111794 - What Is Hajj by Proxy?

the question

In our country, there are some Hajj companies that offer Hajj al-badal (proxy Hajj, i.e., Hajj on behalf of another), i.e., we give them money – to cover the expenses of Hajj – and some seekers of knowledge will do Hajj on our behalf. Is that permissible?

Summary of answer

• Hajj by proxy (Hajj al-badal) is not valid in the case of the obligatory Hajj on behalf of one who is able to perform Hajj himself.
• Hajj al-badal may be performed on behalf of a sick person who has no hope of recovery, or one who is physically incapable, or one who has passed away.
• Proxy Hajj cannot be done on behalf of one who is financially incapable (and cannot afford to go for Hajj), because the obligation of Hajj is waived for the one who is poor.
• It is permissible for a woman to perform Hajj on behalf of a man, and for a man to perform Hajj on behalf of a woman.
• It is not permissible for anyone to perform Hajj on behalf of two or more people in one Hajj.
• It is not permissible for anyone to have the aim of earning money by performing Hajj on behalf of another.
• If a Muslim dies without having performed the obligatory Hajj, and he met all the conditions of it being obligatory, then it is obligatory to perform Hajj on his behalf from the wealth that he left behind.
• With regard to evaluating the Hajj that a man performs on behalf of someone else, and whether it is like the Hajj he does for himself, or is lesser or greater in virtue, that is known only to Allah.
• The best is for a son to perform Hajj on behalf of his father, and for a relative to perform Hajj on behalf of his relative, but if he hires a stranger to do it, that is permissible.
• It is not stipulated that the one who performs Hajj on a person’s behalf should know his name.
• It is not permissible for the one who has been appointed to perform Hajj on behalf of someone

else to appoint someone else to do it except with the consent of the one who originally appointed him.

• One should seek out good, sincere and trustworthy people who have knowledge of the rites of Hajj to perform proxy Hajj (Hajj al-badal).

Detailed answer

Praise be to Allah.

Many people have a careless attitude concerning Hajj al-badal (Hajj by proxy). There are guidelines, conditions and rulings on Hajj al-badal. We will mention whatever we can of them, in the hope that Allah will cause people to benefit thereby.

Is Hajj al-badal valid?

Hajj al-badal is not valid in the case of the obligatory Hajj on behalf of one who is able to perform Hajj himself.

Ibn Qudamah (may Allah have mercy on him) said:

“It is not permissible for one who is able to perform Hajj himself to appoint someone else to perform the obligatory Hajj on his behalf, according to scholarly consensus. Ibn al-Mundhir said: The scholars are unanimously agreed that if a person is required to perform the obligatory Hajj and he is able to perform Hajj, it is not acceptable for someone else to perform Hajj on his behalf." (Al-Mughni, 3/185)

When can Hajj by proxy be valid?

Hajj al-badal may be performed on behalf of a sick person who has no hope of recovery, or one who is physically incapable, or one who has passed away, but not on behalf of one who is poor or one who is unable to do it because of political or security circumstances.

An-Nawawi (may Allah have mercy on him) said:

“The majority (of scholars) are of the view that it is permissible to appoint a proxy for Hajj on behalf of the deceased and one who is incapable and has no hope of recovery. Al-Qadi ‘Iyad gave the reason why the Maliki madhhab differed from the majority concerning this matter, which was that they thought that the hadith about fasting on behalf of the deceased and doing Hajj on behalf of the deceased was not sound. But this is not correct and the hadith is sound. It is sufficient evidence of its soundness to note that Muslim quoted it in his Sahih.” (Sharh an-Nawawi ‘ala Muslim, 8/27)

The hadith to which an-Nawawi (may Allah have mercy on him) referred and noted that some of the Malikis regarded it as unsound is as follows:

It was narrated from ‘Abdullah ibn Buraydah that his father (may Allah be pleased with him) said: Whilst I was sitting with the Messenger of Allah (blessings and peace of Allah be upon him), a woman came to him and said: I gave a slave woman in charity to my mother, then she died. He said: “Your reward is assured, and she (the slave woman) has been returned to you as an inheritance.” She said: O Messenger of Allah, she owed one month’s fasting, should I fast on her behalf? He said: “Fast on her behalf.” She said: She never went for Hajj, should I perform Hajj on her behalf? He said: “Perform Hajj on her behalf.” (Narrated by Muslim, 1149)

Al-Hafiz Ibn Hajar (may Allah have mercy on him) said:

“Those who regard it as permissible to appoint a proxy for Hajj were unanimously agreed that it is not acceptable for the obligatory Hajj except when it is done on behalf of one who has passed away or who is paralyzed. That does not include the one who is sick, because there is the hope that he may recover; or the one who is insane, because there is the hope that he may come back to his senses; or the one who is imprisoned, because there is the hope that he may be released; or for the one who is poor, because there is the hope that he may become independent of means.” (Fath al-Bari, 4/70)

The scholars of the Standing Committee were asked:

Is it permissible for a Muslim who has performed the obligatory Hajj to perform Hajj on behalf of

one of his relatives in China, because he is not able to travel in order to perform the obligatory Hajj?

They replied:

“It is permissible for the Muslim who has performed the obligatory Hajj on his own behalf to perform Hajj on behalf of someone else, if the other person is not able to perform Hajj himself because he is elderly, or sick with an illness from which there is no hope of recovery, or because he has died, because of the sahih hadiths that speak of that. But if the person on whose behalf he wants to perform Hajj is not able to perform Hajj because of some temporary reason which it is hoped will pass, such as illness from which there is the hope that he will recover, or because of the political situation, or if the route is not safe and so on, then it is not acceptable to perform Hajj on his behalf.” (Shaykh ‘Abd al-‘Aziz ibn Baz, Shaykh ‘Abd Ar-Razzaq ‘Afifi, Shaykh ‘Abdullah ibn Qa‘ud, Fatawa Al-Lajnah Ad-Da’imah, 11/51)

Can Hajj by proxy Hajj be done on behalf of one who is financially incapable?

Proxy Hajj (Hajj al-badal) cannot be done on behalf of one who is financially incapable (and cannot afford to go for Hajj), because the obligation of Hajj is waived for the one who is poor. Rather proxy Hajj is done for the one who is physically incapable.

The scholars of the Standing Committee were asked:

Is it permissible for someone to do `Umrah or Hajj on behalf of his relative who lives far away from Makkah and does not have the means of travelling there, even though he is (physically) able to do tawaf (circumambulation of the Ka`bah)?

They replied:

“Your relative is not obliged to perform Hajj so long as he is not able to afford it. It is not valid to perform either Hajj or `Umrah on his behalf, because he would be physically able to do both if he

was present himself in the holy places. It is only valid to do them by proxy on behalf of one who has died or one who is physically unable to do that himself." (Shaykh 'Abd Al-'Aziz ibn Baz, Shaykh 'Abd Ar-Razzaq 'Afifi, Shaykh 'Abdullah ibn Ghadyyan, Fatawa Al-Lajnah Ad-Da'imah, 11/52)

Can someone perform Hajj on your behalf?

It is not permissible for anyone to perform Hajj on behalf of another unless he has already performed Hajj for himself. If he does do that, then his Hajj counts for him and not for the other person.

The scholars of the Standing Committee said:

"It is not permissible for a person to perform Hajj on behalf of another person before he performs Hajj for himself. The basic principle concerning that is the report narrated by Ibn 'Abbas (may Allah be pleased with him), according to which the Prophet (blessings and peace of Allah be upon him) heard a man saying, Labbayk 'an Shubrumah (Here I am (O Allah, for Hajj) on behalf of Shubrumah). He said: "Have you performed Hajj on your own behalf?" He said: No. He said: "Perform Hajj on your own behalf, then on behalf of Shubrumah." (Shaykh 'Abd Al-'Aziz ibn Baz, Shaykh 'Abdullah ibn Ghadyyan, Fatawa Al-Lajnah Ad-Da'imah, 11/50)

Can women perform Hajj on behalf of men and vice versa?

It is permissible for a woman to perform Hajj on behalf of a man , and for a man to perform Hajj on behalf of a woman.

The scholars of the Standing Committee said:

"Performing Hajj on behalf of another person is permissible, if the proxy has already performed Hajj for himself. The same applies to paying a woman to perform Hajj on behalf of your mother, because it is permissible for a woman to perform Hajj on behalf of a woman or a man. There is proven evidence from the Messenger of Allah (blessings and peace of Allah be upon him) concerning that."(Fatawa Al-Lajnah Ad-Da'imah, 11/52)

Can you perform Hajj on behalf of two or more people in one trip?

It is not permissible for anyone to perform Hajj on behalf of two or more people in one Hajj, but it is permissible to do `Umrah for himself – or on behalf of someone else – and to do Hajj on behalf of a different person.

