

Article

Interfaith Marriage in Islam: Classical Islamic Resources and Contemporary Debates on Muslim Women's Interfaith Marriages[†]

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Abstract: In Islamic tradition, both Muslim men and women are prohibited from marrying *mushriks* and are required to marry only other believers. However, Muslim scholars' definitions of 'believers' and '*mushriks*' differ for men and women. Whereas *kitabī* (Jewish and Christian) women are accepted as believers, not *mushriks*; *kitabī* men, who believe in the same religion as *kitabī* women, are not accepted as believers. Thus, there is a prohibition of Muslim women marrying men of different faiths in Islam. This prohibition is mainly based on the consensus of scholars, which is mostly derived from the cultural and social understanding of marriage and gender roles in the family rather than strictly from religious sources of reference. The aim of this article is to discuss how classical and contemporary Muslim scholars have approached the question of Muslim women's interfaith marriages in Islam. Classical Muslim scholars did not consider the changing circumstances in their society and reconsider the religious rule regarding Muslim women's interfaith marriages, as they did for Muslim men's interfaith marriages. On the other hand, some contemporary Muslim scholars argue that the absence of any explicit prohibition in the Qur'ān indicates that Islam leaves the decision regarding whom to marry up to the Muslim woman and that she should consider her conditions and her prospective husband's attitude toward her religious faith before making the decision for herself.

Keywords: interfaith marriage; Muslim women; Muslims; Islam



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1. Introduction

With the increased number of interfaith marriages among Muslims in Western countries, there is a growing interest in Muslim–non-Muslim marriages, and the subject has been studied from various perspectives, such as sociological, anthropological, and religious perspectives. However, the majority of research on Muslim interfaith marriages is focused mainly on the marriages of Muslim men to non-Muslim women (Ata 2009; Cerchiaro 2019, 2022; Cerchiaro et al. 2015; Woesthoff 2013); Muslim–non-Muslim families, wherein most men are Muslims; the implication of religious differences in everyday family life (Cerchiaro et al. 2015; Daneshpour 2003; Daneshpour and Fathi 2016; Gaya 2022; Gungor 2016); and children and the formation of their religious identities in Muslim–non-Muslim families (Arweck and Nesbitt 2011; Cerchiaro 2020; Froese 2008; Kurttekin 2019; Therrien 2022). On the other hand, few studies have focused on the interfaith marriages of Muslim women, their experiences in intimate interfaith relationships (Elmali-Karakaya 2020; Feise-Nasr 2022; Jawad and Elmali-Karakaya 2020) and religious aspects of Muslim women's interfaith marriages (Al-Yousuf 2006; Azzam 2015; Haqqani 2022).

Despite the consensus of scholars with respect to the prohibition of interfaith marriages and opposition from within religious communities, Muslim women continue to be involved in interfaith marriages. Such Muslim women who have religious concerns want to learn the religious edicts about the subject and seek knowledge about what Islam says about their interfaith relationships/marriages (Abou El Fadl 2016; Admin 1999, 2000, 2004, 2005;

Haqqani 2022). Although some scholars discuss Muslim women's interfaith marriages as a part of their research (Al-Yousuf 2006; Eskin 2007; Friedmann 2003; Haqqani 2018), only a few studies have concentrated mainly on religious aspects of Muslim women's interfaith marriages (Azzam 2015; Buisson 2016; Haqqani 2022). In this article, I will investigate the origins of the prohibition of Muslim women's interfaith marriages in Islamic law by discussing the arguments put forward by traditional and contemporary Muslim scholars. In so doing, I will focus on Muslim women's interfaith marriages within the Islamic theological context and how Muslim scholars have discussed the subject since early Islam. In addition, to investigate how gender differences affect the traditional view of interfaith marriages in Islam, I will also briefly examine Muslim men's interfaith marriages. In this context, I will elucidate a discussion on Muslim men marrying outside of their faith and the interpretations of Muslim scholars of relevant Qur'ānic verses in relation to Muslim men's interfaith marriages.

In reviewing classical or traditional Qur'ānic commentaries, it is clear that the issue of interfaith marriages was not discussed among Muslims until the early years of the Medina period of Islamic society, when the first verse related to interfaith marriage (Q. 2:221) was revealed.¹ Before then, during the first period of Islam, Muslims maintained their marriages with non-Muslims, either Makkan polytheists or People of the Book, and did not renew their marriage vows after becoming Muslim (Elmalili n.d.). Although their spouses retained their religion and only later converted to Islam, their marriages were deemed valid and legitimate; becoming Muslim did not have any effect on the validity of their marriages. Sayyid Qutb (1966) explains that during the Mecca period, Muslims were only able to spiritually separate themselves from idol worshippers in the community, not socially. The change needed to be gradual; therefore, Muslims were allowed to marry Meccan idol worshippers until they obtained independent social and political identities in Medina (Qutb 1966). Nevertheless, after the political atmosphere and social structure changed in the Muslim community with the growth of Islam and spread of religious authorities in Islamic lands, interfaith marriages became an issue of social and religious concern in the community (Aini 2008; Friedmann 2003).

In the Qur'ān, there are three verses governing interfaith marriage: Surah 2:221, Surah 5:5 and Surah 60:10. These three verses were revealed in the period of Medina. Nevertheless, Muslim scholars and jurists have often cited the first two verses (2:221 and 5:5) in their arguments and discussions relating to Muslim interfaith marriages (Ali 2006; Friedmann 2003; Leeman 2009), as the revelation context of verse 60:10 is not associated with the issue of Muslims' interfaith marriages; it was revealed in a very specific context to protect women who converted to Islam from extradition, sending them back to their family² (Ibn Abidin 1907; Ibn Kathir 1999). However, some scholars interpret verse 60:10 as prohibiting Muslim women's marriages to all non-Muslims, including Jews and Christians, and use it to support their argument (Dalgin 2005; Ibn Qudamah 1984). For instance, prominent Muslim scholar Yusuf al-Qaradawi uses verse 60:10 in his well-known book titled *The Lawful and the Prohibited in Islam* to explain the prohibition of Muslim women's interfaith marriages (Qaradawi 1994). In addition, the Turkish Presidency of Religious Affairs refers to verse 60:10 in its response to a question of their *fatwā* (opinion) counsel concerning whether Muslim women can marry non-Muslims. It says that, 'early Muslim jurists indicated that a Muslim woman cannot marry a non-Muslim man by referring to the verse 60:10 which is about Muslim women who migrated to Medina from Mecca. And until now, there is not any dissidence about the subject among the Muslim scholars, on the contrary there has been a consensus' (The Presidency of Religious Affairs of Turkey n.d.).

2. Muslim Marriages to Non-Muslims

When the classical exegetes interpreted the verses related to Muslim marriages to non-Muslims, they categorized non-Muslims marrying Muslims into two main groups—*mushriks* (polytheists) and *ahl al-kitāb*³ (Al-Tabarī 1988; Kāsānī 1997; Sabuni 1980)—and based their *fatwās* governing the permissibility of interfaith marriage for Muslims upon

this categorisation (Abu Zahra 1957; Ali 2006; Azzam 2015; Dalgin 2005). In this article, I will use this categorisation to explain the regulations on interfaith marriages in Islam and categorise Muslims marriages as (1) Muslim marriages to *mushriks* and (2) Muslim marriages to *ahl al-kitāb*.

2.1. Muslim Marriages to Mushriks

In the Qur'ān, the main verse that clearly tackles interfaith marriage is Verse 221 of Chapter 2, which discusses the provision of marriage with a group of non-Muslims:

Do not marry unbelieving women (idolaters), until they believe. [. . .] Nor marry (your girls) to unbelievers until they believe. [. . .] Unbelievers do (but) beckon you to the Fire. But Allah beckons by His Grace to the Garden (of bliss) and forgiveness, and makes His Signs clear to mankind: That they may celebrate His praise. (The Qur'ān, 2:221)

This verse was traditionally interpreted as a prohibition of both Muslim men and women marrying *mushriks* (Al-Tabarī 1988; Elmalili n.d.; Kāsāni 1997). All Muslim scholars agreed that according to Islam, a Muslim, whether male or female, could not marry a *mushrik* (Dalgin 2005; Eskin 2007; Friedmann 2003). However, a discussion about the definition of the term '*mushrik*' in the interpretation of the verse emerges: Who is a *mushrik*? Do they include all non-Muslim groups or only polytheists? Or does the term refer only to non-Muslim groups who have declared a war against Islam and Muslims?

Literally, the term '*mushrik*' refers to a person who associates partners with God (Ali 2006; Esposito 2003). Nonetheless, in classical Islamic resources, a discussion and a complex discourse arises over the term's precise definition and the types of unbelieving man and woman who are classified as *mushriks* in the context of the prohibition of marriage. Given that religious edicts governing who Muslim men and women can marry differ depending on the definition of *mushrik* among scholars, it is important to examine this matter further.

