69914 - Repentance of a Witch

the question

Will the repentance of a witch (practitioner of witchcraft) be accepted by Allah? Because I heard that a witch asked the sahabah (companions) about repenting after the death of the Messenger (peace and blessings of Allah be upon him) and no one answered her. What did they say to her? Would her faith benefit her before Allah? Why do the scholars issue fatwas (verdicts) about the acceptance of the witch’s repentance in this case?

Detailed answer

Praise be to Allah.

Learning witchcraft and practicing it constitute kufr (disbelief). Allah says (interpretation of the meaning):

“They followed what the shayateen (devils) gave out (falsely of the magic) in the lifetime of Sulayman (peace be upon him). Sulayman (peace be upon him) did not disbelieve, but the shayateen (devils) disbelieved, teaching men magic and such things that came down at Babylon to the two angels, Harut and Marut, but neither of these two (angels) taught anyone (such things) till they had said, ‘We are for trial, so disbelieve not (by learning this magic from us).’” [2:102]

A practitioner of witchcraft may do something that makes him an apostate, so he commits kufr and should be executed for his apostasy. Or he may practice witchcraft by doing something that does not constitute kufr. In the latter case there is a difference of scholarly opinion, but the correct view is that he should also be executed if it is proven that he is a practitioner of witchcraft. This is what the sahabah (may Allah be pleased with them) did and enjoined others to do. If he is executed, he should not be washed or shrouded or buried in the Muslim graveyard.

There should be no hesitation in executing the practitioner of witchcraft, whether we say that he is a kafir (disbeliever) or not, because this is what is proven from the companions of the Prophet

(peace and blessings of Allah be upon him). Executing him prevents the spread of evil and serves as a deterrent to his fellow practitioners of witchcraft.

If a practitioner of witchcraft repents sincerely to Allah, then Allah will accept his repentance. This is between him and his Lord, before the matter reaches the courts. But if the matter reaches the Islamic court, then the qaadi (Muslim judge) should execute him without asking him to repent, so as to rid society of his evil. But it is not permissible for any individual to carry out the hadd (Islamically prescribed) punishment by himself, rather the matter must be referred to the authorities.

There follow some fatwas of the scholars on this matter:

1 – Shaykh ‘Abd al-‘Azeez ibn Baz (may Allah have mercy on him) said:

If a practitioner of witchcraft repents sincerely to Allah, that will benefit him before Allah, for Allah accepts repentance from the mushrikeen (polytheists) and others, as He says (interpretation of the meaning):

“And He it is Who accepts repentance from His slaves, and forgives sins.” [42:25]

“And all of you beg Allah to forgive you all, O believers, that you may be successful.” [24:31]

But in this world it is not accepted. The correct view is that he is to be executed. If it is proven to the court that he is a practitioner of witchcraft, then he should be executed, even if he says, “I have repented.” His repentance between him and Allah is valid, if he is sincere, and that will benefit him before Allah, but according to the Islamic ruling he is to be executed, just as ‘Umar (may Allah be pleased with him) executed the practitioners of witchcraft, because their evil is great. They may say, “We have repented,” but they may be lying, and the people will be harmed and may not be safe from their evil because of the repentance that they show. So they should be executed, and their repentance will benefit them before Allah if they are sincere. End quote.

Majmoo’ Fatawa al-Shaykh Ibn Baz.

2 – The Shaykh (may Allah have mercy on him) also said:

The correct view according to the scholars is that the practitioner of witchcraft should be executed without being asked to repent, because of the seriousness of their evil. Some scholars are of the view that they should be asked to repent, and that they are like any other kafirs (non-Muslims) who should be asked to repent. But the correct scholarly view is that they should not be asked to repent because their evil is so great, and because they conceal their evil and their kufr; they may claim to have repented but they are lying, and may cause a great deal of harm to people as a result. Hence the scholars were of the view that the one who is known and proven to be a practitioner of witchcraft should be executed even if he claims that he has repented and that he regrets what he has done; he should not be believed.

Hence it is narrated that ‘Umar (may Allah be pleased with him) wrote to the commanders of the troops telling them to execute every practitioner of witchcraft they found, so as to guard against their evil. Abu ‘Uthman al-Nahdi said: “We executed three practitioners of witchcraft.” This is how it was narrated in Saheeh al-Bukhari from Bajalah ibn ‘Abdah. [It was also narrated by Abu Dawud with a saheeh isnad/authentic chain of narrators, and the original report is in al-Bukhari].

And it is narrated in a saheeh (authentic) report that Hafsah (may Allah be pleased with her) executed a slave woman of hers because she found out that she was engaging in witchcraft. And when the great sahabi (companion) Jundub ibn ‘Abd-Allah (may Allah be pleased with him) saw a practitioner of witchcraft playing with his head – making the people think that he was cutting off his head and putting it back – he approached him without him realizing and killed him, and said: “Now put your head back if you are telling the truth!”

Conclusion: the evil of the practitioners of witchcraft is great, hence it is obligatory to execute them. If the authorities know that they are practitioners of witchcraft, and that is proven with shar’i (legal) evidence, then they have to execute them, so as to protect society from their evil and corruption. End quote.

3 –The Shaykh also said:

If he is executed, the funeral prayer should not be offered for him, and he should not be buried in the graveyard of the Muslims; he should be buried in the graveyard of the kafirs. He should not be buried in the graveyard of the Muslims, the funeral prayer should not be offered for him, and he should not be washed or shrouded. We ask Allah to keep us safe and sound.

