The Characteristic of Mubdil in Hajj
(Analisis of Fiqh Al-Hadith)

Yulia Rahmi
yulia@iainbukittinggi.ac.id
IAIN Bukittinggi, Indonesia

Norzulaili Mohd Ghazali
norzulaili@usim.edu.my
University Sains Islam Malaysia, Malaysia

Abstract
This paper explores the issue of mubdil on Badal Hajj. A mubdil is a person who replaces the entire series of Hajj from Mubdal Minhu (a person being replaced). The narration of the hadith explains that a mubdil is a child or sibling of a person the person being replaced. In reality, many practices of bajį badal are carried out by people who do not have a descendant relationship with mubdal minhu, even the mubdil does not know the person he has replaced absolutely, and vice versa. There were also cases of misapplication of responsibility and fraud of bajį badal by replacing more than one mubdal minhu. The practice of bajį badal is based on the hadiths of Rasulullah which inform about replacing others in the Hajj because of physical conditions or because of death. The hadiths will be examined using the fiqh al-hadith method by studying the hadiths based on their relationship with the verses of the Qur’an and other hadith and through the textual and contextual approach of the hadith. Based on this method, it can be explored how the characteristics that must be possessed by a mubdil. The realization of these characteristics can minimize the occurrence of misuse of responsibility and trust in Badal Hajj.

Keywords: Mubdil, Badal Hajj, Characteristics

INTRODUCTION

Basically, Hajj is obligatory for every believer who is able to conduct. As a bodily worship, the Hajj maliyah must be conducted by relying on one's own physical abilities, and at personal expense.

In physical conditions that do not allow a mukallaf to perform Hajj or for those who die before they have time to perform Hajj, there are opportunities for others to replace to conduct Hajj. Replacing Hajj by others is known as badal bajį/ bajį badal/bajį-e-
badal that requires a physical substitute figure for worship. This substitute figure acts as an intermediary between a mukallaf and Allah in a series of pilgrimages.

A figure substituting for physical worship performed by other people is called a mubdil, who acts as an intermediary or representative who replaces all activities of the mubdal minhu (the person who is replaced) in a series of hajj pilgrimages.

Badal hajj or hajj substitution is understood from the prophet's information, both regarding the badal hajj and the rules for its mubdil. Various information that comes from the Prophet Muhammad indicates that a broker is a person who has a family relationship with the person he/she replaces as a child or as a brother. In the current practice, mubdil does not even have a nasab relationship or kinship with his mubdal minhu, not even a little, mubdil does not know the person he/she replaces well, and vice versa, a mubdal minhu does not know the person who replaces him/her well.

Another problem is the proliferation of sites that sell services as mubdil in the haj pilgrimage. They make the pilgrimage badal as a business land that opens up opportunities for irregularities in its implementation. Hajj badal services are not only sold in cyberspace, they are even offered in areas where the haj pilgrimage is held. In fact, there are not a few cases of mubdil who make more than one mubdal minhu in one pilgrimage.(Bahraen 2019; Mukhtar 2019)

Deviation in the implementation of badal hajj is strongly influenced by the qualifications possessed by the mubdil who is the organizer of the haj pilgrimage that he does. Indeed, the prophetic traditions do not explicitly place the requirements of a person who can replace someone else's pilgrimage. The hadiths which inform badal hajj textually explain the existence of badal hajj for certain people. So it is important to explore and analyze it directly from the hadiths about the badal hajj, to get a complete understanding of the characteristics of the mubdil that was hinted at by the Prophet through the fiqh al-hadith approach.

The aberration of hadith which known as fiqh al-hadith has a very broad scope. understanding of hadith can’t only be analyzed from the hadith editorial, but can also be understood from the relation between hadiths in one theme, even it can be understood from the relation of hadith intertext with verses of Al-Qur'an and other hadiths on
different themes. In addition, the emergence of a hadith is inseparable from the context around the hadith, both historical, social and anthropological settings, even a hadith is closely related to the psychological context of society when the hadith was revealed.

The socio-historical context is an approach that combining the understanding of hadith as historical facts as well as social facts, in which the message of the hadith is closely related to the situation and the relationship between individuals and society and how the culture surrounds them. Sometimes, hadiths also deal with technical and casuistic issues, however the moral message of hadith is universally applicable even though the text has local cultural characteristics. (Mustaqim 2016, 64–66)

Likewise, the hadith of the prophet regarding badal hajj can’t be separated from the comprehension of the hadiths comprehensively by considering its relation to the verses of the al-Qur'an and other traditions apart from the consideration of the context behind it. Therefore, the approach of fiqh al-hadith is very important to conduct to obtain the meaning contained in the hadith comprehensively. Thus, the characteristics of mubdil are obtained in accordance with the signals from the prophetic traditions.