In classical commentaries, scholars discussed the meaning of *mushrik* in the context of interfaith marriage with respect to Q. 2:221 (Al-Razi 1989; Al-Tabarī 1988; Ibn al-Arabi 1974). Among them, Al-Tabarī's (1988) Qur'ānic commentary is one of the earliest works, so much so that later exegetes typically cite him. He categorised early scholars' and the companions' definitions of *mushrik* into three groups in his commentary on Q. 2:221 (Al-Tabarī 1988). The first focuses on scholars who understand the term *al-mushrikāt* (*mushrik* women) to include all non-Muslim women, either polytheist or *ahl al-kitāb*. Al-Tabarī mentions Ibn Abbas, 'Ikrimah and Hasan al-Basri in the first group and states that according to their reading, marriage to a Jewish or Christian woman is prohibited for Muslim men, but the prohibition was later abrogated by Q. 5:5. In the second group, Al-Tabarī uses a narrative from Abdullah b. Abbas and argues that in this verse (2:221), *al-mushrikāt* refers to and includes all non-Muslim women, whether polytheists, idol worshippers or *ahl al-kitāb*. Lastly, Al-Tabarī discusses—and sympathises with—Qatādah and Sa'īd b. Jubayr's opinion, the third group, who argue that the non-Muslim women mentioned in Q. 2:221 as '*al-mushrikāt*' are polytheist Arab women. Thus, seen in this way, the prohibition discussed in the verse does not include marriage to *kitabī* women. Therefore, there is not any abrogation in Q. 2:221, and Q. 5:5 has a separate provision with respect to interfaith marriages (Al-Tabarī 1988). Al-Tabarī (1988) also indicates that although the external (apparent) meaning of Q. 2:221 is general, its inner meaning is particular, and the rule only encompasses a specific category of unbelievers who are polytheist idol worshippers. Therefore, it is not abrogated by Q. 5:5 because *ahl al-kitāb* women are not included in Q. 2:221 (Al-Tabarī 1988).⁴

It is important to state that when I review the interpretation of verse 2:221 in different commentaries of the Qur'ān, I see that although some of the exegetes suggest that the term '*al-mushrikāt*' refers to all non-Muslim women, whether polytheists, Jews or Christians (Ibn Abidin 1907; Sabuni 1980), the majority of scholars argue that the word '*mushrikāt*' in the verse does not include women from the *ahl al-kitāb* (Abu Yusuf 1962; Al-Tabarī 1988; Ibn Kathir 1999; Kāsāni 1997). For instance, Kāsāni (1997) notes that although it is suitable to suggest that the *ahl al-kitāb* are described as *mushriks*, traditionally, the term *mushrik* is used to describe non-Muslims who are not Jews or Christians. Furthermore, it is

interesting to note that when exegetes interpret Q. 2:221 and define the term '*mushrik*' in the context of interfaith marriages, most classical and contemporary scholars who carried out an in-depth analysis of the first part of the verse define the word '*al-mushrikāt*', then explain the rulings pertaining to Muslim men marrying non-Muslims (for more information, see [Al-Tabarī 1988](#); [Al-Razi 1989](#); [Eskan 2007](#)). For instance, in his commentary on verse 2:221, [Al-Razi \(1989\)](#) gives a definition of the term '*mushrik*' and discusses scholars' opinions about whether it describes all non-Muslim groups, including Jews and Christians. However, when he discusses the subject, he focusses on Muslim marriages to non-Muslim women and places less importance on the second part of the verse, which concerns the issue from the perspective of Muslim women ([Lamrabet 2013](#)). The main reason behind this lack of attention to the second part of the verse has to do with the scholars' consideration of the ruling about Muslim women's marriages. They most likely believe that prohibition of Muslim women's interfaith marriages is so obvious that it does not require comment. In addition, whereas they do not discuss the second part of Q. 2:221, they use the verse as evidence for the prohibition of Muslim women's marriages to all non-Muslim men, whether polytheist, Jewish or Christian ([Kāsāni 1997](#); [Sabuni 1980](#)). For instance, [Kāsāni \(1997\)](#), who, to the best of my knowledge, is among the few classical scholars who discuss Muslim women's marriages to non-Muslims separately, uses verse 2:221 to explain why Muslim women are not allowed to marry non-Muslim men. Surprisingly, when it comes to Muslim women's marriages, most exegetes argue that the term '*mushrik*' in verse 2:221 refers all non-Muslim groups, and they do not make any distinction between polytheists and *ahl al-kitāb* (Jews and Christians). [Al-Shafī'i \(1973\)](#) states that there are not any differences between *mushriks* and *ahl al-kitāb* in the context of Muslim women's marriages because the meaning of the verse is general, and the term '*mushrik*' encompasses *ahl al-kitāb* and all other non-Muslim groups. In this light, it is not permissible for a Muslim woman to marry any non-Muslim ([Al-Shafī'i 1973](#); [Azzam 2015](#)).

Furthermore, contradictions in the literature of classical Islamic interpretations can also be clearly seen in scholars' commentaries. Scholars who argue that Q. 2:221 excludes the People of the Book in their definition of the word '*mushrikāt*' (female polytheists) extend the meaning of the word '*mushrikūn*' (male polytheists) to encompass all non-Muslim groups, claiming that a Muslim woman cannot marry a Jewish or a Christian man because they are unbelievers ([Azzam 2015](#); [Sabuni 1980](#)). This explanation in the classical resources shows us how the definition and interpretation of an identical word can differ depending on the gender: whereas 'female *mushrik*' refers only to a polytheist, 'male *mushrik*' encompass all non-Muslim groups, either polytheists or believers of any divine religion ([Al-Tabarī 1988](#); [Ibn Abidin 1907](#); [Sabuni 1980](#)). For instance, in his interpretation, [Sabuni \(1980\)](#) states that Q. 2:221 prohibits marriage to *mushrik* women, whom he describes as non-Muslim women who are polytheists and who do not believe in any divine religion. He also emphasises that according to many scholars, this verse does not include *ahl al-kitāb* women ([Sabuni 1980](#)). However, when he explains the second part of the verse, which says 'do not marry polytheistic (*mushrik*) men to your women until they believe', he states that this verse refers all non-Muslim men, including polytheists, Zoroastrians, Jews, Christians or apostates. Accordingly, the marriage of Muslim women to non-Muslim men who belong to any of these groups is prohibited ([Sabuni 1980](#)).

On the other hand, Asma [Lamrabet \(2013\)](#) criticises the classical exegetes' interpretation of verse 2:221 with regard to Muslim women. [Lamrabet \(2013\)](#) states that the verse clearly and equally forbids the marriage of both Muslim men and women to polytheists. When the conditions and situation at the time that the verse was revealed are considered, the Qur'ānic order and prohibition is reasonable, given that at the time, *mushriks* were engaged in a war against Muslims, and the new believers needed to be protected from their attacks and abuse ([Lamrabet 2013](#)). Therefore, the Qur'ān encouraged both Muslim men and women to marry believers who shared the same faith. In addition, [Lamrabet \(2013\)](#) emphasises that the Qur'ānic order is directed equally toward both men and women, such that they are both prohibited from marrying *mushriks*, and both are encouraged to marry

believers. Therefore, although some classical exegetes indicate the direct opposite in their interpretations, the meaning of the word ‘*mushriks*’ does not differ for men and women. Conversely, it clearly stresses a totally egalitarian approach with respect to both Muslim men and women and urges them to marry believers who have, like them, similar religious faith (Lamrabet 2013).

In sum, although the Qur’ānic order stated in Q. 2:221 clearly suggests that Muslim men and women are equally forbidden from marrying polytheists or idolaters until they believe and that Muslims are encouraged to marry believers, Muslim scholars and jurists differ in their interpretation of the order and its scope. As a result, its application differs for Muslim men and women in the Islamic tradition. With respect to this point, it is essential to rethink how regulations related to interfaith marriages for both Muslim men and women came to be built and perceived differently in traditional Islamic discourse, given that the Qur’ān does not make any distinction in its order.

2.2. Muslim Marriages to *Ahl al-Kitāb* (People of the Book)

As discussed above, in Q. 2:221, Muslim men and women are ordered to marry those who believe. Nonetheless, in classical interpretations, surprisingly, the phrases ‘believing women’ and ‘believing men’ mentioned in the verse are defined differently depending on whether they refer to the marriage of Muslim men or Muslim women (Lamrabet 2013).

Regarding the Muslim interfaith marriages, the commentators explain the meaning of the ‘believing women’ whom Muslim men can marry by referring to Q. 5:5 (Al-Shafi’i 1973; Al-Tabarī 1988; Ibn Kathir 1999):

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). (The Qur’ān, 5:5)

In this verse, it is clearly stated that Muslim men can marry *ahl al-kitāb* women, and depending on the verse, the exegetes and jurists conclude that such females are the ‘believer women’ who are referred to in verse 2:221 as a non-Muslim group that Muslim men can marry (Abu Zahra 1957). However, similar to the definition of *mushrik* in verse 2:221, there is a gender difference in terms of the understanding of ‘the believers’. Buisson (2016) refers to this difference in the definition of the term as ‘double standards on the concept of believer’. Buisson (2016) argues that when the term refers to ‘women believers’, many classical and contemporary exegetes define ‘believers’ as ‘believers of the monotheistic revealed religions’, both Muslims and the People of the Book. However, strangely, when the term refers to ‘men believers’, they interpret the term as ‘only’ Muslim believers. In other words, whereas *ahl al-kitāb* women are considered believers, when it comes *ahl al-kitāb* men, they are not considered believers (Al-Tabarī 1988).

