the study area, as well as the degree to which their views align with or diverge from the Islamic perspective on *riddah* (apostasy). Quantitative research is pertinent to achieving the study's objectives as it facilitates an analysis of individuals' comprehension of a subject. Based on the study model, it is most suitable to approach the selected participants with a closed-ended questionnaire to identify their understanding of religious conversion. This method is also utilised due to its facilitation of data comprehension and generalisation.

According to a report by the Department of Census and Statistics of Sri Lanka (2012), 70.2% of the population is Buddhist, 12.6% are Hindu, 9.7% are Muslims and 7.4% are Christians. These ethnic groups have coexisted harmoniously for an extended period, adhering to their respective religious,

cultural and multicultural practices. Particularly in the Central, North Central, North Western, Sabaragamuwa, Uva and Western provinces of Sri Lanka, Muslims reside in small communities among the majority populations. According to the International Religious Freedom Report (2018), the majority of Muslims in Sri Lanka adhere to the Sunni sect, with a significant proportion following the Shia and Ahmadi sects.

Kurunegala District comprises 30 Divisional Secretary's Divisions. In all these sections, Muslims are integrated with other non-Muslims and constitute a minority. Notably, in Weerambagedara, Alawwa and Polpitigama divisions, there is a minimal Muslim presence, while in other parts of the district, Muslims form the predominant religious group. Consequently, samples were selected utilising the population sampling method from the total Muslim population in Kurunegala District. For this purpose, 5 Muslim concentration areas (Ibbagamuwa, Ridigama, Pannala, Mallawapitiya, and Mawathagama) were randomly selected. From the total population (118,305) of the aforementioned area, 410 participants were selected in accordance with the model table of Krejcie and Morgan⁸, and data were obtained from them through closed questionnaires.

The primary data collection method employed in this study was a self-administered closed questionnaire distributed by the investigators based on the sample size. The questionnaire utilised a five-point Likert scale to assess participants' opinion levels and was structured to enable independent responses. The questionnaire comprised two sections: the first part collected sample profiles, while the second part was divided into four sub-sections, encompassing approximately 30 questions pertinent to the study.

A total of 410 questionnaires were distributed among research participants from Ibbagamuwa (100), Ridigama (80), Pannala (110), Mallawapitiya (55), and Mawathagama (65). Of these, 384 (93%) questionnaires were deemed suitable for research purposes and subsequently analysed. The sample consisted of 199 female and 185 male respondents. Among the participants, 36 were recent converts to Islam, comprising 21 men and 15 women. The remaining 348 questionnaires were completed by individuals born into Muslim families.

This study assesses the perception of the research sample. The descriptive research method is deemed appropriate to elucidate the opinions of the research sample and has thus been employed in this study. For this purpose, the data were analysed using SPSS (Statistical Package for the Social Sciences) software, and a central tendency table containing the components of Analysing and mean, median, mode, and standard deviation was generated. These are presented and described as separate tables in the discussion section of the study.

⁸ Robert V. Krejcie and Daryle W. Morgan. Determining sample Size for Research Activities," *Educational and Psychological Measurement* 30, No. 3 (1970), p. 607-610.

Freedom of Religion in Islam

The status of the research samples was evaluated by measuring four main areas related to religious freedom in Islam. These areas comprise: firstly, the freedom to choose and follow any religion; secondly, the freedom to call one who has left Islam back in their absence; thirdly, the coercion of people of other religions to enter Islam; and fourthly, the status of one who left Islam under duress.

Freedom to Choose and Practise Religion of One's Choice

Freedom of religion is a fundamental human right. An individual's freedom to practice the religion of their choice is recognized as a personal right. In the Islamic context, freedom of religion means that non-Muslims are neither forced to convert to Islam nor restricted from practicing their faith. Both Muslims and non-Muslims have the right to propagate their respective religions. A non-Muslim is free to adhere to any faith and change it as they see fit⁹. In Sri Lanka, her constitution stipulates that an individual has the freedom to follow any religion or ideology of their choice, or to abstain from following any religion or doctrine. Similarly, Islam supports religious freedom, and the Qur'an emphasises this in numerous instances. When the understanding of the samples was analysed in this regard, the following results were obtained found that 78.9 percent of the survey sample demonstrated a correct understanding that Islam supports religious freedom, while 16.1 percent asserted that Islam does not have religious freedom. Approximately 4.9% of the population lack clarity on the issue. Therefore, the fact that a significant number of Muslims residing in the study area have indicated that there is religious freedom in Islam suggests a proper understanding in this regard. The Qur'an states that an individual's choice of religion or doctrine, adherence to it, or renunciation of it is based on their own free will. This is evidenced by the following verse of Al-Quran: "Surely this is a reminder. So let whoever wills take the 'Right' Way to their Lord"¹⁰. Similarly, the Medina Charter of the Prophet (PBUH) serves as an excellent example of religious freedom in Islamic history.

