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## Persons prevented from performing Hajj

**Rule 438:** By “the pilgrim who has been turned away from getting to the holy places”, (almasdood) we mean the one who, after assuming a state of ihram, receives such a treatment at the hands of the enemy, or due to any other force majeure, resulting in the pilgrim not able to perform Hajj or Umrah.

**Rule 439:** Should this happen in Umrah Mufradah, and the pilgrim was accompanying his hady, he could undo his ihram after slaughtering the hady at the place where he was prevented from proceeding to the holy places. If he wanted to undo his ihram, yet he was not in possession of hady, he should obtain an animal and sacrifice it, as a matter of precaution.

He should, as a matter of precaution, too perform taqseer or shaving. This also applies to the pilgrim, in Umrat-ut-Tamatu', who was prevented from performing Hajj. However, if he was prevented from getting to the Ka'ba before the two wuqufs, in particular, his obligation could turn into Hajj-ul-Ifraad.

**Rule 440:** A Pilgrim, performing Hajj-ut-Tamatu', could be prevented from holding the two wuqufs or, in particular, the one at Muzdalifah. He should, as a matter of precaution, perform tawaf and sa'y, then shave his head and sacrifice a sheep to end his state of ihram.

If he was prevented from tawaf and sa'y after the two wuqufs, the ceremonies at Mina, and was unable to hire an agent, he must offer the hady at the place where he was turned away.

If it is possible to hire an agent, he must, as a matter of precaution, do both, i.e. offer the hady and hire an agent to complete the ceremonies on his behalf.

If a person was prevented, especially from the ceremonies at Mina without affecting his entry into Makkah, he must, where possible, hire an agent to perform rami and offer the hady on his behalf. He can then have his head shaven or perform taqseer and, if possible, send his hair to Mina. Only then, can he come out of ihram, and perform the remaining rituals.

If it was not possible for him to hire an agent, he could be relieved from offering the hady; instead, he must fast, have his head shaven or perform taqseer. He can then proceed to Makkah to complete the

ceremonies. All prohibitions observed in a state of ihram, including those regarding intimacy with his wife, shall be lifted. His Hajj will be valid.

**Rule 441:** By offering the sacrifice, a person prevented from performing Hajj or Umrah is not relieved of his obligation to perform them. If the intention was to perform Hijjatul Islam, and he was turned away, then ended his ihram by offering the hady, he remains liable to discharge this obligation. It is obligatory on him to perform it afresh, so long as he can afford it.

**Rule 442:** If he was prevented from returning to Mina to spend the night there and perform rami, this shall not detract from his Hajj. The rules governing the pilgrim who is turned away do not apply in this case.

However, he must hire an agent to perform rami on his behalf in that year. Should this not be possible, it must be carried out in the following year, either in person, if he was present there and then, or by his agent, as a matter of preferred precaution.

**Rule 443:** Insofar as the hady is concerned, there is no difference whether it is a camel, a cow, or a sheep. If the pilgrim is unable to offer the sacrifice, he should, as a matter of precaution, fast for ten days instead.

**Rule 444:** If the pilgrim, in a state of ihram, does have sex with his wife before the wuquf at Muzdalifah, he must complete the remaining ceremonies and repeat the Hajj as mentioned earlier.

However, if he is prevented from completing the ceremonies, the rules relating to the prevented (almasdood) pilgrim would apply to him. Nevertheless, he should bear a kaffarah for having sex in addition to sacrificing the animal for hady.

## Persons prevented from completeing hajj due to sickness and the like

**Rule 445:** By “almahsoor” we mean any person who is prevented by sickness, or the like, from getting to the holy places, after he has entered into a state of ihram.

**Rule 446:** If such a thing happens to a pilgrim intending to perform Umrat-ul-Mufradah or Umrat-ut-Tamatu', and who wishes to come out of his ihram, his obligation is to despatch an animal or its price to Makkah and seek a promise from his companion to offer the hady there at an appointed time. At the appointed time, he must shave or perform taqseer. Only then can he come out of his ihram.

Should this not be possible, he is permitted to offer the hady where he is, whereby he can be acquitted of his obligation. If the eventuality arises during Hajj, the rules stated above will apply. However, the place of sacrifice is Mina and the time is Eid day.