Moreover, neither explicit permission nor prohibition is expressed in the Qur’ān regarding Muslim women marrying non-Muslim *ahl al-kitāb* men. For this reason, the situations of Muslim men and women are considered differently by Islamic jurists and exegetes, and the interpretation of the gendering of the permission changes according to the approaches of the schools of jurisprudence (Azzam 2015; Parolin 2015). Therefore, in the following section, I will separately examine the interpretations of rules surrounding Muslim men’s and women’s marriages to *ahl al-kitāb*. In addition, as stated above, the word ‘non-Muslim’ will be used to refer to *ahl al-kitāb* (i.e., Jews and Christians) to avoid repetition of the latter term.

2.2.1. Muslim Men’s Marriages to *Ahl al-Kitāb*

When discussing verse Q. 5:5, the majority of the exegetes and jurists indicate that Muslim men are allowed to marry women belonging to *ahl al-kitāb* who are Christians or

Jews (Abu Yusuf 1962; Abu Zahra 1957; Al-Razi 1989; Gomaa 2011; Kāsāni 1997). According to their interpretation of Q. 5:5, Christians and Jews are neither disbelievers nor polytheists; they are among the believers that Muslims are allowed to marry (Abu Zahra 1957; Kāsāni 1997). Therefore, Muslim men can only marry an *ahl al-kitāb* woman who is not an idol worshipper or polytheist (*mushrik*) and who believes in a divine, monotheistic religion (Al-Razi 1989; Sabuni 1980).

In addition, with Islamic conquests throughout the years, Muslims started to live in new areas and continents and therefore gradually came into contact with people from different religious groups. The interaction between Muslims and people living in these areas necessitated a revision of the definition of *ahl al-kitāb* (Hasan 2015). However, there was not any consensus on the identity of the *ahl al-kitāb* and which religious groups should fall within this category (Darwaza 1963; Esack 1998). Different religious groups, such as Hindus, Sabeans, Zoroastrians, Buddhists and Magians, were either included or excluded from this category of non-Muslims at different times depending on the theological preferences of Muslim scholars, often based on the geopolitical context in which they lived (Azzam 2015; Darwaza 1963; Esack 1998; Hasan 2015).

Although there is explicit permission for Muslim men to enter into interfaith marriages with *ahl al-kitāb*—usually interpreted as Jewish and Christian women—in the Qurʾān, some early and modern Islamic scholars have discussed Muslim men’s interfaith marriages and their effect on Muslim society (Al-Razi 1989; Dalgin 2005). Imam Malik (1905) indicates that the marriage of a Muslim man to a non-Muslim woman from the People of the Book is permitted, although it is disapproved (*makrūh*). Similarly, Abu Zahra (1957) states that a Muslim man can marry a Jewish or Christian woman only if conditions regarding their marriage and future family are satisfied. For instance, among the companions of the Prophet Muhammad, the second Caliph Umar and his son, Abdullah Ibn Umar, were against interfaith marriages and considered these marriages harmful to the fledgling Muslim community and thus discouraged Muslims marrying outside of their religion (Qurtubi 1964; Al-Razi 1989; for more information, also see Al-Tabarī 1988). Sabuni (1980) also interprets that Ibn Umar is against these marriages because if a Muslim man marries a non-Muslim woman, he might think of leaving his religion and want to affiliate with his wife’s religion. Additionally, children generally follow their mothers, so if the mother is Jewish or Christian, their children might lose their Islamic faith (Al-Razi 1989; Sabuni 1980). Therefore, if there is any danger of leaving his religion or their children might become non-Muslim, then a Muslim man’s marriage to a non-Muslim woman is not permitted (Imam Malik 1905; Kāsāni 1997; Sabuni 1980). It is important to highlight that, surprisingly, all these arguments against Muslim men’s interfaith marriages are similar to the arguments that scholars put forward against Muslim women’s interfaith marriages. This similarity shows that the main idea and principles with respect to interfaith marriage in Islam are the same for women and men: having freedom of practice, keeping their faith/religion and raising their children as Muslim.

In addition, classical and contemporary Muslim scholars place some limitations on Muslim men’s interfaith marriages, especially if Muslims live in a non-Muslim country. Jurists from different schools of thought have argued that marriage to a non-Muslim woman is *makrūh* (disapproved) for a Muslim man if they live in a non-Muslim country, even if she is a *kitabī* woman (Abou El Fadl 2011; Al-Razi 1989; Khan n.d.). Khan (n.d.) argues that in a non-Muslim society where cultural differences exist between couples, the family life will be much more harmonious if both spouses belong to the same religion and agree on religious values (Khan n.d.). In addition, children would be negatively affected in such marriages. Scholars argue that in a non-Muslim country, non-Muslim mothers will have more influence on their children, and those children will also be affected by the non-Muslim society they live in (Abou El Fadl 2011; Khan n.d.). For instance, Abou El Fadl (2011) explains how his observation of children in Muslim–non-Muslim marriages affected his attitudes toward interfaith marriages. He says, “I must confess that in my humble opinion, I strongly sympathize with the jurists that argued that in non-Muslim countries it is reprehensible

(*makrūh*) for a Muslim to marry a non-Muslim. God knows best—I have reached this position after observing that the children of these Muslim/non-Muslim marriages in most cases do not grow up with a strong sense of their Islamic identity” (Abou El Fadl 2011).

Similarly, Sabuni places limitations on Muslim men’s right to intermarry and states that a Muslim man can marry a non-Muslim woman only if he is sure that this marriage will not affect their children’s religious beliefs negatively and if he is sure that they will be Muslim (Sabuni 1980). In addition, the prominent Muslim scholar Yusuf Al-Qaradawi says that if a Muslim man is living in a country where the Muslim community is a small minority, they may not marry a Christian or Jewish woman, as such marriages would make it difficult for Muslim women to find Muslim men to marry (Qaradawi 1986, 1994).

Accordingly, scholars suggest that Muslim men must consider various issues before deciding on interfaith marriages and that they should marry a non-Muslim woman only if some conditions are fulfilled, such as what type of family life he expects from his non-Muslim wife-to-be and how they raise and educate their children in terms of religious education (Abu Zahra 1957; Khan n.d.). Khan (n.d.) emphasises that when a Muslim man marries a non-Muslim woman, he should realise that he has already agreed to his wife-to-be’s non-Muslim life, and he cannot force her to convert to Islam, and he should not expect her to behave like a Muslim woman (Khan n.d.). In addition, Al-Hibri (2000) points out new circumstances in Western countries with respect custody laws and the importance of the re-examination of the traditional juristic permission for Muslim men to enter into interfaith marriages. She states that American custody laws favour women; thus, in the case of divorce, the court would give custody of the children to their non-Muslim mother (Al-Hibri 2000). In such cases, their children would be raised by their non-Muslim mother, and the Muslim father would lose his ability to provide religious education to the children. In her assessment, Al-Hibri (2000) emphasises that Muslim men who are married to non-Muslim women in American society will have significant problems that have not been considered previously, and thus, Muslim men’s interfaith marriages now deserve ‘protective attention of Muslim jurists’ (Al-Hibri 2000, p. 69).

Before moving on to discuss Muslim women’s marriages to *ahl al-kitāb*, it is worth mentioning that when we look at how marriage between a Muslim man and an *ahl al-kitāb* woman is considered by classical and contemporary Muslim scholars and jurists, we see that although there is an explicit permission for Muslim men to marry *ahl al-kitāb* women in the Qur’ān, Muslim jurists, both classical and contemporary, have discussed the restriction of this practice, considering their time and circumstances in which they lived, and emphasised certain conditions that must be considered by a Muslim man before deciding to marry an *ahl al-kitāb* woman. This change in the application of the permission to marry non-Muslims indicates that the majority of scholars consider marriage to be part of *mu‘āmalāt* (the sphere of social relationships, i.e., interpersonal relations). According to this understanding, it is possible to develop and change the law regarding Muslim men’s interfaith marriages by taking into consideration the changes in their societies.

Given the discussion of Muslim men’s interfaith marriages in Islam and Muslim jurists’ attitudes toward this ruling, an inevitable question arises: Do Muslim jurists apply the same understanding to Muslim women’s interfaith marriages? In the following section, I will discuss Muslim women’s interfaith marriages in light of the arguments put forward by both classical and contemporary scholars who are for and against Muslim women’s interfaith marriages.

