

Performing Hajj on someone's behalf

Shaykh Aboo `Abd-al-Mu`iz `Alee Ferkous al-Qoobee

Article taken and slightly adapted from: ferkous.com

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

Question: Is it permissible to perform Hajj on someone's behalf who was able to perform it but delayed it and neglected its accomplishment until he died?

Shaykh Aboo `Abd-al-Mu`iz `Alee Ferkous al-Qoobee: All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers till the Day of Resurrection.

Know –May Allaah bless you- that it is not permissible to substitute someone who is alive and able, as he is the one required to perform his (religious) duties, by way of a trial and a test for him. Moreover, it is not permissible to perform Hajj instead of someone who neglects his religious obligations which are among the pillars of Islam, and who neglects the obligation of performing Hajj and lacks willpower, and the one who is alive and able to perform it, but he neglects the obligation of accomplishing it and abandons it deliberately.

However, we perform Hajj instead of someone who was financially able ,but unable (as regards his health or other reasons) and who had the intention of going to Hajj or someone who died and asked in a will to perform Hajj instead of him or he planned to perform Hajj but he died before doing it. For such persons, it is permissible to perform Hajj instead of them.

Among the conditions of the person who performs Hajj instead of someone else, is that he should perform it for himself first, in accordance with the Prophet's ﷺ saying, in the hadeeth of Shubruma, when the Prophet ﷺ heard a man saying: "Labbayka (always ready to obey) on behalf of Shubruma. He ﷺ asked: "**Who is Shubruma?**" He replied: "A brother (or relative) of mine." The Prophet ﷺ asked: "**Have you performed Hajj on your own behalf?**" He said: No. He ﷺ said: "**Perform Hajj on your own behalf, then perform it on behalf of Shubruma.**"¹

¹ Reported by Aboo Daawood, chapter of "Rites" (hadeeth 1811), Ibn Maajah, chapter of "Rites" (hadeeth 2903), Ibn Hibbaan (hadeeth 3988), Ibn Khuzayma (hadeeth 3039), At-Tabaraanee in "Al-Mu`jam As-Sagheer" (hadeeth 613), Al-Baihaqee (hadeeth 8766) and Ad-Daaraqutnee (hadeeth 148), on the authority of Ibn `Abbaas رضي الله ع. Al-Baihaqee said in « As-Sunan Al-Kubra » (4/336) : "This chain of narration is the most authentic as regards this question", furthermore, Ibn Hajar said in "Al-Fath" (12/398): "Its chain of narration is authentic". Al-Albaanee has judged it authentic in "Al-Irwaa'" (hadeeth 994) and Al-Waadi'i in "As-Saheeh Al-Musnad" (hadeeth 629).

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The apparent meaning of the hadeeth is that it is not permissible to perform Hajj on someone's behalf before performing it for oneself. Though, saying that it is permissible for a person who has not performed Hajj for himself to perform Hajj instead of someone who has not performed it if he is not able to perform it for himself, is more correct as regards the argumentation. This is the view adopted by Ahmad according to one of the narrations reporting his opinions. This is also the view of Ath-Thawree.

Thus, according to this view, this hadeeth is to be understood as meaning that the Prophet ﷺ knew that the person who recited Talbiya² was able to perform Hajj for himself, and if he was not able, he would have apologised to the Prophet ﷺ for not being able to perform it, but this was not reported about him. Nevertheless, it is better to perform Hajj for oneself first, then on others behalf.

The perfect knowledge belongs to Allaah عزَّ وجلَّ. Our last prayer is all praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon our Prophet ﷺ his Family, his Companions and Brothers till the Day of Resurrection.

Algiers, Rajab 21st, 1427H. Corresponding to: August 15th , 2006.

² Saying Labbaik, Allaahumma Labbaik (O Allaah! I am obedient to Your Orders, I respond to Your Call).