

13253 - Married to a Christian woman - what should he do next?

the question

I'm muslim by birth. Except fasting during Ramadan, I haven't been practicing much else of Islam til about 3 years ago. I married a christian (non practicing) american women about 5 years ago but I've known her for 5 more years before that. I've been hoping that she'll see the light and convert to islam but it didn't happen. We talked about it and she said that converting to islam is out of the question. She's a very nice person from a very nice family and she helped me a lot since I moved to the USA. She wants to have kids soon (so do I), but it will kill me to see my kids grow up other then muslems. Even though she agrees that the children will grow up as muslems. She said she will teach them Islam and would not confuse them by teaching them any other religion. She doesn't know much about islam and she said she'll start learning as soon as she gets pregnant. I'm very scared and depressed about this. I tried ending up the marriage 3 times but every time she cried til my heart softened and agreed to give it one more try. I'm running out of time and I don't think I can go on with having children with her. She'll resent it if we never have children and we'll probably end up separated sooner ar later.

Please advise me as to what to do. What are my responsibilities towards her if we should divorce?.

Detailed answer

Firstly:

We advise you to adhere to Islam and adhere to its obligatory duties such as prayer, zakaah and fasting, and to be an example to your wife so that perhaps Allaah will guide her at your hands and you will achieve much good thereby.

Secondly:

Your anxieties and fears about your children growing up as non-Muslims – if they are born from this woman – reflects a commendable concern on your part for your religion and the religion of your children. Undoubtedly this good attitude is a good thing. In order to find peace of mind you need to make a great deal of du'aa' and ask Allaah to protect your religious commitment and that of your children. You have to pray istikhaarah as prescribed in Islam, and ask Allaah to guide you and help you to make the right decision as far as your religious commitment is concerned, and choose whether to stay with her and have children with her, or to leave her and marry a committed Muslim woman with whom you will feel confident – by Allaah's leave – about your children. Be certain that whoever gives up something for the sake of Allaah, Allaah will compensate him with something better than it, as is proven in the hadeeth of the Prophet (peace and blessings of Allaah be upon him). You can make the most of your wife's being so attached to you to explain to her that if there is a conflict between your love for her and the soundness of your religious commitment, then the soundness of your religious commitment has to take priority. Perhaps this will motivate her to enter the true religion of Allaah – Islam.

You should note that you cannot force her to enter Islam without conviction, because entering the religion of Islam by force will not benefit her, as Ibn Katheer mentioned (1/211).

See also The effects of marriage to kitaabi women (i.e., Jewish and Christian women), question no. [20227](#).

Thirdly:

If your circumstances are conducive to your raising your children as Muslims and protecting them from religious and moral deviation, and your wife and her family will not be able to influence them in those

areas, then there is nothing wrong with trying to have children with your wife, even if she remains a Christian, because having children is also the wife's right, and that may help her to learn about Islam and look into it as she has promised to do.

Fourthly:

You should try to move to a Muslim country where you will be able to give your children a sound upbringing, whether you stay with this wife or marry someone else, because staying in the kaafir lands is not permissible except in cases of necessity or where it serves the interests of the Muslims – such as staying there to call people to Allaah, or to study and acquire knowledge that the Muslims need but is not available in their countries – so long as one is able to practise Islam openly and call others to Islam, because the Prophet (peace and blessings of Allaah be upon him) said: “I disavow any Muslim who stays among the mushrikeen.” Narrated by Abu Dawood, 2645; classed as saheeh by al-Albaani in Saheeh Abi Dawood.

For more information on this issue please see question no.

[13363](#).

Fifthly:

In the event of a divorce, then the wife is entitled to the delayed mahr (dowry), if applicable. With regard to accommodation and maintenance, that depends on the type of divorce:

If a man has given his wife one revocable talaah (divorce), then she is entitled to accommodation and maintenance during the 'iddah; she may also inherit from him and he from her (if either of them dies) during this period, because they are still married. The evidence that a woman divorced by a revocable talaah is entitled to accommodation is the verse in which Allaah says (interpretation of the meaning):

“O Prophet! When you divorce women, divorce them at their ‘Iddah (prescribed periods) and count (accurately) their ‘Iddah (periods). And fear Allaah your Lord (O Muslims). And turn them not out of their (husband’s) homes nor shall they (themselves) leave, except in case they are guilty of some open illegal sexual intercourse. And those are the set limits of Allaah. And whosoever transgresses the set limits of Allaah, then indeed he has wronged himself. You (the one who divorces his wife) know not it may be that Allaah will afterward bring some new thing to pass (i.e. to return her back to you if that was the first or second divorce)”

[al-Talaaq 65:1]

If she does not go back to him until after the ‘iddah has ended, then she can only go back to him with a new marriage contract.

If a man divorces his wife with an irrevocable talaaq, then she is not entitled to accommodation and maintenance during the ‘iddah, unless she is pregnant.

Irrevocable divorce is of two types:

(i)The “lesser” type, which is divorce before the marriage has been consummated, and the divorce in return for some compensation or payment.

(ii)The “greater” type, which is the third of three talaaqs.

The evidence that a woman who has been divorced by an irrevocable talaaq is not entitled to maintenance or accommodation is the report narrated by Muslim (1480) from al-Sha’bi who said: I entered upon Faatimah bint Qays and asked her about the ruling of the Messenger of Allaah (peace and blessings of Allaah be upon him). She said that her husband

divorced her irrevocably and she referred the matter to the Messenger of Allaah (peace and blessings of Allaah be upon him) to judge with regard to accommodation and maintenance. She said: He did not grant me accommodation or maintenance, and he told me to observe my 'iddah in the house of Ibn Umm Maktoom.

According to another report also narrated by Muslim she said:

I mentioned that to the Messenger of Allaah (peace and blessings of Allaah be upon him) and he said: "You are not entitled to any maintenance or accommodation." According to a version narrated by Abu Dawood: "You are not entitled to any maintenance unless you are pregnant."

And Allaah knows best.