Previous studies related to the badal hajj took a position as a fiqh perspective study by emphasizing the discussion on the opinion of fiqh scholars and the study of badal hajj practices in regions in Indonesia. (Amalia 2020; Aswin 2019; Fauzi n.d.; Malik 2016; Mukti n.d.; Nasution 2010)

This study aims to explore the characteristics of mubdil based on fiqh (understanding) of the traditions which inform the existence of a substitute for the pilgrimage. The introduction to the characteristics of a religious broker is at least able to anticipate the misuse of the mandate to carry out Hajj from mubdal minhu.

DISCUSSION
Badal Hajj

Hajj is one of the pillars of Islam that every Muslim must perform when he/she meets the requirements of istita'ab, including physical ability and financial ability. When physical abilities have been fulfilled but financial capabilities have not been achieved, then the pilgrimage is not obligatory to be carried out. It is different when the financial capacity is
sufficient but it is physically impossible to carry out the pilgrimage, then the pilgrimage can be substituted by other people.

Substituting the pilgrimage is termed *Badal* which means representative, substitute (Zuhri 2015, 116). *Badal* interpreted as a substitute, the recipient of authority or a person assigned a certain task and then must be accountable to the assignor (Penyusun Ensiklopedi 2005, 256). Thus, badal hajj is an activity to replace or receive authority in the implementation of the hajj, due to the inability to carry out the hajj, either because of physical obstruction or due to death.

The practice of badal Hajj has been permitted since the time of the Prophet and is practiced based on the information of the Prophet's hadiths about the ability to replace Hajj, both for people who are still alive and for those who have died.

**Badal Hajj for People Who Are Still Alive**

The badal practice of Haj is formulated from the information of the prophet's hadiths about the ability to substitute Hajj. Information about the badal hajj for people who were still alive is described by the following hadith:

حَدَّثَنَا عَبْدُاللََِّّ بْنُ يُوسُفَ أَخْبَرَنَا مَالِكٌ عَنِ ابْنِ شِهَابٍ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ عَنْ عَبْدِاللََِّّ بْنِ عَبَّاسٍ رَضِي اللََّّ عَنْهمَا قَالَ كَانَ الْفَضْلُ رَدِيفَ رَسُولِ اللََِّّ صَلَّى اللََّّ عَلَيْهِ وَسَلَّمَ فَجَاءَتِ امْرَأَةٌ مِنْ خَشْعَم فَجَعَلَ الْفَضْلُ يَنْظُرُ إِلَيْهَا وَتَنْظُرُ إِلَيْهِ وَجَعَلَ النَّبِيُّ صَلَّى اللََّّ عَلَيْهِ وَسَلَّمَ يَصْرِفُ وَجْهَ الْفَضْلِ إِلَى الشَِّقِ الْْخَرِ فَقَالَتْ يَا رَسُولَ اللََِّّ إِنَّ فَرِيضَةَ اللََِّّ عَلَى عِبَادِهِ فِي الْحَجِ أَدْرَكَتْ أَبِي شَيْخًا كَبِيرًا لََ يَثْبُتُ عَلَى الرَّاحِلَةِ أَفَأَحُجُّ عَنْهُ قَالَ نَعَمْ وَذَلِكَ فِي حَجَّةِ الْوَدَاعِ (ال-Bukhari 1422, 132)

It has been narrated to us by Abdullah bin Yusuf, he had told us Malik from Ibn Syihab from Sulaiman bin Yasar from Abdullab bin Abbas ra, he said: When Fadl hitched a ride with Rasulullah SAW, there came a woman from Khasy'am, Fadl looked at her and (woman) even then looked at him, then Rasulullah turned Fadl's face in another direction. The woman said: "O Messenger of Allah, Allah has obliged His servants to perform Hajj, while I have a Father who is unable to drive. can I serve him? " The Apostle answered: "Yes". The incident occurred during the Wada pilgrimage.'
Hadith about badal hajj for people who are still alive, is narrated with a variety of information. Some say that the one who came to meet the prophet was a man, and another version stated that the one who came was a woman but what she wanted to serve was her mother, and in some narrations, it was added with information that Hajj is equal to debt, including the narration of Mujahid bin Musa described as follows:

أَخْبَرَنَا مُجَاهِدُ بْنُ مُوسَى عَنْ هُشَيْمٍ عَنْ يَحْيَى بْنِ أَبِي إِسْحَاقَ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ عَنْ عَبْدِ اللَّهِ بْنِ عَبَّاسٍ أَنَّ رَجُلاً سَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّ أَبِي أَدْرَكَهُ الْحَجُّ وَهُوَ شَيْخٌ كَبِيرٌ عَنْ عَبْدِ اللَّهِ بْنِ عَبَّاسٍ فَإِنْ شَدَدْتُهُ خَشِيتُ أَنْ يَمُوتَ أَفَأَحُجُّ عَنْهُ قَالَ أَرَأَيْتَ لَوْ كَانَ عَلَيْهِ دَيْنٌ فَقَضَيْتَهُ أَكَانَ مُجْزِئًا قَالَ نَعَمْ قَالَ فَحُجَّ عَنْ أَبِيكَ (an-Nasai 2001, 4: 12)

It has been reported to us, Mujahid bin Musa from Husyaim from Yahya bin Abu Ishaq from Sulaiman bin Yasar from Abdulab bin Abbas that there was a man who asked the Prophet sallallaahu 'alaihi wa sallam that my father had received the obligation to do Hajj, while he was in a very old state. Unable to get on top of the vehicle. So if I insisted I was afraid he would die. Then can I do Hajj for him? He said: "What do you think if he has a debt then you pay it, is it legal?" The person said: "Yes". So be said: "Then do Hajj for your father"

In short, the meaning of the hadith is the same, even though there are various editors used, namely regarding the ability to replace the Hajj of a person who is still alive, by suggesting that the mubdal minhu or the person who is replaced by his pilgrimage is in a physically incapacitated condition, due to old age or illness that prevents him from doing so. To carry out the pilgrimage journey and it is predicted that he will not be able to carry out it himself, in other words a condition that will cause harm to him if he continues to carry out the trip.

The different versions of the hadiths thematically show that mubdal can be a woman or a man, and those who are substituted can be either man or woman. The hadith suggests that it is not required that the substitute must be of the same gender as the one who is replaced. In addition, these traditions also illustrate that the one who asks the prophet is the child of the person being served.

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1 This hadith is found throughout the Kutub at-Tis'ah with 39 sanad lines presented in several versions. Based on information from the book Rijal Hadith, all of the narrators in the series of hadith sanad, none of which are judged by the scholars with a judgmental judgment, generally they are given a ًثً assessment, so that this hadith can be categorized as Sahih hadith. In addition, Ahmad bin Ali bin Hajar stated that this history is the most authentic narration from Ibn Abbas which he received from Fadhil. (Hajar t.th, 67)
Hajj includes worship involving both material abilities and physical abilities. The scholars agree that a person who is able of performing Hajj and can fulfill all the requirements is obliged to perform Hajj directly and cannot be replaced by other people. (az-Zuhaili 1996, 38). It is different from the case with people who are physically unable to carry out the pilgrimage, but in terms of material there is capability, so in this case, there are two opinions of the scholars:

1. Malikiyah stated that it is not allowed to substitute the hajj of a person who is still alive, either during compulsory hajj or circumcision, even though it has met the material requirements. Because the pilgrimage is a practice that prioritizes physical activity in its implementation such as prayer and fasting, so that it can’t be replaced by other people. Besides, the purpose of the pilgrimage is to educate the soul and get closer to Allah (az-Zuhaili 1996, 38).

Malikiyah scholars based their opinion on the word of Allah in Surah Ali Imran verse 97 as follows:

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\text{و لله على الناس حج البيت من استطاع إليه سبيلاً} \quad \text{[Al-Imran: 97]}
\]

It is not permissible to do Hajj for people who are physically incapacitated, because it shows that they do not meet the requirements of istitha'ah in the pilgrimage. Therefore, there is no obligation for Hajj for them, in addition to their opinion that states that Hajj is a practice that prioritizes Hajj physical as well as prayer and fasting that cannot be replaced by others.

The hadith from the history of Ibn Abbas used as the argument for the possibility of replacing the hajj for the living person, is understood by the Malikiyah scholars as a hadith that applies exclusively to Abu Khasy’amiyyah and does not apply in general. (an-Namri 1387, 125)

2. Jumhur scholars such as Hanafiyyah, Syafi'iyah and Hanabalah argued that: people who are not physically able to perform the pilgrimage, or are unable due to conditions of...
emergency, but are able to materially, may have their hajj substituted by other people, because this worship is different from prayer and fasting. It is because there is an element of *maliyah* in its implementation (an-Namri 1387, 125).

