Recontextualizing the Prophetic Hadiths on War, Apostasy, and Espionage

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Abstract: This article re-examines hadiths on fighting, apostasy, and espionage through the framework of *maqāṣid al-sharīʿah*, particularly the protection of religion (*ḥifẓ al-dīn*) and the protection of life (*ḥifẓ al-nafs*). Employing a qualitative library-based method, the study analyzes selected reports in *Ṣaḥīḥ al-Bukhārī* and *Ṣaḥīḥ Muslim* by engaging classical commentaries, juristic literature, and contemporary studies on jihad, apostasy, radicalization, and Islamophobia. The study presents three main findings. First, the hadith "I have been commanded to fight people until they say *lā ilāha illā Allāh*" is not a general command to kill non-Muslims, but relates to the termination of an existing state of war; when read alongside Q. 9:29, it points to the objectives of public order and communal security rather than coercion in belief. Second, the hadith "whoever changes his religion, kill him" does not refer to private change of belief alone, but to apostasy accompanied by public betrayal, rebellion, or separation from the Muslim community (*al-mufāriq li-l-jamāʿah*). Third, the killing of a polytheist spy occurred within a wartime security context and reflects *ḥifẓ al-nafs*, namely the protection of communal life from hostile intelligence, rather than permission to target peaceful non-Muslims. The article concludes that these hadiths represent defensive and political responses to concrete threats, not mandates for religious coercion. Their use to legitimize radicalism or violence against peaceful non-Muslims therefore contradicts the higher objectives of Islamic law.

Keywords: *apostasy; hadith; jihād; maqāṣid al-sharīʾah; Islamophobia; religious violence.*

Abstrak: Artikel ini mengkaji ulang hadis-hadis tentang perang, kemurtadan, dan mata-mata melalui kerangka *maqāṣid al-sharīʿah*, khususnya perlindungan agama (*ḥifẓ al-dīn*) dan perlindungan jiwa (*ḥifẓ al-nafs*). Dengan metode kualitatif berbasis studi kepustakaan, penelitian ini menganalisis sejumlah riwayat dalam *Ṣaḥīḥ al-Bukhārī* dan *Ṣaḥīḥ Muslim* dengan merujuk pada kitab syarah, literatur fikih, serta studi kontemporer tentang jihad, murtad, radikalisasi, dan Islamofobia. Studi ini menemukan tiga hal utama. Pertama, hadis "Aku diperintahkan memerangi manusia hingga mereka mengucapkan *lā ilāha illā Allāh*" bukan perintah umum untuk membunuh non-Muslim, melainkan berkaitan dengan penghentian kondisi perang; jika dibaca bersama QS. 9:29, hadis ini menunjukkan tujuan ketertiban publik dan keamanan komunitas, bukan pemaksaan keyakinan. Kedua, hadis "siapa yang mengganti agamanya, bunuhlah dia" tidak menunjuk pada perubahan keyakinan privat semata, tetapi pada kemurtadan yang disertai pengkhianatan publik, pemberontakan, atau pemisahan diri dari komunitas Muslim (*al-mufāriq li-l-jamāʿah*). Ketiga, pembunuhan mata-mata musyrik berada

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dalam konteks keamanan perang dan mencerminkan *ḥifẓ al-nafs*, yaitu perlindungan kehidupan komunitas dari intelijen musuh, bukan izin untuk menarget non-Muslim yang damai. Artikel ini menyimpulkan bahwa hadis-hadis tersebut merupakan respons defensif dan politis terhadap ancaman nyata, bukan mandat pemaksaan agama. Penggunaannya untuk melegitimasi radikalisme atau kekerasan terhadap non-Muslim yang damai bertentangan dengan tujuan luhur syariat Islam.
Kata Kunci: *hadis; jihād; kekerasan agama; maqāṣid al-sharī'ah; murtad; Islamofobia.*

1. Introduction

The Prophet Muḥammad was not sent only for Muslims, but as a mercy for all rational beings. This mercy is visible in the basic orientation of the law he brought. In one report, a man came to the Prophet in Mecca during the early period of his mission and asked about the teaching he had brought as a messenger. The Prophet answered: "joining family ties, preventing the shedding of blood, securing the roads, destroying idols, and worshipping God alone."[1] It is significant that before mentioning monotheism, the Prophet mentioned three social concerns: family solidarity, the prevention of bloodshed, and public security. These elements show that Islam's mission is not separable from the protection of social order and human life.

Despite this ethical vision, Islam has frequently been misunderstood in non-Muslim societies, especially in Western contexts. The attacks of September 11, 2001, carried out by al-Qaeda, became a turning point in the modern association of Islam with terrorism. Such associations have contributed to Islamophobia, even though the actions of violent groups cannot be treated as a representation of Islam itself. Studies of Islamophobia after 9/11 show how anti-Muslim suspicion became attached not only to violent actors but also to ordinary Muslim communities, including in public health, media, and security environments.[2] The problem is not only the existence of extremist groups but also the public tendency to read their violence as a reflection of Islamic doctrine.