2.2.2. Muslim Women’s Marriage to Ahl al-Kitāb

As mentioned, although there is an explicit prohibition with respect to Muslim women’s marriages to *mushriks*, there is neither any specific prohibition nor permission in the Qur’ān or *Sunna* with respect to Muslim women’s marriages to *ahl al-kitāb*. Given the Qur’ān’s silence on the subject, scholars’ attitudes differ toward Muslim women’s interfaith marriages, and different opinions have emerged on the issue. Classical Muslim scholars interpret this silence about Muslim women’s intermarriage as an implicit order

that Muslim women can only marry Muslim men, and they are strongly against Muslim women's marriages to non-Muslims under any circumstance (Al-Razi 1989; Al-Shafi'i 1973; Darwaza 1963; Elmalili n.d.; Imam Malik 1905; Kāsāni 1997; Sabuni 1980). Some contemporary Muslim scholars also follow this ruling (Dalgin 2005; Gomaa 2011; Shaikh Ramzy 2016). It is important to note that during my study, I reviewed the majority of the prominent exegetics texts (as many as I could access), and to the best of my knowledge, there is no affirmative opinion about Muslim women's interfaith marriages in classical references. Conversely, a group of contemporary Muslim scholars argues that the Qur'ān's silence implies the possibility of interfaith marriages and argues that it is just as permissible for Muslim women as for Muslim men (Ali 2006; Atay 2016; Hargey 2016; Mohammed n.d.; Sefkatli-Tuksal 2016).

In order to gain a better understanding of the arguments behind the reasoning that prohibits Muslim women's interfaith marriages and to discuss the possibility of these marriages, I will examine two opposite opinions on Muslim women's interfaith marriages separately.

A. Muslim women are not allowed to marry Ahl al-Kitāb (People of the Book)

Despite silence with respect to Muslim women's intermarriages in the Qur'ān, in the Islamic tradition, many classical and contemporary Muslim scholars have agreed that interfaith marriage between Muslim women and all non-Muslim men is prohibited, no matter which religion to which he belongs (Shatzmiller 1996). The arguments they use to support this position can be divided into two groups: (1) religious arguments related to the scholars' interpretation of religious text and (2) sociocultural arguments related to societies' perception and understanding of marriage.

1. Religious arguments

These arguments are mainly related to how Muslim scholars interpret religious texts in terms of Muslim women's interfaith marriages. Scholars put forward two main religious arguments to support the prohibition of Muslim women's interfaith marriages: first, an analogy (*qiyās*) of marriages between Muslim women and *ahl al-kitāb* men and prohibited marriages between Muslims and polytheists (*mushriks*) in verse Q. 2:221 based around the prohibitive operative cause (*illah*), 'unbelievers invite you to the Fire'; second, a consensus (*ijmā'*) of Muslim jurists on the prohibition of Muslim women's interfaith marriages (Azzam 2015; Ibn Ashur 2014).

a. Analogy of marriages

Some jurists and commentators see an analogy between polytheists and the People of the Book, such that 'those invite [Muslims] to the Fire'⁵ and they interpret the permissibility of interfaith marriage between a Muslim man and an *ahl al-kitāb* woman in verse Q. 5:5 as reflecting male authority in marriage (Azzam 2015). Kāsāni (1997) argues that because the cause or ratio legis (*illah*) behind the prohibition is the invitation to sin, the application of the rule is general. Thus, although Q. 2:221 is related to polytheists, it includes all non-Muslim men and prohibits Muslim women's interfaith marriages (El-Jercawi 2009; Kāsāni 1997). This means that Muslim women's marriages to non-Muslim men is forbidden in Islam, regardless of whether the spouse is a polytheist or a Jew or Christian (Ibn Qudamah 1984; Kāsāni 1997).

It is quite noticeable that patriarchal thought within Muslim society and traditions has affected the interpretations of the part of the verse, 'those invite [you] to the Fire ... '. When the exegetes comment on this statement, they mainly refer to polytheist men rather than talking about both polytheist men and women. They argue that men have power and authority over women in a family but that the reverse is not true (Darwaza 1963; Ibn al-Arabi 1974; Sabuni 1980). Thus, if a Muslim woman marries a non-Muslim man, her situation will be considered with her husband's situation. However, the woman does not have any power over her Muslim husband. Therefore, invitation to the fire is not related to non-Muslim women (Ibn al-Arabi 1974).

b. Consensus on the Prohibition of Muslim Women's Interfaith Marriages

Throughout Islamic history, Muslim scholars and jurists have been asked about the rules (*fatwās*) with respect to many different subjects, and in almost every case, when discussion turns to interpersonal relations (*mu'āmalāt*), there is a difference of opinion among Islamic jurisprudence scholars. Muslim jurists have disagreed on many issues depending on their time and conditions, and this is common and acceptable in Islamic jurisprudence (Abou El Fadl 2011). However, when it comes to the interfaith marriage of Muslim women, this general situation has changed. Muslim scholars, unusually, unanimously agree on the prohibition of Muslim women's marriages to Jews or Christians. Abou El Fadl (2011) points to Muslim scholars' attitudes toward Muslim women's marriages and says, 'Surprising to me, all schools of thought prohibited a Muslim woman from marrying a man who is a *kitābi* (among the people of the book). I am not aware of a single dissenting opinion on this, which is rather unusual for Islamic jurisprudence because Muslim jurists often disagreed on many issues, but this is not one of them' (Abou El Fadl 2011).

In addition, in her study, Azzam (2015) examines the reasons behind the consensus with respect to the prohibition of Muslim women's interfaith marriages, arguing that it is not based on definite textual evidence from the Qur'ān or the sayings of the Prophet but, instead, on a normative understanding of textual sources. Azzam (2015) argues that early Islamic scholars and contemporary Muslim scholars have used different means to deduce evidence from the Qur'ān for the prohibition of Muslim women's interfaith marriages. For instance, as Al-Tabarī (1988) mentioned in his interpretations, a group of scholars simply concluded that in Q. 2:221, the prohibition encompasses both polytheists and the People of the Book and that Q. 5:5 excludes marriage between Muslim men and *ahl al-kitāb* women. Others, who indicate that Q. 2:221 addresses polytheists, state that the rule is also applicable to *ahl al-kitāb* because of the reason behind the impermissibility of such a marriage to non-Muslims: namely, unbelievers may lead a Muslim to hell.

There is one narrative (hadith) from the Prophet mentioned by Al-Tabarī (1988) in his commentary that is used by scholars to support and legislate the deductions made. According to this narration from Jabir Ibn Abdallah, the Prophet said, 'We may marry a woman from the People of the Book but they may not marry Muslim women' (Al-Tabarī 1988). In his commentary, Al-Tabarī (1988), as the only narrator of the Hadith, points toward the hadith's reliability and its use by scholars in their opinions about interfaith marriage. He says that although scholars disagree on the reliability of some of the narrators of this hadith (*isnād*) and consider it problematic, there is also a general consensus among scholars with respect to the reliability of its meaning regarding Muslim women's interfaith marriages (Al-Tabarī 1988). In this context, some scholars also have used this hadith as a foundation on which they build their opinion about Muslim women's interfaith marriages by saying that the meaning of the hadith corresponds to verse 5:5, whereby only Muslim men's marriages to *kitābi* women is allowed (Darwaza 1963). It is worth pointing out the discrepancy in Darwaza's attitude and those of some other scholars in such a way that whereas they accept that the hadith's reliability is problematic, they still use it as evidence for the prohibition of Muslim women's interfaith marriages.

Furthermore, many classical and contemporary Muslim scholars and jurists have continued to use the consensus among Muslim scholars in the early Islamic period in forming their opinion on Muslim women's interfaith marriages. They refer to the consensus of Muslim scholars in their *fatwās* and say that because there is a consensus on the prohibition of Muslim women's marriages to non-Muslims, the rule cannot be changed (Dalgin 2005; Darwaza 1963; Shaikh Ramzy 2016; Stowasser 2009; Yasir Qadhi 2009). Therefore, these marriages are not acceptable and are strongly prohibited and that if a Muslim woman were to marry a non-Muslim, their marriage would be considered null and void (Ibn Ashur 2014; Imam Malik 1905; Muhammad Salah 2016; Shaikh Ramzy 2016). For instance, among contemporary Muslim scholars, Muhammad Salah (2016) is strongly against Muslim women's interfaith marriages, and he says, in his responses to a question as to whether a Muslim girl is allowed to marry a non-Muslim boy, that there is, in effect, no such wedding, even if

they marry in civil court with a marriage licence; therefore, these marriages are viewed as a relationship outside of marriage. Furthermore, he asserts that if a third party were to claim that the marriage is acceptable, then even she/he is not considered a Muslim (Muhammad Salah 2016).

Moreover, Ali Gomaa (2011), the former Grand Mufti of Egypt, expresses that a Muslim woman's interfaith marriage conflicts with the general rules and conclusive practices of Islam that are accepted by Muslims. He emphasises that the prohibition of Muslim women's marriages to non-Muslims has become the subject of consensus, so having these marriages will mean being against the consensus, which is considered one of the principles of the religion. Thus, Muslim women's interfaith marriages are not acceptable and not a subject for further juristic interpretation (Gomaa 2011).

