

## INTERFAITH MARRIAGES IN THE LIGHT OF THE HOLY QUR'AN AND ITS EXEGESIS

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The Holy Qur'ān is the divine book of Allah almighty that is guideline for mankind in every aspect of life. Splendid rules have been prescribed about family life including marriage, progeny and sanctity of relations. As Islam presents fabulous example of tolerance so in its attitude to the question of interfaith marriages, the situation is different from Judaism and Christianity. Islam allows interfaith marriages with some terms and conditions. An attempt has been made to define affixed rules regarding interfaith marriages in the light of the Holy Qur'ān and its Exegesis.

**Keywords:** *Interfaith marriages, Qur'ānic rules, Exegetical opinion.*

**Key words:** *Currency, Bai, Salam, Contract, Sarf*

### **Introduction:**

Marriage between two individuals belonging to different religions is called interfaith marriage. Interfaith marriages are universal phenomena; they were a part of human civilization in the past, are a vital reality of present and will remain an imperative constituent of future. The study of history demonstrates that mixed marriages remained a tradition in almost all religions of the world and also in Semitic religions that are Judaism, Christianity and Islām.

Judaism is very rigid about their race and nation. There are a number of the Biblical injunction and references from Talmud that prohibit marriage between Jews and gentiles<sup>1</sup>, but still in the past as well as in present interfaith marriages have taken place in Judaism<sup>2</sup>. There is no explicit prohibition of interfaith marriage in Christianity but the priests always remained against the marriage of a Christian with a non-Christian on the ground of religious pride<sup>3</sup>. Canon law allowed the continuation of interfaith marriage if it had taken place but with the restriction on Christian spouse to bring up the children in his/her own faith<sup>4</sup>.

Islām, the most comprehensive religion for the whole humanity, springs up the lesson of forbearance; it is considerably diverse from Judaism and Christianity in the matter of interfaith marriages and made distinction between marriages with various types of unbelievers and set up three rules for interfaith marriages of Muslim males and females:

- i. Prohibition of marriages with non-believers.<sup>5</sup>
- ii. Permission to marry the people of scripture.<sup>6</sup>
- iii. Prohibition of Muslim women to marry the people of scripture.<sup>7</sup>

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man slave who believes is better than an unbeliever, even though he allures you. Unbelievers do (but) beckon you to the Fire. But Allāh beckons by His Grace to the Garden (of bliss) and forgiveness.)

This verse of *Surah al-Baqarah* (2:221) revealed in the early period of emigration (*hijrah*) to Medina. There were many Muslim women in Makkah whose husbands were polytheists but they were emigrating to Medina. Likewise, there were many Muslim men whose wives were polytheists and had been left behind in Makkah.

The question arose whether the marriage bond between them continued to be valid or not. Almighty Allāh settled this problem forever, saying that the non-Muslim husband is unlawful for the Muslim woman, nor the non-Muslim wife is lawful for the Muslim husband. So it became very difficult to decide whether these marriages (despite the difference of religion) can be established? Then the revelation of the verse of *Surah Mumtahina* (60:10) resolved this problem in which Muslims were instructed to break marital relationship with idolater women whom they may have left in Makkah. The Holy Qur'ān illuminates in these words:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا جَاءَكُمُ الْمُؤْمِنَاتُ مِنْهَا جَرَاتٍ فَأَمْتَحِنُوهُنَّ اللَّهُ أَعْلَمُ بِإِيمَانِهِنَّ فَإِنْ عَلَيَتْهُنَّ مُؤْمِنَاتٌ فَلَا تَرْجِعُوهُنَّ إِلَى الْكُفَّارِ لَا هُنَّ حِلٌّ لَّهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ وَآتُوهُنَّ مَا أَنْفَقُوا وَلَا جُنَاحَ عَلَيْكُمْ أَنْ تَنْكِحُوهُنَّ إِذَا آتَيْتُمُوهُنَّ أَجُورَهُنَّ وَلَا تُمْسِكُوا بِعَصَمِ الْكُوفَرِ<sup>11</sup>

(O ye who believe! When there come to you believing women refugees, examine (and test) them: Allāh knows best as to their Faith: if ye ascertain that they are Believers, and then send them not back to the Unbelievers. They are not lawful (wives) for the Unbelievers, nor are the (Unbelievers) lawful (husbands) for them. But pay the Unbelievers what they have spent (on their dower), and there will be no blame on you if ye marry them on payment of their dower to them. But hold not to the guardianship of unbelieving women.)