In the contemporary Islamic world, religious freedom appears to be enforced. 94% of Muslims in Africa, 93% in the Middle East, 95% in South and Eastern Europe, 85% in the Middle East and North Africa, 92% in Central Asia, and 97% in South Asia report living with religious freedom. Many individuals residing in Uzbekistan (39%), Iraq (48%), and Egypt (46%) state that they live with religious freedom. Egypt (18%), Turkey (14%), Iraq (13%), Djibouti (11%), and Tajikistan (11%) report that those who are not Muslim have the freedom to

⁹ Adibah Sulaiman, Md Yazid Ahmad, Mohd Azmir Mohd Nizah and Ezad Azraai Jamsari, "Apostasy: Is It Human Rights or/and Freedom of Religion," *International Journal of Advanced Research*, 8 no. (11), (2020), p. 208-215.

¹⁰ Al-Quran, al-Insan 76: 29.

follow their religion¹¹. Article 3(1) addresses freedom of self-confidence on the basis that non-Muslims can peacefully practise their religion in any part of Malaysia. Article 11(1) states that "every person shall have the right to follow and practise his own religion."¹²

Therefore, one can conclude that an increasing number of Muslims demonstrate clarity regarding the concept of religious freedom in Islam. Muslims residing in Sri Lanka as part of a multi-ethnic community are cognisant of the importance of religious freedom, freedom of expression, and social harmony with other people, as well as their Islamic position.

Compulsion of a Non-Muslim to Convert Islam

Islam respects human right¹³ and condemns the practice of forcing a non-Muslim or any convert to another religion to enter Islam. The research found that 57.8% (222 respondents) of Muslims in Kurunegala district agree with this statement. 26.8% (103) of the respondents deny that there is no compulsion in religion and believe that those who have left Islam are being forced to re-enter Islam. A small proportion (4.7%) indicated neutrality on the issue. Approximately 10.7% of the respondents are uncertain. The majority of the converts (21) selected the correct answer. However, 25 of the sixty-seven individuals who received religious education denied this claim. Another respondent stated that he lacked knowledge about this matter and that those who had formal education and embraced Islam had a proper understanding of this issue.

Islam does not advocate forcing individuals to follow its religion. The Qur'an states, "Let there be no compulsion in religion, for the truth stands out clearly from falsehood. So, whoever renounces false gods and believes in Allah has certainly grasped the firmest, unfailing hand-hold. And Allah is All-Hearing, All-Knowing".¹⁴ This verse elucidates the matter. During the time of the Prophet (PBUH), numerous Muslims left Islam on various occasions for insubstantial reasons. However, it is evident that the Prophet (PBUH) did not punish anyone or compel anyone to remain in the religion. Non-Muslims are accountable for their misdeeds. As Muslims believe they will receive their due reward in the Hereafter, they need not be concerned about the deviation of others. Rather, the Qur'an states

¹¹ Besheer, M. & Sciupac, E.P, *The Share of Americans Who Leave Islam is Offset by Those Who Became Muslim*. www.pewresearch.org. <https://www.pewresearch.org/fact-tank/2018/01/26/the-share-of-americans-who-leave-islam-is-offset-by-those-who-become-muslim> Washington: Pew Research Centre (2016).

¹² Ismail, S. Z., & Awang Mat, M. Z, "Faith and Freedom: The Qur'anic Notion of Freedom of Religion vs. the Act of Changing Religion and Thoughts on the Implications for Malaysia," *Journal of Religion*, 7 no. 7 (2016), p. 1-16.

¹³ Tamyiz Mukharrom and Supriyanto Abdi. "Harmonizing Islam and Human Rights Through the Reconstruction of Classical Islamic Tradition," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 7, no. 1. (2023), p. 41-57.