The existence of terrorist groups that identify themselves as Muslim has reinforced this misconception. A. M. Hendropriyono, referring to the United States report *Patterns of Global Terrorism 2000*, notes that the list of major international terrorist groups at that time included religiously motivated, ideological, and ethno-nationalist groups, among which those associated with Muslim networks were disproportionately publicized.[3] Yet the presence of Muslim extremist groups has been wrongly generalized by some observers as proof that Islam itself teaches violence.

This generalization is far removed from the Islamic aim of preventing bloodshed. Yet extremist actors often seek justification in Qur'ānic verses and prophetic hadiths that, if isolated from their historical and textual contexts, appear to contain stern commands about jihād, fighting, and killing

[1] Aḥmad ibn Ḥanbal, *Musnad Aḥmad*, vol. 28 (Beirut: Mu'assasat al-Risālah, 1421 AH), 231.

[2] Goleen Samari, "Islamophobia and Public Health in the United States," *American Journal of Public Health* 106, no. 11 (2016): 1920–25, https://doi.org/10.2105/AJPH.2016.303374.

[3] A. M. Hendropriyono, *Nation State di Masa Teror* (Semarang: Penerbit Rumah Kata, 2007), 126–28.

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disbelievers. Former Jema'ah Islamiyyah figure Nasir Abbas, for example, stated that Q. 5:44 and Q. 2:191 have often been misused in terrorist indoctrination.[4] Q. 5:44 states:

وَمَن لَّمْ يَحْكُم بِمَآ أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَٰفِرُونَ

"Those who do not judge by what God has revealed are the disbelievers."

Extremists read this verse as a blanket declaration that any individual, group, or government that does not apply what God has revealed is unbelieving. They then attach this claim to a fragment of Q. 2:191:

وَاقْتُلُوهُمْ حَيْثُ ثَقِفْتُمُوهُمْ وَأَخْرِجُوهُم مِّنْ حَيْثُ أَخْرَجُوكُمْ

"Kill them wherever you find them, and expel them from where they expelled you."

The meaning changes substantially when this fragment is read together with the preceding verse:

وَقَٰتِلُواْ فِي سَبِيلِ اللَّهِ الَّذِينَ يُقَٰتِلُونَكُمْ وَلَا تَعْتَدُواْ إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ

"Fight in the path of God those who fight you, but do not transgress. Indeed, God does not love transgressors."

The preceding verse gives the command its ethical boundary: fighting is directed against those who initiate fighting, and transgression is prohibited. A rigid and fragmentary reading of such texts enables extremists to legitimize violence as an act of devotion, reducing jihād to armed struggle and neglecting the ethics and limits of war in Islamic law, including prohibitions against targeting women, children, and public infrastructure. In contrast to the mainstream Muslim view that emphasizes defensive struggle, radical factions adopt an aggressive understanding of jihād, treating war not as a last resort for defense but as a proactive means of domination.[5]

Contemporary research on radicalization confirms that extremist violence is rarely produced by scripture alone; it emerges from a complex interaction among grievance, ideology, social networks, and enabling environments.[6] Extremist propaganda frequently turns religious language into identity-making and crisis-making narratives. Haroro Ingram's study of *Dabiq*, for instance, shows that the Islamic State's propaganda strategically constructs an in-group identity, an enemy "Other," a sense of crisis, and a promised solution.[7] Gabriel Weimann's study of cyber-fatwas likewise shows that online religious claims can be mobilized to support terrorism when interpretive authority

[4] Sudrajat, "Teroris Kerap Salah Tafsirkan Dua Ayat dan Hadis Ini," *detikNews*, https://news.detik.com/berita/d-5514847/teroris-kerap-salah-tafsirkan-dua-ayat-dan-hadist-ini.

[5] Sefriyono and Ilhamni, "Hadis-Hadis Jihād: Dari Humanisme ke Kekerasan Agama," Mashdar: Jurnal Studi al-Qur'ān dan Hadis 4, no. 2 (2022): 202; Davis Brown, "The Permissive Nature of the Islamic War Ethic," Journal of Religion and Violence 2, no. 3 (2014): 460–83.

[6] Mohammed Hafez and Creighton Mullins, "The Radicalization Puzzle: A Theoretical Synthesis of Empirical Approaches to Homegrown Extremism," *Studies in Conflict & Terrorism* 38, no. 11 (2015): 958–75, https://doi.org/10.1080/1057610X.2015.1051375.

[7] Haroro J. Ingram, "An Analysis of Islamic State's Dabiq Magazine," Australian Journal of Political Science 51, no. 3 (2016): 458–77, https://doi.org/10.1080/10361146.2016.1174188.

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is detached from sound scholarship.[8] These studies strengthen the need for careful hadith interpretation: the problem is not the existence of texts, but their reduction into slogans severed from context, method, and ethics.