After the revelation of these verses, an order was delivered to the companions of the Holy Prophet Muḥammad (upon whom be peace and greeting) to divorce their polytheists/pagan wives who lived in Makkah with *kuffars*. So, the order was acted upon by the companions of the Prophet Muḥammad (upon whom be peace and greeting).<sup>12</sup>

Imam Zuhri described this in these words: In response to this verse, Muslims divorced their pagan wives.<sup>13</sup> Umar bin al-khattāb (may Allāh be pleased with him) divorced his two idolater wives who were residing in Makkah. One of them was Quraiba, daughter of Abū-

Ummayyah, who later married Mu' āwiyah (who did not embrace Islām yet.). Second was the um-Kalthūm.<sup>14</sup> Iyaḍ binGhanam and Ṭ alḥ abin' Ubaydullāh also divorced their idolater wives.<sup>15</sup>

Scholars and jurists have consensus that the above mentioned verse is lucid assertion to abolish the marital relation among Muslims and infidels and became undisputed element in the Muslims law. Qurtubī ,

Mujahid, and Imām Nakha' ī narrated: "Non-believers used to marry with Muslim women and Muslims used to marry with idolatresses. Then this was abrogated."<sup>16</sup> Ibn Jarir Ṭ abarī narrated: "Allah has prohibited the believers to marry with the polytheists women who are among the idolaters. He commanded to be separated from them."<sup>17</sup>

#### **Classification of non-believers:**

According to these texts, the prohibition of interfaith marriages applies solely to marriages with *mushrikī n*, and not to all non-Muslims.

Islāmic scholars have varying opinions as to the correct meaning of *mushrikī n*. The majority of scholars believe that *mushrik* refers to every person who rejects the existence of God and the Prophets. The commentators also deliberated the meaning of the term *mushrikī t*. Some of them assert that the term *mushrikī t* relates only to Arab polytheists.<sup>18</sup> Among them the early traditionists, Qatādah , Sa'ī d bin Jubayr, Al-Ḥasan al-Baṣ rī , Ibrāhīm al Nakha' ī and 'Āmir al-Sha' bī had this opinion.<sup>19</sup>

المراد بالمشركات مشركات العرب التي ليس لهن كتاب<sup>20</sup>

(The *mushrikī t* mentioned in Qur'ān as referring only to Arab polytheists women).

The new interpreter Jāved Ghāmidī elaborated :

"In 60:10, Muslims have been prohibited to marry the disbelievers (*kuffī r*) because of their polytheistic practices. It is evident from the verse that the *kuffī r* mentioned here signify the idolaters of Arabia of the Prophet's time."<sup>21</sup>

However Rashī d Raḍ ā, prominent modern Egyptian scholar, interprets the text in a unique way. He maintains in his exegesis "*al-Manā r*": "*Mushrikī t* mentioned in the verse of *al-Baqarah* (2:221) refers only to a *mushrikī t al ' arab* and the quotation of Ibn Jarī r is preferred to all others."<sup>22</sup>

The commentators of the Holy Qur'an explicated certain reasons for prohibition of marriages with idolaters.

Maulānā Mawdūdī illustrated: "The simple reason is that their religion, their thinking, their civilization and culture and their way of life are so different from those of the Muslims that it is impossible for a true Muslim to develop soul-deep love and all-weather harmony in his relations with them. If despite differences, the two of them are tied together by the marriage bond the relationship will be only carnal. It will not be a truly cultural relationship."<sup>23</sup> AbdalHaq the interpreter of *tafsīr Fath al-Manān* writes: "Do not marry non-believing women, as they are not trustworthy. The relation between husband and wife is very delicate and due to difference of religion there will be quarrels every day and love will end. If the love remains constant then one have to ignore the issues of non-believing customs and values, and it will ruin the faith, that is why Muslim men are forbidden to marry them."<sup>24</sup> Dr. Hamīdullah illustrated: "It is forbidden for a Muslim to marry a woman who does not believe in God or is idolater or polytheist."<sup>25</sup>

In the end of the verse the reason of illegitimacy of marriage has been described between the believers and non-believers that are *Tauheed* and *Shirk* are two contradictory concepts. Their paths are separated. The non-believers are inviting people towards *Shirk*. Islām preaches *Tauheed*. According to Islām *Shirk* leads towards disaster which takes man towards

hell. On the other hand, success both in this world and in the hereafter is associated with Islām. Where such sort of vast conflict of creeds exists between husband and wife, married life cannot be successful. When one of the married couple follows concepts of non-believers and the other follows *Tauheed*, there will be conflict on every step and peace and tranquility will not be maintained.

## II. Permission to marry the people of scriptures (Ahl al kitāb):

In exceptional cases Islām allows Muslim men to establish their marital relations to the women of the people of scriptures, means with Christians and Jews on whom the Allah had revealed his holy books, Torah and Injīl.

Excerpts from the Holy Qur'an verify this rule.