¹⁴ Al-Quran, al-Baqarah 2: 256.

that they should only convey their opinion to others. Islam's admonition is distinctive in that this work should not be used to deprive others of their rights or to oppress them. The Qur'an advises, "Invite 'all' to the Way of your Lord with wisdom and kind advice, and only debate with them in the best manner. Surely your Lord 'alone' knows best who has strayed from His Way and who is 'rightly' guided"¹⁵. Therefore, Islam encourages Muslims to live with religious tolerance and not to be overly concerned about irresponsible individuals or deprive them of their freedom.

While in a minority of Muslim-majority countries, the punishment for apostasy from Islam is enforced, in most countries, only blasphemy and sedition are subject to legal sanctions. In a statement published on December 4, 2017, the International Union for Humanitarian and Ethics noted that in Muslim countries such as Algeria, converts are not compelled to return to Islam¹⁶ India is a nation where Muslims constitute a minority population. Unlike some countries that impose legal consequences for leaving Islam, India does not criminalize apostasy (the act of renouncing one's faith). While Sharia-based personal laws apply to Muslims in matters like marriage, divorce, and inheritance, there is no provision under Indian law that punishes a Muslim for leaving Islam.¹⁷ However, there are reports of clerical threats to encourage reversion to Islam. return; nevertheless, they may face social consequences. Given this context, coercing others to accept Islam is practically unfeasible within the minority Muslim community in Sri Lanka. Such coercion is not sanctioned by Islamic principles. Based on the data from the study samples, the majority of respondents are cognisant that religious adherence is not compulsory (mean: 1.68, median: 1, standard deviation: 0.977). Therefore, it is evident that these Muslims have a clear understanding of this concept.

Status of an Individual Who Renounced Islam Under External Pressure

Islamic doctrine does not consider an individual culpable for apostasy under duress. In this context, duress refers to a situation that poses a threat to one's life. Regarding this matter, a majority of respondents (55.5%) assert that those who renounce Islam under external pressure are considered culpable. Only 28.4% of respondents stated that such individuals would not be deemed culpable, while 16.1% of them reported being unaware of this issue. Among those deemed culpable, 47 respondents were religious students and 153 had received formal education.

¹⁵ Al-Quran, al-Nahl 16: 125.

¹⁶ Man Baker. "Capital Punishment in Islam," *Arab Law Quarterly* 52, No. 4 (2018), p. 439-461.

¹⁷ Katherine Lemons. "Sharia Courts and Muslim Personal Law in India: Intersecting Legal Regimes". *Law & Society Review* 52, no. 3 (2018), p. 603-629.

According to Islamic principles, if an individual renounces the faith under external coercion, they are not considered culpable. Historical accounts describe the torture of Ammar, the son of Yasir (r.a), who was subjected to having a rock placed on his chest and being submerged in water until he lost consciousness. His tormentors demanded, "Muhammad should be scolded or Laud, Ujja should be praised. Only then will we release you from this punishment". The Qur'an addresses this issue: "Whoever disbelieves in Allah after their belief not those who are forced while their hearts are firm in faith, but those who embrace disbelief wholeheartedly they will be condemned by Allah and suffer a tremendous punishment."¹⁸ This historical incident and the Qur'anic verse clearly indicate that coercion is not punishable.

Faith is intrinsically linked to one's internal convictions. It cannot always be controlled by external factors or governmental entities. Even if an individual is coerced into renouncing their faith, they may outwardly appear to have converted while inwardly maintaining their Islamic beliefs. This is because faith is a matter of the soul, existing between an individual and Allah. Islam is characterised by its ease and aversion to imposing hardship on individuals. Human nature tends to seek ease in challenging situations. Examining Muslim ideology from an Islamic perspective in this regard (mean: 1.61, median: 1, standard deviation: 0.750), it is evident that a significant misconception exists among the populace. Consequently, there is a need for greater clarity on this issue within the Muslim community.

Reintegration of Individuals Who Have Left Islam

Individuals select beliefs or principles that align with their preferences and conduct their activities accordingly. When dissatisfied with a particular belief or principle, or when it impedes the attainment of further desires and needs, they may wish to deviate from their current path and pursue an alternative. This is considered a matter of personal freedom. However, when an individual embarks upon a potentially harmful path, it is possible to mitigate potential damage by tactfully highlighting the gravity of the decision. Similarly, Islam advocates approaching individuals who have renounced their faith in a considerate manner and inviting them to return to Islam.

