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Hajj by Appointing a Deputy (Niyaabat)

If another person performs pilgrimage on someone else's behalf because of some particular circumstances, it is called Hajj by Proxy and the person is called a proxy, representative, agent or deputy.

Conditions for an Agent of a Hajj by Proxy

- 1. Baligh (adult): A child cannot be a proxy in an obligatory pilgrimage. Even if he is mumayyaz (mentally and physically mature but not biologically) he cannot be someone's representative. But in a recommended pilgrimage if the guardian permits then a mumayyaz child can be a representative.
- 2. He should be mentally sane.
- 3. He should be follower of twelve Imams.
- 4. He should be trustworthy.
- 5. The agent should not be under obligation to perform any other pilgrimage.
- 6. He should be well versed in all the rites of pilgrimage or under guidance of someone who is well versed.

Conditions for the One for Whom Hajj by Proxy may be carried out

- 1. He must be Muslim.
- 2. He must have either died.
- 3. Or he must be elderly or an invalid with no chance of recovery.

Conclusion

It is not necessary for the agent to be of the same sex as the person on whose behalf he is performing Hajj. Therefore a male can perform Hajj for a female or vice versa.

Question and Answers

Q1. If a lady is representing a man for *Hajj-ut-Tamatu* and there is a chance that because of menstruation dates she might not be able to perform *Umra-ut-Tamatu* and she will be forced to change the pilgrimage to *Hajj al-Ifraad*, will such an agent be suitable?

Ans: If the person for whom she is proxy is sure that the lady is capable of performing *Hajj-ut-Tamatu* then the representation is valid and her act will be acceptable even if she was forced to perform *Hajj al-Ifraad* because of her condition.

Q2. After the mandatory stop in Mash'ar can the agent leave Muzdalafah at night?

Ans: Yes an agent can do so.

Q3. If a lady agent cannot perform the rite of *Rami of Jamarat* (hitting Satan symbol with pebbles) can she ask someone else to do it for her?

Ans: If she knew at the time when she took the responsibility of proxy pilgrimage that she would not be able to perform this rite on 10th of Dhil Hajjah (12th month of Islamic year), neither during the day nor night, then her proxy on the basis of ehtyate–wajib (obligatory precaution) is considered to be void. But if she is unable to do so on the 11th and 12th then her proxy is valid. Furthermore, if circumstances arise that make her unable to do so after becoming the agent then her proxy is valid.

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