Among the hadiths often misread by radical groups is the report from Abū Hurayrah:

قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ :أُمِرتُ أَنْ أُقَاتِلَ النَّاسَ حتَّى يَقُولُوا لَا إِلَهَ إِلَّا اللهُ، فَمَنْ قَالَ لَا إِلَهَ إِلَّا اللهُ فَقَدْ عَصَمَ مِنِّيّ نَفْسَهُ وَمَالَهُ إِلَّا بِحَقِّهِ، وَحِسَابُهُ عَلى اللهِ

"The Messenger of God said: 'I have been commanded to fight people until they say: there is no god but God. Whoever says there is no god but God has protected from me his life and property, except by its right, and his reckoning is with God.'"[9]

This report is sometimes read as a general command to fight non-Muslims until they convert. Such a reading must be corrected. The issue is even more urgent because several hadiths appear to speak of fighting or killing disbelievers, apostates, or enemy agents. These reports cannot be understood properly without attention to historical context, intertextual reading, and the objectives of Islamic law.

Previous studies have addressed parts of this problem. Muhammad Mundzir's article focuses on the hadith commanding fighting until the testimony of faith is pronounced and shows that the Prophet did not simply command the killing of non-Muslims but frequently pursued peaceful arrangements before war.[10] Asrori's study of the death penalty for apostasy argues that the classical ruling was tied to specific conditions and to the protection of the Muslim community from disruption.[11] Nasrulloh's study of radicalism and war-related hadiths also emphasizes the need to contextualize both the isnād and matn of hadiths about war, because texts invoked by extremist groups often have specific defensive contexts.[12] This article differs from these previous studies in two ways: it discusses several hadiths related to commands of fighting and killing rather than focusing on one report, and it limits its primary hadith material to reports in Ṣaḥīḥ al-Bukhārī and Ṣaḥīḥ Muslim while analyzing them through maqāṣid al-sharī'ah.

2. Method

This study is qualitative and library-based. It is descriptive-analytical: it first describes hadith texts that appear, at the surface level, to command violence, and then analyzes their broader meaning

[8] Gabriel Weimann, "Cyber-Fatwas and Terrorism," *Studies in Conflict & Terrorism* 34, no. 10 (2011): 765–81, https://doi.org/10.1080/1057610X.2011.604831.

[9] Muḥammad b. Ismā'īl al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* (Būlāq: al-Sulṭāniyyah, 1433 AH), vol. 4, 48.

[10] Muḥammad Mundzir, "Reinterpretasi Hadis Perintah Membunuh Manusia Sampai Mengucap Syahadat sebagai Upaya Deradikalisasi Agama," *Jurnal Ilmu-Ilmu Ushuluddin* 7, no. 1 (2019): 37–53.

[11] Asrori, "Kajian Ma'ānī al-Ḥadīth tentang Hukuman Mati bagi Orang Murtad," *Jurnal Hikmah* 16, no. 2 (2018): 160–76.

[12] Nasrulloh, "Kritik Radikalisme Pemikiran: Studi Kontekstualitas Matan Hadis-Hadis Khilafah dan Perang," *Diya al-Afkār: Jurnal Studi al-Qur'ān dan al-Hadis* 7, no. 2 (2019): 233–56.

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through a comprehensive reading. The main approach is maqāṣid al-sharī'ah, with particular focus on *ḥifẓ al-dīn* (protection of religion) and *ḥifẓ al-nafs* (protection of life).

The data are divided into primary and secondary sources. The primary sources are Ṣaḥīḥ al-Bukhārī and Ṣaḥīḥ Muslim, especially reports that appear textually to discuss killing, fighting, apostasy, or enemy espionage. The secondary sources include classical hadith commentaries such as al-Kirmānī's *al-Kawākib al-Durārī*; juristic and maqāṣid literature such as al-Shāfi'ī's *al-Umm*, Nūr al-Dīn al-Khādimī's *ʿIlm al-Maqāṣid al-Shar'iyyah*, and Muḥammad Sa'd al-Yūbī's *Maqāṣid al-Sharī'ah al-Islāmiyyah*; as well as contemporary studies on extremism, religious violence, Islamophobia, apostasy, and contextual readings of Islamic law.

The data are collected through documentary study: relevant hadiths are gathered, selected, classified, and read together with their commentarial and juristic discussions. The analysis uses descriptive content analysis, examining the literal wording of the hadiths, comparing them with related reports, and then reinterpreting their meanings through maqāṣid al-sharī'ah. This procedure moves the reading from rigid textualism toward an understanding that remains textually grounded while being aligned with the universal objectives of Islamic law.

3. Results and Discussion

3.1. The Meaning of Maqāṣid al-Sharī'ah

The term maqāṣid al-sharī'ah consists of two words. *Maqāṣid* is the plural of *maqṣad*, a verbal noun from *qaṣada-yaqṣidu*. Linguistically, it can mean aim, justice, a straight path, strong intention, and firm adherence.[13] The word *sharī'ah* linguistically means a method, religion, path, or way. Technically, it refers to the divine regulations established by God concerning belief and the practical acts of morally responsible persons (*mukallaf*).[14] When combined, maqāṣid al-sharī'ah refers to the aims or purposes behind the establishment of Islamic legal rulings.