The majority of respondents in the study area (82.6%) indicate that once an individual leaves Islam, they should be encouraged to return. While 9.6 per cent of them stated that such invitation was unnecessary, 7.6 per cent reported being unaware of this practice. Approximately 2.4 percent of those without formal education expressed uncertainty regarding this matter. Among those who received religious education, a small percentage stated that it was not necessary to invite individuals back, and 0.3% reported being unaware of this practice.

¹⁸ Al-Quran, al-Nahl 16: 106.

In reality, individuals leave Islam due to factors such as lack of religious clarity, marriage, and poverty. If one inquires about the reasons for their departure and finds it based on mere ambiguity or worldly factors, providing adequate explanation and extending a cordial invitation to return to Islam, without coercion, may result in a high likelihood of their return. In their study of Iranian Muslims living in Malaysia who have left Islam, Nuei and Ahmad Shah found that religious exploration, political factors, parental influence, and excessive contact with other religions as contributing factors of apostasy¹⁹. In addition to these, among other factors contribute to apostasy such as the lack of understanding and knowledge in Islam, negative influence from the media, and current culture in modern Muslim world²⁰.

However, according to the information obtained from the questionnaire a significant number of Muslims (Mean: 1.25, Median: 1, Standard deviation: 0.583), believe that an individual who has left the religion should be invited to return based on Islamic principles. Thus, Muslims demonstrate an understanding of this concept. However, in practice, there appears to be limited effort made by families to reintegrate such individuals, and fewer instances of proper guidance being provided.

Penalties for Conversion in Islam

There are different understandings among Muslims regarding the punishment for a person who has left Islam. Information was obtained according to the questions asked among the Muslims in the study area regarding the punishment for conversion, the time before the sentence, their right of inheritance and burial place and the contemporary relevance of these punishments.

Time for Repentance Prior to Punishment for Apostasy

Islamic doctrine stipulates that an individual who has apostatised should be afforded an opportunity to return to the faith, either voluntarily or through elucidation by others, before any punitive measures are enacted. An examination of the perspectives among the Muslim minority in Kurunegala district reveals that a significant majority (69.6%) of respondents support the provision of such an opportunity. Approximately 15.5% of them opined that time could be granted if desired. Furthermore, 4.2% of Muslim respondents believe that no time for repentance is necessary before sentencing. Approximately 11.2% of the respondents is unaware of this principle. Notably, two individuals with religious education profess ignorance on this matter. However, comparatively, most respondents (mean: 1.58, median: 1, standard deviation: 1.001) are cognisant of

¹⁹ Gholamreza Nuei and Faisal Ahmad Shah, "Iranian Christian Converts in Malaysia," *Journal of Usuluddin* 26, no. 2 (2018), p. 167-201.

²⁰ Ramizah Wan Muhammad, "Counselling the Apostates in Selangor: An Overview," *Malaysian Online Journal of Counselling* 3, issue 1 (2016), p. 1-13.

the Islamic position that time for repentance may be granted based on circumstances, whether compelled or voluntary. Many Imams refer to this as a 'term of time'. Similarly, Islamic scholars such as Subyan al-Daouz, Imam Athauri, and Imam have posited that a lifetime should be granted for return to the faith.

As Sri Lanka has a Muslim minority, there exists limited personal law for Muslims. Under these circumstances, conversion, penalties, and delays are impracticable. However, when non-Muslims inquire about this matter, it is imperative to possess a clear understanding to respond adequately. The provision of more time before sentencing may increase the likelihood of repentance. In Malaysia, Ismail and Awang Mat²¹ report that if there is substantial evidence suggesting an individual is attempting to leave Islam due to ignorance or lack of religious clarity, they are detained at the Islamic Guidance Centre for da'wah purposes for a maximum of 36 months. This was mentioned in their study *"Faith and Freedom: The Qur'anic Notion of Freedom of Religion vs. the act of changing Religion and Thoughts on the Implications for Malaysia"*. Thus, in Islamic countries, before an apostate is punished, they are questioned about their reasons for leaving Islam through confession. If any religious ambiguities exist, these are clarified, potentially facilitating repentance during this period.

Succession of an Individual Who Has Renounced Islam

Inheritance is a critical aspect of Islamic jurisprudence. Upon an individual's demise, their property is distributed among descendants according to the parameters prescribed by Allah. However, certain circumstances preclude heirs from inheriting property, with apostasy being one such condition. In the survey samples, 15.4% of respondents indicated that inheritance could not be issued. Approximately 68.0% of the respondents are unaware of this stipulation. Furthermore, 16.7% of the respondents are unfamiliar with the Succession Act. Notably, among those unaware, seven individuals possess religious education, while eight stated that inheritance can be allocated. While a general understanding exists, further elucidation is necessary.

