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Hajj by Proxy

Article 11

It is permitted to deputize a person for performing obligatory or Mustahab Hajj on behalf of a dead person, but it is only permitted in Mustahab Hajj for a person who is alive.

However for those who have been able to perform Hajj and had not performed so because of carelessness and now that they are not able to perform Hajj according to their oldness, illness or inability, in this condition it is obligatory for them to take a proxy; but if when a person has financial ability in the time that has no more physical ability or the way is not open for him, then Hajj is not obligatory for him, also taking a proxy is not obligatory, even during lifetime or after the death.

Article 12

A woman could be a proxy on behalf of a man and vice versa, and each of them should observe their own duties in this kind of Hajj; if the proxy is a woman then she should perform duties that is ascribed for women and if the proxy is a man then he should perform duties ascribed for men, but it is better for women to be proxies of women and for men to be proxies of men.

Article 13

It is not permitted for a person, on whom Hajj is obligatory for him/her to be someone else's proxy; but if this person performs this act, the Hajj is correct for other person who has deputized him/her although the person has performed a sin. A person who is not able by himself/herself can be someone's proxy, but does not gain the ability by reaching Mecca in this way.

Article 14

Whenever a person is deputized for performing Hajj and the year of pilgrimage has not been specified then he/she should perform Hajj in the first year.

Article 15

It is permitted to take a proxy for performing obligatory Hajj in behalf of a dead person from "Miqat" and the money of this act subtracted from the main inheritance. However if the heir agrees then it is permitted to take a proxy for performing Hajj from the city (the city which dead person had lived in) but the margin of costs between Hajj from Miqat and city can only be paid by the adult heirs.

Article 16

The "Proxy" should know the issues and rituals of Hajj, but it is not necessary that he/she has performed Hajj before. People such as servants of a caravan or alike who know from the beginning that they cannot meet Mash'ar voluntarily cannot accept to be a proxy.

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