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Religious Affiliation, Belonging, and Apostasy: A Case Study of Christian and Muslim Concepts

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Introduction

It is well known that Roman Catholic doctrine connects three of its seven sacraments with the theological notion of “*character indelebilis*”. These sacraments are baptism, confirmation, and ordination. Respecting these three sacraments, “character” means an incorruptible and unrepeatable spiritual sign in the baptized’s soul.⁵

It is noteworthy that neither the term “sign” nor the term “character” refer to a real phenomenon of “engraving” something in the individual’s soul. Instead, and according to Christian doctrine, the term “character” points to the fact that God will never revoke his benevolent care and salvific grace from the individual who receives one of the above mentioned sacraments. In this sense, the term *character indelebilis* is a metaphor for God’s loyalty and allegiance.

The theological concept of *character indelebilis* provides the basis for the Christian belief that every individual who becomes a church member through baptism remains a Christian until the end of his or her life.⁶ This applies even if he or she renounces fundamental Christian doctrines.⁷ Even in case of faithlessness, heresy or apostasy, the individual’s church

⁵ Cf. Council of Florence, ‘*Decretum pro Armeniis*’ (1439): Denzinger, Heinrich, *Kompendium der Glaubensbekenntnisse und kirchlichen Lehrentscheidungen*, ed. by Peter Hünermann (Freiburg: Herder-Verlag, 2014), Nr. 1310–1328, Nr. 1313; Council of Trent, ‘*Decretum de sacramentis*’ (1547), can. 9: Denzinger / Hünermann, Nr. 1600–1630, Nr. 1609.

⁶ According to Christian tradition that goes back to the Pauline letters in the New Testament, baptism constitutes the individual’s membership of the body of Christ. Baptism incorporates the Christian faithful into the mystical body of the Church through the Holy Spirit (cf. 1 Cor 12). Cf. CIC/1983, can. 204 § 1: “Christ’s faithful are those who, since they are incorporated into Christ through baptism, are constituted the people of God” (Code of Canon Law, Latin-English Edition, New English Translation, Washington D.C.: Canon Law Society of America, 2012).

⁷ Cf. Georg Gänswein, *Kirchengliedschaft – Vom Zweiten Vatikanischen Konzil zum Codex Iuris Canonici* (St. Ottilien: EOS-Verlag, 1995).

membership is not terminated.⁸ Heresy in this sense means that a baptized individual dissents willfully and persistently from orthodox doctrines of faith, while apostasy means a deliberate and complete abandonment of the faith by a baptized individual.⁹ Because of God's loyalty and allegiance to every human being, as it is performed in the ritual of baptism, neither faithlessness nor heresy nor apostasy will terminate his or her membership in the Christian church.

Against this background, the problem of religious affiliation, belonging and apostasy in Christianity and Islam seems to be very different. The concept of *character indelebilis*, evidently, is unknown in Islam. On the other hand, theory and practice of capital punishment for apostasy from Islam in some Islamic states indicate an underlying robust conception of religious membership, belonging, and affiliation. Consequently, and in order to compare Christian and Muslim concepts of religious affiliation and belonging, the first part of this paper is devoted to Christianity, the second to Islam. The conclusion outlines a hypothesis respecting the social function of punishment of apostasy in Christianity and Islam.

Religious affiliation, belonging, and apostasy in Christianity

The Christian concept of *character indelebilis* is normally dealt with in two different branches of Catholic theology. The first branch is systematic theology, particularly ecclesiology and theology of sacraments.¹⁰ Apart

⁸ Respecting ordination, the case is similar: even in case of "laicization," a cleric is only dispensed from his duties and obligations, while his ecclesiastical status endures. Consequently, a laicized cleric may administer sacraments when somebody is in danger of death. Cf. CIC/1983, can. 976.

⁹ Cf. CIC/1983, cann. 751; 1364.