According to Islamic principles, a non-Muslim cannot inherit from a Muslim, nor can a Muslim inherit from a non-Muslim. However, scholars such as Ibn Taymiyyah and Ibn al-Qayyim (ra) posit that a non-Muslim may inherit property from a Muslim, whilst maintaining that a Muslim cannot partake in the property of a non-Muslim. Islam provides inheritance to impoverished non-Muslim parents based on compulsory *wasiyyah wajibah*.²² Nevertheless, the

²¹ Ismail, S. Z., & Awang Mat, M. Z., "Faith and Freedom: The Qur'anic Notion of Freedom of Religion vs. the Act of Changing Religion and Thoughts on the Implications for Malaysia," *Journal of Religion* 7, no. 7 (2016), p. 1-16.

²² Asni Zubair, Hamzah Latif, Al Furqon Dono Hariyanto. "The Construction of Inheritance Law Reform in Indonesia: Questioning the Transfer of Properties through Wasiat

majority of Islamic jurists assert that inheritance cannot be obtained under these circumstances.

In nations such as Jordan, Pakistan, and India, apostasy is not subject to capital punishment. Instead, individuals who renounce Islam are prohibited from inheriting, separated from their families, and their marriage contracts are nullified. When comparing the understanding of Sri Lankan Muslims regarding granting inheritance to apostates with the Islamic perspective (mean: 2.01, median: 2, standard deviation: 0.567), it is noteworthy that a significant proportion of the population possesses an accurate comprehension of the matter.

Burial of an Individual Who Renounced Islam in Muslim Burial Grounds

If an individual who rejects the beliefs in Allah and His Messenger does not revert to Islam and expires in this state, they are not considered a Muslim. Islamic practice does not permit the interment of such an individual in a Muslim burial ground. When queried about this matter, the Muslim participants in the study area responded as majority (84.9%) asserted that the deceased cannot be interred in a Muslim burial site, while 7.6% of them indicated a lack of awareness regarding this practice. Approximately 7.6% of the respondents stated that interment in a Muslim centre was permissible. The majority demonstrated an accurate understanding of the practice.

Muslim burial grounds are exclusively reserved for the interment of Muslims. This principle is generally observed across all religions. The funerary rites and ceremonies for the deceased are conducted in accordance with the individual's religious affiliation at the time of their demise; they are interred in the corresponding burial ground. As long as an individual adheres to Islam, all aspects of their religious, social activities, and beliefs are governed by Islamic guidelines and traditions. If an individual renounces their faith in Allah, their personal, social, religious beliefs, and behaviour will undergo changes, and they will no longer be considered a member of the Muslim community. If an individual has departed from the religion for any reason, or if they re-embrace Islam after becoming aware of their condition or voluntarily, they will be regarded as a Muslim again. Should they expire in this state, they will be considered under the care of the Muslim community and interred in the Muslim burial ground. If they refuse to repent and expire as a non-believer, they will be regarded as a non-Muslim and will not be interred in Muslim graves. When comparing the understanding of this practice among the Muslims selected for the study with the Islamic perspective (mean: 1.23, median: 1, standard deviation: 0.572), it is evident that a majority of respondents possess an accurate understanding of this practice.

Wājibah to Non-Muslim Heirs," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 6, no. 1, (2022), p. 176-197.

Abandonment of Islam by A Person Who has Attained Puberty

In Islamic jurisprudence, actions performed by an individual who has not reached puberty²³ or who experiences mental incapacitation are not considered culpable offences and are thus exempt from punishment. This principle extends to apostasy. However, upon attaining the capacity to discern between right and wrong, the individual becomes accountable for their actions in a manner consistent with others. In assessing the level of knowledge of Muslims in the study area, we found the majority of respondents (60.4%) has demonstrated an understanding of this concept. Approximately 19.8% of the participants erroneously believe that an individual who has not reached the age of mental competence is considered culpable if they renounce Islam. Furthermore, 19.8% of the samples are illiterate. Twenty-two individuals who have received religious education correctly identify this statement as inaccurate. Concurrently, two individuals appear to lack awareness of this principle.

