THE 6TH INTERNATIONAL CONFERENCE OF ISLAMIC ECONOMICS AND FINANCIAL STUDIES (ICIEFs)
Received : October 5, 2025/ Revised: October 10, 2025/ Accepted : October 24,2025

ICIEFS PROCEEDI NG

http://proceedings.uinbukittinggi.ac.id/iciefs/

E-ISSN : 3047-7735

Hajj Advance Financing : Challenges of Pilgrim Compliance and Sharia Conformity

Muhammad Irham Ghifari[1], Suryani[2], Fajri Ali[3]

[12]*UIN Sulthan Maulana Hasanuddin Banten, Indonesia*
[2]*Universitas Islam Indonesia, Indonesia*

Coressponding : suryani@uinbanten.ac.id

Abstract. *Hajj financing is one of the products offered by Islamic financial institutions in Indonesia, aimed at helping Muslims secure a pilgrimage quota more quickly. However, this practice is not without challenges, as it raises issues of dual compliance: pilgrims' adherence to their financial obligations and conformity with Sharia principles in contract implementation. While most existing studies have primarily focused on contractual aspects and financial risks, research that integrates both pilgrim compliance and Sharia compliance remains limited. This study seeks to address that gap. Using a descriptive qualitative method, the research employs a literature review as well as an analysis of fatwas and regulations. The findings reveal that although Hajj financing offers short-term benefits for pilgrims, particularly in obtaining a Hajj quota, it also presents challenges in terms of Sharia compliance, especially with regard to contract structures, social justice, and the potential for moral hazard. This study contributes to the discourse on strengthening the resilience of Hajj management in Indonesia amidst global economic uncertainty.*

Keywords: Hajj Financing, Pilgrims Compliance, Sharia Compliance, Islamic Economics, Hajj Management.

1. Introduction

Indonesia is the country with the largest Muslim population in the world, surpassing Pakistan, which ranks second. Hajj, as defined by Permadi (2022), is the pilgrimage to the Ka'bah that includes Ṭawaf, Sa'i, standing (wuqūf) at 'Arafah, and other rituals performed at specific times (from 1 Shawwal to 13 Dhu al-Hijjah), with the ultimate aim of attaining Allah's pleasure. Performing the Hajj is the aspiration of every Muslim, as it is an obligation for those who are able (istitha'ah) and a means of perfecting the pillars of Islam. Hajj is required once in a lifetime for every Muslim who meets the conditions of capability. Sayyid Sabiq (2001: 460) even emphasizes that denying the obligation of Hajj constitutes disbelief and apostasy.

The concept of istitha'ah (capability) according to the fuqaha' encompasses several dimensions: (1) physical ability (al-qudrah al-badaniyyah), namely having a state of health that allows one to perform the Hajj; (2) financial ability (al-qudrah al-maliyah), meaning the possession of sufficient provisions for the journey while also leaving adequate sustenance for the family left behind; (3) security of travel (amnu ath-tharīq), referring to the condition that the journey to Makkah is free from serious threats; and (4) time, since the Hajj can only be performed during the months of Shawwal through Dhu al-Hijjah. Some contemporary scholars also emphasize the element of time as part of istitha'ah. This indicates that Hajj is not obligatory for all Muslims, but only for those who are truly capable in these aspects, as affirmed in the Qur'an, Surah Āli 'Imran, verse 97.

Nevertheless, Indonesia faces serious challenges in the management of Hajj. The high enthusiasm of the population, the quota limitations imposed by the Kingdom of Saudi Arabia, and the long waiting periods for departure have led to the emergence of Hajj financing products offered by Islamic financial institutions. According to Khoisah (2024), Hajj financing schemes are designed to provide financial assistance for Muslims to obtain a registration number earlier by covering the shortfall in the initial deposit. While this innovation facilitates access, it has also given rise to debates among scholars and practitioners.

On the one hand, pilgrims view it as a solution to expedite registration and secure their departure quota. On the other hand, concerns arise regarding the pilgrims' discipline in repaying the financing as well as the conformity of this practice with sharia principles, particularly with reference to Fatwa DSN-MUI No. 29/DSN-MUI/VI/2002.

