71466 - He has epilepsy – is Hajj obligatory for him?

the question

I am a man who has suffered epilepsy for 17 years, and it has not stabilized even though I take medication. A seizure may strike at any time, and it is not regular, and I wet myself (during seizures). I want to ask you about Hajj in my case. Is it permissible for me to send someone to do Hajj on my behalf, knowing that I owe my brothers a lot of money and they will inherit from me as I do not have any children? They have already let me off for the debt, which was for my treatment.

Detailed answer

Praise be to Allah.

Firstly:

We ask Allaah to heal you and reward you for what has befallen you.

Secondly:

In order for Hajj to be obligatory, it is essential that one be able for it both financially and physically, because Allaah says (interpretation of the meaning):

“And Hajj (pilgrimage to Makkah) to the House (Ka‘bah) is a duty that mankind owes to Allaah, those who can afford the expenses”

[Aal ‘Imraan 3:97]

If a person is sick and cannot travel for Hajj, or he cannot perform the rituals, or it is too difficult for him to DO that, then he is not obliged to do Hajj for himself.

Shaykh Muhammad al-Ameen al-Shanqeeti (may Allaah have mercy on him) said: There should be no difference of opinion that in the case of sickness which makes travel too difficult hardship, it is not obligatory to perform Hajj. End quote from Adwa’ al-Bayaan.

Shaykh Ibn ‘Uthaymeen (may Allaah have mercy on him) was asked about a man who had had epilepsy for thirteen years and used medicine that would, in sha Allaah, prevent seizures, but when he got tired he would have seizures. Is it permissible for him to delegate someone to perform Hajj on his behalf? Or should he go for Hajj and put up with the hardship?

He replied: If there is no hope that this problem will go away, then he should delegate someone to perform Hajj and ‘Umrah on his behalf if he can afford it. If he cannot afford it then Hajj is not obligatory for him. But if there is the hope that this will go away if he continues to take the medication, then he should wait until Allaah heals him. I ask Allaah, may He be blessed and exalted, to heal him and relieve him of this problem. End quote from Majmoo’ Fataawa al-Shaykh Ibn ‘Uthaymeen (21/167).

What the Shaykh mentioned about delegating someone to perform Hajj in this case is the view of the majority of scholars. Ibn Qudaamah (may Allaah have mercy on him) said: The one who fulfils all the conditions of Hajj being obligatory (is obliged to perform Hajj), but if he is unable to do it because of some problem that he has no hope will go away, such as a chronic sickness or a sickness for which there is no hope of a cure, or he is weak and feeble and unable to sit firmly on his mount without unbearable difficulty, or a very elderly man etc, if he can find someone to delegate to do Hajj on his behalf and can afford to pay for that, then he must do it. This is the view of Abu Haneefah and al-Shaafa’i. End quote from al-Mughni (3/91).

The evidence for that is the report narrated by al-Bukhaari (1513) and Muslim (1334) from ‘Abd-Allaah ibn ‘Abbaas (may Allaah be pleased with him) who said: A woman of Khath’am came to him to ask him a question. She said: O Messenger of Allaah, the obligation of Hajj has come when my father is an old man who cannot sit firmly on his mount. Can I perform Hajj on his behalf? He said, “Yes.” That was during the Farewell Pilgrimage.

Based on that: you do not have to go for Hajj yourself right now, but if this sickness of yours is one which it is hoped will go away according to trustworthy doctors, you do not have to do anything until Allaah heals you and you can afford to go for Hajj. But if the sickness is one for which there is no hope that it will go away, and you can afford it, then you have to delegate someone to perform

Hajj on your behalf, subject to the condition that he has performed Hajj for himself first.

Thirdly:

So long as your brothers have let you off for this large amount of money that you taken from them, it has no effect on the ruling concerning your Hajj, praise be to Allaah.

We ask Allaah to guide us and you.

And Allaah knows best.