164414 - She is asking about the ruling on her husband who went to practitioners of magic and stopped praying

the question

My mother emotionally blackmailed me into marrying my first cousin 9 years ago when I was just 15 years old. i kept quiet out of fear and since then have been blessd with 3 beautifil boys alhamdulillaah. Since the last 2 years we have been problems and he went to see someone who plays with magic. As far as my limited knowledge is concerned that takes one out of the fold of islam. Also for a while he was neglecting his prayers and would only d pray sometimes anod do his jumah. But he has rpented since and prays 5 times a day alhamdulillaah. HE also said he didnt know what he was doin with regards to the magic as he was not in the right state of mindbut i dont know what to think as he said he diddnt know it was wrong amd kufr as he thought it would get us out of a difficult situation. He possesses no knowledge with regards to deen so my questions are:
1. Did the magic take him out of islam??, is it the same ruling for one who knows that its wrong and one who doesnt ?.
2. Also did the fact he neglected some of his prayers take him out of islambecause said he repented and started praying agai.n.
3.Also he left the house 3 months ago and before he left he said to my mum she is finished from me and me from her' does tha count as a talaq? As he wa angry and left the house. He is currently abroad and hasnt really provided for the kids or me. H left all our debts to me but he said he will contribute once i let him back in but i dont know what to do. i love my kids and would do anything for them.
I hope you can assist me in this matter soon as this has affected me and especiallymy 3 children who are all under the age of 8. It has left them distrssed and they want him back in the house. He has gone abroad for now and will be back iwthin a few weeks and i need this matter resolved soon inshaAllaah.

Detailed answer

Praise be to Allah.

Going to practitioners of magic, soothsayers and fortune-tellers is a major sin, because the Prophet (blessings and peace of Allah be upon him) said: “Whoever goes to a fortune-teller and asks him about something, his prayer will not be accepted for forty nights.” Narrated by Muslim, 2230.

And he (blessings and peace of Allah be upon him) said: “Whoever goes to a soothsayer and believes what he says has disbelieved in that which was revealed to Muhammad (blessings and peace of Allah be upon him).”

The one who goes to a fortune teller or practitioner of magic and believes his claim to have knowledge of the unseen has gone out of Islam.

But if he goes to him but does not believe his claim to have knowledge of the unseen, then he has committed a major sin but he has not gone out of Islam by doing that.

If the man was ignorant and did not realise that going to practitioners of magic is haraam, then we hope that this is an excuse for him before Allah, may He be exalted. So there are no consequences for his going to them and he has not gone out of Islam by doing that.

But in the case of one who goes to a practitioner of magic knowing that that is haraam, this is the one who has committed a major sin that may reach the level of going out of Islam.

See also the answer to questions no. 112069 and 32863.

Secondly:

The ruling that the one who does not pray out of laziness becomes a kaafir is the subject of a great difference of opinion among the scholars and each point of view has evidence on which it relies. The fatwa adopted by this website suggests the most likely opinion to be correct is that which says that the one who does not pray is a kaafir; this is the view of many scholars.

This has been discussed previously in the answers to questions no. 10094 and 5208.

Who has blessed your husband and guided him to start praying and to pray regularly.

Thirdly:

If a man says concerning his wife, “she is finished from me and me from her”, this is a phrase that may be understood as referring to divorce or it may not. Hence it cannot be deemed to count as a divorce unless the husband aimed thereby to divorce her and that was his intention; if he did not intend to divorce her and did not aim to do that, then no divorce has taken place.

See also the answer to questions 98670, 85575 and 127280.

As your husband has come to his senses and has started to pray regularly and has repented from going to practitioners of magic in addition to the fact that he was unaware of the shar‘i ruling at that time, what you have to do is to turn over a new leaf with him. And we ask Allah to bestow His mercy upon you and to reconcile between your hearts and bring you back together.

And Allah knows best.