

3464 - Conducting marriage contract by phone

the question

I want to get married to a girl whose father is in another country, and at present I cannot travel there for us to meet and do the marriage contract, because of my financial situation and other reasons. I am living in a foreign country. Is it permissible for me to call her father on the phone so that he can say to me, "I marry my daughter so and so to you," and I can say, "I accept," with the girl's consent and with two Muslim witnesses listening to what is said by means of loudspeakers attached to the phone? Would this be considered a valid marriage contract in shari'ah?

Detailed answer

We put this question to our mufti and shaykh, al-'Allamah 'Abd al-'Azeez ibn 'Abd-Allaah ibn Baaz, who replied that if what is described in the question is genuine (and is not done for the purpose of cheating), then it fulfils the purpose of meeting the conditions for nikaah, and the marriage contract is valid. And Allaah knows best.

Fiqh (jurisprudence and Islamic rulings) – Nikaah (marriage) – 'Aqd al-Nikaah (marriage contract)