2. Sociocultural arguments

When classical interpretations regarding Muslim women's interfaith marriages are reviewed, it can be seen that the reality of the society of the time that the scholars live in, as well as historical and social contexts, has influenced their opinion about interfaith marriages. In this context, patriarchal perceptions of women in society (both in terms of their role in their community and as a family member) have affected the argument and justification for the prohibition put forward by exegetes and Muslim jurists. These arguments can be categorized into three groups: (i) arguments related to the influence of a husband on his wife's religiosity, (ii) arguments that refer to the hierarchical perception of women both in society and family and (iii) arguments based upon the impact of the marriage on their children's religious identity (Azzam 2015).

a. Husband's impact on wife's religiosity

According to scholars who advocate for the prohibition of interfaith marriage for Muslim women, Islam aims to protect Muslim women's religion; therefore, it prohibits a Muslim woman from being involved in a marriage that represents any threat to her religion (Dalgin 2003; Kāsāni 1997; Sabuni 1980). As such, when a Muslim man and a Christian or Jewish woman marry, the non-Muslim wife lives under the protection of her Muslim husband, who should respect her religion, given that Islam guarantees freedom of religion and practice to the Christian or Jewish wife of a Muslim (Darwaza 1963; Sabuni 1980). However, when a Muslim woman marries a non-Muslim man, Christians and Jews do not recognize the validity of Islam as a religion and do not guarantee freedom of religion to Muslim women (Darwaza 1963; Gomaa 2011; Sabuni 1980). Thus, it is assumed that, her husband might put pressure on her religious belief and undervalue her religious faith (Darwaza 1963), and religious differences may cause problems for the family.

In the traditional Islamic view, the man is the head of household, and he is the one who influences the religion of his family. Therefore, a Muslim woman would not be able to practice her religion freely in an interfaith marriage (Seamon 2012). Numerous scholars indicate that these differences may cause a rift between a Muslim wife and non-Muslim husband (Abu Zahra 1957; Darwaza 1963). One of the common arguments against Muslim women's interfaith marriages is the possibility of Muslim women apostatising. According to this argument, in a family dominated by its male members, the husband has a strong influence over his wife, so the non-Muslim husband may invite his Muslim wife to his religion or even use his authority and superiority in the marriage and family to compel his Muslim wife to abandon Islam (Azzam 2015; Dalgin 2005; Elmalili n.d.; Eskin 2007; Kāsāni 1997; Sabuni 1980). Moreover, if the husband is a polytheist, he may even force his Muslim wife to deny the existence of a theistic God (Sabuni 1980).

Another argument against Muslim women's interfaith marriages is related to women's nature. Kāsāni (1997) argues that women are more open to being affected by their husbands' thoughts and prefer to do what their husbands do in terms of religious choices and beliefs. In addition, traditionally and culturally, women usually obey what their husbands say (Gomaa 2011). Therefore, if a woman marries a non-Muslim, she might leave Islam under the 'negative' influence of her Christian or Jewish husband and follow what her husband

believes (Kāsāni 1997). In this reading, women need to be protected, and according to these Muslim scholars, Islam does not allow Muslim women to marry non-Muslim men for the sake of protecting the religion of Muslim women and that of their children (Philips 2006).

On the other hand, Lamrabet (2013) criticises this argument and argues that explaining the prohibition of Muslim women's interfaith marriages with reference to the 'natural weaknesses of woman' is a result of the absence of any proof to justify their opinion on the prohibition of interfaith marriages. In other words, because there is not any strong evidence that can be used against Muslim women's interfaith marriages, those conservative Muslim scholars generalise all Muslim women and consider them weak creatures under the influence of their husbands and claim that women are not strong enough to keep their faith if they marry a non-Muslim. Similarly, Buisson (2016) argues that the patriarchal setting of social constructs and understandings of gender identities are behind these arguments focusing on women's nature. She says that the assumption of women as easily convertible through their marriage to a non-Muslim is *"based on the generally accepted traditional idea that a man should be responsible for his wife and act as both his tutor (waly) and mentor. Hence, it is understood that the husband holds a position of authority and leadership over his wife, financially, but also morally, intellectually and spiritually"* (Buisson 2016, pp. 435–36).

- b. Gender roles and hierarchy within society and family: the effect of the understanding of 'qiwamah' in interfaith marriages

Traditional Muslim exegetes and jurists argue that the Qur'ān assigns specific gender roles and characteristics to men and women in the family by referring the Q. 4:34, which says, 'men are in charge of women ...' and establishes men's responsibilities as *qiwamah*, which generally refers to a husband's authority over his wife (Azzam 2015; Hidayatullah 2014). Although the word *qiwamah* is used to describe men's position, the Qur'ān does not specify the details of *qiwamah* and it thus outlines gender roles but does not clarify its social meaning (Hidayatullah 2014). Therefore, commentators and Muslim communities interpret the verse (Q. 4:34) in terms of the effect or influence of social values attached to the differences between men and women in the societies in which the various scholars live (Hidayatullah 2014). Some commentators interpret the term as a natural tendency of men to exert authority over women (Azzam 2015; Gomaa 2011). Furthermore, the term *qiwamah* has become a key argument in the discussion on the prohibition of interfaith marriages between Muslim women and non-Muslim men because of its governing role in the Islamic perception of the marital relationship (Azzam 2015; Elmalili n.d.; Gomaa 2011)⁶. For instance, Ali Gomaa (2011), the former Grand Mufti of Egypt, along with many commentators and jurists, refers to Q. 4:141: 'never will Allah give the disbelievers over the believers a way [to overcome them]' and the Prophet's statement (assertion) that, 'Islam is supreme and there is nothing above it — *الاسلام يعلو ولا يعلى عليه* — in their explanation of why Muslim women cannot marry non-Muslim men (Al-Sarakhsi 1983; Eskin 2007). In their interpretation, exegetes' understanding of the concept of *qiwamah* has led to the perception that the wife is required to obey her husband. For instance, Darwaza (1963) states that the husband has authority and power over his wife, and he is therefore in a superior position to her in the family. In his commentary, Al-Zamakhshari (1987), interestingly, uses the ruler–subject metaphor to explain the relationship between the husband and wife and to compare the relationship between the two groups. He expresses that the husband has authority over his wife as that of a ruler managing his subjects by ordering and forbidding them (Al-Zamakhshari 1987). Considering classical and some contemporary scholars' opinions on the relationship between husband and wife, it is not surprising to see their argument about interfaith marriages that if a Muslim woman marries a non-Muslim, this means that the non-Muslim husband will have power over his Muslim wife and he may exercise authority over her (El-Jercawi 2009; Gomaa 2011). In other words, a non-Muslim would be the guardian of a Muslim. However, a non-Muslim's authority over a Muslim is not acceptable in Islam (Sabuni 1980). For this reason, the scholars have arrived at a consensus that marriages of Muslim women to non-Muslim men are forbidden.

c. Children's religious identity

Lastly, the gendering of the prohibition of interfaith marriage is also connected by some jurists to the issue of filiation (Darwaza 1963; El-Jercawi 2009). According to the traditional Islamic view, children are given the religion of their father, so a child will be a Muslim if the father is Muslim, whereas the opposite will not be possible if only the mother is Muslim (Dalgin 2005; Sabuni 1980; Shaikh Ramzy 2016). Topcuoglu (2010) argues that one of the reasons for the prohibition of Muslim women's interfaith marriages is to protect Muslim women and their future children from the 'negative' impact of a non-Muslim spouse. Accordingly, in such a marriage, a Muslim woman may not be able to raise her children in Islam and give them religious education (Topcuoglu 2010). In addition, by using his mentioned authority in the family, a non-Muslim husband may influence their children and raise them as Christians or Jews. From this point of view, marriage of a Muslim woman to a non-Muslim man is considered impossible and unacceptable, as it would produce non-Muslim offspring to a Muslim mother.

Buisson (2016) criticises this conservative understanding of the parents' role in children's religion and says that this argument is mainly the result of a patriarchal understanding of gender roles, indicating a paradox in the religious authorities argument. She argues that although a mother is considered the primary caretaker of the children and she is ascribed the obligation to educate them, in the arguments about interfaith marriages, intermarried Muslim women are not recognised as having enough authority and responsibility to teach her children Islamic values and raise them as Muslim (Buisson 2016).

Considering these opinions, there seems to be a contradiction in the conservative Muslim scholars' arguments about children's religious education. Namely, when a Muslim man's marriage to a non-Muslim woman is discussed, it is argued that as the mother has more influence on the children's religious education, Muslim men should ensure that their children will be raised as Muslim. However, when it comes to Muslim women's interfaith marriages, these scholars consider a Muslim woman as if she is passive and does not have any role in her children's religious education.

In this context, 2011 UK Census data provide a remarkable evidence with respect to children's religious identity in Christian–Muslim relationships. According to the 2011 UK Census, in Christian–Muslim relationships, only 28% of children are identified as Muslim, and the rest of the children identified as Christian (33%) or 'no religion' (39%) (Office for National Statistics 2016; Voas n.d.). Given that the rate of Muslim men in interfaith marriages is higher than that of Muslim women (Voas n.d.), this result refutes the common argument with respect to children's religion in Muslim men's interfaith marriages. The data show that regardless of whether the man (father) or woman (mother) is the Muslim partner in the marriage, the majority of children in Muslim–Christian marriages are identified either as Christian or 'no religion'. Furthermore, it should not be forgotten that in addition to the parents' religious identity, there are many other variables to be considered in children's religious education in interfaith families, which is a subject for further research.

