

## 166680 - Is It Prohibited to Choose Not to Have Children in Islam?

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### the question

Is it possible in a misyar marriage to agree not to have children?

### Summary of answer

Deciding not to have children temporarily is generally permissible if mutually agreed upon by the couple. However, a permanent decision to avoid children is more controversial, with many scholars considering it contrary to Islamic teachings.

### Detailed answer

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### What is Misyar Marriage

[Misyar marriage](#) is where a man conducts a Shar`i marriage contract with a woman, meeting the conditions of marriage, but the woman gives up some of her rights such as accommodation, maintenance or the husband's staying overnight with her.

### Is Misyar Marriage Valid?

[Misyar marriage](#) is a valid marriage if it fulfills the conditions and essential parts of marriage and is free of any impediments, but it is not the best option because of what it leads to of harm and negative consequences, that we discussed there.

### Is It Permissible to Choose Not to Have Children in Islam?

With regard to the couple [agreeing not to have children](#), this is either for a specific time period or it may be on a permanent basis.

- In the first case, which is where they agree not to have children for a temporary period, there is nothing wrong with this.
- But if the agreement between the spouses is never to have children at all, then this is a matter concerning which the scholars differed. Some say that it is permissible and some say that it is prohibited and is not allowed.

## **Invalid Conditions in Marriage Contracts**

If this is made a condition in the marriage contract then some scholars regard the contract as invalid and some think that it is valid but the condition is invalid, and this is the correct view.

Taking measures to prevent having children at all is contrary to Islam, [which encourages people to have children multiply](#), and regards that as one of the aims of marriage. However, that condition does not render the marriage contract invalid; rather it is an invalid condition. If it is made one of the conditions of the marriage contract, the contract is valid but this condition is invalid and it is not permissible for either party to adhere to it.

Sharaf Ad-Deen Al-Hajjawi (may Allah have mercy on him) said:

If both or one of them stipulates a condition that there be an option to cancel the marriage contract or the Mahr; or that there is to be no intimacy, or that he should bring the dowry at a certain time otherwise there is no marriage, or it is stipulated that there is to be no dowry or maintenance, or that this wife is to have less of a share of the husband's time than her co-wife, or a greater share, or he stipulates that he will engage in coitus interruptus with her... The condition is invalid but the marriage contract remains valid. (End quote from *Al-Iqna` fi Fiqh Al-Imam Ahmad ibn Hanbal*, 3/193)

For more details, please see the following answers: [190396](#), [10033](#), [231777](#).

And Allah knows best.