¹⁰ It is noteworthy that the conception of *character indelebilis* is by no means restricted to the Roman Catholic Church. Regarding Protestant Tradition, cf. Ulrich Kühn, *Sakramente: Handbuch Systematische Theologie* (Gütersloh: Gütersloher Verlagshaus Mohn, 21990), p. 249–250. Familiar to Eastern Orthodox Churches is the Greek notion "*sphragis*": cf. North American Orthodox-Catholic Theological Consultation, '*Baptism and "Sacramental Economy": An agreed Statement of the North American Orthodox-Catholic Theological Consultation*', Saint Vladimir's Orthodox Seminary, 3 June 1999: <http://www.usccb.org/beliefs-and-teachings/ecumenical-and-interreligious/ecumenical/orthodox/baptism-and-sacramental-economy.cfm> (accessed 9 July 2019).

from this, the concept of *character indelebilis* is discussed in canon law. Unfortunately, both traditions are hardly ever intertwined.¹¹

The gap between systematic theology and canon law becomes even more obvious when one is aware of the fact that, in some European countries – such as Germany, Austria, Switzerland, Liechtenstein, Belgium, the Netherlands, and Luxembourg – church members enjoy the opportunity to “leave the church”. Here, “leaving the church” is simply realized by signing a formal statement disposed at a government authority.¹²

Particularly among Roman Catholic canonists in Germany it is well disputed whether a statement deposited at a government desk fulfils the conditions of canon law for a *defectus ab ecclesia actu formali* and whether it gives sufficient reason to interpret it as a formal decision to leave the Church.¹³ The reason is that the Code of Canon Law of the Roman Catholic Church (CIC) does not specify what precisely an *actus formalis* is.

In 2006, the Pontifical Council for Legislative Texts tried to clarify the issue asserting that an individual should make his statement of defection “personally, consciously and freely”.¹⁴ Moreover, the Pontifical Council stated that “the defection must be a valid juridical act” and that “the act be manifested by the interested party in written form, before the competent authority of the Catholic Church”¹⁵. Evidently, making a statement at a government authority does *not* fulfil this condition. The question, therefore, arises if such a statement in its canonical implications is valuable at all.

Be that as it may, according to Christian doctrine, it is not possible to leave the Church on its sacramental level by signing such a statement. This applies to Roman Catholic doctrine as well as to Protestant and Orthodox tradition. Christian sacramental theology knows well the

¹¹ Cf. Nils Petrat, “Wer gehört wirklich zur katholischen Kirche? Kirchengemeinschaft zwischen Kanonistik und Dogmatik” (Paderborn: Schöningh-Verlag, 2018).

¹² It is important to note that the consequences of such a statement primarily refer to secular law. Particularly, it affects obligatory payment of church tax. Cf. Georg Bier (Ed.), *Der Kirchenaustritt: Rechtliches Problem und pastorale Herausforderung* (Freiburg: Herder-Verlag, 2013).

¹³ Cf. Rüdiger Althaus, ‘Zugehörigkeit zur Kirche’: Stephan Haering, Wilhelm Rees, Heribert Schmitz (Ed.), *Handbuch des katholischen Kirchenrechts* (Regensburg: Pustet-Verlag, 2015), p. 268–288, partic. 279–288. Cf. CIC/1983, cann. 1086, § 1; 1117; 1124.

¹⁴ Pontifical Council for Legislative Texts, ‘Actus formalis defectionis ab Ecclesia catholica’ (13 March 2006): *Communicationes* 38 (2006), p. 185–187, Nr. 4.

¹⁵ Ibid. Nr. 5. The statement of the Pontifical Council was formally acknowledged by Pope Benedict XVI.

concept of an everlasting *character baptismalis*. Furthermore, Catholic tradition knows the expression *Semel catholicus, semper catholicus*, which means “once a Catholic, always a Catholic”.