B. Muslim women are allowed to marry Ahl al-Kitāb (the People of the Book)

Through the years, with increased immigration of Muslims to non-Muslim countries, Muslims have started to come into contact with and interact with more non-Muslims. This increased social interaction has led to significantly higher numbers of civil marriages between Muslim women and non-Muslim men (Hoge 1995) and has affected the number of converted Muslim women who want to remain married to their non-Muslim husbands (Ali 2006). These changes in Muslim communities over time have led to new questions regarding Muslim women's interfaith marriages and to the emergence of a contemporary Islamic discourse on the subject.

Some contemporary Muslim thinkers have begun to re-evaluate and discuss the long-standing consensus among scholars that Muslim women are forbidden from marrying non-Muslim men, regardless of his religion. They have aimed to reformulate this traditional position in light of contemporary societal changes (Seamon 2012) and presented some

counterarguments against the traditional view of interfaith marriages in Islam. In this section, I will examine their arguments in two main groups: (1) arguments based on the critical reassessment of the religious references used by the traditional scholars and (2) sociocultural arguments related to the changes in the perception of marriage and gender roles in society.

1. Critical reassessment of religious references

As stated, many Muslim scholars conclude that there is no clear permission or prohibition in the Qur'ān with respect to marriage between Muslim women and non-Muslim men (who are followers of the other monotheistic religions) as there is for those of Muslim men to non-Muslim women (Atay 2016; Ates 2016; Azzam 2015; Dalgin 2005). Whereas in classical interpretations, this silence was heralded as a sign of prohibition, nowadays, a group of Muslim scholars interprets the silence as evidence of the permissibility of such marriages, and they aim to refute the traditional notion that the absence of specific authorisations in the religious text results in the prohibition of Muslim women's interfaith marriages, criticising the consensus of earlier Muslim scholars prohibiting such marriages (Al-Turabi 2006; Atay 2016; Hargey 2016).

Khaleel Mohammed (2011) argues that scholars cannot simply conclude that because there is not any explicit permission mentioned in the Qur'ān, such marriages are expressly forbidden. Therefore, he centres his argument on the possibility of Muslim women's interfaith marriages in light of 'permissibility', which is a basic rule in the philosophy of law. According to this principle, 'the basic rule in things is that it is permitted', which means that all things are permissible unless expressly forbidden. Thus, everything in the category of '*ḥarām*' (forbidden) must be stated clearly (Mohammed 2011, 2012). Mohammed (2012) also asked a question that may come to mind: 'If everything is inherently permissible, then why does God have to tell us in the verse Q. 5:5 that Muslim men can marry the people of the Book?'. Mohammed (2012) explains that Islam and the Qur'ān did not emerge out of a vacuum; instead, they emerged in the context of the revolution of the Abrahamic faith. Within this Abrahamic tradition, it was specifically suggested that Muslim men's marriages to *ahl al-kitāb* women were permitted. The permission to marry *kitabī* women is explicitly stated in verse 5:5 as an answer to the question of interfaith marriage because some companions of the Prophet thought that it was prohibited to marry *ahl al-kitāb* women (Mohammed 2012; also see Eskin 2007). Therefore, the verse does not contradict the idea of permissibility. However, the normative legal proscription of Muslim women's interfaith marriages breaks this basic rule (Mohammed 2012). In this respect, Khaleel Muhammed and some other contemporary scholars argue that if Muslim women are not allowed to marry outside the faith, the Qur'ān must exactly specify so, and there should be clear and definite directives for this prohibition (Hargey 2016; Mohammed 2012). Similarly, Sudanese religious and Islamist leader Hassan Al-Turabi (2006) concludes that because there is not any verse or rule in the Qur'ān or *Sunna* that dictates otherwise, marriage between Muslim women and non-Muslim men is valid. Thus, it is not suitable to say that Muslim women's interfaith marriages are prohibited based on the accumulated teachings of past scholars (Al-Turabi 2006).

In addition, some scholars emphasize the question as to whether marriage is an act involving interaction among people (*mu'āmalāt*) or a pure product of '*ibādāt*' (i.e., an act of worship) in Islamic jurisprudence. They argue that although it entails a relationship with religion at some points, it is not a completely religious phenomenon (Sefkatli-Tuksal 2016). For this reason, rules governing Muslim women's interfaith marriages should be reconsidered, and the final decision should be left to the woman, as it is in Muslim men's interfaith marriages (Al-Turabi 2006; Sefkatli-Tuksal 2016). Well-known Turkish scholar Sefkatli-Tuksal (2016) criticises the traditional scholars' attitudes toward Muslim women's interfaith marriages and points to a double standard in the evaluation of Muslim women's interfaith marriages. She argues that if the rules with respect to Muslim men's marriage to *kitabī* women are reconsidered and changed in light of new societal circumstances, the rules governing Muslim women's interfaith marriage also need to be reconsidered.

2. Sociocultural changes and their impact on the perception of marriages

Contemporary Muslim scholars argue that many of the arguments put forward to justify the prohibition of interfaith marriages reflect the time and culture in which the early scholars were immersed (Ates 2016; Bardakoglu 2016; Erdogan 2013; Hargey 2016; Sefkatli-Tuksal 2016). We must acknowledge the fact that the perception of marriage was different when compared to today. In a patriarchal society, when a woman marries, she leaves her own family and lives with her husband's family or tribe under their religion and tradition. In such a society, it is almost impossible for a Muslim woman to retain her religious/cultural identity. Therefore, the consensus on the prohibition of Muslim women's interfaith marriages is perhaps inevitable (Erdogan 2013; Hargey 2016; Mohammed 2012).

Furthermore, as previously mentioned, earlier marriage and gender roles in families were likened to the relationship between rulers and subjects. Even the scholars' understanding of marriage was heavily influenced by the institutions of patriarchy and slavery (Ali 2010; Azzam 2015)⁷ and in this relationship, it was the husband who dominated. Seen in this light, it is impossible for a woman to maintain her religious identity and educate their children according to her religious beliefs. Thus, it was inevitable for scholars to unanimously interpret the silence of the Qur'ān as justification for the prohibition of Muslim women's interfaith marriages (Ates 2016; Bardakoglu 2016; Hargey 2016; Sefkatli-Tuksal 2016). However, each rule (*fatwā*) should be considered a product of the social context of its time (Erdogan 2013).

Furthermore, Buisson (2016) argues that rather than the Quranic text, it is the Muslim community that prohibits Muslim women from entering into interfaith unions. As such, the consensus of Muslim scholars on the prohibition mainly depends on their understanding of marriage at the time. In addition, Mehmet Gormez, the former head of the Directorate of the Religious Affairs in Turkey, evaluated the prohibition of Muslim women's marriage and indicates that the prohibition was based on only the consensus of the Muslim jurists but not on the religious texts, the Qur'ān or *Sunna*. According to Gormez, the reason behind this consensus was the protection of Muslim women from cultural assimilation. They did not want Muslim women to be assimilated, and therefore, although there is a permission for a man's marriage to a *kitabī* woman, they abolished this permission for Muslim women (Eskan 2007).

Therefore, the arguments that classical Muslim scholars put forward to support the prohibition of Muslim women's interfaith marriages are not considered strong enough to be convincing (Abou El Fadl 2011; Ali 2006). For instance, in his response to a question about Muslim women's interfaith marriages, Abou El Fadl (2011) confesses that the evidence and arguments used by Muslim jurists against Muslim women's interfaith marriages are not strong enough to be convinced. He says:

I am not convinced that the evidence prohibiting Muslim women from marrying a kitabī is very strong. Muslim jurists took a very strong position on this matter—many of them going as far as saying if a Muslim woman marries a kitabī she is as good as an apostate. I think, and God knows best, that this position is not reasonable and the evidence supporting it is not very strong. (Abou El Fadl 2011)

Similarly, in her study, Kecia Ali, a scholar focusing on Islamic jurisprudence and women in early and modern Islam, emphasises the weaknesses in most arguments used by Muslim jurists against Muslim women's marriages to Jews and Christians (Ali 2006). She specifically criticises the claim that interfaith marriage is prohibited for Muslim women because in such a marriage, she cannot practise her religion. Ali (2006) argues that these arguments are not strong enough to justify the prohibition position because in today's modern society, men are not always dominant in the marriage and family, and men and women have equal rights and responsibilities. Thus, it would be correct to state that classical Muslim scholars' presumption about male supremacy in the home no longer exists, and Muslim women have the same rights and freedoms to practice religion (Ali 2006; Leeman 2009). In other words, the main reasons and arguments used for the prohibition of

Muslim women's interfaith marriages no longer exist in interfaith families (Al-Turabi 2006; Erdogan 2013; Hargey 2016; Sefkatli-Tuksal 2016).