الْيَوْمَ أُحِلَّ لَكُمْ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَّ لَكُمْ وَطَعَامُكُمْ حَلَّ لَهُمْ  
وَالْمُحْصَنَاتُ مِنَ الْهُنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا

آتَيْنَاهُمْ أَجْرَهُمْ مِمَّا كَفَرُوا بِالْإِيمَانِ فَقَدْ  
حَبِطَ عَمَلُهُمْ وَهُوَ فِي الآخِرَةِ مِنَ الْخَاسِرِينَ<sup>26</sup>

(This day are (all) things good and pure made lawful unto you. The food of the People of the Book is lawful unto you and yours is lawful unto them. (Lawful unto you in marriage) are (not only) chaste women who are believers, but chaste women among the People of the Book, revealed before your time,- when ye give them their due dowers, and desire chastity, not lewdness, nor secret intrigues if any one rejects faith, fruitless is his work, and in the Hereafter he will be in the ranks of those who have lost (all spiritual good).

Based on this injunction, the opinion of the majority of Muslims is that interfaith marriages are permitted between Muslim men and the women of the people of scriptures if;

- The later believe in God and recognize the book that was given to them before Islām.
- They should be chaste\* and not in fornication.
- There should not be danger of losing faith to marry them.<sup>27</sup>

Exegetical experts have their views about foregoing discussion that there is no great difference between a *kitabiyah* and a believer as she believes on Allah and worship him; she believes in the Prophet and life here after and the retribution in the hereafter and she has belief in that doing good deeds is an obligation and doing evil is a prohibition. However, there is great difference in their essence, that is, belief in the Prophet hood of Muhammad (upon whom be peace and greeting).<sup>28</sup>

Ibn Jarir Ṭabarī explained in his famous commentary: O believers! the virtuous women are made lawful for you i.e free women among them that you may marry them, i.e the virtuous women from those who had been given book before you, i.e free women among them. They are Jews and Christians who believe in *Torah and Injil* before you. O you who believe in the prophet hood of Muhammad (upon whom be peace and greeting) from the ' Arabs and all people! You may marry them also when you have given the marriage gift to those whom you have married with the virtuous and pious of them.<sup>29</sup> Abd al-Mājid Daryābādī elaborated: "The main and real common trait between Muslims and the people of scripture is their common belief in revelation and prophet hood. The actions of Jews and Christians are may be very bad and wrong, anyhow they believe in oneness of God

and prophet hood and in the chapter of beliefs these two are the most important topics.”<sup>30</sup>

Although Islām has given the exception to marry the people of the book but scholars have difference of opinion regarding this matter: ‘Abdullahbin’ Umar (may Allah be pleased with him) declared it illicit to marry a woman of the people of the book. It is however recounted that Abdullahbin ‘Umar (may Allāh be pleased with him) one of the jurists companions of the Holy Prophet considered the covenant of marriage of a Muslim man with the woman of the people of the book as illegal.

Jaṣ ṣ āṣ pointed out three statements of Ibn ‘Umar regarding interfaith marriages:-

- i. According to his opinion, there is no harm in taking the food cooked by the people of the book, but marriage with their women is detestable.<sup>31</sup>
- ii. They are also included in *Mushrakī n*, hence, when inquired by him, about the nuptial of the woman of the people of scripture, he answered:

إِنَّ اللَّهَ حَزَمَ الْمُشْرِكَاتِ عَلَى الْمُؤْمِنِينَ، وَلَا أَعْلَمُ مِنَ الْإِثْمِ الْكَبِيرِ شَيْئًا أَكْبَرَ مِنْ أَنْ تَقُولَ

الهِرَاقَةَ: رَبُّهَا عَيْسَى، وَهُوَ عَبْدٌ مِنْ عِبَادِ اللَّهِ”<sup>32</sup>

(Allāh the Almighty has forbidden as polytheist women to Muslim men, and there is no worse example of polytheism than a woman may say that I sabin Maryam is her lord, while he is only the slave of Allāh).

- iii. A tradition quoted from Abu ‘Ubayd via Maymun bin Mihran in which they said that they lived in a part of land where they were so intermingled with the people of the book that they had to marry their women and share of their food. They asked about it, Ibn Umar read out the both verses from the Holy Qur’ān. e 2:221 and 5:5 respectively. Maymun replied that they too had read what Ibn ‘Umar had read out to him, in spite of that they married the women of the people of the book and shared of their food. Ibn ‘Umar in reply, simply read out the said two verses again.<sup>33</sup>

‘Abdullahbin’ Abbās (may Allah be pleased with him) and ‘Alī (may Allah be pleased with him) also had the same opinion. ShahrbinḤawshab says:

سمعت عبد الله بن عباس يقول: نهى رسول الله صلى الله عليه وسلم عن أصناف النساء

الإمّا كان من المؤمنات المهاجرات، وحزّم كل ذات دين غير الإسلام،<sup>34</sup>

(I listened to 'AbdAllāh bin 'Abbās saying that Prophet Muhammad (peace be upon him) forbade to marry the women other than believing emigrant women).

