



5177 - Can those who have committed homosexual acts be forgiven, and is it permissible for such a person to get married?

the question

Could inform me regarding the Islamic view about people who have committed homosexual acts, but have repented and abstained from such acts. Should they be stoned to death? Can they be forgiven? And are they allowed to marry people of the opposite gender?

Detailed answer

Praise be to Allah.

Undoubtedly the sin of homosexuality is one of the worst sins; indeed, it is one of the major sins (kabaa'ir) that Allaah has forbidden. Allaah destroyed the people of Loot (peace be upon him) with the most terrifying kinds of punishment because they persisted in their sin and made this evil action commonplace and acceptable among themselves. Allaah says (interpretation of the meaning):

“So when Our Commandment came, We turned (the towns of Sodom in Palestine) upside down, and rained on them stones of baked clay, in a well-arranged manner one after another; Marked from your Lord” [Hood 11:82-83].

Then Allaah says, warning those who come after them of the nations who do the same deed as they did (interpretation of the meaning):

“and they are not ever far from the Zaalimoon (polytheists, evildoers)” [Hood 11:83]

And Allaah says (interpretation of the meaning):

“And they indeed sought to shame his guest (by asking to commit sodomy with them). So We blinded their eyes (saying), ‘Then taste you My Torment and My Warnings.’” [al-Qamar 54:37]



The Prophet (peace and blessings of Allaah be upon him) said: “Whoever you find doing the action of the people of Loot, kill them, the one who does it and the one two whom it is done.”

(Narrated by Ahmad, 2727; classed as saheeh by al-Albaani in Saheeh al-Jaami’ al-Sagheer wa Ziyaadatihi, no. 6589).

Imaam Ibn al-Qayyim (may Allaah have mercy on him) said:

It was reported that the Prophet (peace and blessings of Allaah be upon him) said: “Kill the one who does it and the one to whom it is done.”

(Reported by the four authors of Sunan. Its isnaad is saheeh. At-Tirmidhi said it is a hasan hadeeth).

Abu Bakr al-Siddeeq judged in accordance with this, and he wrote instructions to this effect to Khaalid, after consulting with the Sahaabah. ‘Ali was the strictest of them with regard to that. Ibn al-Qasaar and our shaykh said: the Sahaabah agreed that [the person who does homosexual acts] should be killed, but they differed as to how he should be killed. Abu Bakr al-Siddeeq said that he should be thrown down from a cliff. ‘Ali (may Allaah be pleased with him) said that a wall should be made to collapse on him. Ibn ‘Abbaas said, they should be killed by stoning. This shows that there was consensus among them that [the person who does homosexual acts] should be killed, but they differed as to how he should be executed. This is similar to the ruling of the Prophet (peace and blessings of Allaah be upon him) concerning the person who has intercourse with a woman who is his mahram [incest], because in both cases intercourse is not permitted under any circumstances. Hence the connection was made in the hadeeth of Ibn ‘Abbaas (may Allaah be pleased with him) who reported that the Prophet (peace and blessings of Allaah be upon him) said, “Whoever you find doing the deed of the people of Loot, kill them.” And it was also reported that he (peace and blessings of Allaah be upon him) said: “Whoever has intercourse with a woman who is his mahram, kill him.” And according to another hadeeth with the same isnaad, “Whoever has intercourse with an animal, kill him and kill the animal with him.”

(Narrated by Ahmad, 2420; Abu Dawood, 4464; al-Tirmidhi, 1454; al-Haakim, 4/355).



This ruling is in accordance with the ruling of sharee'ah, because the worse the haraam action is, the more severe the punishment for it. Having intercourse in a manner that is not permissible under any circumstances is worse than having intercourse in a manner which may be permitted in some circumstances, so its punishment is more severe. This was stated by Ahmad in one of the two reports narrated from him.

(Zaad al-Ma'aad, part 5, p. 40-41).

The same applies to the sin of lesbianism. There is no doubt among the fuqahaa' that lesbianism is haraam and is a major sin, as stated by al-Haafiz Ibn Hajar (may Allaah have mercy on him).

(Al-Mawsoo'ah al-Fiqhiyyah, part 24, p. 251).

With regard to the specific type of punishment mentioned in the question - stoning to death - this kind of punishment is for the adulterer who is married. The shar'i punishment for the crime of homosexuality is execution - by the sword, according to the most correct view - as was narrated in the discussion above about the differences among the scholars as to how this execution should be carried out. As far as lesbianism is concerned, there is no hadd for it, but it is subject to ta'zeer [unspecified punishment to be determined at the discretion of the qaadi].

(al-Mawsoo'ah al-Fiqhiyyah, part 24, p. 253).

But if the person who does this evil deed, or any other action which is subject to a hadd punishment, repents, gives up that sin, seeks forgiveness, regrets what he has done and intends never to go back to it - Shaykh al-Islam Ibn Taymiyah (may Allaah have mercy on him) was asked about that, and he answered:

If he truly repents to Allaah, Allaah will accept his repentance, and he does not need to confess his sin to anyone so that the hadd punishment would be carried out on him.

(Majmoo' al-Fataawaa, part 34, p. 180).

Allaah says (interpretation of the meaning):



“And those who invoke not any other ilaah (god) along with Allaah, nor kill such person as Allaah has forbidden, except for just cause, nor commit illegal sexual intercourse and whoever does this shall receive the punishment. The torment will be doubled to him on the Day of Resurrection, and he will abide therein in disgrace; Except those who repent and believe (in Islamic Monotheism), and do righteous deeds; for those, Allaah will change their sins into good deeds, and Allaah is Oft-Forgiving, Most Merciful. And whosoever repents and does righteous good deeds; then verily, he repents towards Allaah with true repentance” [al-Furqaan 25:69-71].

If he repents sincerely towards Allaah, there is no reason why he should not get married, and indeed it may be obligatory in his case, as a protection for him and in accordance with what Allaah has permitted. And Allaah knows best. May Allaah bless our Prophet Muhammad.