The scholars of the Standing Committee said:

“It is permissible to perform Hajj on behalf of one who has passed away and on behalf of one who is still alive but is unable to perform Hajj. But it is not permissible for a person to perform Hajj once and make it on behalf of two people. Hajj can only be done on behalf of one person, and the same applies to `Umrah. But if someone does Hajj on behalf of one person and he does `Umrah on behalf of another person in the same year, that is acceptable so long as the pilgrim has already performed Hajj and `Umrah on his own behalf.” (Shaykh ‘Abd Al-‘Aziz ibn Baz, Shaykh ‘Abd Ar-Razzaq ‘Afifi, Shaykh ‘Abdullah ibn Ghadyyan, Shaykh ‘Abdullah ibn Qa‘ud, Fatawa Al-Lajnah Ad-Daa’imah, 11/58)

Can you receive money for Hajj on behalf of others?

It is not permissible for anyone to have the aim of earning money by performing Hajj on behalf of another ; rather his aim should be Hajj and reaching those holy places, and doing an act of kindness towards his brother by performing Hajj on his behalf.

Shaykh Muhammad ibn Salih Al-‘Uthaymin (may Allah have mercy on him) said:

“Performing Hajj on behalf of another person is something that is mentioned in the Sunnah. A woman asked the Messenger (blessings and peace of Allah be upon him): The command from Allah to His slaves to perform Hajj has come when my father is an old man and cannot sit firmly in the saddle; can I perform Hajj on his behalf? He said: “Yes.” In the case of performing Hajj on behalf of another in return for payment, if one’s aim is the payment, Shaykh al-Islam [Ibn Taymiyah] (may Allah have mercy on him) said: The one who performs Hajj in order to earn a living will have no share in the Hereafter; as for the one who takes payment in order to perform

Hajj, there is nothing wrong with that. But the one who takes payment in order to perform Hajj on behalf of another should have the intention of using the money he takes to help him to perform Hajj, and he should also have the intention of meeting his companion's need, because the one who has asked him to do it on his behalf is in need and is happy to find someone who can do it in his stead. So he should have the intention of doing an act of kindness towards him in performing Hajj on his behalf. Then his intention will be good." (Liqa'at Al-Bab Al-Maftuh, 89, question 6)

And he (may Allah have mercy on him) said:

"It is unfortunate that many of those who perform Hajj on behalf of others only do so in order to earn money. But this is haram for them, because it is not permissible to do acts of worship with the intention of worldly gain . Allah, may He be exalted, says (interpretation of the new):

"Whosoever desires the life of the world and its glitter; to them We shall pay in full (the wages of) their deeds therein, and they will have no diminution therein.

They are those for whom there is nothing in the Hereafter but Fire; and vain are the deeds they did therein. And of no effect is that which they used to do" [Hud 11:15-16]

"But of mankind there are some who say: 'Our Lord! Give us (Your Bounties) in this world!' and for such there will be no portion in the Hereafter" [Al-Baqarah 2:200].

Allah does not accept any act of worship that is not done for His sake, and the Messenger of Allah (blessings and peace of Allah be upon him) forbade earning money in places of worship. He (blessings and peace of Allah be upon him) said: "If you see anyone buying or selling in the mosque, then say: May Allah not make your trade profitable." If this has to do with the one who makes place of worship into a place for earning wealth, and he is to be prayed against, asking that Allah not make his trade profitable, then how about those who make the act of worship itself a means of worldly gain, as if Hajj were a commodity or a profession like that of a builder? You find the one who is asked to perform proxy Hajj asking for more and bargaining, saying: This is too little; this is not enough; give me more, for So and So gave me such and such, or So and So offered me such and such, and other such words that turn acts of worship into a profession. Hence the

Hanbali fuqaha' (may Allah have mercy on them) clearly stated that hiring a man to perform Hajj on behalf of someone else is not valid. Shaykh al-Islam Ibn Taymiyah said: The one who performs Hajj in order to earn money has no share in the Hereafter. But if he takes on the task of performing it on behalf of another for a religious purpose, such as if he intends to benefit his brother by performing Hajj on his behalf, or if he intends to do more acts of worship, du`a and dhikr in the holy places, then there is nothing wrong with that and it is a sound intention.