Considering the changes in society and understandings of marriage, some contemporary scholars suggest that the rule about Muslim women's interfaith marriages should be based on the individuality of each case, as it is for Muslim men's interfaith marriages. (Al-Turabi 2006; Atay 2016; Sefkatli-Tuksal 2016). They should reconsider their situation and the possible difficulties of their decision and then make an individual decision (Cigdem 2015).

3. Interfaith Marriage and Gender Equality

Contemporary Muslim scholars also discuss the prohibition of Muslim women's interfaith marriages in terms of gender equality (Atay 2016; Ates 2016; Hargey 2016; Imam Mustafa 2016; Lamrabet 2013; Sefkatli-Tuksal 2016). First, they focus on the contradiction in the classical Muslim scholars' interpretation of Q. 2:221. As mentioned in the previous section, when exegetes explain the prohibition, they refer to the term 'disbelievers, *mushriks*' men, which is stated in Q. 2:221, as it encompasses both polytheists and the People of the Book (Sabuni 1980). However, in the case of Muslim men's interfaith marriages, Christian and Jewish women are mainly considered believers (Sabuni 1980). The scholars who discuss the permissibility of interfaith marriage for Muslim women point out this contradiction and criticise the traditional opinion. Taj Hargey (2016), a Muslim imam who performs religious marriage ceremonies for Muslim women's interfaith marriages, argues that as a gender-equal religion, the same rights in terms of marriage to the *ahl al-kitāb* should be given to Muslim women. Similarly, Lamrabet (2013) states that it is not rational that whereas women in the Christian and Jewish communities are viewed as believers, men of the same religious community are not viewed as believers. She emphasizes that the Qur'ān sets the same rules, using egalitarian language in Q. 2:221 (Lamrabet 2013). In this context, it is suitable to say that the Qur'ān encourages both Muslim men and women to marry believers and explicitly allows Muslim men to marry *ahl al-kitāb* women, as they are considered believers in Islam.

Furthermore, regarding the silence of the Qur'ān on Muslim women's interfaith marriages, scholars explain that this silence stems from the cultural and social circumstances of the day. Accordingly, the Qur'ān is deliberately silent on the subject because in the seventh-century androcentric society, explicit permission would be harmful for Muslim women. However, the Qur'ān is a 'prophetic book', and it is supposed to be relevant for all time (Hargey 2016; Mohammed 2012). It is also argued that the Qur'ān left the rule about Muslim women's interfaith marriages ambiguous so that scholars and jurists would interpret the verse flexibly in response to the needs of time and space (Hargey 2016). Thus, it is possible to say that the lack of an explicit prohibition against interfaith marriages between Muslim women and Jewish and Christian men suggests that permission for these marriages may be granted in certain circumstances today (Leeman 2009).

Moreover, during our personal conversation, Imam Mustafa⁸ who performs religious wedding ceremonies for Muslim women and non-Muslim men in the UK, discussed Muslim women's interfaith marriages in terms of one of the fundamental principles of Islam, which is the idea that '*there is no compulsion in religion*' (Q. 2:256), as well as gender equality. He argued that whereas Islam respects a non-Muslim wife's religious beliefs and gives freedom of religion to her in the marriage, according to traditional Muslim scholars, the only way to marry a Muslim woman is through conversion. Imam Mustafa (2016) expressed that that there is a fundamental principle in Islam regarding conversion, and a person cannot be forced to change their religion in any way. If a non-Muslim man does not sincerely want to convert to Islam and he does so just for the marriage, his conversion would be nominal. In the worst-case scenario, it would also lead to hypocrisy in the beginning of the marriage, which goes against Islamic principles (Imam Mustafa 2016). He said, '*I had a lot of nikah (marriage ceremonies), where the men take the shahāda (the Muslim declaration of faith) but it was clear that it was just a lip-saying ... I felt I was forcing him and it is not right ...*' (Imam Mustafa 2016). It must be acknowledged that as an imam who performs religious

ceremonies for Muslim women's interfaith marriages, Imam Mustafa's experiences are important to understand the subject from different perspectives. His arguments related to compulsory conversion of a non-Muslim man right before or after the marriage shows us another aspect of Muslim women's interfaith marriages to be considered. During our interview, he stated his experiences with a Hindu man who wanted to marry a Muslim woman in order to explain the importance of the subject and show the contradiction in the traditional understanding and practice of conversion in the context of Muslim's interfaith marriages:

Sometimes I compromise because a Muslim family wants the guy to convert, to say shahāda and the other side say no, not to be forced . . . In one case, a Muslim woman and Hindu man came to me, they wanted to get married. Hindu man said at first, even in principle, he would recite the shahāda, he believed in one God, and he had no problem with believing in the prophet. But later, his sister had married a Muslim man. He said his sister married a Muslim man and his [Muslim man] family did not force their daughter-in-law to become a Muslim. So, he said, why are you forcing me to become a Muslim? (Imam Mustafa 2016)

Apart from the counterarguments of scholars about Muslim women's interfaith marriages, it is important to indicate that although many Muslim scholars have started to criticise the consensus on the prohibition of Muslim women's interfaith marriages and tried to show the weakness of their arguments in recent years, some scholars are wary and careful in their attitudes towards interfaith marriages of women. For instance, Lamrabet (2013) and Khalid Abou El Fadl (2011) emphasise that their discussion and critiques about the traditional Muslim scholars' attitudes and opinions about Muslim women's interfaith marriages is not meant to encourage young Muslim women to marry outside of their faith or disregard family tradition. Lamrabet (2013) points out that her main aim in these discussions is to overcome taboos and uncover hypocritical social practices against Muslim women. In addition, they state that marriage is a decision that individuals should make by considering the priority in their lives and is not an issue to argue about in theoretical terms (Al-Turabi 2006). Especially for Muslim women, this is a matter of freedom of choice (Nomani 2009). Furthermore, Abou El Fadl (2011) maintains that it is not appropriate to accuse a Muslim woman who has married a non-Muslim of having committed a grave sin or to consider her an apostate. He states that although he does not advise someone to marry outside of their faith, he also does not believe that those who have done so should be considered apostates. Those women are acting against ulema's consensus, and according to his own ijtihad on the subject, interfaith marriage is *makrūh* (disapproved) for both men and women in non-Muslim countries (Abou El Fadl 2011).

4. Conclusions and Discussion

In reviewing classical and modern Islamic resources, it is clear that since early Islam, when Muslim scholars have discussed interfaith marriages, they have mainly focused on the permissibility, or otherwise, of Muslim men's marriages to non-Muslims rather than the prohibition of Muslim women marrying non-Muslim men. Accordingly, it is forbidden for either Muslim men or women to marry polytheists (*mushriks*), and both are encouraged to marry believers. Muslim scholars identify the 'believers' whom Muslim men can marry as *ahl al-kitāb* women because of the clear statement in the Qur'ān, verse 5:5, and discuss the extent to which the definition of '*ahl al-kitāb*' can be used to understand whether Muslim men can marry non-Muslim women living in newly conquered territories where they are not familiar with the local religion. Although there is permission within the Qur'ān for Muslim men to marry outside of their faith, Islamic scholars have discouraged men, especially those living in non-Muslim countries, from marrying non-Muslim women. On the other hand, they did not have a need to discuss whether a Muslim woman could marry a *kitabī* man. This is because according to traditional Muslim scholars, the term 'believers' does not refer to *ahl al-kitāb* men and encompasses only Muslim men when it comes to Muslim women's marriages. Thus, when they discussed Muslim women's

interfaith marriages, they would maintain their arguments for the proscription of such marriages. This is mainly because in a patriarchal society, where the man has power over his wife in the family and the woman has a duty to obey her husband and leave her own family upon marriage—attitudes that are fundamentally different to those that prevail today—the marriage of a Muslim woman to a non-Muslim man was not acceptable.

Furthermore, subsequent Muslim scholars continued to refer to previous opinions on the subject and used the same arguments with respect to Muslim women's interfaith marriages in their explanations for the prohibition. Thus, there has been a consensus among scholars with respect to the prohibition of Muslim women's interfaith marriages. Surprisingly, in Islamic jurisprudence, there is no opposing view mentioned in classical Islamic resources. Notably, whereas Muslim men's interfaith marriages have been discussed since the seventh century and in light of changes in societies, neither early nor contemporary traditional Islamic scholars have felt the need to reconsider the issues related to Muslim women's interfaith marriages. During my research, I found that many classical and contemporary Muslim scholars prefer not to discuss the subject or repeat the previous opinions and act as if the issue is immutable or unchangeable. When jurists or scholars mention Muslim women's interfaith marriages in their works, they barely discuss the arguments as to why interfaith marriage is not permissible for Muslim women. Interestingly, as demonstrated above, the conditions that scholars ask Muslim men to fulfil before marrying a non-Muslim are similar to their arguments for the prohibition of Muslim women's marriages to non-Muslims. Whereas they advise Muslim men to consider some issues in their marriages, such as having a halal household, which does not have anything against Islamic law, and raising their children as Muslim, giving the same advice, and imposing the same requirement for Muslim women living in a non-Muslim country if they want to marry a non-Muslim man is not considered an acceptable solution.

