

Q: 97 – Title: Can I take my wife's neice for umrah and be her wali?

Question

I have a niece who is my brother in-law's daughter who is twelve years old and has been living with me for eleven years. I am sixty one years old and intend to go for Umrah. Can I take her along and be her Wali. What has the Shariah to say on this.

Twelve years old and has been living with me for eleven years. I am sixty one years old and intend to go for Umrah. Can I take her along and be her Wali. What has the Shariah to say on this.

Answer

In the Name of Allah, the Most Gracious, the Most Merciful.

As-salamu `alaykum wa-rahmatullahi wa-barakatuh.

Our understanding of the relationship enquired about in your query as "niece" is: the wife's brother's daughter.

In actual fact, the girl in reference is your wife's niece. You are not her Mahram.

It will not be permissible for her to accompany you nor are you her Wali (legal Shar'ee guardian).[1]

Nabi sallallahu alayhi wa sallam explicitly prohibited women from travelling beyond the Shar'ee Safar distance without a Mahram or husband.[2]

And Allah knows best.

Ismail Desai,
Durban, South Africa
Student Darul Iftaa