This tradition indicates that 'Abdullah bin 'Abbas also considered it unlawful to marry the women of the people of the book. One more opinion of Ibn 'Abbās is that he did not consider it valid to marry the *harbi* women. Ibn 'Abbās quoted the tradition of Ibn 'Abbās about the women relating to *Dār al-Harb*: "Mujāhid narrates from Ibn 'Abbās that marriage with the women of the people of the book is unlawful if they belong to the land of war."<sup>35</sup>

'Umar (may Allah be pleased with him) also disliked this kind of marriages as they can spread vices in Islamic state and also the danger for Muslim women that they may remain unmarried if Muslim men marry the women of the people of the book. Some companions of the Prophet Muhammad (upon whom be peace and greeting) took such steps, he expressed annoyance. Shahr bin Hawshab says: "Ṭ alḥ abin 'Ubaidullāh married a Jewish woman and Ḥudhayfah bin Yamman married a Christian lady. 'Umar, the caliph (May Allah be pleased with him) was annoyed at it and intended to punish them. They said "Amīr al Mū'minīn don't be annoyed, we will divorce them", 'Umar said "if it would be legal to divorce them it would also be legal to marry them, "I will separate them from you in disgrace."<sup>36</sup>

If it is accepted that 'Umar (may Allāh be pleased with him) expressed great rage towards Ḥudhayfah and Ṭ alḥ a, the reason behind is not about sanctity of the relation but it may be so lest people began to marry the women of the people of the book instead of Muslim women. Famous Tāba'ī Shaqīq said: "Ḥudhayfah married a Jew lady. So 'Umar (may Allāh be pleased with him) wrote to him that he would divorce her, Ḥudhayfah answered if he considered it illegitimate. 'Umar (may Allāh be pleased with him) answered that he did not say her it illegitimate. But he feared lest people start marrying their fornicate women."<sup>37</sup>

So it shows that 'Umar (may Allāh be pleased with him) considered marriage with the women of the people of the book legitimate but feared that with noble women of the people of the book, debauched women would also become parts of Muslim houses. The reason behind was that at that time Jews/Christians were subject to great moral decline. So marital relation with them could cause moral degradation



among the Muslims. Therefore ‘Umar (may Allāh be pleased with him) did not like this practice in a Muslim society.

### **Ibn Taymiyah’s analyses:**

Imām Ibn Taymiyah has analysed well the arguments by the people who disfavoured marriage with the woman of the people of scripture and pin points its weakness. He says:

According to the majority of scholars in which scholars of each school of thought (الأئمة الأربعة) are also included, marriage is legitimate with the woman of the people of scripture according to the Holy Qur’ānic verse of surah al-Ma’idah (5:5). Opinion of Abdullah Ibn ‘Umar (may Allāh be pleased with him) is in contradiction to it. Now-a-day some agnostic are also favor this concept. They give argument from the verse of *Surah al-Baqarah* (2:221) and *Surah Mumtahinah* (60:10).

People of scripture are not considered non-believers. The Holy Qur’ān differentiates between them in many verses, and they have been declared in separate category.

إِنَّ الَّذِينَ آمَنُوا وَالَّذِينَ هَادُوا وَالصَّابِئِينَ وَالنَّصَارَى وَالْمَجُوسَ وَالَّذِينَ أَشْرَكُوا إِنَّ اللَّهَ  
يَفْصِلُ بَيْنَهُمْ يَوْمَ الْقِيَامَةِ إِنَّ اللَّهَ عَلَى كُلِّ شَيْءٍ شَهِيدٌ<sup>38</sup>

(Those who believe (in the Qur'an), those who follow the Jewish (scriptures), and the Sabians, Christians, Magians, and Polytheists, Allāh will judge between them on the Day of Judgment: for Allāh is witness of all things.)

It is said that in the Qur’ān people of the book are not mentioned as non-believers. Because *Shirk* is not part of their real creed in the people of the book. They believe in Prophet hood. They believe in Prophets and all Prophets were torch-bearers of *Tuheed* and they preached it. Christians are exceptional as they included it in their real creed. As *ummah* of Prophet Muḥammad (pbuh) indulged in different false practices which are not part of his (pbuh) religion. Likewise Christians do not have any creed of *Shirk* in their real creed. Therefore the Qur’ān does not call them non-believers, rather it said that they are practicing *Shirk*.

Secondly, people of the book will be included in *Mushrakīn* when they are not mentioned with them, if they are mentioned with *Mushrakīn*, they will not be considered non-believers.

