

Question 2341) - What are the regulations of Muslims who abandon Islaam?

A: They are as follows:

1. When a man abandons islaam he will be presented with an opportunity to re-embrace it. If he has nay doubts, these should be explained to him. He will be imprisoned for three days. If he accepts, well and good. If he refuses he will be killed.
2. It is Makruh to kill him before offering him Islaam. Nevertheless there is neither Qisas nor Diyah upon his killer.
3. If a woman abandons Islaam, she will not be killed. She will be imprisoned until she embraces Islaam, even if forever.
4. The apostate's ownership of his wealth is suspended. If he returns to Islaam his wealth returns to him. If he is executed or dies upon his apostasy, the wealth he earned during his Islaam goes to his Muslim heirs. What he earned after apostasy is Fay and will be deposited in the public treasury.
5. If the apostate flees to Darul Harb and the judge declares it official, his Mudabbar and Ummul Walad are free and his debts are absolved. His earnings as a Muslim are distributed amongst his Muslim heirs. His debts which he incurred as a Muslim will be paid from his wealth earned as a Muslim. His debts which he incurred as an Apostate will be paid from his wealth earned as an Apostate.
6. All his buying, selling and transacting as an apostate are suspended. If he returns to Islaam they are valid, if he dies, is killed or flees as an apostate to Darul Harb then they are void.
7. If he returns to Darul Islaam as a Muslim after the court had declared his going to Darul Harb official, then he may claim what remains of his wealth in the hands of his heirs.
8. The transactions of a female apostate during her apostasy are valid.

~ al-Quduri ~