Appropriately, the expression can be extended to “once a Christian, always a Christian”.¹⁶ According to this principle, neither an implicit nor a formal statement of a baptized individual to “leave the church” is capable of terminating church membership on a sacramental level. That applies particularly to schism, heresy, and even apostasy.¹⁷ Even a baptized individual who explicitly renounces Christian doctrines or acts blasphemously does not cease to be a member of the Church. The principle “once a Christian, always a Christian” applies even more when a baptized individual converts to atheism or a non-Christian religion.

While from a sacramental point of view, “leaving the church” seems to be impossible, canon law distinguishes between different levels of church membership. First of all, it provides the possibility to “excommunicate” a person by reason of disobedience to ecclesiastical authority or denial of essential elements of Christian faith (can. 1364 § 1 CIC). “Excommunication”, however, does not terminate church membership. It is an institutional act of religious censure that suspends or limits membership in the Church. Consequently, baptized individuals who are explicitly or implicitly excommunicated continue to be members of the Church. Nevertheless, some of their rights in the Church are restricted, in particular the right to receive sacraments or – if they are ministers – to administer them (can. 1331§ 1).

Thus, canon law distinguishes between *communio plena* and *communio non plena*. This distinction is already present in some texts of the Second Vatican Council (1962-1965), particularly respecting non-Catholic churches.¹⁸ Church membership means being incorporated into the ecclesiastical “communio”. The actual existence of “communio plena” presupposes the baptized individual’s assent to Catholic tradition in matters of faith and practice. Moreover, Can. 209 § 1 states that “the Christian faithful [...] are always obliged to maintain communion with

¹⁶ Consequently, church membership is based on baptism as “constitutional and consecratory” or simply “sacramental”. Cf. Bertram Zotz, *Katholisch getauft – katholisch geworden. Kanonistische Kriterien für die Zugehörigkeit zur römischen Kirche* (Essen: Ludgerus-Verlag, 2002), 45. Resp. Canon law, cf. CIC/1983, can. 11.

¹⁷ Cf. CIC/1983, can. 751 combined with can. 1354.

¹⁸ Cf. *Lumen gentium*, No. 15; *Unitatis Redintegratio*, Nr. 3. 4. 13. 14. 18. 19. 20; *Presbyterorum Ordinis*, Nr. 9.

the Church”. Such an obligation requires active support for the mission of the Church by the Christian faithful.

No doubt: while communion with the Church grants particular rights to the Christian faithful, it also requires particular obligations on their part. Can. 222 § 1 CIC prescribes that Christian faithful “are obliged to assist with the needs of the Church so that the Church has what is necessary for divine worship, for the works of the apostolate and of charity, and for the decent support of ministers”. Usually, an individual who intends to leave the Church will not be ready to fulfil such obligations.

As already explained in his encyclical *Mystici Corporis* (1943), Pope Pius XII declared that a member of the Roman Catholic Church in the strict sense of the word is only the baptized individual who fulfils the following three conditions of Christian life: he must agree with the Christian Creed, consent with the sacramental order of the Church, and accept pontifical supremacy.¹⁹ In other words: According to the Pope, full church membership covers the acceptance of the threefold *vinculum symbolicum, liturgicum, and hierarchicum* as it was established by Roman Catholic theologians in the 16th century.²⁰ Consequently, apostates, heretics, and schismatics do not belong to the Christian Church in the proper sense. Any belonging of such persons to the Church, Pope Pius argues, threatens the ecclesiological principle of visibility of the Church maintained by Roman Catholic tradition. According to this tradition, the visibility of the church is expressed in unity of faith, ministry, and church leadership. Since the respective level of acceptance of the threefold *vinculum* by Christian faithful may be quite different, the terms *communio*

¹⁹ Pius XII, Encyclical ‘Mystici corporis’ (29 June 1943): Denzinger, Heinrich, *Kompendium der Glaubensbekenntnisse und kirchlichen Lehrentscheidungen*, ed. by Peter Hünermann (Freiburg: Herder-Verlag, ⁴⁴2014), Nr. 3800–3822, Nr. 3802. Cf. Petrat, *Wer gehört wirklich zur katholischen Kirche?* p. 164–175.