The majority of scholars who allow the Hajj badal for people who are still alive, require that the physical condition of the mubdal minhu makes it impossible to carry out Hajj, either because of age or health factors which predict that it is no longer possible to carry out the Hajj, if it is still carried out this will cause harm to him/her. Such conditions are expected to continue until his death, so that it is the cause of the badal hajj.

Even though the Hanabalah and Hanafiyah scholars allowed the badal hajj, the *mubdal minhu* was not sentenced to be obliged to perform Hajj. Several scholars explained that Hanafiyah and Hanabalah only allow the badal hajj on the pilgrimage, circumcision is not the obligatory hajj. It is different from the case with Syafi'iyah who viewed that person is still obliged to carry out the pilgrimage because he has the ability from a material perspective even though it is with other people because for Syafi'iyah istita'ah, it is divided into two things, namely istita'ah with her/himself and istita'ah with others. In the meaning of the word, if he is physically incapable, but is able materially, then he is obliged to substitute his hajj with other people. (an-Namri 1387, 41–43) (Abu Ath-thaib 1415, 175)

from *zahir* verse *و لله على الناس حج البيت من استطاع إليه سبيلا* as if there was a conflict between the verse and the hadith of the prophet. In the verse, it is explained that the obligation is only for those who are capable, both from a material perspective and from a physical perspective. Thus, if the terms of the *istita'ah* are not fulfilled, there is automatically no obligation to perform Hajj.

The thing that must be taken into account is the historical setting of the emergence of hadith that shows that the hadith appeared later than the verse, namely at the time of hajj wada 'and on the other hand it is impossible for the prophet to convey things that are contrary to the verses of Al-Quran. Even though the previous verse has explained that those who are given an obligation are those who are able to do hajj. Hence, it can be understood that the hadith can be viewed as *takhsbis* for the verse, in which in a physical condition that does not allow a Muslim to perform Hajj, the solution given is to perform Hajj with the intermediary of others as implied in the hadith.
The opinion of the Malikiyah scholars who viewed the hadith is specifically for Abu Khasy'amah, this opinion is refuted by the existence of other reports about badal hajj for people who are still alive who do not mention the story of the woman from Khasy'amah. One of these narrations is the narration of Mujahid bin Musa in the above hadith. This opinion of the Malikiyah Ulama seems to have something to do with the book Muwatha 'by Imam Malik, in which the hadith about the badal hajj is only found in one version, namely the version which mentions the story of Abu Khasy'amah. And found no other history in this matter.

These hadiths can be understood as an explanation of the permissibility of serving others, even though Hajj is seen as a form of worship that prioritizes physical activity over material, with the consideration that the pilgrimage is a maliyah worship. It is different from prayer and fasting that is a bodily worship that can’t be substituted by other people, and this pilgrimage is not only physical worship but also maliyah worship, in which maliyah worship can be replaced by other people. Besides narration, it is also analogized that the pilgrimage is the same as debt. When a debt can be paid through the intermediary of another person, the same goes for Hajj, it can also be paid by another person, provided that the physical condition of the person being substituted really prevents him/her from performing Hajj.

Lafaz إِنَّ فَرِيضَةَ اللَّهِ عَلَى عِبَادِهِ فِي الْحَجِّ The hadith suggests that the hajj in this case is the obligatory hajj, not the circumcision haj, as understood from the opinion of the Hanafiyyah and Hanabalah Ulama. In addition, if it is the circumcision pilgrimage, of course, before he/she has performed the obligatory hajj, then the woman who asked the question was unlikely to ask the prophet about this problem because there was no longer the obligation of Hajj for her/his father, because the hadith was only obligatory once as the following hadith:

 حدَّثَنَا أبو سعيد الأنصَرُ حَدَّثَنَا مَتِّى بن عَذَّرُوحُ بن هَارُون، عن عَائشَة بُنت عَبْدِ اللَّهِ رضي الله عنها، عن أبي بكر الصديق، عن النبي ﷺ

