



**The first question of Fatwa no. 4804**

**Q 1: A woman was bewitched by a sorcerer to marry a specific man. Later, the bewitched woman became insane and the sorcerer was arrested by the civil court officials. He confessed to the crime when asked. What is the prescribed penalty for him?**

**A :** When a sorcerer uses something that is against Islam, he should be sentenced to death for Riddah (apostasy). If it is confirmed that he killed a person by sorcery, he should be killed in retaliation. If he did not use anything that is against Islam and did not kill a soul, there is

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disagreement among the jurists in this regard. According to Abu Hanifah, Malik, and Ahmad (may Allah be merciful to them all), he should be killed for Riddah; this is the sound view, because he is a Kafir (disbeliever) by his sorcery according to the Ayah (Qur'anic verse): [\(They followed what the Shayâtîn \(devils\) gave out \(falsely of the magic\) in the lifetime of Sulaimân \(Solomon\). Sulaimân did not disbelieve, but the Shayâtîn \(devils\) disbelieved, teaching men magic\)](#) The verse affirms the absolute Kufr (disbelief) of a sorcerer as confirmed in the report narrated in Al-Bukhari Sahih (authentic) Book of Hadith on the authority of Bajalah ibn `Abadah who said: [\( `Umar ibn Al-Khattab \(may Allah be pleased with him\) wrote: Kill every male and female sorcerer. So we killed three sorcerers.\)](#) Similarly, it is authentically reported that Hafsa (the Mother of the Believers, may Allah be pleased with her) [\(Ordered that one of her slave-girls to be killed for the girl had used sorcery against her.\)](#) (Related by Malik in Al-Muwatta'). It is also authentically reported that Jundub said: [\(The penalty of a sorcerer is to put him to the sword.\)](#) (Related by Al-Tirmidhy who stated that the proper opinion is that this is a Hadith Mawquf 'a Hadith narrated from a Companion of the Prophet'). Thereupon, the sorcerer referred to in the question must be sentenced to death according to the sound view among the jurists. Those entrusted with proving the occurrence of Sihr

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are the competent authorities which run the Muslims' affairs as a means to prevent corruption and close the door of disorder.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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