Based on these issues, this study employs a qualitative descriptive approach through literature review, fatwa analysis, and regulatory examination. The focus of the study is directed toward two main perspectives: (1) the compliance of pilgrims in fulfilling their financial obligations, and (2) sharia compliance in relation to the appropriateness of contracts with sharia principles and maqāṣid al-sharī'ah. This research is expected to contribute to strengthening the discourse on the resilience of Hajj management in Indonesia amidst global economic uncertainty.

In terminological terms, Hajj is defined as a religious journey to the Sacred House of Allah (Baytullāh al-Ḥarām). According to E. Umaroh (2024), the Hajj is performed on the condition that one possesses both physical and financial capability, so that the pilgrimage does not impose undue hardship and can be completed properly. Hajj is one of the pillars of Islam, which must be performed once in a lifetime by every Muslim who is physically, mentally, and financially capable. Al-Qaradawi (2007: 27) emphasizes that capability (istithā'ah) not only includes financial provisions and bodily health but also security during the journey. In Indonesia, the aspect of financial capability is manifested through an initial deposit set by the government as a requirement to obtain a Hajj registration quota number. With a Hajj savings deposit of IDR 25,000,000, the public can secure a quota number from the Ministry of Religious Affairs. Based on the Decree of the Minister of Religious Affairs No. 141 of 2025, the average cost of Hajj administration (BPIH) is set at IDR 89,000,000, of which IDR 55,400,000 is paid directly by the pilgrims (BPIH), while the remaining IDR 33,900,000 is subsidized through investment returns (nilai manfaat).

The high enthusiasm of Indonesian Muslims to perform Hajj has lengthened the waiting list while simultaneously encouraging the emergence of financial innovations, particularly Hajj financing products offered by Islamic financial institutions. This scheme is designed to facilitate the community in meeting their financial obligations for Hajj in a structured manner while remaining compliant with sharia principles. According to Ikhsanti N. (2025), Hajj Advance Fund Financing is a sharia-based financing scheme offered by Islamic financial institutions to help prospective pilgrims secure a Hajj quota. This facility is provided to customers to cover the initial BPIH deposit set by the Indonesian Ministry of Religious Affairs through the SISKOHAT system, thereby enabling them to obtain an official Hajj registration number, with the contractual basis of Qard and Ijarah.

According to A.M. Nasution (2024), scholars differ in their opinions regarding the legal ruling of advance financing for Hajj and Umrah. The group opposing it argues that the condition of istithā'ah (capability) is not fulfilled, as prospective pilgrims rely on debt-based facilities. This rejection is intended as a preventive measure to avoid potential harm (maḍarat). On the other hand, the supporting group emphasizes the benefits of accessibility, though acknowledging the potential financial burden on the pilgrims. While Hajj advance financing facilitates earlier access to the pilgrimage, it simultaneously creates financial risks. Pilgrims who are not fully capable economically may be trapped in the burden of repayment, raising questions about the validity of their istithāʻah (Majelis Ulama Indonesia, 2002).

Sharia compliance becomes a fundamental aspect of Islamic finance. In the context of Hajj advance financing, compliance includes: the selection of suitable contracts (qardh, ijarah, or a combination of both), the avoidance of riba, and the fair distribution of benefits. Hajj advance financing functions as financial support for communities with limited funds, effectively providing them with the means to perform Hajj (Putro, D. E., Abidin, A. Z., Wardoyo, F. R., & Gozali, M. L., 2022). Previous studies have examined the dynamics of Hajj advance financing, particularly its sharia compliance in contractual structures. While some literature highlights its short-term benefits, it also underscores social and fiqh-related risks. Most existing studies concentrate on contractual aspects and financial risks, whereas research combining the dimensions of pilgrim compliance and sharia compliance remains limited. This gap represents the contribution of the present study.

2. Methods

This study employs a descriptive qualitative approach, aiming to analyze the mechanism of Hajj advance financing from the perspectives of pilgrim compliance and sharia compliance. The research design focuses on literature review and regulatory analysis in order to gain a deeper understanding of the practice of Hajj advance financing in Indonesia. The data are drawn from both primary and secondary sources. Primary documents include fatwas issued by the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) related to Hajj financing contracts, government regulations on Hajj financial management, and policies of the Hajj Financial Management Agency (Badan Pengelola Keuangan Haji). Secondary sources consist of journal articles, books, official reports, and publications discussing Hajj financing practices.