(1) يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تُسَلَّمُوا عَنْ أَشْيَاءٍ إِنْ تُتَّبِعُنَّ حَدَّثَنَا عَلِيُّ بْنُ أَبِي طَالِبٍ قَالَ لَّمَّا نَزَلَتْ قَالُوا يَا رَسُولَ اللَّهِ أَفِئي كُلَّ عَامٍ فَسَكَتَ فَقَالُوا يَا رَسُولَ اللَّهِ فِي كُلِّ عَامٍ قَالَ لَّوْ قُلْتُ نَعَمْ لَوَجَبْتُ فَأَنْزَلَ اللَّهُ} (at-Tirmizi 1998, 2: 170)
We are old that Abu Sa'id Al Asyaj has told us Manshur bin Wardan from Ali ibn Abdul A'la from his father from Abu al Bakhtari from Ali said: When the verse came down Performing Hajj is a human obligation to Allah, namely (for) those who are able to travel to Baitullah, the companions ask: "O Messenger of Allah, is it (done) every year?" He was silent, they asked again: "O Messenger of Allah, is it (done) every year?" he replied: "No, if I had said yes, it would have been obligatory (the law)." Then Allah sent down you who believe, do not ask (to your Prophet) things that if explained to you will give trouble for you.

Therefore, an individual who is unable to perform Hajj due to a lack of physical ability can have his Hajj replaced by another person on the condition that this physical inability continues until he dies. The scholars who allow this badal pilgrimage require permission from the mubdal minhu, so that he knows the form of the hajj he wants.

3. **Badal Hajj for People Who Have Died**

The existence of the Hajj badal for those who have died, is informed by the following prophet's hadith:

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\text{حدثنا موسى بن إسماعيل حديثنا أبو عوانة عن أبي بشر عن ابن سعيد بن جنبير عن ابن عباس رضي الله عنهما أن أمرأة من جهينة جاءت إلى النبي صلى الله عليه وسلم فقلت إن أمي نذرت أن تحج فلما تحنح حتا ماتت فأحتج عنها قال نعم حجي عنها أرايت لو كان على أمك دين كأنك قد قضيت فقضينا لله فقالت أحق بالوفاء (18)}
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(al-Bukhari, 1422 H, p. 18)

We have been told that Musa bin Ismail, narrating to us Abu 'Awanah from Abi Bisyr from Sa'id bin Jubair from Ibn Abbas r.a. That a woman from Jabainah came to see the Prophet and she asked: “My mother had vowed to go on Hajj, but she died before she had time to do Hajj, can I do it? "The Prophet replied," Yes, purify her with hajj, what do you think if your mother has a debt, will you pay it? Pay it to Allah, because the debt to Allah is more entitled to be paid”

This hadith is narrated with several variations of complementary information. In one narration, it has been informed that it was a man who came to the prophet who

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3 The hadith was narrated by people who were considered tsiqah by the scholars so that its sanad could be judged as authentic sanad. Based on information from the book of Rijal hadith, none of the narrators in this sanad route were recorded by hadith scholars. This hadith is found in the books of Sahih Bukhari, Sahih Muslim, Sunan Nasa'i, Sunan Tirmizi and Musnad Ahmad bin Hanbal with 13 sanad lines, which are bi al-ma'na narrations.
wanted to serve his sister, and some explained that it was a woman who came to serve her father, while some eyes explained that it was a man who wanted to serve her father. His father, even in some eyes, is not affected by the vows of the person to be served as the narrations below:

In principle, these hadiths have the same goal, such as to explain that a Muslim who is able to perform Hajj during his lifetime but died before he had time to carry out his Hajj may be substitute by someone else. The different versions of the hadith indicate that the substituted Hajj is performed either because there is a vow or not.

In terms of replacing the Hajj of the deceased, there are several opinions of scholars as follows:

1. Hanafiyah: It is legal to replace/substitute the pilgrimage of a person who has died on the condition that a will to perform it. And the cost of the pilgrimage was taken out of his/her inheritance.

2. Malikiyah: It is legal but makruh to replace the pilgrimage of a person who has died on condition that there is a will to carry out the worship. The cost of carrying out the hajj is taken from one third of his wealth.

3. Syafi'iyah and Hanabalah: It is obligatory for heirs to serve people who have died from their inheritance, as well as paying off their debts even without a will. The Syafi'iyah and Hanabalah scholars require that the person during his lifetime is considered capable of performing Hajj, and when he dies he also has sufficient assets to perform Hajj, but if the corpse has a will but the assets are insufficient then it is not obligatory to perform the Hajj. (Az-Zuhaili 1996, 38, 43–44)
Based on the opinions of these scholars, it can be understood that the scholars agree on the existence of the badal hajj for those who have died. Ulama Malikiyah and Hanafiyah stipulate that the badal hajj is valid if there is a will from *mubdal minhu* and the cost of carrying out his hajj is incurred from one third of his inheritance, because according to the provisions, the right to will is only one third of the inheritance.