²⁰ The doctrine of the “tria vincula” goes back to the teaching of Robert Bellarmine on the Church in his famous “*Disputationes de controversiis christianae fidei Controversiae*” (1586–1593), tom. II, book 3, cap. 2: De Ecclesia “(Ecclesiam esse) coetum hominum eiusdem christianae fidei professione colligatum, et eorundem Sacramentorum communione collegatum, sub regimine legitimum pastorum, ac praecipue unius Christi in terris Vicarii Romani Pontificis.” (Neapoli 1857, 75). Cf. Johannes Beumer, ‘Die kirchliche Gliedschaft in der Lehre des Hl. Robert Bellarmin’: *Theologie und Glaube* 38 (1948), p. 243–257.

minus plena or *communio non plena* express lesser degrees of membership in the Church.²¹

Based on the Encyclical *Mystici Corporis*, and simultaneous with the first sessions of the Second Vatican Council, Joseph Ratzinger explained that being member of the Church means living in community with all its members. Consequently, nobody is a member of the Roman Catholic Church in the full sense of the word if he or she does not hold the Church's belief, participate in its sacramental life and accept its hierarchical order.²² A similar view is settled by the Second Vatican Council's Dogmatic Constitution on the Church *Lumen gentium*²³ and the Council's Decree on Ecumenism *Unitatis redintegratio*.²⁴

The currently valid Code of Canon Law, promulgated in 1983, states in can. 205: "Those baptised are in full communion (*communio plena*) with the Catholic Church here on earth who are joined with Christ in his visible body, through the bonds of profession of faith, the sacraments and ecclesiastical governance". Consequently, one might interpret "leaving the church" by issuing a formal statement (*deficere ab ecclesia actu formali*) as performing a "schism". This applies even if the person in question claims to maintain his or her Christian faith, for the term "*deficere ab ecclesia*" means breaking off communion with other members of the Church while not abandoning Christian faith.

According to canon law, a "schism" causes ipso facto the punishment of excommunication, which means exclusion from the reception of

²¹ Cf. Gerhard Ludwig Müller, 'Kirchenzugehörigkeit und Kirchenaustritt aus dogmatischer Perspektive': Elmar Güthoff (Ed.), *Der Kirchenaustritt im staatlichen und kirchlichen Recht* Freiburg: Herder-Verlag, 2011), p. 77–89, 84–87.

²² Cf. Josef Ratzinger, 'Der Kirchenbegriff und die Frage nach der Gliedschaft in der Kirche' (1963): Joseph Ratzinger, *Gesammelte Werke*, vol. VIII/1 (Freiburg: Herder-Verlag, 2017), p. 290–307, 303–304. Here is not the place for discussing the consequences of such a statement respecting ecumenical dialogue.

²³ Cf. particularly Vatican II, *Lumen Gentium*, Nr. 14: "... They are fully incorporated in the society of the Church who, possessing the Spirit of Christ accept her entire system and all the means of salvation given to her, and are united with her as part of her visible bodily structure and through her with Christ, who rules her through the Supreme Pontiff and the bishops. The bonds which bind men to the Church in a visible way are profession of faith, the sacraments, and ecclesiastical government and communion."

²⁴ Cf. Vatican II, *Unitatis redintegratio*, Nr. 3: "... We believe that Our Lord entrusted all the blessings of the New Covenant to the apostolic college alone, of which Peter is the head, in order to establish the one Body of Christ on earth to which all should be fully incorporated who belong in any way to the people of God."

sacraments and the exercise of full rights in the Church.²⁵ This is even more the case when it comes to a formal heresy or to an act of apostasy. Evidently, all these deviations sensitively violate ecclesiastical *communio plena*.