Data collection is carried out through document study, which involves reviewing legal sources, fatwas, and official policies, as well as literature review of previous studies. Data analysis is conducted using content analysis, systematically interpreting documents and literature to identify the alignment of Hajj advance financing practices with sharia principles, pilgrims' financial obligations, and their implications for the Hajj management system. The validity of the data is strengthened through source triangulation by comparing various academic literature and applicable regulations.

This method is chosen as it aligns with the normative-empirical character of the research, in which the study does not only focus on the conceptual aspects of sharia but also considers institutional practices and public policies that influence the implementation of Hajj advance financing in Indonesia.

3. Results and Discussion

3.1. Result

The findings of this study indicate that Hajj advance financing in Indonesia provides practical benefits for prospective pilgrims in securing a departure quota more quickly. However, although it offers a short-term financial solution, there are fundamental issues related to sharia compliance, particularly concerning the contractual structure. Regulatory analysis and fiqh literature reveal that the contracts applied often spark controversy. Some financial institutions employ qardh (interest-free loan) contracts accompanied by administrative fees.

The principle of istithā'ah (capability) is a mandatory requirement for performing Hajj. Hajj advance financing does not necessarily guarantee the fulfillment of istithā'ah, as pilgrims remain burdened with repayment obligations. DSN-MUI Fatwa No. 29/DSN-MUI/VI/2002 permits the combination of qardh (loan) and ijārah (service), yet this contractual combination potentially gives rise to ribā khafiyy (hidden usury).

Beyond sharia-related concerns, the issue of social justice also emerges. Hajj advance financing products tend to be accessible primarily to the middle and upper classes, who possess the financial means to repay installments. This creates the potential for social inequality in access to the Hajj pilgrimage.

Based on normative and empirical analysis, it can be concluded that there is a tension between pilgrim compliance with the rules of Hajj advance financing and compliance with sharia principles. Factors influencing pilgrim compliance include urgent needs, limited sharia financial literacy, social influence, and procedural convenience. Meanwhile, factors influencing sharia compliance include management's understanding of sharia principles, commercial pressures, regulatory oversight, and the role of the Sharia Supervisory Board (Dewan Pengawas Syariah, DPS).

3.2. Discussion

The findings highlight the ongoing debate surrounding the practice of Hajj advance financing in Indonesia. Normatively, such products are permissible when structured under sharia-compliant contracts such as qardhul hasan or murābahah, as stipulated in DSN-MUI Fatwa No. 29/DSN-MUI/III/2002. Empirically, however, financial institutions tend to emphasize commercial interests rather than strict adherence to sharia principles, while pilgrims face limitations in sharia financial literacy.

From the perspective of dual compliance theory, this study underscores two critical dimensions: the compliance of pilgrims in meeting financial obligations, and the compliance of financial institutions in upholding sharia principles. The issue is further complicated by risks of moral hazard, information asymmetry, and the potential commercialization of religious worship. Social justice concerns are also evident, as Hajj advance financing may widen disparities in access between different economic groups.

4. Conclusion

This research enriches the discourse on Islamic finance by emphasizing that the sustainability of sharia-based financial products depends not only on formal regulations but also on consistency with the principles of maqāṣid al-sharī'ah. Hence, an ideal model of sharia-based Hajj advance financing should incorporate: (1) qardhul hasan supported by fiscal incentives, (2) transparent murābahah contracts, (3) alternative contracts such as mushārakah or muḍārabah, (4) enhanced sharia literacy, and (5) stronger roles for regulators and Sharia Supervisory Boards.

Accordingly, this study not only confirms previous findings but also contributes new insights by arguing that Hajj advance financing should be framed within the sustainability of pilgrimage practices that are inclusive, equitable, and aligned with the objectives of maqāṣid al-sharī'ah.

Acknowledgements

To my esteemed Lecturer/Professor, thank you immensely for your invaluable guidance and patience throughout the writing of this article. Your constructive criticism and consistent support were the anchors that kept this project on track. I am truly grateful for the knowledge you imparted. To my incredible friends and fellow fighters, we did it! This journey would have been impossible without our shared struggle, late-night study sessions, and mutual encouragement. Thank you for your unwavering belief and for always being a source of motivation. Your support made this achievement so much sweeter. The completion of this content description article is a victory we share. Thank you all from the bottom of my heart.