Those who take on the task of performing Hajj on behalf of others should make their intention purely for the sake of Allah, may He be exalted, and their intention should be to fulfil their desire to worship around the House of Allah, remembering Him and calling upon Him, as well as fulfilling their brothers' needs by performing Hajj on their behalf. They should keep away from worldly intentions of earning money. If they have no intention in their hearts other than earning money, then in that case it is not permissible to take on the task of performing Hajj on behalf of others. If a person takes on the task of performing Hajj on behalf of another with the proper intention, then the money that he receives is all his, unless it was stipulated that he should return anything that is left over." (Ad-Diya' al-Lami' min al-Khutab al-Jawami', 2/477, 478)

Can you do Hajj on behalf of a dead person who met the conditions of Hajj?

If a Muslim dies without having performed the obligatory Hajj , and he met all the conditions of it being obligatory, then it is obligatory to perform Hajj on his behalf from the wealth that he left behind, whether he left instructions to that effect or not.

The scholars of the Standing Committee said:

"If a Muslim dies without having performed the obligatory Hajj, and he met all the conditions of it being obligatory, then it is obligatory to perform Hajj on his behalf from the wealth that he left behind, whether he left instructions to that effect or not. If someone who has already performed Hajj for himself performs Hajj on his behalf (i.e., on behalf of the deceased), then his Hajj on his behalf is valid and is acceptable in fulfilment of the obligation." (Shaykh 'Abd Al-'Aziz ibn Baz, Shaykh 'Abd Ar-Razzaq 'Afifi, Shaykh 'Abdullah ibn Ghadyyan, Shaykh 'Abdullah ibn Mani', Fatawa

Al-Lajnah Ad-Da’imah, 11/100)

Will you get the reward of Hajj if you perform it on behalf of others?

Will the one who performs Hajj on behalf of someone else have the reward of Hajj in full and will he go back (free of sin) as on the day his mother bore him?

The scholars of the Standing Committee said:

“With regard to evaluating the Hajj that a man performs on behalf of someone else , and whether it is like the Hajj he does for himself, or is lesser or greater in virtue, that is known only to Allah, may He be glorified.” (Shaykh ‘Abd Al-‘Aziz ibn Baz, Shaykh ‘Abd Ar-Razzaq ‘Afifi, Shaykh ‘Abdullah ibn Ghadyyan, Shaykh ‘Abdullah ibn Mani‘, Fatawa Al-Lajnah Ad-Da’imah, 11/100)

And they said:

“If a person performs Hajj or `Umrah on behalf of another, with or without payment, the reward for Hajj or `Umrah will go to the one on whose behalf he did it, but there is the hope that he will also have a great reward, commensurate with his sincerity and his desire to do good. For everyone who reaches al-Masjid al-Haraam and does a great deal of different types of supererogatory acts of worship there, there is the hope that he will attain a great deal of good if his actions are sincerely for the sake of Allah.” (Fatawa Al-Lajnah Ad-Da’imah, 11/77, 78)

Imam Ibn Hazm (may Allah have mercy on him) said:

“It was narrated from Dawud that he said: I said to Sa‘id ibn al-Musayyab: O Abu Muhammad, for which of them is the reward, for the one who performs Hajj or the one on whose behalf it is performed? Sa‘id said: Allah’s bounty, may He be exalted, encompasses both of them.

Ibn Hazm said: Sa‘id (may Allah have mercy on him) spoke the truth.” (Al-Muhalla, 7/61)

Whatever the proxy does of good deeds other than the rites of Hajj, such as praying in the Haram, reading Quran, and so on, the reward for that will go to him and not to the one who appointed him

as his proxy.

Shaykh Muhammad ibn Salih Al-'Uthaymin (may Allah have mercy on him) said:

"The reward for actions connected to Hajj will go in its entirety to the one who appointed him as his proxy; with regard to the extra reward for prayers and tawaf that he does voluntarily outside of the rituals of Hajj, and reading Quran, (that reward) will go to the one who performs Hajj, not the one who appointed him as his proxy." (Ad-Diya' Al-Lami' min al-Khutab Al-Jawami', 2/476)

Can you hire someone to perform Hajj on behalf of your parents?

The best is for a son to perform Hajj on behalf of his father , and for a relative to perform Hajj on behalf of his relative, but if he hires a stranger to do it, that is permissible.

Shaykh 'Abd Al-'Aziz ibn Baz (may Allah have mercy on him) was asked:

My mother died when I was young, and she hired a trustworthy person to perform Hajj on her behalf. My father has also died, and I heard from some of my relatives that he performed Hajj.