Thirdly, *Surah al-Baqarah* revealed first and *Surah al-Ma’idah* later on, therefore in *Surah al-Baqarah*, if people of the book will be included in it and *Surah al-Ma’idah* discards it. So for as verse of

*Surah al-Mumtahinah* (do not bound non-believer women in marriage bond) is concerned, it has a special background. It is about Arabs non-believers. People of the book were not under discussion here.<sup>39</sup>

**Views of contemporary scholars:-**

Muftī Aḥmad YārKhān writes: “Although *nikah* with the women of the people of the book is lawful but a Muslim who does not have a control over his faith should never marry a woman of the people of the book. In marriage with the scripture woman four things should be carefully observed, i. he can save his faith, by marrying her he might not be converted to Judaism or Christianity. ii. He can also save the faith of his family and children. iii. Due to his love for the scripture woman he might not follow her. iv. He should not trust her in giving information regarding himself, his nation, and country so that she might not give harm us. Only a man who can be careful in all these matters should dare to marry, otherwise this marriage will be poison for his faith, nation or country.”<sup>40</sup> He further said: “Now a-days many English people have become non-believers. They are not truly Christians; that is why, matrimonial relation to them is invalid. They are not people of the book but only call themselves Jews or Christians due to national religion. They attend Church. Hence one must be very careful in this marriage.”<sup>41</sup>

The interpreter of the *Tafsīr Haqqānī* said: “Today’s atheists of Europe would never be considered people of the book”<sup>42</sup> Ashraf ‘Alī Thānwī said: “But the present day-Christians are Christians only in their national domicile, religiously they are only atheists and worshipers of science. So, this law to marry with the women of the people of the book is not applicable to them”<sup>43</sup> Muftī Muhammad Shafī ‘Uthmānī said: “According to the Qur’ān, Sunnah, and the opinions of Sahabah, it is obligatory for the Muslims to entirely avoid to marry the present day women of the people of the book”<sup>44</sup> Pir Muhammad Karam Shah al-Azharī stated: “History is full of such examples that the women of the people of the book had exposed secrets to their nations due to which Muslims had to face extreme loss. So due to these reasons, this would be judicious if such marriages are banned.”<sup>45</sup>

**III. Prohibition of Muslim women to marry the people of scriptures:-**

The third rule of the Holy Qur’ān about interfaith marriage is to explicate the marriage of Muslim women to non-believers. Unlike Muslim men, Muslim women are not allowed to be given in

marriage to any non-Muslim, be he belongsto a people of the scripture, a Zoroastrian or a polytheist. This prohibition is accepted according to the following excerpts from the Holy Qur'an:-

وَلَا تُنْكَحُوا الْمُشْرِكِينَ حَتَّىٰ يُؤْمِنُوا وَلَعَنَ الْمُؤْمِنُونَ خَيْرٌ مِّنْ مُّشْرِكٍ وَلَوْ أَعْجَبَكُمْ<sup>46</sup>

(Nor marry (your girls) to unbelievers until they believe: A man slave who believes is better than an unbeliever, even though he allures you.)

لَا هُنَّ حِلٌّ لَّهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ<sup>47</sup>

(They are not lawful (wives) for the Unbelievers, nor are the (Unbelievers) lawful (husbands) for them.)

HāfizIbnKathī rclarified:This is the verse which signals as prohibition of Muslim women's 'nikah' with polytheists men, while at the evident of Islām it was licit for Muslim women.<sup>48</sup> Al-Ṭabarī explained in his commentary on above mentioned verse:Verily, Allāh has forbidden the believing women to marry a *Mushrik*, no matter what kind of *Shirk* he believes in. So, O believers, do not tie the knot with them, for that is unlawful to you.<sup>49</sup>ImāmQatādah and ImāmZuhrī said:It is unlawful for you to give them (your daughters) in marriage to Jews or Christian and nottoany*mushrik* who is not adherent of your religion.<sup>50</sup>Ikramah and ḤasanBaş rī narrated: "Muslim women are illicit for their men, means non-Muslim men."<sup>51</sup>

ImāmQurtubī explained:-*Ummah* is unanimous on this point that a non-Muslim cannot marry a Muslim woman as it is degradation for Islām.<sup>52</sup>

(Although the clear prohibition from the Holy Qur'an is not found for Muslim women marrying people of the scriptures. Hence, on the basis of the above mentioned verses, there is a consensus among Muslims concerning this prohibition. Exegetical scholars have reasoned:

"If men needed to be given express permission to marry a (non-Muslim), women needed to be given express permission as well, but since they were not given any such permission then they must be barred from marrying a (non-Muslim)."<sup>53</sup>

Some scholars argue that the prohibition derives from different considerations. "Marriage in Islāmic law is based on a strong patriarchal ethos, imbued with religious ideals and values."<sup>54</sup>

Ghulām Rasūl Sa'ī dī described the reason of unlawfulness of marriage of Muslim women to the men of the people of the book and said:

“Allāh has told that the food of the people of the Book is lawful for you, and your food is lawful for them and regarding *nikah*, Allāh the omnipotent said, the women of the people of the book are lawful to you. It is not said that your women are also lawful to the people of the book. So *nikah* is allowed only from one side. Thus the reason is very clear, ‘because eating food with the people of the book does not create any legal problem, and if the *nikah* was also valid from both sides, and Muslim women were also allowed to marry the men of the people of the book, and the husband had an upper hand in such kind of marriage, so the non-Muslim men would be dominated over Muslim women and it is not permitted in *shar' ī h*”<sup>55</sup>