4 – He also said:

The ruling on the practitioner of witchcraft who is known to make people imagine things, or whose actions result in harm for people, such as causing people to see things that are not there, making a man beloved to his wife or a wife beloved to her husband, or the opposite, which causes harm to people, if this is proven by means of evidence in the Islamic court, then this practitioner of witchcraft must be executed and his repentance should not be accepted even if he repents.

We have quoted above the report narrated from ‘Umar (may Allah be pleased with him), who ordered his commanders to kill the practitioners of witchcraft so as to prevent their mischief on earth and to stop them disturbing the Muslims and causing harm to people. As soon as they are found out, then it is obligatory for the Muslim leaders to execute them even if they say “We have repented”, because there is no guarantee. If they are sincere in their repentance, that will benefit them before Allah, because of the general meaning of the verse in which Allah says (interpretation of the meaning):

“And He it is Who accepts repentance from His slaves, and forgives sins, and He knows what you do.” [42:25]

If a person comes to the authorities without having been found out and tells them that he has repented, and that in the past he used to do such and such, but he has repented to Allah and he seems outwardly to be good, then his repentance should be accepted, because he has come voluntarily, seeking goodness and announcing his repentance without having been found out and without anyone making any claims against him. So if he comes in a manner that does not suggest any kind of trickery, then his repentance should be accepted, because he has come repenting and expressing regret, like any other kafir who may have a bad past, then Allah blesses him by

enabling him to repent without being forced to do so by anyone and without anyone making any claims against him. End quote. Majmoo' Fatawa al-Shaykh Ibn Baz.

5 – The scholars of the Standing Committee said: If the practitioner of witchcraft does any act of kufr in his magic, then he is to be executed as a hadd punishment for his kufr. If it is proven that he killed by means of his magic someone whose life is protected by sharee'ah, then he should be executed as a qasas (retribution) punishment. If he did not do any act of kufr or kill anyone by means of his magic, then there is a difference of scholarly opinion with regard to executing him for his witchcraft. But the correct view is that he should be executed as a hadd punishment for his apostasy. This is the view of Abu Haneefah, Malik and Ahmad (may Allah have mercy on them), because his magic in fact means that he is a kafir, because of the verse (interpretation of the meaning):

"They followed what the shayateen (devils) gave out (falsely of the magic) in the lifetime of Sulayman (peace be upon him). Sulayman (peace be upon him) did not disbelieve, but the shayateen (devils) disbelieved, teaching men magic." [2:102]

This verse indicates that all practitioners of witchcraft are kafirs. And it is proven in Saheeh al-Bukhari that Bajalah ibn 'Abdah said: 'Umar ibn al-Khattab (may Allah be pleased with him) wrote saying: Execute every practitioner of witchcraft, male or female, and we executed three practitioners of witchcraft. And it was narrated that Hafsah, the Mother of the Believers (may Allah be pleased with her) ordered that a slave girl of hers who had put a spell on her be executed, and she was executed. [Maalik in al-Muwatta]. And it is proven that Jundub said: The punishment for the practitioner of witchcraft is a blow with the sword. [Narrated by al-Tirmidhi who said: the correct view is that it is mawqoof – not directly attributed to the Prophet]. Based on this, the ruling on the practitioner of witchcraft asked about in the question is that he should be executed according to the correct scholarly view. The one whose job it is to confirm that witchcraft has taken place and to carry out the punishment is the ruler who is charge of the Muslims' affairs, so as to ward off mischief and close the door to chaos. End quote. Fatawa al-Lajnah al-Daimah.

6 – Shaykh Ibn 'Uthaymeen said: Is this execution a hadd (legally prescribed) punishment or

killing him because of his kufr? Both are possible, based on the details about the kufr of the practitioner of witchcraft that we have discussed above. But based on the above discussion we say: if a person's witchcraft constitutes kufr, then his execution is that of an apostate, but if his witchcraft does not constitute kufr, then it comes under the heading of protection against serious harm, and it must be implemented as the ruler sees fit.

Conclusion: Practitioners of witchcraft must be executed, whether or not we say that it is because of their kufr, because they make people sick and may even kill them, they cause separation between husband and wife, and vice versa, and they may bring about reconciliation between enemies and thus attain their goals. One of them may bewitch a person to make him like him and get what he wants from him, such as if one of them bewitches a woman in order to have his way with her, and because they spread mischief on earth. So it is obligatory for the authorities to execute them without asking them to repent, so long as this is done to ward off their harm and the great damage they may cause. The hadd punishment has nothing to do with being asked to repent; when the offender is caught, the hadd punishment must be carried out. End quote. Majmoo' Fatawa al-Shaykh Ibn 'Uthaymeen. This is a commentary on Kitab al-Tawheed.

7 – Shaykh Ibn 'Uthaymeen also said: The view that (practitioners of witchcraft) should be executed is in accordance with the principles of sharee'ah, because they spread mischief on earth and their mischief is one of the greatest forms of mischief. So executing them is obligatory for the ruler, and it is not permissible for the ruler to fail to execute them, because if such people are left alone and their actions become widespread, they will cause mischief in their own land and in the land of others. But if they are executed the people will be safe from their evil and the people will be deterred from indulging in witchcraft. End quote. Majmoo' Fatawa al-Shaykh Ibn 'Uthyameen. This is a commentary on Kitab al-Tawheed.

And Allah knows best.