Certain prerequisites must be met before the execution of an individual who has apostatised or rebelled. If an individual renounces Islam under coercion, due to mental incapacitation, or as a result of being a minor, they are not considered culpable. Those in such circumstances are not deemed capable of deliberate disbelief in Allah. Similarly, Islamic legal scholars assert that if an inebriated individual renounces Islam or expresses intent to do so, their apostasy cannot be considered valid. A comparison of the Islamic perspective on this subject with the views of Muslims (mean: 1.59, median: 1, standard deviation: 0.799) indicates that these Muslims possess an understanding of this concept. Nevertheless, there remains a need for enhanced clarity among Muslims regarding this issue.

Death Penalty for Leaving Islam

One side says that a person who converts should be sentenced to death and the other says that he should not be punished. Looking at the conceptual position of the research models, we found that 39.6 per cent of the respondents say the death penalty should be imposed on a person who converts. And 18.0% of them said they were not aware of this. Eight of those who received religious education said they did not know, while 42.4% of the respondents said that there is no death penalty for a person who converts and maintains peace without agitating in religion. But in the contemporary world, many Muslims and non-Muslims are of the opinion that Islam punishes the death penalty for leaving Islam. This concept is being hotly debated among Muslims. The concept of death penalty for

²³ Mariani Amberi, "Efforts to Prevent Child Marriage Based on Philosophy of Islamic Law and Indonesian Positive Law," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 7, no. 1 (2023), p.239-260.

conversion is a tradition from the opinion of medieval Muslim scholars. In fact, Islam imposes the death penalty on dangerous apostates who may rebel against Islam, not on ordinary apostates. When looking at the precepts of Islam, their background needs to be examined. Al-Quran²⁴ makes it clear that when Islam was growing in its early crescent, the hypocrites of Medina began to adopt and renounce Islam in order to eradicate it completely, to know the political plans and secrets of the Muslims and to help the enemies to defeat the wars, and to destroy the instincts of the Muslims by waging psychological struggles against them. Death penalty was fixed for converts. However, the position of contemporary Islamic jurists such as AbdulllHamid Abu Sulayman²⁵ is that it changes according to the factors of time, space and dimension.

During the twentieth century, some Muslim scholars began to challenge the application of the death penalty for apostasy. Among the earliest were Muhammad Abduh (d. 1905) and Rashid Rida (d. 1935), who argued that no one should be executed solely for changing their religion. They contended that no verse in the Qur'an prescribes capital punishment for apostasy. Verses such as Q 2:218 and Q 3:86-97, often cited to justify the execution of apostates, actually envisage a natural death for them. According to Abduh and Rida, the justification for capital punishment in cases of apostasy is based primarily on prophetic traditions, which contrast sharply with Qur'anic verses upholding freedom of religion. They further argued that such traditions rely on a single authority (khabar al-ahad) and were not widely known among the Prophet's Companions.²⁶ Similarly, when this matter is examined from the basis of the Qur'an and the Sunnah, it can be seen that Islam does not impose the death penalty on such people in this world but instead imposes a permanent death penalty in the Hereafter. *They ask you 'O Prophet' about fighting in the sacred months. Say, "Fighting during these months is a great sin. But hindering 'others' from the Path of Allah, rejecting Him, and expelling the worshippers from the Sacred Mosque is 'a' greater 'sin' in the sight of Allah. For persecution³ is far worse than killing. And they will not stop fighting you until they turn you away from your faith—if they can. And whoever among you renounces their own faith and dies a disbeliever, their deeds will become void in this life and in the Hereafter. It is they who will be the residents of the Fire. They will be there forever.*²⁷

However, according to a 2010 Pew Research Center poll, 84 percent of Muslims in Egypt believe that those who leave Islam should face the death

²⁴ Al-Quran, al-Taubah, 9: 47-52.

²⁵ AbdulllHamid Abu Sulayman. *Islamization of Knowledge* 3, no. 1 (Herdon: The International Institute of Islamic Thought, 1987).

²⁶ Ali Akbar and Abdullah Saeed. "Death penalty for apostasy: Selected Sunni and Shi'a scholars' views in favour of abolition". *Melbourne Asia Review*, Edition 4. (2020), p. 1.