Ibn ʿAshūr distinguishes between general and specific maqāṣid. In the general sense, they are the wisdoms and meanings observable in the whole or most of the sharī'ah. In the specific sense, they are the purposes intended by the Lawgiver in order to realize benefit for human beings and preserve their public welfare. Wahbah al-Zuḥaylī defines maqāṣid as the goals and meanings found in all or most legal rulings, or as the purposes and hidden wisdoms placed by God in each of His rulings.[15]

The maqāṣid approach is important because it prevents legal reasoning from becoming rigid. Imam al-Ḥaramayn al-Juwaynī states that one who does not understand the existence of aims and purposes in the sharī'ah will not understand the true nature of legal rulings.[16] Al-Khādimī emphasizes

[13] Ibn Manẓūr, *Lisān al-ʿArab* (Beirut: Dār Ṣādir, 1444 AH), vol. 3, 353–55.

[14] Muḥammad Sa'd al-Yūbī, *Maqāṣid al-Sharī'ah al-Islāmiyyah wa-ʿAlāqatuhā bi-l-Adillah al-Shar'iyyah* (Riyadh: Dār al-Hijrah, 1998), 29–30.

[15] Ahmad Sarwat, *Maqāṣid al-Sharī'ah* (Jakarta: Rumah Fiqih Publishing, 2019), 21–22.

[16] Imām al-Ḥaramayn al-Juwaynī, *al-Burhān fī Uṣūl al-Aḥkām* (Cairo: al-Wafā' al-Manṣūrah, n.d.), vol. 1, 295.

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that knowledge of maqāṣid al-sharī'ah can reduce school-based fanaticism and juristic disagreement, equip jurists to derive and apply legal rulings more accurately, reveal the wisdom and rationality behind the law, and mediate between rigid textualism and free essentialism that abandons the text.[17]

3.2. Al-Ḍaruriyyāt al-Khams

The benefits protected by Islamic law are usually divided into three levels: *Ḍaruriyyāt* (necessities, whose absence destroys the order of human life), *ḥājiyyāt* (needs that preserve ease and stability), and *taḥsīniyyāt* (complementary interests that beautify life).[18] The essential level is known as *al-Ḍaruriyyāt al-khams*, the five basic protections: *ḥifẓ al-dīn* (protection of religion), ḥifẓ al-nafs (protection of life), *ḥifẓ al-'aql* (protection of intellect), *ḥifẓ al-māl* (protection of property), and *ḥifẓ al-nasl* (protection of lineage). Scholars have differed over the order of priority; al-Shāṭibī places them as religion, life, lineage, property, and intellect, while al-Ghazālī orders them as religion, life, intellect, lineage, and property.[19]

One expression of *ḥifẓ al-dīn* is the protection of religious freedom and houses of worship. Q. 22:40 mentions not only mosques but also monasteries, churches, and synagogues, indicating that the protection of religion is not a license to destroy the religious lives of others but entails protecting the conditions through which people may worship God and live safely. The law of retaliation (qiṣāṣ) for murder is one example of *ḥifẓ al-nafs*, as Q. 2:179 states: "In retaliation there is life for you, O people of understanding." The five protections organize concrete legal rulings around human welfare and are therefore the essential key for reading disputed hadiths correctly.

3.3. Analysis of the Hadiths

For Muslims, holding firmly to the Prophet's hadith is a religious obligation, because hadith is the second source of Islamic law after the Qur'ān. Yet an incorrect understanding of hadith can distance Muslims from the truth of Islam. This is why hadiths must be read in light of the purposes for which the sharī'ah was revealed, especially the objectives summarized in al-Ḍaruriyyāt al-khams. Many hadiths have been misunderstood or misused; among the most urgent are reports that seem to contradict the Prophet's mission of mercy.

3.3.1. The Hadith on Fighting Until the Profession of Tawhīd

The first hadith is the report from Abū Hurayrah in Ṣaḥīḥ al-Bukhārī:

أُمِرتُ أَنْ أُقَاتِلَ النَّاسَ حتَّى يَقُولُوا لَا إِلَهَ إِلَّا اللهُ، فَمَنْ قَالَ لَا إِلَهَ إِلَّا اللهُ فَقَدْ عَصَمَ مِنِّي نَفْسَهُ وَمَالَهُ إِلَّا بِحَقِّهِ، وَحِسَابُهُ عَلى اللهِ

"I have been commanded to fight people until they say: there is no god but God. Whoever says there is no god but God has protected from me his life and property, except by its right, and his reckoning is with God."[20]

[17] Nūr al-Dīn al-Khādimī, *ʿIlm al-Maqāṣid al-Shar'iyyah* (Riyadh: Maktabat al-ʿUbaykān, 1421 AH), 51–52.
[18] Sarwat, *Maqāṣid al-Sharī'ah*, 53–54.
[19] Abdul Helim, *Maqāsid al-Syari'ah Versus Uṣūl al-Fiqh* (Yogyakarta: Pustaka Pelajar, 2019), 24.
[20] Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, vol. 4, 48.

