



### Contracting marriage via telephones

The second question of Fatwa no. 1216

**Q 2: If the Rukns (essential elements) and conditions of validity of marriage are existent, but the Waliy (a legally accountable person acting for a woman seeking marriage) and the husband are in different countries, is it permissible to conclude the marriage contract via the telephone?**

**(Part No. 18; Page No. 91)**

**A:** Today deception is widespread, as is fraud, and skillfulness in imitating the voices of others to the extent that one person may imitate the different voices and parlanges of a group of young and old males and females so that the listener believes that such voices belong to various speakers though it is only one person who copies others. On the other hand, Shari'ah (Islamic law) cares for preserving people's honor and lineage and takes precautionary procedures to safeguard the foregoing more than it does with regard to contracts of other transactions. Therefore, with regard to contracts of marriage: the Committee is of the opinion that proposal, acceptance, and authorization can not depend on telephone conversations. This is to achieve the objectives of Shari'ah, to exercise more caution to ensure safeguarding of the honor and lineage of people, and to block the means to cheating and deception being practiced by wicked people. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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**Source: Fatwas of the Permanent Committee**