Is it permissible to hire someone to perform Hajj on behalf of my mother, or must I perform Hajj on her behalf myself? Also, should I perform Hajj on behalf of my father when I heard that he had performed Hajj?

He replied:

"If you perform Hajj on their behalf yourself, and strive hard to complete Hajj in the manner prescribed in Islam, that is preferable. But if you hire a person who is religiously committed and trustworthy to perform Hajj on their behalf, there is nothing wrong with that.

The best is for you to perform Hajj and `Umrah on their behalf. You may also hire someone to perform Hajj and `Umrah on their behalf. This is part of your honouring them and treating them kindly. May Allah accept (good deeds) from us and from you." (Fatawa Ash-Shaykh Ibn Baz, 16/408)

Should you know the name of the one on whose behalf you perform Hajj by proxy?

It is not stipulated that the one who performs Hajj on a person's behalf should know his name; rather it is sufficient for him to have the intention to perform Hajj on his behalf .

The scholars of the Standing Committee were asked:

I have approximately four relatives who have died among my paternal uncles and aunts and grandparents, both men and women. But I do not know the names of some of them. I want to send people to perform Hajj on behalf of each of them at my own expense.

They replied:

"If the matter is as described, with regard to those whose names you know, both men and women, there is no problem. With regard to those whose names you do not know, it is sufficient for you to intend it to be on behalf of both men and women among your paternal and maternal uncles and aunts, according to their ages and descriptions, And it is sufficient to have the intention to do that, even if you do not know their names." (Fatawa Al-Lajnah Ad-Da'imah, 11/172)

If you are appointed to perform Hajj by proxy, can you appoint someone else to perform it?

It is not permissible for the one who has been appointed to perform Hajj on behalf of someone else to appoint someone else to do it except with the consent of the one who originally appointed him.

Shaykh Muhammad ibn Salih al-'Uthaymin (may Allah have mercy on him) said:

"It is not permissible for the one who has taken on the task of performing Hajj on behalf of another to appoint someone else to do that, whether for a small or large payment, except with the consent of the one who gave the task to him." (Ad-Diya' al-Lami' min al-Khutab al-Jawami', 2/478)

Is it permissible to appoint a proxy for a supererogatory Hajj (Hajj nafl)?

There is a difference of scholarly opinion concerning this matter. Shaykh Ibn ‘Uthaymin (may Allah have mercy on him) favoured the view that it is not permissible to appoint a proxy except for the obligatory Hajj.

Shaykh Ibn ‘Uthaymin (may Allah have mercy on him) said:

“If a man has already performed the obligatory Hajj and wants to appoint someone to perform a nafl Hajj or `Umrah on his behalf, there is a difference of opinion concerning that among the scholars. Some of them said that it is permissible and some of them said that it is not allowed. What is more likely to be correct in my view is that it is not allowed, and that it is not permissible for anyone to appoint someone to perform Hajj or `Umrah on his behalf if that is nafl, because the basic principle concerning acts of worship is that they should be done by the individual himself. Just as no one should appoint another person to fast on his behalf – even though if he died and still owed obligatory fasts, his heir should fast them on his behalf – the same applies to Hajj; Hajj is an act of worship that a person should do himself and it is not an act of charity for the benefit of someone else. If an act of worship is a physical action that the person should do himself, it is not valid for someone else to do it on his behalf except in cases mentioned in the Sunnah, and there is no report in the Sunnah about anyone performing a nafl Hajj on behalf of someone else. This is one of the two opinions narrated from Ahmad, i.e., that it is not valid for a person to appoint someone else to perform a nafl Hajj or `Umrah on his behalf, whether he is able to do that or not.

By expressing this opinion, we want to encourage those who are well off and physically able to perform Hajj themselves, because some people let years go by without going to Makkah, relying on the idea of sending someone to perform Hajj on their behalf every year, so they miss out on doing Hajj on the grounds that they are appointing others to perform Hajj on their behalf.”

Who can perform Hajj by proxy?

One should seek out good, sincere and trustworthy people who have knowledge of the rites of Hajj

to perform proxy Hajj (Hajj al-badal).

The scholars of the Standing Committee said:

“The one who wants to appoint someone to perform Hajj on his behalf should seek out one who is religiously committed and trustworthy, so that he may be confident that he will do what is required.” (Fatawa Al-Lajnah Ad-Da’imah, 11/53)

And Allah knows best.