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This hadith is often misunderstood as a command to fight non-Muslims simply because they are non-Muslim. A more careful reading gives a different meaning. The word *ḥattā* indicates an endpoint or limit. The report therefore concerns how an existing conflict is brought to an end, not how Muslims should initiate violence against all others. When Muslims are in a state of war with another group, the end of fighting may be marked by the enemy's acceptance of Islam and public entry into the Muslim community. Al-Kirmānī explains that the report can be connected to the Prophet's wars with the polytheists of Quraysh, whose central religious distinction was the denial of divine unity; this helps explain why the formula mentioned is the testimony of God's oneness.[21]

This hadith must also be read together with Q. 9:29, which speaks of fighting certain People of the Book until they pay jizyah:

قَٰتِلُواْ الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ وَلَا يدِينُونَ دِينَ الْحَقِّ مِنَ الَّذِينَ أُوتُواْ الْكِتَٰبَ حَتَّىٰ يُعْطُواْ الْجِزْيَةَ عَن يَدٍ وَهُمْ صَٰغِرُونَ

"Fight those who do not believe in God and the Last Day, who do not forbid what God and His Messenger have forbidden, and who do not follow the religion of truth among those given the Book, until they pay the jizyah with submission."

This verse shows that the end of war is not necessarily conversion: non-Muslim communities could remain alive and continue their religion under the political order of the Muslim state by paying jizyah. This intertextual reading prevents the hadith from being reduced to compulsory conversion. Contemporary scholarship on religious freedom has similarly argued that prophetic traditions on coercive sanctions must be read in relation to political treason and public security rather than as denials of personal religious conscience.[22]

From a maqāṣid perspective, the hadith contains two legal purposes. The first is ḥifẓ al-dīn during war: in certain historical conditions, fighting became unavoidable because the Quraysh repeatedly obstructed the Prophet's mission and threatened the existence of the Muslim community. The second is ḥifẓ al-nafs in ending war: once the existence of religion and the safety of the community had been secured, human life had to be preserved. This is why defeated enemies were offered a path to political safety, either by accepting Islam or by entering into the terms of Muslim rule. The legal concern is therefore public order and security, not forced belief.

3.3.2. The Hadith on Apostasy

The second hadith, narrated by ʿIkrimah (ra), is recorded in Ṣaḥīḥ al-Bukhārī:

عَنْ عِكْرِمَةَ قَالَ :أُتِيَ عَلِيٌّ رَضِيَ اللهُ عَنْهُ بِزَنَادِقَةٍ فَأَحْرَقَهُمْ، فَبَلَغَ ذَلِكَ ابْنَ عَبَّاسٍ فَقَالَ :لَوْ كُنْتُ أَنَا لَمْ أُحْرِقْهُمْ، لِنَهْيِ رَسُولِ اللهِ :لَا تُعَذِّبُوا بِعَذَابِ اللهِ، وَلَقَتَلْتُهُمْ، لِقَوْلِ رَسُولِ اللهِ :مَنْ بَدَّلَ دِينَهُ فَاقْتُلُوهُ

[21] Al-Kirmānī, *al-Kawākib al-Durārī* (Dār Iḥyā' al-Turāth, 1981), vol. 1, 122.

[22] Syafa'atun Almirzanah, "On Human Rights and the Qur'ānic Perspective: Freedom of Religion and the Rule of Apostasy," *Al-Jāmi'ah: Journal of Islamic Studies* 45, no. 2 (2007): 367–88, https://doi.org/10.14421/ajis.2007.452.367-388.

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ʿIkrimah reported that some heretics were brought to ʿAlī, and he burned them. When this reached Ibn ʿAbbās, he said: 'Had it been me, I would not have burned them, because the Messenger of God forbade punishment by God's punishment. I would have killed them, because the Messenger of God said: Whoever changes his religion, kill him.'[23]

At the textual level, this hadith speaks of killing a Muslim who leaves Islam. Many classical jurists used it as a basis for the death penalty for apostasy. Al-Shāfiʾī states that a Muslim who apostatizes is to be executed if he refuses to repent, treating unbelief after faith as one of the reasons a Muslim's blood may become legally liable.[24] Ibn Rushd reports that jurists agreed on the death penalty for apostasy, although they differed over whether repentance must be sought first.[25] However, the juristic discussion is not entirely uniform. ʿAbd al-Razzāq records from Suf yān al-Thawrī that an apostate is not to be killed but is continually asked to repent.[26] The Ḥanafī school, while accepting execution for male apostates, excludes women from that penalty; Ibn Nujaym explains this by reference to the prohibition against killing women and by arguing that the worldly penalty is tied to concrete danger, namely combat or armed opposition, a cause not presumed in the case of women.[27]