Thus, one might distinguish two dimensions of Church membership: the first dimension is sacramental and hence indissoluble, the second dimension of Church membership is a matter of belief and behavior. It depends on the baptized individual's faith and his conduct in the Church.²⁶

While *excommunication* is an institutional act of limiting membership in the Church, the opposite, i.e. *reconciliation* with the Church – in the sense of restoring full ecclesiastical communion – is only possible under condition of credible repentance and conversion. It requires a formal statement before an ecclesiastical authority.²⁷ Sometimes reconciliation takes place during a liturgical celebration. Under no circumstances is a second baptism necessary for re-entry into Catholic Church, an obvious consequence of the doctrine of *character indelebilis*.

To conclude this section: Roman Catholic doctrine and canonical practice discern different levels of belonging to the Church. The basic level refers to sacramental theology. Since Augustine's controversy with the Donatists, Christian theology underlines that, particularly in the celebration of the sacraments, God's commitment to grant his unconditioned grace is irrevocable. Consequently, no human decision or action is capable of rendering God's self-commitment invalid. This applies even if one respects the Christian doctrine that sacraments by no means represent a certain magical act. Without faith, no sacramental effect is performed. However, this does not mean that divine action is suspended. Rather, it is God's initiative and his self-commitment that furnishes the basis that human beings are capable to take a free decision respecting God's salvific will.

The second dimension of belonging to the Roman Catholic Church – belief and behavior – affects the practical consequences of “leaving the church”, whether such an act be implicit or explicit. Schism, like heresy

²⁵ Cf. CIC/1983, can. 1331 combined with can. 1364.

²⁶ Respecting non-Catholic Churches, Nils Petrat proposes to introduce a third level of Church membership. He calls it “corporative membership”: *Wer gehört wirklich zur katholischen Kirche?* 365–366 passim.

²⁷ Cf. CIC/1983, can. 1355 § 2.

or apostasy, wounds the visible communion of a baptized individual with Christ and with his fellow Christian faithful. Even if on a doctrinal level church membership is never terminated, on the level of ecclesiastical life church membership is severely corrupted by such wounds. Consequently, church authorities feel authorized to sanction religious divergence. In modern times, such sanctions imply restrictions in sacramental life primarily. In the past, sometimes they included capital punishment as well.

This having been said, we now are ready to turn to the question of religious affiliation, belonging and apostasy in Islam.

Religious affiliation, belonging, and apostasy in Islam

It is well known that according to Muslim understanding pronouncing the *shahāda* establishes an everlasting membership in the Muslim community (*umma*). This membership is usually considered indissoluble. However, in Islam there is no conception that might be compared with the Christian conception of *character indelebilis*. Irrespective of the fact that in Islam the meaning of schism (*infiṣāl*), heresy (*bidaʿ*), and apostasy (*irtidād* or *ridda*) is quite different from Christian concepts,²⁸ this observation raises the question of why all these religious deviations are firmly rejected by the overwhelming majority of Muslims, in both the past and the present, and are, moreover, severely punished by public authorities in Islamic states with notable frequency. Evidently, there is not metaphysical justification for such punishment. What then might justify it?

A first look at the Quran shows that there is no single verse within the text which mentions the case of an explicit rejection of Islam after conversion. However, the Quran reports the case of some “hypocrites” (*munāfiqūn*), i.e. a group of people at Medina who outwardly profess Islam while inwardly harboring unbelief (Sura 63; cf. 2:8-20; 9:64-68). It is notable that no punishment is prescribed for them as long as they refrain from rebellion (*tamarrud*). That refers to the fact that unbelief by itself is not punished by any human authority in the Quran.²⁹ However,

²⁸ Cf. Christine Caldwell Ames, *Medieval Heresies: Christianity, Judaism, and Islam* (Cambridge: Cambridge University Press, 2015).

²⁹ Cf. Frank Griffel, ‘Apostasy’, *Encyclopedia of Islam*. New Edition, tome 1 (Brill, Leiden: 2017), p. 131–134, 131.

the Quran says that a harsh punishment awaits the hypocrites in the afterlife.