References

Almurni, M. F., Nuradi, N., & Supriyanto, T. (2022). Analisis hukum multi akad pada dana talangan haji Bank Muamalat. Nukhbatul 'Ulum: Jurnal Bidang Kajian Islam, 8(2), 188–210.

Antonio, M. S. (2001). Bank syariah dari teori dan praktek. Jakarta: Gema Insani.

Ibnu Qudamah. (n.d.). Terjamah Al-Mughni Syarh Mukhtashar al-Khiraqi li Ibn Qudamah. Jakarta: Pustaka Azzam.

Karim, A. (2019). Bank Islam: Analisis fiqh dan keuangan (Edisi revisi). Jakarta: RajaGrafindo Persada.

Kementerian Agama Republik Indonesia. (2025). Keputusan Menteri Agama Republik Indonesia Nomor 141 tahun 2025 tentang biaya perjalanan ibadah haji reguler tahun 1446 H/2025 M. Jakarta: Kementerian Agama RI.

Khosiah, S., Prastiwi, E. I., & Marimin, A. (2024). Implementasi program dana talangan haji khusus antrian 7 tahun dengan program dana talangan haji di BMT Mitra Mandiri Jawa Tengah. Lisyabab: Jurnal Studi Islam dan Sosial, 5(1), 212–226.

Majelis Ulama Indonesia. (2002). Fatwa DSN-MUI No. 29/DSN-MUI/VI/2002 tentang pembiayaan pengurusan haji lembaga keuangan syariah. Jakarta: DSN-MUI.

Mastisna, M., Santoso, H., Khotamin, A. N., & Thohir, M. (2024). Analisis implementasi akad al-qard wal ijarah pada dana talangan haji ditinjau dari Fatwa DSN-MUI No. 29/DSN-MUI/VI/2002 (Studi kasus di BMT Surya Abadi Riyanto). Jurnal 2 Umala, Universitas Ma'arif Lampung.

Nawawi. (n.d.). Al-Majmū' Syarh al-Muhadzdzab. Jeddah: Maktabah Irsyad.

Nasution, A. M., Komaruddin, K., & Fakhrudin, M. (2024). Hybrid contract analysis on hajj and umrah advance fund financing at Tamzis Bina Utama Bandung. Mabahits Al-Uqud, 1(1), Juni.

Permadi, D., Nasrullah, N., Rahmawati, D. A., & Widyaningrum. (2022). The management of hajj funds optimization for the pilgrims' welfare post Covid-19 pandemic. Journal of Islamic Economics Perspectives, 4(2), 77–91.

Peraturan Badan Pengelola Keuangan Haji. (2021). Peraturan Badan Pengelola Keuangan Haji nomor 2 tahun 2021 tentang tata cara dan bentuk investasi langsung dan investasi lainnya dalam negeri. Jakarta: BPKH.

Putro, D. E., Abidin, A. Z., Wardoyo, F. R., & Gozali, M. L. (2022). Dana talangan haji dalam perspektif fiqih muamalah. Jurnal Ekonomi Islam Indonesia, 8(3), 221–240. https://doi.org/10.29040/jiei.v8i3.6098

Qardhawi, Y. (2007). Miatu su'al 'ani al-hajj wa al-umrah (H. Nazirudin & H. M. Yusuf Sinaga, Penerj.). Jakarta: Embun Publishing.

Sabiq, S. (2001). Fiqh as-Sunnah. Kairo: Dar al-Fath li 'Ilam al-'Arabiy.

Umaroh, E., & Fajar, F. (2024). Review of the fatwa of the National Sharia Council (DSN-MUI) on financing the hajj management of sharia financial institutions at BMT NU. Et-Tijarie: Jurnal Hukum dan Bisnis Syariah, 9(2), 23–27.

Undang-Undang Republik Indonesia. (2014). Undang-undang nomor 34 tahun 2014 tentang pengelolaan keuangan haji. Jakarta: Presiden Republik Indonesia.