

BOOK REVIEWS

FREEDOM OF RELIGION, APOSTASY AND ISLAM by ABDULLAH SAEED and HASSAN SAEED, Ashgate Publishing Ltd, 2004, v + 227pp (£17.50 paperback) ISBN 0-7546-3083-8

The issue of apostasy in Islam, in particular orthodox approaches to it, has been one of the more contentious issues in the ongoing and increasingly intense debate on the relationship between certain strands of Islam and some of the provisions of particular international human rights treaties. Along with the rights of women, forms of corporal and capital punishment and the rights of non-Muslim minorities in Muslim states, the ability of Muslims to abandon, change or challenge their faith have been central to the discussion on the universality of some legally defined international human rights standards. The relevant provisions in multilateral documents either circumvent the issue (Article 19 of the legally non-binding Universal Declaration on Human Rights 1948) or where they do try to address it (Article 18 of the International Covenant on Civil and Political Rights 1966) have been the subject of wide ranging reservations from certain Islamic states. Controversies on such issues have meant that, despite attempts in the past, there is no universal or regional treaty which specifically deals with religious rights and discrimination on that basis. This is in contrast to those that exist on the grounds of race and gender. Examining the issue of apostasy in Islam and whether the widespread practices and beliefs are theologically sound, therefore, is a worthwhile and useful exercise. This book, in a limited context, attempts to do this. It is, however, one thing to have a worthwhile and interesting project and quite another to produce a worthwhile and coherent study.

The book is composed of four parts, which subdivide into thirteen chapters, two appendices, endnotes, a glossary, a bibliography and an index. Parts I to III are composed of thirteen chapters. The appendices, endnotes etc, constitute Part IV. The thirteen chapters in Parts I to III consist of 164 pages of text. Part I consists of chapters dealing with various issues including freedom of religion in the modern age, the historical context of apostasy, apostasy and related concepts, punishment for apostasy and the approach of Muslim thinkers to apostasy in the modern period. Part II consists of four chapters looking at apostasy in the context of Malaysia. Part III consists of one chapter, Chapter 13, which is entitled 'The Need to Rethink Apostasy Laws'.

This book simply does not deal in enough detail with the issues involved to be very useful nor does it present a coherent examination of the problems raised by apostasy in Islam. For example, as noted above, Part II deals with apostasy in Malaysia. Yet apostasy and laws on blasphemy are as big a problem, if not more so, in, among others, Saudi Arabia, Iran, Sudan and Pakistan. Malaysia is undeniably an interesting case-study but not one which is so illuminating that it can relegate discussion on the problem

in other states to, at the very best, a marginal status. The inclusion of Pakistan's Blasphemy Law in Appendix 2, without any detailed discussion of it, highlights the limited approach taken. The point of case-studies is to illustrate problems in practice and the approaches taken towards them. Considering the diversity of views and approaches among Muslim thinkers and states on this issue (which the authors are at pains to highlight), it makes little sense to examine only one state and then to draw general conclusions on that basis. It is further the case that the book does not place the discussion in the general context of Islamic legal theory and the attempts to reconcile legally defined human rights standards and certain approaches to Islam. On the plus side, it is well written, has a useful bibliography and is very reasonably priced. On balance, however, I would hesitate to recommend it to anyone other than those with a need to read all of the literature on human rights and Islam and with a particular interest in apostasy in Malaysia.

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CANONICAL COLLECTIONS OF THE EARLY MIDDLE AGES (CA 400-1140): A BIBLIOGRAPHICAL GUIDE TO THE MANUSCRIPTS AND LITERATURE by LOTTE KÉRY, History of Medieval Canon Law 1, The Catholic University of America Press, Washington DC, 1999. xxxv + 311 pp (including indexes), (hardback \$54.95) ISBN 0-8132-0918-8

PAPAL LETTERS IN THE EARLY MIDDLE AGES by HORST FUHRMANN and DETLEV JASPER, History of Medieval Canon Law 2, The Catholic University of America Press, Washington DC, 2001. xiii + 226 pp (including indexes), (hardback, \$39.95) ISBN 0-8132-0919-6

The Catholic University of America Press in 1999 announced an ambitious programme to produce 'The History of Medieval Canon Law' in eleven volumes. The series was to bring together 'a group of distinguished scholars to present a unified history of medieval canon law from the earliest time to 1500'. Many of the projected titles cover subjects that have been virtually untouched in English-speaking scholarship, such as the history of Byzantine and Oriental canon law. The volumes in this series offer studies organised either by period (such as the first two volumes, as well as canon law in the age of reform [1000-1140] or the classical age [1140-1234]) or by subject (such as courts and procedure). While almost all of the volumes have been assigned authors and are now in process, the titles have been somewhat slow to appear, at least in part because of the painstaking editing process each work is put through at The Catholic University of America Press.

The first volume in the series by Lotte Kéry, historian at the Leopold-Wenger-Institut in Munich, appeared in February 2000. It is a bibliographic survey of canonical collections in the Latin West from late antiquity through Gratian's *Decretum* (c. 1140). The earliest dated collection is the *Corpus canonum africanum* (c. 420); the entries are grouped into three broadly