Respecting the matter of religious belonging, the way in which the Quran deals with the hypocrites seems to be quite significant: Hypocrites may be tolerated in the Muslim community as long as they do not question its normative order or menace its public peace. Apostasy, then, is not so much a deviation from common *belief*. Instead, it is primarily a sort of practical digression or deviation from a peaceful coexistence. It is a sort of rebellion (*tamarrud*).

Even today, many Islamic countries perceive religious defection as a threat to public order and security. Renunciation of Islamic belief, or even criticism of Islam, is not tolerated as a matter of individual choice or freedom of conscience and belief. This applies even if faithlessness or criticisms are not performed in public space. One might interpret such an attitude as a consequence of the overriding practical self-conception of Muslims respecting their faith. However, this bears some consequences for the Islamic notion of “belief”: it always entails practical dimensions of behavior in the face of God and in community with fellow believers. By contrast, theoretical questions or theological issues are subordinate.³⁰

It is particular after Muhammad’s hegira to Medina that practical implications prevail in religious practice. In its Medinan verses, for instance, the Quran distinguishes between the status of an individual who has converted to Islam and his belief in Islam.³¹ Conversion establishes membership, while faith initiates belonging. Consequently, there is a difference between the legal status of a “Muslim” – as a member of the Islamic community – and a “believer” (*mu’min*). A human individual can be Muslim without being a believer. Believers will be recompensed in the Final Judgment, while unbelievers will be punished for their unbelief in the hereafter even if they are Muslims in a formal sense.

³⁰ Cf. Shlomo C. Pill, ‘Law as Faith, Faith as Law: The Legalization of Theology in Islam and Judaism in the Thought of Al-Ghazali and Maimonides’: *Berkeley Journal of Middle Eastern & Islamic Law* 6 (2014), p. 1–25.

³¹ Cf. Sura 49:14: “The bedouins say, ‘We have believed.’ Say, ‘You have not [yet] believed’; but say [instead], ‘We have submitted,’ for faith has not yet entered your hearts.” (Transl. The Quranic Arabic Corpus: corpus.quran.com).

Moreover, unbelievers (*kāfirūn*) can legally be punished and executed in this world already, even if they are members of the Muslim community. This applies particularly in case of rebellion against the government or agitation against the unity of the Muslim community. Particularly during the first civil war (35-40/644-656), the Muslim party of the Kharijites (*al-Khawārij*) was ready to justify execution of Muslims, arguing that their enemies were unbelievers.

Thus, it was already in the 1st/7th century that many Muslims agreed on the death penalty for apostasy from Islam.³² In reality, however, only a very small number of executions took place.³³

It was the influential Shāfi'ī jurist Abū Hāmid al-Ghazālī (d. 505/1111) who, for the first time in Muslim history, presented a systematic doctrine of apostasy. In his *Tabāfut al-falāsifa*, al-Ghazālī distinguished between a declared renunciation of Islam by a Muslim on the one hand and a secret renunciation on the other hand.³⁴ While the second form of renunciation recalls the abovementioned *munāfiqūn* in the Quran, the first form of apostasy comprises explicit denial of one of the three fundamental articles of Islamic belief. These articles are the nature of God and his omniscience, God's creation of the world, and the Last Judgment. Unbelief (*kufīr*), according to al-Ghazālī, is the denial of an explicit statement on these three topics. Such a denial should be ascertained by an ordinary Muslim authority. However, the alleged apostate or heretic should not be sentenced without being given the opportunity to renounce and to repent publicly (*istitāba*). In this light, many Muslim jurists were reluctant to justify capital punishment for clandestine apostates or heretics.

It is interesting to note that two of the three fundamental articles of faith which al-Ghazālī establishes have an eminent political significance. Al-Ghazālī regards God's omniscience and the resurrection of the body in the afterlife as a necessary precondition for the enforcement of religious law amongst the Muslim community. When people doubt God's knowledge of man's actions and God's ability to impose bodily pain in the afterlife, they may disrespect religious law and undermine the social

³² Cf. Jonathan Brown, 'The Issue of Apostasy in Islam', *Yakeen Institute for Islamic Research*, (2017), p. 11–18.