**Commentators' arguments:**

‘Abdullah Yūsuf Alī said: “A Muslim woman may not marry a non-Muslim man, because her Muslim status would be affected; the wife ordinarily takes the nationality and status given by her husband's law. Any man or woman, of any race or faith, may, on accepting Islām, freely marry any Muslim woman or man, provided it be from motives of purity and chastity and not of lewdness.”<sup>56</sup> Muḥammad Asad narrates: “Whereas Muslim men are allowed to marry women from among the followers of another revealed religion, Muslim women may not marry non-Muslims: the reason being that Islām enjoin reverence of all the Prophets, while the followers of other religions reject some of them e.g., the Prophet Muḥammad, as is the case with the Jews, both Muḥammad and Jesus. Thus, while a non-Muslim woman who marries a Muslim can be sure that - despite all doctrinal differences - the prophets of her faith will be mentioned with utmost respect in her Muslim environment, a Muslim woman who would marry a non-Muslim would always be exposed to an abuse of him whom she regards as God's Apostle.”<sup>57</sup>

Mashood Baderin, a professor of law at the University Of London elucidates: “under Islāmic law a Muslim man who marries Christian or Jewish woman has a religious obligation to honor and respect both Christianity and Judaism. Thus the woman's religious beliefs and rights are not in jeopardy through the marriage, because she would be

free to maintain and practice her religion as a Christian or Jew. Conversely, a Christian or Jewish man who marries a Muslim woman is not under such an obligation within his own faith, so allowing a Muslim woman to marry a Christian or Jewish man may expose his religious beliefs and rights to jeopardy.”<sup>58</sup>

Sayyid Qutb writes in his exegesis: “Muslim women, however, are forbidden from marrying Jewish or Christian men. The two cases are different, meriting different verdicts. Under Islāmic law, children are called by their father’s names. It is the practice in all societies that, after marriage, a woman joins the household of her husband. If a Muslim man married a Christian or Jewish woman, she would move to the town or country where he lived, and join the rest of his family, and their children would take the father’s name and grow up in his religious and cultural environment. The situation would be reversed in the case of a Muslim woman marrying a Jewish or Christian man, where the children would be raised in a non-Muslim culture and most likely grow up to be non-Muslims.”<sup>59</sup> Yohanan Friedmann describes another reason Muslim women are forbidden to marry non-Muslims: “Muslims believe in the prophethood of Moses and Jesus and are commanded not to impose their religion by force. They are therefore unlikely to embarrass or inconvenience their non-Muslim wives because of their religion. Conversely, a Muslim wife wedded to a *kitabī* husband (who does not believe in the prophethood of Muḥammad and is not prohibited from spreading his religion by force) would not be able to stand in his way; she and her children would be in danger of changing their religion.”<sup>60</sup>

Abd al Haq the interpreter of *tafsīr Fath al-Man* writes: “A Muslim woman’s marriage to non-Muslim is never valid. If she marries a Hindu, Jew, Christian or to a man of any other religion, the marriage would not be valid but she would be indulged into fornication. The ruler of an Islāmic state should separate them and if they do not follow his instruction they should be punished, so that the country is saved from vice practices, all the scholars are unanimous on this issue.”<sup>61</sup>

Above mentioned assertion expresses the principle that Muslim men are allowed to marry the scripture women, but a Muslim woman is not allowed to marry a man of the people of the book. Pointing out this fact Dr. Hamīdullah said:

“A Muslim woman cannot be the wife of a non-Muslim to whatever category he may belong.”<sup>62</sup>

**Conclusion:**

As a conclusion, A Muslim man and woman cannot marry a non-believing man and woman but Matrimony of Muslim woman is not licit to a non-Muslim man whether he is a non-believer or belongs to the people of the book; the reason is the weakness of woman, supremacy of men in society and the greatness of Islām over all the other religions.

In certain circumstances, a Muslim man is allowed to marry only the woman of the people of the book. But now a-days the Jews and Christians of Europe are only Jews and Christian according to their survey reports, in reality they don't have faith in God or any kind of religion. They neither consider Torah and Injil as the revealed books nor have belief in the prophet hood of Moses and Jesus. So if it comes into ones knowledge that a Jew or Christian don't have faith in Allah or in the prophet hood of Moses and Jesus, they would not be considered the people of book and matrimony with them would be invalid. During the reign of ' Umar (may Allah be pleased with him) that was the best reign, he forbade to marry the woman of the people of the book although they were practicing their religions in life, how can the marriage with the woman of the people of the book can be allowed in the present day of aberrance where we observe that the moral values of these non-Muslims are sternly destructive for the worldly and religious life of the Muslims. More over in our age there is neither real religion nor real people of the book but there is only atheism and worship of science. So at the present day is of great importance to follow the advice of Umar (may Allah be pleased with him) and should avoid to marry the women of the people of the book.