In all the above-mentioned cases, the pilgrim in question is relieved of his obligations, barring intimacy with his wife. However, in both Hajj and Umrah, only after he has completed tawaf and sa'y can he be absolved of the responsibility.

**Rule 447:** During Umrah, the pilgrim may become sick. Accordingly, he dispatches an animal for sacrifice. He then recovers, so much so that he is now able to continue with his journey to Makkah and arrives there before the animal is offered. In such a case, he must sacrifice it himself.

Assuming that it was Umrat-ul-Mufradah, his obligation is only to complete it. If it was Umrat-ut-Tamatu' and he was able to complete its ceremonies before the zawaal of the day of Arafat, he should do so; otherwise, his Hajj should evidently switch to Hajj-ul-Ifraad. The same rule applies, if he had not dispatched an animal for sacrifice, waited till recovery, and was able to continue the journey.

**Rule 448:** If the pilgrim falls sick and sends the hady, then he recovers that he feels he could perform pilgrimage, he should join in the ceremonies. If he fulfils the requirements of the two wuqufs or, in particular, the one at Muzdalifah, he will have performed the Hajj, as stated above. He should complete the ceremonies and offer the hady.

However, if he fails to get there and no one offered the hady for him, his Hajj will turn into Umrat-ul-Mufradah. However, if some one did the job for him, he will be relieved from the restrictions imposed while in a state of ihram, except for intimacy with his wife. It is obligatory on him to perform tawaf and sa'y, in Hajj or Umrah, to resume sexual relationship with his wife.

**Rule 449:** If a person is prevented from performing tawaf and sa'y because of illness or the like, he can hire an agent to perform them on his behalf. However, he must say tawaf prayer when the agent has completed the tawaf.

If he was prevented from proceeding to Mina and performing its ceremonies, he must deputize somebody to perform rami and offer hady. Then he must shave his head or do taqseer and send his hair to Mina, if possible. He should then complete the other rituals.

**Rule 450:** If the pilgrim is prevented from performing pilgrimage, then dispatches the hady, but before reaching the appointed place, he complained of headache, it is permissible for him to shave his head. If he does so, he must sacrifice a sheep at the place, fast for three days, or feed six poor persons with two muds of food each [equivalent to one and a half kilos].

**Rule 451:** By offering the sacrifice, the pilgrim in question can only be spared the prohibitions of ihram, but not relieved of his obligation to performing Hijjatul Islam. He must repeat it in the following year, so long as he remained solvent and obligated to perform it.

**Rule 452:** If the pilgrim in question does not offer the hady, nor has he the money to pay for it, he must observe fast for ten days.

**Rule 453:** The pilgrim, in a state of ihram, may find himself in a position where he is unable to continue his journey to the holy places to perform the ceremonies of Umrah or Hajj, for reasons other than those stated above.

If he is in Umrat-ul-Mufradah, he should, as a matter of precaution, offer the hady, and shave his head or do taqseer where he is; only then can he be relieved of the state of ihram he was in. The same rule applies to Umrat-ut-Tamatu'. Otherwise, his obligation should apparently change to Hajj-ul-Ifraad.

However, if in the course of the Hajj, he was unable to hold the wuqufs at Arafat and Muzdalifah, and especially the one at Muzdalifah, he could be relieved of his ihram by way of Umrat-ul-Mufradah.

**Rule 454:** A group of jurists make a special provision in the case of the pilgrim who does not bring the hady with him, vowing at the time of wearing ihram to the effect that Allah relieves him at the place where he has been prevented from getting to the holy places by an enemy, illness, or any force majeure.

They are of the opinion that, having made this vow, the pilgrim can be relieved of all the prohibitions of ihram, and that there is no need for him to offer the hady, shave, perform tawaf or sa'y, necessary to resume sexual union with his wife.

Although this opinion could be tolerated, yet one should, as a matter of precaution, observe the procedure for undoing one's ihram at the time when the obstruction arises, as discussed in the preceding Rules. Accordingly, such condition becomes redundant.

This concludes the obligations of Hajj. We can now turn to the code of conduct that would guide the pilgrim through carrying out that which is commendable to do and yield the reward from the Almighty. Scholars have covered this area in detail. So, we think that outlining some mustahab acts of worship, in the course of performing Hajj, in this work should suffice.

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