³³ Cf. Frank Griffel, 'Toleration and exclusion: al-Shafi'ī and al-Ghazali in the treatment of apostates': *Bulletin of the School of Oriental and African Studies* [SOAS] 64 (2001), p. 339–354, 342.

³⁴ Cf. Griffel, 'Apostasy', p. 132–133.

cohesion of the Muslim community.³⁵ Evidently, we are encountering here a close interrelation between Muslim belief and belonging to the Islamic community.

Although in different law schools (*madhābib*) we face divergent interpretations, the question remains whether or not a Muslim can be forcibly excluded from the community. The majority position in Sunni Islam as well as in Shia Islam is that even a schismatic, heretic, or apostate does not cease being Muslim. Even if he or she converts to a non-Muslim religion and – consequently – becomes an unbeliever (*kāfir*), he or she remains subjected to Muslim law.³⁶ Consequently, there is a continued justification to execute capital punishment on apostates.

This appears very similar to the Christian concept of *character indelebilis* – even if Muslims do not apply the term or its equivalents. Moreover, the distinction between “Muslims” and “believers” reflects in a certain sense the distinction between personal belief, practice of faith, and formal church-membership that is familiar to Christian doctrine and Canon law.

However, while the effects are similar, the underlying reasons are different: According to *Christian* doctrine, church membership is based on a divine commitment that is mediated by the ritual celebration of a sacrament. It is *God’s* commitment that establishes an everlasting communion between the individual and God, as well as between the individual and the Church. God’s steadfast commitment is ritually performed through baptism and theologically expressed by the term *character indelebilis*.

According to *Muslim* understanding, membership to Islam is based on the pronouncement of the *shahāda*. Consequently, it is *human* action which establishes an everlasting belonging to Muslim community. The personal commitment of an individual human being creates his obligation to live according to the divine commands revealed in the Quran and to follow the exemplary role of the prophet (*Sunna*).³⁷ In particular, submission to Islamic law (*Shari‘a*) promotes the unity of the Muslim community and

³⁵ Cf. Griffel, ‘Toleration and exclusion’, p. 354.

³⁶ Cf. Walther Björkman, ‘Kāfir’, *Encyclopaedia of Islam*. New Edition, tome 4, (Brill, Leiden: 1997), p. 407–409.

³⁷ It is evident that one should elaborate this perception by reflecting on divine grace and on the problem of God’s acting in time and space – which cannot be achieved in the confined space of this paper.

attests it as “the best nation that has ever been brought forth for [the good of] mankind” (Sura 3:110).

In a nutshell: According to Christian belief, definitiveness of belonging to the Church is based on divine grace. Definitiveness of belonging to the *umma*, according to Muslim conception, is based on human confession.³⁸ While insisting on the individual’s capability to commit himself to Muslim faith definitely, one might say that the Muslim conception appreciates the freedom of human beings in an extraordinary manner. Human beings are capable of taking an irrevocable decision. In case of revocation, however, they must bear its consequences.

Among these consequences is found the Muslim community’s right to punish apostates, heretics, and schismatics. Punishment usually is justified on the grounds that divergence from common ethical norms (*shari‘a*) is a crime that affects the community and its peaceful coexistence. Insofar according to Islamic tradition, government authorities are obliged to ensure public order, peace, and welfare of the people, punishment is not saved up to God’s Last Judgement in the afterlife.³⁹

In Christian tradition, punishment for apostates and heretics was by no means absent. However, the basic reason for punishment usually was not the charge of uprising or rebellion but divergent religious practice and doctrine.⁴⁰ Only in a second step, divergent doctrines were suspected of undermining public order and social cohesion. Despite their complexity, confessional wars in modern Europe were recurrently justified by divergent religious beliefs. This confirms the assumption that, according to Christian self-understanding, the essence of Christianity is not first and foremost religious behavior but religious belief.⁴¹ The underlying ideas, however, were alike: divergent doctrines menace the unity and cohesion of a social community.