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<sup>2</sup>. The Holy Bible: Genesis, 26:34, 28:6-9, 36:1-5, 38:2, 46:10

<sup>3</sup>. The Holy Bible: 2 Corinthians 6:14-15

<sup>4</sup>. Ladislav Örsy, *Marriage in Canon Law: Texts and Comments, Reflections and Questions* ( Delaware: Michael Glazier, 1988AD) pp.112-113, cf. www.fabc.org/fabc papers no. 127

<sup>5</sup>. (Do not marry unbelieving women (idolaters), until they believe: A slave woman who believes is better than an unbelieving woman, even though she allures you. Nor marry (your girls) to unbelievers until they believe: A man slave who believes is better than an unbeliever, even though he allures you. Unbelievers do (but) beckon you to the Fire. But Allāh beckons by His Grace to the Garden (of bliss) and forgiveness.) Al-Qur' ān, 2:221.

<sup>6</sup>. (This day are (all) things good and pure made lawful unto you. The food of the People of the Book is lawful unto you and yours is lawful unto them. (Lawful unto you in marriage) are (not only) chaste women who are believers, but chaste women among the People of the Book, revealed before your time,- when ye give them their due dowers, and desire chastity, not lewdness, nor secret intrigues if any one rejects faith, fruitless is his work, and in the Hereafter he will be in the ranks of those who have lost (all spiritual good).Al-Qur'ān: 5:5

<sup>7</sup>. (They are not lawful (wives) for the Unbelievers, nor are the (Unbelievers) lawful (husbands) for them.) Al-Qur'ān,60:10.

<sup>8</sup>. Abd al-Rahī m, The Principles of Muhammadan Jurisprudence (Lahore: Mansur Book House, n.d) p.137

<sup>9</sup>. YohananFriedmann, Tolerance and Coercion In Islām, Interfaith Relations in the Muslim Tradition (Cambridge: University Press,2003AD) p.161

<sup>10</sup>. Al-Qur' ān , 2:221.

<sup>11</sup>. Al-Qur'ān, 60:10.

<sup>12</sup>. Mujāhid bin Jabr,*Tafsī rMujāhid* (Egypt: Dār al-Fikr al-Islāmī , Al-Ḥadithah, Ist Edition.1410AH) vol. 1, p.656

<sup>13</sup>Ṭabarī ,Ibn-Jarī r, *Jāmi' al-Bayān fī Tafsī r al-Qur'ān* (Mu'sisah al-Risālah,1420AH) vol. 28, p. 44

<sup>14</sup>.Al-Bukhārī , MuḥammadbinIsmā'ī l, *Al-Ṣaḥī ḥ* (Riyāḍ :Dār Al-Salām, 1419AH/1999AD) Book:*Al-ṭ al-q* Chapter:*Nikah Man Aslama Min al-Mushrik* *tWa Iddatuhinna*, Ḥadith:5287/For Detail please see: IbnḤajar, Ahmad bin ' Alī ,Al-' Asqalānī , *Fatḥ al-Bayān* (Beirut: Dār al-Ma' rifah, 1379AH) vol.9, p.419

<sup>15</sup>.Ibid.

<sup>16</sup>.Qurtubī ,AbūAbdullāhMuḥ ammadbinAḥ mad, *Al-Jāmi' li-Aḥkām al-Qur'ān* (Al Qāhira:Dār al kutab al- miṣ riyyah, 1384AH/1964AD) vol.18, p.63 / Mujāhid bin Jabr,*Tafsī rMujāhid* (Egypt: Dār al-Fikr al-Islāmī , Al-Ḥadithah, Ist Edition.1410AH) vol. 1, p.233

<sup>17</sup>. Tabarī , Ibn- Jarir, *Jāmi' al-Bayān* vol. 28, p. 44

<sup>18</sup>. Tabarī , Ibn- Jarir, *Jāmi' al-Bayān* vol. 4, p.364

<sup>19</sup>. Ibid

<sup>20</sup>. Ālūsī ,Shahāb al-Dī n, Mahmūdbin'Abdullāh, *Riḥ al- Ma' ān* (Beirut: Dār al-kutub al- ' Ilmiyyah, 1415 AH) vol.1, p.512

<sup>21</sup>. Ghāmidī , JāvedAḥ mad, The Social Sharī 'ah of Islām, (trans) ShehzadSaleem (Lahore: Al- Mawrid,2<sup>nd</sup>edt, 2006AD) p.27

<sup>22</sup>. Rashī dbin'AlīRaḍ ā, *Tafsī r al-Mann* (Al-hayyat al Miṣ riyyahlil' Aamat al Kitāb, 1990AD) vol.6, p.160

<sup>23</sup>. Mawdūdī , Abū al-Ala, Sayyid, The Laws for Marriage and Divorce in Islām, (Kuwayt: Islāmīc Book Publishers) p.11

<sup>24</sup>.Al-Ḥaqqānī , Abd al -Haq,*Tafsī rFatḥ al-Mann* (Lahore: Maktabah al-Ḥasan, nd) vol. 1, p. 409

<sup>25</sup>. Muhammad Hamidullah,Dr, Introduction to Islām (Lahore: publishers 7-Aibak Road New Anarkali, 1983AD) p.175

<sup>26</sup>. Al-Qur'ān: 5:5

<sup>27</sup>. Hammūdah'Abdal'Alī , the family structure in Islām, p.138.