Contemporary scholars have developed this contextual interpretation further. Salīm al-ʿAwā points to reports in which people left Islam during the Prophet's lifetime without being punished by death, including a Bedouin who withdrew his pledge and left Medina, and a Christian scribe who entered Islam and then returned to Christianity.[28] Syafa'atun Almirzanah argues that the prophetic tradition sanctioning death for apostasy is better understood in relation to political treason or sedition that endangered the Muslim community, not merely as punishment for private religious change.[29] Ali Akbar's study in the *Oxford Journal of Law and Religion* likewise documents arguments from traditionally trained Muslim scholars who support the abolition of the death penalty for apostasy on the basis of contextual and scriptural reasoning.[30]

The apostasy hadith must also be read with related reports. Ibn Mas'ūd narrates:

لَا يَحِلُّ دَمُ امْرِئٍ مُسْلِمٍ يَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللهُ وَأَنِّي رَسُولُ اللهِ إِلَّا بِإِحْدَى ثَلَاثٍ: الثَّيِّبُ الزَّانِي، وَالنَّفْسُ بِالنَّفْسِ، وَالتَّارِكُ لِدِينِهِ الْمُفَارِقُ لِلْجَمَاعَةِ

[23] Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, vol. 9, 15.

[24] Muḥammad b. Idrīs al-Shāfiʾī, *al-Umm* (Beirut: Dār al-Fikr, 1990), vol. 3, 172.

[25] Abū al-Walīd Muḥammad Ibn Rushd, *Bidāyat al-Mujtahid wa-Nihāyat al-Muqtaṣid* (Cairo: Dār al-Ḥadīth, 2004), vol. 4, 242.

[26] ʿAbd al-Razzāq al-Ṣanʾānī, *al-Muṣannaf* (Beirut: al-Maktab al-Islāmī, 1983), vol. 10, 116.

[27] Ibn Nujaym al-Miṣrī, *Baḥr al-Rāʾiq Sharḥ Kanz al-Daqāʾiq* (Cairo: Dār al-Kitāb al-Islāmī, 1431 AH), vol. 5, 139.

[28] Salīm al-ʿAwā, *al-Ḥaqq fī al-Taʾbīr* (Cairo: Dār al-Shurūq, 2003), 70.

[29] Almirzanah, "Freedom of Religion and the Rule of Apostasy," 367–88.

[30] Ali Akbar, "Punishment for Apostasy: Arguments from Two Traditionally Trained Muslim Scholars in Favor of Its Abolition," *Oxford Journal of Law and Religion* 10, no. 1 (2021): 71–90, https://doi.org/10.1093/ojlr/rwab005.

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"The blood of a Muslim who testifies that there is no god but God and that I am the Messenger of God is not lawful except for one of three: a married person who commits adultery, life for life, and one who leaves his religion and separates from the community."[31]

Here, leaving religion is not mentioned in isolation. The phrase *al-mufāriq li-l-jamā'ah* ("one who separates from the community") adds a public and political dimension. Another report, narrated by Abū Qilābah in Ṣaḥīḥ al-Bukhārī, is even more explicit:

وَاللهِ مَا قَتَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَحَدًا قَطُّ إِلَّا فِي إِحْدَى ثَلَاثِ خِصَالٍ :رَجُلٌ قَتَلَ بِجَرِيرَةِ نَفْسِهِ فَقُتِلَ، أَوْ رَجُلٌ زَنَى بَعْدَ إِحْصَانٍ، أَوْ رَجُلٌ حَارَبَ اللهَ وَرَسُولَهُ وَارتدَّ عَنِ الإِسْلَامِ

"By God, the Messenger of God never killed anyone except in one of three cases: a man who deliberately killed someone and was killed for it; a man who committed adultery after being married; or a man who fought God and His Messenger and apostatized from Islam."[32]

This report is decisive: the Prophet did not execute a person merely for private departure from Islam. The relevant case involved fighting God and His Messenger alongside apostasy. The command concerning apostasy can therefore be understood as a measure of ḥifẓ al-dīn when apostasy is joined with public hostility, rebellion, or political betrayal that threatens the Muslim community. The distinction between the sin of changing belief, whose judgment belongs to God, and the public crime of rebellion or treason, which a state may address to preserve order, is crucial for preventing the hadith from being used against peaceful individuals who do not threaten others.