³⁸ Even if the concept of mercy is familiar to Muslim doctrine, many Muslims perceive the Christian conception of divine grace as foreign and strange. This is the case even if one bears in mind that according to the Muslim view, nothing will happen on earth that is not granted by the almighty God.

³⁹ In a society that does not have prisons; physical punishment is almost inevitable, possibly including even the death penalty.

⁴⁰ Cf. Christian Brouwer (Ed.), *Hérésies. Une construction d’identités religieuses* (Bruxelles: Edition de l’université de Bruxelles, 2015).

⁴¹ Consequently, we can’t simply transfer the notion “theology” to Islam. Instead, jurisprudence (*fiqh*) is the pivotal scholarship in Islam. Cf. Pill, *Law as Faith, Faith as Law*, 25.

What is the outcome of the proceeding reflections referring to the relationship between religious belief, apostasy, and belonging?

Conclusion: Belonging and ritual practice

In November 2002, the American sociologist Douglas Marshall presented a concise study on the relationship between belief, belonging, and behavior. The objective of Marshall was to show that the cohesion of a social group is not exclusively based on shared opinions or beliefs. Instead, it is essentially based on ritual practices. “The role of rituals in the creation of belonging is suggested by the fact that social integration and a sense of unity are among the most noted outcomes and functions of ritual”.⁴²

Marshall’s thesis is pronounced in the very first sentence of his paper: “The practice of ritual produces two primary outcomes – Belief and Belonging”. According to Marshall, the notion “belief” means a significant step beyond “mere knowledge” which “is insufficient for human epistemic needs”. Accordingly, Marshall characterizes “belonging” as a significant step beyond mere “membership”. “Belonging” is encouraged by attraction, identification, and cohesion.

Marshall’s thesis is convincing: Shared ritual practices form a common identity that not only shapes daily-life behavior. Moreover, it affects shared convictions and doctrines. Marshall rejects the view that cohesion of a social group is based on common *belief* exclusively. Instead, there are intertwined interrelationships between ritual practice, social behavior, everyday life, and religious belief. Belonging is an always precarious outcome of these complex interrelationships.

Against this background one might argue: If it is true that rituals shape social identity, it is not simply belief that produces social behavior. Instead, we face a complex interrelationship between rituals, behavior, and belief. Consequently, we may understand punishment of apostates, heretics, and schismatics as a sort of ritual practice that shapes community and social belonging. In this light, punishment appears as a sort of ritual practice and, in a certain sense, a sort of religious

⁴² Douglas A. Marshall; ‘Behaviour, Belonging, and Belief: A Theory of Ritual Practice’: *Sociological Theory* 20:3 (2003), p. 360–380, 360.

behavior.⁴³ Creating a clear borderline between religious communities and their internal enemies, punishment of apostates, heretics and schismatic persons strengthens social cohesion within the community.

Social behavior, shared ritual practice, and common belief shape religious identities and the respective manner of belonging. Thus, it is only consequent that the opposite – particularly deviation from doctrine or behavior – is judged being an insult to shared identity and social cohesion. Insofar identity and cohesion of a religious group in the last instance is based on God's will, religious divergence is interpreted as sin: It is an act of transgression against divine will and law.

Avoiding this interpretation and its frequently violent consequences demands both the acceptance of religious plurality and the acceptance of religious freedom. Entailing a positive attitude towards the Other, acceptance is more than mere tolerance. However, only a persuasive acceptance of religious plurality and religious freedom overcomes violent exclusivism. Ultimately, it paves the way towards a harmonious coexistence of adherents of different beliefs, religions or ideologies – including within one's own religious group.

⁴³ Cf. Michel Foucault, *Surveiller et punir. La naissance de la prison* (Paris: Galimard, 1975); Didier Fassin, *Punir, une passion contemporaine* (Paris: Seuil, 2017).

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