\*.according to one view, the chaste (muhsanāt) mentioned in this verse are free scriptuary women, both chaste and promiscuous. This understanding of the verse would prohibit marriage with kitābī slave-girls. According to another view, chaste scripture women are intended, both free and slave. Muqātil opts for a harmonizing interpretation: in his view free and chaste kitābī women are intended in the verse.(muqātil, tafsī r, vol. 1 p. 455)

Ibnkathī r interpreted:(they should be chaste) means, they are honorable women who do not commit adultery,(3:37)\* (not fornicators) referring to dishonorable women, who do not refrain from illicit sexual relations with those who ask. Ibn'Abbas said that the fornicating women are the whores, who do not object to having relations with whom ever seeks it.

<sup>28</sup> .Muḥ ammadRashī d binAlī Raḍ a, *tafsī r al-Mann* □ r vol.2, p.280

<sup>29</sup> . Ṭ abarī , *Al-J □ mī al- bay □ n fi tafsī r al -Qur' □ n* vol.9,p.581

<sup>30</sup> . Daryā'Ābādī , Abdāl-Mājid, *al-Qur' □ n atkarī mma' atarjumawatafsī r* (Karachī :Taj company ltd) p.238

<sup>31</sup> .Al-Jaṣ ṣ āṣ , *Al-Aḥ k □ m al Qur' □ n* vol.2, p.15

<sup>32</sup> .Ṣ aḥ ī ḥ al-Bukhārī , Book: Al-Ṭ alāq,Chapter,*QawlAll □ hWal □ Tunkih □ al Mushrik □ t* Ḥ adith.5285

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<sup>34</sup> .Ṭ abarī , *Al-J □ mī al- bay □ n fi tafsī r al -Qur' □ n* vol.4, p.364-365

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<sup>36</sup> .Ibid

<sup>37</sup> .Ṭ abarī , *Al-J □ mī al- bay □ n fi tafsī r al -Qur' □ n* vol.4, p.366-367

<sup>38</sup> .Al-Qur'ān,22:17, 2:60, 4:160, 5:69, 33:69

<sup>39</sup> .IbnTaymiyah, Taqī al-Dī n Ibn'Abbās, *Majm □ ' □ h al Fat □ w* (Al-Madinah al-Nabaiyyah, Al-mushafSharī f, 1416AH/ 1995AD) vol.32, p.178-181

<sup>40</sup> .Na' ī mī , Aḥ madYārKhān,Muftī , *Tafsī rNa' ī mī* (Lahore:MaktabahIslāmiyyah) vol. 2, p.231

<sup>41</sup> .Ibid

<sup>42</sup> .Al-Ḥ aqqānī , Abd al -Haq,*Tafsī rFatḥ al-Mann □ n* vol.4, P.11

<sup>43</sup> .Thānwī , Ashraf ' Alī , *Imd □ d alFat □ w* (karachī : MaktabahDār al-' Ulūm) vol.2, p.241

<sup>44</sup> .Muhammad Shafī ' , Uthmānī ,Muftī , *Ma' □ raf alQur' □ n* vol.3, p.64

<sup>45</sup> . Pir Muhammad Karam Shah, al-Azhari, *Daya al-Qur'an*(Lahore:Daya al-Quran publications, 1995 AD) vol.1, p. 443

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<sup>47</sup> .Ibid, 60:10

<sup>48</sup> .Ibn-kathī r, 'Imād al- Dī n, *Tafsī r al-Qur'an al-'Azī m*, vol.8, p.93

<sup>49</sup> . Ṭ abarī , *Al-J □ mī al- bay □ n fi tafsī r al -Qur' □ n* vol.3, p.71

<sup>50</sup> .Ibid

<sup>51</sup> .Ibid

<sup>52</sup> .Qurtūbī , *Al- J □ mī ' Aḥ k □ m al Qur' □ n* vol.3. p.72



<sup>53</sup> . Alex B. Leeman, "Interfaith Marriage in Islam: An Examination of the Legal Theory Behind the Traditional and Reformist," Indiana Law Journal: vol.84: iss.2, Article 9

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<sup>58</sup> . Baderin, Mashood A., *International Human Rights And Islāmic Law* (2003) p.144

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<sup>60</sup> . Yohanan Friedmann, *Tolerance and Coercion In Islām, Interfaith Relations in the Muslim Tradition*, p.173

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