3.3.3. The Hadith on the Killing of a Spy

The third report concerns the killing of a polytheist spy. Salamah b. al-Akwa' narrates:

عَنْ إِيَاسِ بْنِ سَلَمَةَ بْنِ الْأَكْوَعِ، عَنْ أَبِيهِ قَالَ :أَتَى النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَيْنٌ مِنَ الْمُشْرِكِينَ وَهُوَ فِي سَفَرٍ، فَجَلَسَ عِنْدَ أَصْحَابِهِ يَتَحَدَّثُ ثُمَّ انْفَتَلَ، فَقَالَ النَّبِيُّ :اطْلُبُوهُ وَاقْتُلُوهُ، فَقَتَلَهُ فَنَفَّلَهُ سَلَبَهُ

Iyās b. Salamah b. al-Akwa' reported from his father: 'A spy from the polytheists came to the Prophet while he was travelling. He sat with the Prophet's companions and talked, then left. The Prophet said: Seek him and kill him. So he was killed, and the Prophet gave his belongings as spoils to the one who killed him.'[33]

This hadith describes the execution of a spy. When read through the lens of state security, the action is understandable within its wartime setting. A spy could leak information that allowed the enemy to identify the weaknesses of the Muslim community, endangering the lives of people in Medina and the safety of the Prophet's companions. The purpose here is ḥifẓ al-nafs: protecting lives by preventing the transfer of military information to an active enemy.

This report cannot be used as a general license to kill non-Muslims. The operative cause is not disbelief, but espionage during conflict. Modern studies on religious radicalization also demonstrate

[31] Muslim b. al-Ḥajjāj, *Ṣaḥīḥ Muslim* (Beirut: Dār Iḥyā' al-Turāth al-ʿArabī, 1955), vol. 3, 1302.

[32] Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, vol. 9, 9.

[33] Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, vol. 4, 69.

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how violent groups exploit decontextualized religious claims to detach acts of violence from legally recognized authority and public accountability. Sound religious education and methodologically grounded interpretation are therefore essential for preventing the misuse of religious texts.[34]

Taken together, the three hadiths show the same pattern. Their surface wording may seem severe, but their contexts involve war, rebellion, treason, or security threats. The maqāṣid reading does not erase the texts; it identifies the objectives that make the rulings intelligible. In the first hadith, the objective is ending war and securing public order. In the second, it is protecting religion and communal security from rebellion. In the third, it is preserving life from wartime espionage. None of these objectives supports violence against peaceful non-Muslims.

4. Conclusion

Islamic law fundamentally values human life and upholds religious tolerance. In certain historical circumstances, the Prophet took firm measures involving fighting or capital punishment, but those measures were tied to concrete conditions: war, threats to communal security, political betrayal, and armed hostility. They were not commands to impose belief by force.

The hadith "*I have been commanded to fight people until they say lā ilāha illā Allāh*" should be read as a statement about ending an existing state of war, not as a universal command to fight all non-Muslims. The hadith "whoever changes his religion, kill him" must be read together with reports that connect the relevant punishment to separation from the community and fighting God and His Messenger. The hadith about killing a polytheist spy belongs to the realm of wartime security, not religious identity as such.

Through the lens of maqāṣid al-sharī'ah, these hadiths are best understood as serving *ḥifẓ al-dīn* and *ḥifẓ al-nafs:* protecting the existence of religion and protecting human life. The Prophet's firmness was therefore defensive and protective, not aggressive or coercive. Using these hadiths to justify radicalism, hostility toward peaceful non-Muslims, or violence in the name of religion is a grave misunderstanding that departs from the values of Islam and from the objectives of the sharī'ah. The authors declare no conflict of interest. No external funding was received for this research.

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Bibliography

Akbar, Ali. "Punishment for Apostasy: Arguments from Two Traditionally Trained Muslim Scholars in Favor of Its Abolition." *Oxford Journal of Law and Religion* 10, no. 1 (2021): 71–90. https://doi.org/10.1093/ojlr/rwab005.

[34] Halim Rane, "'Cogent Religious Instruction': A Response to the Phenomenon of Radical Islamist Terrorism in Australia," *Religions* 10, no. 4 (2019): 246, https://doi.org/10.3390/rel10040246.

Atsar: Journal of Hadith and Contemporary Studies
E-ISSN: 3164-1830

Almirzanah, Syafa'atun. "On Human Rights and the Qur'ānic Perspective: Freedom of Religion and the Rule of Apostasy." *Al-Jāmiʿah: Journal of Islamic Studies* 45, no. 2 (2007): 367–88. https://doi.org/10.14421/ajis.2007.452.367-388.

Asrori. "Kajian Maʿānī al-Ḥadīth tentang Hukuman Mati bagi Orang Murtad." *Jurnal Hikmah* 16, no. 2 (2018): 160–76.

al-ʿAwā, Salīm. *Al-Ḥaqq fī al-Taʿbīr*. Cairo: Dār al-Shurūq, 2003.

Brown, Davis. "The Permissive Nature of the Islamic War Ethic." *Journal of Religion and Violence* 2, no. 3 (2014): 460–83.

al-Bukhārī, Muḥammad b. Ismāʿīl. *Ṣaḥīḥ al-Bukhārī*. Būlāq: al-Sulṭāniyyah, 1433 AH.