²⁷ Al-Quran, al-Baqarah 2: 217.

penalty²⁸. In countries where Muslims live as minorities, it is concerning that an increasing number of people worldwide are convinced of the existence of the death penalty. The primary reason for these understandings lies in the interpretation of Al-Qur'an and Sunnah based on orthodoxy, without thorough examination and presentation to others with certainty and clarity regarding its correctness. The second factor is the criticism and lawsuits publicized in the media. As a state, this punishment is for blasphemy and agitators, but it is often portrayed inaccurately to the public.

In comparing the Islamic views of Muslims in the study area, the majority of the respondents (37.3%) agree that there is no punishment in religion, while a similar proportion of them (34.8%) believe in the existence of such punishment. The residents of the study area are able to conduct all their activities among non-Muslims and align with them in daily work, transportation, education, and healthcare. In such an environment, if a non-Muslim is questioned about this issue, negative perceptions of Islam may increase among them. This affects social harmony and portrays Islam as a fierce religion. Therefore, understanding this issue is essential. However, the interest in learning about this matter is limited among Muslims.

There are varying perspectives on the types of conversion that Islam deems punishable. Muslims within the study area exhibit diverse understandings on this matter. Specifically, 13.9% of Muslim respondents indicated that Islam typically punishes individuals who leave the faith. Conversely, 27.9% of them asserted that Islam only punishes those who actively rebel against it. A majority of them, 34.9%, stated that Islam generally punishes both apostasy and other religions or atheists, while opposing religious thought. Only 11.7% of the respondents were unaware of this issue. A minority, 6.6%, responded that Islam does not impose the death penalty for either ordinary conversion or rebellion. In reality, Islam punishes solely those who rebel against it.

Islam, systematically established by the Prophet Muhammad (PBUH) amidst numerous challenges, began as an individual endeavour and subsequently evolved into an empire. It has achieved numerous unprecedented successes and excels in various domains such as science, politics, society, and economy²⁹. Presently, Islam is the second most followed religion globally. Despite its growth, adversaries have persistently sought to undermine Islam from the time of the Prophet Muhammad (PBUH) to the present day, attempting to overthrow the religion. The various accusations and criticisms directed at Islam stem from the actions of such individuals. These adversaries have created internal enemies and

²⁸ Besheer, M. & Sciupac, E.P. *The Share of Americans Who Leave Islam is Offset by Those Who Became Muslim*, (2016).

²⁹ AM Hasan Ali, "Community-based Economic Development and Partnership Cooperation: The Economics Strategy for Prosperity of the Ummah," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 8, no. 2 July (2024), p. 1280-1300.

insurgents within Islam, hindering the growth of the Islamic State. Historical figures such as Abdullah bin Ubai bin Salul, Qais bin Amru, Aljad bin Qais, Zahaq bin Sabit, and contemporary figures like Salman Rushdie and Taslima Nasreen, exemplify this phenomenon.

During the Prophet Muhammad's (PBUH) era, he punished those who converted and rebelled, as eliminating enemies was deemed essential for the advancement of Islamic politics.³⁰ The Qur'an elucidates the actions of such hypocrites. The Islamic world continues to punish converts in various countries, thereby presenting a distorted view of Islam to the public. Contemporary Islamic scholars share this perspective.

Thus, it is evident that Islam does not punish individuals for conversion alone but targets those who create confusion about the religion. The understanding among minority Muslims in the Kurunegala district (average: 2.63, median: 2, standard deviation: 1.204) is notably low. Therefore, guidance on this issue is imperative.

Key Findings

The Shari'ah's prescribed punishment for apostasy, particularly the death penalty, is a subject of extensive debate among both Muslim and non-Muslim scholars. A thorough examination of Qur'anic evidence, the historical context of punishments for apostasy during the Prophet's (PBUH) era, and its application in the medieval period reveals that the death penalty is not universally applicable. Notably, the Prophet (PBUH) administered the death penalty to only a few apostates, while many were left unpunished. This punishment was reserved for those whose apostasy was accompanied by acts of treason against Islam and the state.³¹ Despite contemporary acceptance of this nuanced view, there remains a prevalent belief that Islam mandates the death penalty for apostasy. This perception fuels accusations from Western thinkers that Islam is inherently violent and propagates its faith through coercion. Such misconceptions undermine the certainty of these hypotheses among both Muslims and non-Muslims.

The belief in the death penalty for apostasy poses a significant barrier to the integration of minority Muslims within Sri Lanka's pluralistic society. Historical instances of violence have exacerbated this issue. To foster social harmony, it is imperative to dispel these erroneous beliefs among both Muslims

³⁰ Niaz A. Shah, "The Use of Force under Islamic law," *The European Journal; of International Law* 24, no 1, (2013), p. 343-365.