On the other hand, those scholars who discuss the permissibility of Muslim women's interfaith marriages mainly focus on the egalitarian aspect of Islam and the changes in understanding of marriage in today's modern societies. Accordingly, if Islam permits Muslim men to marry *ahl al-kitāb* women and identify them as believers, then Muslim women can also marry *ahl al-kitāb* men, as they are believers just as *kitabī* women. In addition, according to a basic principle of Islamic jurisprudence⁹, the applicability of a rule can be changed through the years and should therefore be reconsidered to reflect the changing needs of society. Surprisingly, whereas this basic principle is considered in the discussion of Muslim men's interfaith marriages, when it comes to Muslim women's interfaith marriages, scholars changed their attitudes and did not consider the subject according to this rule. It would be correct to state that these scholars treat interfaith marriage as an entirely religious phenomenon; however, it seems to me that we cannot consider marriage a religious phenomenon in isolation, and we need to think about its social aspect as well. However, the traditional scholars want instead to keep the rules and opinions from the seventh century and ask Muslim women to apply the rule, although the understanding of marriage is totally different in today's societies.

Scholars who advocate for the permissibility of such marriages emphasise that Muslim women living in Western countries enjoy the same rights as their husbands, with freedom of religion being one of the essential rights in today's society. Therefore, the decision to marry is a personal choice, and Muslim women should evaluate the issue and decide what is appropriate for them. This is because they are the first group who will be affected by such marriages (Al-Turabi 2006). If a Muslim woman thinks that a marriage is suitable for her and discusses with her prospective spouse in advance that her religious and cultural identities will not be an issue between them and they will respect each other, then she can marry an *ahl al-kitāb* man. Regardless of gender, having a common interest at the intellectual and spiritual level strengthened by mutual respect towards the other's beliefs and traditions is essential for a happy and successful marriage. Thus, in today's society, the ruling of contemporary scholars that marital choice should be left to the individual perhaps carries more weight and is more closely reasoned through a reinterpretation of the texts.

At this point, I should state that social conditions of the time underlie the traditional understanding of the prohibition of Muslim women's interfaith marriages. There are circumstances in which the reason for forbidding interfaith marriages no longer exist and the modernists' arguments work, whereas there are also different circumstances in which the traditional position is more appropriate. Therefore, when asked to consider the validity of either traditional or the modernist interpretations of the regulation of women's interfaith marriages in Islam, it is suitable to conclude that both arguments are equally valid in their respective conditions and cultures. In this context, under the traditional understanding of marriage and the husband's role/position in a marriage, the attitudes of early Muslim scholars towards Muslim women's marriages can be considered rational, given the context. Thus, it is inevitable to have a consensus on prohibition of interfaith marriage in order to protect Muslim women. Notably, although the understanding of marriage has changed in modern societies, most of Muslim scholars do not want to consider these changes in terms of Muslim women's interfaith marriages and maintain the early Muslim scholars' opinion on the subject. Therefore, the consensus with respect to the prohibition has continued throughout the years. However, it is important to emphasise that, as scholars indicate, marriage is not a purely religious phenomenon that can be discussed solely in theory. Even if a society or religious scholars allow or advise people to marry specific group of people, if they do not respect each other's cultural identity, it will be difficult to make the marriage work, and neither women nor men should attempt to marry a person from such groups.

In summary, in view of the arguments both against and for Muslim women's interfaith marriages, my position is that the discussions of Muslim women's interfaith marriages are similar to previous discussions on the marriages of Muslim men to convert women. Most scholars, contemporary and traditional, have considered the traditional rules and consensus about the prohibition of Muslim women's interfaith marriages as a certain truth that is not appropriate to review and discuss again. We can see the impact of this understanding in their position on converted Muslim women (Al-Judai 2004), on which they agree that because Muslim women cannot marry a non-Muslim, a Muslim converted woman also cannot continue her marriage if her husband retains his religion. Therefore, she has to divorce and leave the family (Ibn Qudamah 1984). The traditional, conservative scholars have forced convert women to make a choice between their religion and family, depending on the consensus among scholars, and have ignored the emotional and practical difficulties that this ruling created for women. After all, when scholars see the difficulties that Muslim women face because of this rule and respectful relationships that exist between converted Muslim women and spouses, they started to think about reconsidering the traditional rule (Al-Judai 2004). For instance, after his comprehensive research on the subject, Abdullah Al-Judai (2004) concludes that if certain conditions exist in the marriage and a converted Muslim woman wants to stay with her husband, then she does not have to divorce. In addition, The European Council for Fatwa and Research received a question about converted Muslim women's marriages and the difficulties they face (Al-Toma 2017; Cairo 2011), and it has reconsidered the subject and changed the earlier *fatwā* in favour of converted Muslim women (Al-Toma 2017; Hasan 2012; Imam 2001). Although the *fatwā* caused a controversy among many Muslim scholars (Al-Siba'i 2001), the Council acknowledges the conditions in which a married woman in Western countries find themselves when they decide to convert to Islam but their husband chooses to remain with his religion.¹⁰ I think that the issue of Muslim women's interfaith marriages will follow the same path; the number of inter-religiously married Muslim women has increased in Western countries, and such marriages will be more common in 5–10 years (Al-Yousuf 2016; Hargey 2016; Imam Mustafa 2016). Therefore, although most Muslim scholars are hesitant to reconsider the issue and prefer to ignore it today, they will inevitably have to reconsider it for the sake of Muslim communities and Muslim women living in Western countries.

There is no doubt that the regulation of interfaith marriages in Islam and Muslim women's interfaith marriages is a broad subject that requires further research with more sophisticated analysis. However, my aim in this article is to specifically explore the origin

of Islamic legal edicts on Muslim women's interfaith marriages and to understand the reasoning and historical context of these edicts. This article seeks to contribute to the wider debate on Muslim women's interfaith marriages by examining classical Islamic resources and discussing classical and contemporary Muslim scholars' arguments for and against such marriages. Therefore, to understand the subject comprehensively, Muslim women's interfaith marriages can be examined from different perspectives in future research.

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Notes

- ¹ The date of the revelation of the verse is not exactly known. For more information about the occasion of the revelation of the verse see (Muqatil Ibn Sulayman 1979; Elmalili n.d.).
- ² Q. 60:10: 'O ye who believe! When there come to you believing women refugees, examine (and test) them: Allah knows best as to their Faith: if ye ascertain that they are Believers, 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: ask for what ye have spent on their dowers, and let the (Unbelievers) ask for what they have spent (on the dowers of women who come over to you). Such is the command of Allah: He judges (with justice) between you. And Allah is Full of Knowledge and Wisdom' (The Qur'an, Chapter 60, Verses 10).—Throughout the article, I have quoted the Qur'an verses from Yusuf Ali's (1982) translation. For more information about the revelation context of the verse 60:10 see (Afsaruddin 2014; Al-Jassas 1985; Lamrabet 2013; Qurtubi 1964).
- ³ Ahl al-Kitāb, the People of the Book, is a Qur'anic term referring to the possessors of divine books previously revealed by God. The term is originally applied to Jews, Christians, and Sabaeans but later it was extended by Muslim scholars to some other religious communities such as Zoroastrians and Hindus (for more information see Esposito 2003; Hasan 2015). In the text, unless otherwise stated, I will use the terms 'ahl al-kitāb' and 'kitābī' to refer Jews and Christians as this meaning is ostensibly used in most of the Islamic texts.
- ⁴ For more information about the abrogation of Q 2:221 by Q 5:5 or exception of ahl al-kitāb women from other non-Muslim groups mentioned in Q 2:221, as believers whom Muslim men can marry, see (Al-Jassas 1985; Sabuni 1980; Al-Tabarī 1988; Eskin 2007).
- ⁵ As Q.2:221 states: 'and do not marry polytheistic (mushrik) women until they believe. (. . .) And do not marry polytheistic (mushrik) men [to your women] until they believe. (. . .) Those invite [you] to the Fire, but Allah invites to Paradise and to forgiveness, by His permission . . . '.
- ⁶ For more information about the interpretation of the term qiwamah in the Qur'anic commentaries and its effect on the understanding of Muslim woman's interfaith marriage, see: (Azzam 2015); and for a critical reassessment of the interpretations of Q. 4:34 and the term qiwamah, see (Hidayatullah 2014; Lamrabet 2017; Welchman 2017; Abou-Bakr 2017).
- ⁷ For more information about how Muslim scholars in early Islam conceptualised marriage using the similar statement of ownership used to describe slavery see (Ali 2010; Friedmann 2003; Azzam 2015).
- ⁸ The name is pseudonymous as the imam did not want to be named in the study.
- ⁹ 'It is an accepted fact that the terms of law vary with the change in the times' (the Mejlle, 39), which is stated in the Mejlle, the Ottoman Court manual, as one of the maxims of the Islamic jurisprudence (Tyser et al. 2001).
- ¹⁰ For more information about the discussions on the issue and different opinions, see (Qaradawi 2003; Al-Judai 2004; Hasan 2012; Bin Bayyah 2012).

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