Hafez, Mohammed, and Creighton Mullins. "The Radicalization Puzzle: A Theoretical Synthesis of Empirical Approaches to Homegrown Extremism." *Studies in Conflict & Terrorism* 38, no. 11 (2015): 958–75. https://doi.org/10.1080/1057610X.2015.1051375.

Helim, Abdul. *Maqāṣid al-Syarīʿah Versus Uṣūl al-Fiqh*. Yogyakarta: Pustaka Pelajar, 2019.

Hendropriyono, A. M. *Nation State di Masa Teror*. Semarang: Penerbit Rumah Kata, 2007.

Ibn Ḥanbal, Aḥmad. *Musnad Aḥmad*. Beirut: Muʾassasat al-Risālah, 1421 AH.

Ibn Manẓūr. *Lisān al-ʿArab*. Beirut: Dār Ṣādir, 1444 AH.

Ibn Nujaym al-Miṣrī. *Al-Baḥr al-Rāʾiq Sharḥ Kanz al-Daqāʾiq*. Cairo: Dār al-Kitāb al-Islāmī, 1431 AH.

Ibn Rushd, Abū al-Walīd Muḥammad. *Bidāyat al-Mujtahid wa-Nihāyat al-Muqtaṣid*. Cairo: Dār al-Ḥadīth, 2004.

Ingram, Haroro J. "An Analysis of Islamic State's Dabiq Magazine." *Australian Journal of Political Science* 51, no. 3 (2016): 458–77. https://doi.org/10.1080/10361146.2016.1174188.

al-Juwaynī, Imām al-Ḥaramayn. *Al-Burhān fī Uṣūl al-Aḥkām*. Cairo: al-Wafāʾ al-Manṣūrah, n.d.

al-Khādimī, Nūr al-Dīn. *ʿIlm al-Maqāṣid al-Sharʿiyyah*. Riyadh: Maktabat al-ʿUbaykān, 1421 AH.

al-Kirmānī. *Al-Kawākib al-Durārī*. Dār Iḥyāʾ al-Turāth, 1981.

Mundzir, Muhammad. "Reinterpretasi Hadis Perintah Membunuh Manusia Sampai Mengucap Syahadat sebagai Upaya Deradikalisasi Agama." *Jurnal Ilmu-Ilmu Ushuluddin* 7, no. 1 (2019): 37–53.

Muslim b. al-Ḥajjāj. *Ṣaḥīḥ Muslim*. Beirut: Dār Iḥyāʾ al-Turāth al-ʿArabī, 1955.

Nasrulloh. "Kritik Radikalisme Pemikiran: Studi Kontekstualitas Matan Hadis-Hadis Khilafah dan Perang." *Diya al-Afkār: Jurnal Studi al-Qurʾān dan al-Hadis* 7, no. 2 (2019): 233–56.

Nurchakim, Lukman. "Kebebasan Berkeyakinan dalam Tafsīr al-Munīr." Master's thesis, Institut PTIQ Jakarta, 2017.

Rane, Halim. "'Cogent Religious Instruction': A Response to the Phenomenon of Radical Islamist Terrorism in Australia." *Religions* 10, no. 4 (2019): 246. https://doi.org/10.3390/rel10040246.

Samari, Goleen. "Islamophobia and Public Health in the United States." *American Journal of Public Health* 106, no. 11 (2016): 1920–25. https://doi.org/10.2105/AJPH.2016.303374.

Sarwat, Ahmad. *Maqāṣid al-Sharīʿah*. Jakarta: Rumah Fiqih Publishing, 2019.

Sefriyono, and Ilhamni. "Hadis-Hadis Jihād: Dari Humanisme ke Kekerasan Agama." *Mashdar: Jurnal Studi al-Qurʾān dan Hadis* 4, no. 2 (2022): 191–203.

al-Shāfiʿī, Muḥammad b. Idrīs. *Al-Umm*. Beirut: Dār al-Fikr, 1990.

al-Ṣanʿānī, ʿAbd al-Razzāq. *Al-Muṣannaf*. Beirut: al-Maktab al-Islāmī, 1983.

Atsar: Journal of Hadith and Contemporary Studies
E-ISSN: 3164-1830

Sudrajat. "Teroris Kerap Salah Tafsirkan Dua Ayat dan Hadis Ini." *detikNews*. https://news.detik.com/berita/d-5514847/teroris-kerap-salah-tafsirkan-dua-ayat-dan-hadist-ini.

Weimann, Gabriel. "Cyber-Fatwas and Terrorism." *Studies in Conflict & Terrorism* 34, no. 10 (2011): 765–81. https://doi.org/10.1080/1057610X.2011.604831.

al-Yūbī, Muḥammad Saʿd. *Maqāṣid al-Sharīʿah al-Islāmiyyah wa-ʿAlāqatuhā bi-l-Adillah al-Sharʿiyyah*. Riyadh: Dār al-Hijrah, 1998.

Zainudin. "Dialog Antarumat Beragama Perspektif Hadis." *An-Nūr: Jurnal Studi Islam* 14, no. 2 (2022): 194–210.

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