³¹ Muhammadun, Omar Fathurraman and Idris Rifai, "Death Penalty for Apostasy: The Perspective of hadith and Positive Law," *Indo Islamika: Jurnal Kajian Interdisipliner Islam Indonesia* 11, no. 1 (2021), p. 1-20.

and non-Muslims³². In this context, the Kurunegala district has been identified as a focal area for exploration. This research aims to ascertain the understanding of Muslims residing in Kurunegala regarding apostasy and whether their views align with or diverge from established Islamic perspectives. The objective is to prevent the transmission of misconceptions from Muslims to non-Muslims and to eradicate misunderstandings about Islam, thereby enabling Muslims to coexist peacefully with other communities.

An evaluation of the perceptions of Muslims in the Kurunegala district reveals a varied understanding of apostasy. While the majority have accurate knowledge, some hold conflicting views, and a minority lack basic awareness. It is noteworthy that even individuals educated in religious and formal education exhibit ignorance and contradictory opinions on certain aspects. Consequently, there is a pressing need to enhance the knowledge of Sri Lankan Muslims regarding apostasy.

The principal findings of this study reveal that Islam grants individuals the freedom to follow their own faith. It is generally accepted that there is no alternative view. However, the study also identified that some Muslims assert that Islam does not provide religious freedom. The Muslims in the study area are cognizant that an individual who has left Islam should be invited back to the faith in a moderate manner. Islam offers an opportunity for repentance before any punishment is administered. Conversion is not immediately punished upon proof, as the decision to leave Islam may have been made in haste or under emotional distress. Factors such as familial and societal anger, lack of clarity, and stubbornness can also contribute to the decision to leave the religion. The Muslims in the study area appear to understand that Islam necessitates giving the individual time to reconsider their position.

This research also found that the Muslims in the study area have a clear understanding that inheritance cannot be granted to a person who has left Islam. There is a consensus that a non-Muslim cannot inherit from a Muslim, and vice versa³³. Practically, if an individual leaves Islam, they are not entitled to property. The Muslims in the study area believe that Islam considers a person who leaves the faith under external pressure as a criminal. This ideology conflicts with the broader Islamic view. In cases where a mother with a baby girl or a small child marries a non-Muslim willingly, the child is often forced to leave Islam due to a lack of support, especially in the backward and illiterate areas of the Kurunegala

³² Muhammad Saekul Mujahidin, "Extremism and Islamophobia Against the Muslim Minority in Sri Lanka," *American Journal of Islam and Society* 40, no. 1-2 (2023), p. 213–241. <https://doi.org/10.35632/ajis.v40i1-2.3135>

³³ Asni Zubair, Hamzah Latif, Al Furqon Dono Hariyanto. "The Construction of Inheritance Law Reform in Indonesia: Questioning the Transfer of Properties through Wasiat Wājibah to Non-Muslim Heirs,".

district. This understanding is prevalent because many Muslims globally adhere to traditional punishments and acceptances without critically examining their validity.

Conclusion

To conclude, the death penalty prescribed by Islam is deemed appropriate for apostates by the majority of Islamic curricula and teachings in Sri Lanka are predominantly based on a specific madhhab, which influences their limited understanding of the punishment system. People in the study area, as it is a punishment mandated by Islamic Shari'ah. They paradoxically believe that it instils fear of Islam and helps eliminate crimes and prevent apostasy. A minority of individuals, however, view the punishment for converts as inappropriate in contemporary times, arguing that it affects social harmony and deters others from embracing Islam. The issue of apostasy among Muslims in Sri Lanka is multifaceted, reflecting a spectrum of views that range from traditional interpretations to contemporary reexaminations. While traditional perspectives may view apostasy as a grave offense, modern interpretations and the socio-legal context of Sri Lanka emphasize individual freedom of belief. The emergence of organizations like the CEMSL (the Council of Ex-Muslims of Sri Lanka) and scholarly works addressing apostasy indicate an ongoing discourse within the Muslim community, balancing respect for religious traditions with evolving views on personal autonomy and human rights. The issue of apostasy is not often publicly discussed in Sri Lanka, as it can lead to social tensions, especially given the diversity of religious communities in the country, including Buddhists, Hindus, and Christians.

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