Meanwhile, according to Syafi'iyah and Hanabalah badal, hajj must be carried out if the person's assets are sufficient after the debt is issued (if any) and the cost of organizing the corpse, either with a will or without a will.

The agreement of the scholars is in accordance with what is meant in the hadith, where those who die have the opportunity to perform Hajj through other people. This can be understood from the analogy of performing Hajj with debt payments, in which debts can be represented in payments, as well as Hajj as murakabah worship between bodily and maliyah (as previously explained). For people who are still living, Hajj can be conducted especially for people who have died.

It's just that the hadiths do not explain the requirements for the implementation of the Hajj badal, whether it must be through a will or is it permissible without a will. Based on the analysis of all the editors of the hadith that analogizes the hajj with debt. Thus, just as the debt was legacy or not, the debt still had to be repaid. Furthermore, the *qiyas* can be understood as a sign that the haj must be carried out with or without a will as long as the inheritance is sufficient for the implementation of the hajj.

**Characteristic of Hadis Perspective**

The hadith of the prophet does not explicitly state who has the right to be a religious broker in the pilgrimage, but the narrative of the hadiths that explain the badal hajj hints at the competencies that a religious broker must have.

**a. Responsible and trustworthy**

The editorial staff of the hadith informs that those who become religious brokers are children or relatives of *mubdal minhu*, either those who are replaced by men or women as well as those who replace them. As informed by the following hadiths:
Textually, the hadith gives an understanding that those who act as *mubdil* in the hajj pilgrimage are those who have a lineage relationship with *mubdal minhu*. However, there is no explicit statement from the prophet that the substitute for the hajj must be either a child or a brother. There is not even an editorial hadith that prohibits *mubdil* other than those with kinship.

This information can be understood that in general, children or siblings are close and well-known to *mubdal minhu*, and vice versa. Because of this close relationship, *mubdal minhu* can know how the character of *mubdil* is trustworthy and responsible or not. The existence of a direct recommendation from the prophet to the questioner in the hadith badal hajj to serve his parents or siblings indicates that the mubdil who is licensed by the prophet is a person who is responsible and trusted in the case of badal pilgrimage.

The implementation of the badal hajj is analogous to the Prophet Muhammad with the payment of debts, this can be understood as a sign that if debts can be paid by other than relatives, the hajj pilgrimage can also be conducted by mubdil who have no nasab connection.

Therefore, the mention of children and siblings must be understood as substantive criteria such as trustworthiness and responsibility towards parents and siblings that occur because of the existence of a family relationship, who naturally have caring and affection so that it is impossible to abuse trust.

A trustworthy and responsible character is a requirement that must be fulfilled by *mubdil* considering that the difference between the implementation of Hajj for
oneself and Hajj which is obligatory, lies in the intention of the person who performs this which is reflected in the entire series of hajj pilgrimages that are carried out.

When the trusted and responsible character has been fulfilled, then anyone can become a candidate as a mubdil even though they do not have a *nasab* relationship with *mubdal minhu*.

b. Mubdil has Baligh and Sensible

In the hadiths about badal ha*jj*, it is stated that those who came to the prophet to ask permission to serve their parents or siblings were explained in lafaz. رجل and إمرأة. Both terms are in Arabic rules, used to describe people who have grown up. Therefore, it can be understood that these hadiths indicate that the mubdil must be someone who is mature and intelligent. This requirement is also a requirement for the obligatory Hajj for every convert, which must also be fulfilled by someone who will replace someone else's Hajj.

c. Having Experience Conducting Hajj

A preacher is required to have performed the pilgrimage first. This can be understood from the following prophet's hadith:

 حدَّثَنَا إِسْحَاقُ بْنُ إِسْمَاعِيلَ الطَّالَقَانِيُّ وَهَنَّادُ بْنُ السَّرِي ِ الْمَعْنَى وَاحِدٌ قَالَ إِسْحَاقُ حَدَّثَنَا حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ عَنِ ابْنِ أَبِي عَرُوبَةَ عَنْ قَتَادَةَ عَنْ عَزْرَةَ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ابْنِ عَبَّاسٍ أَنْ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَمِعَ رَجُلاً يَقُولُ لَبَّيْكَ عَنْ شُبْرُمَةَ قَالَ مَنْ شُبْرُمَةُ قَالَ أَخٌ لِي أَوْ قَرِيبٌ لِي قَالَ حَجَجْتَ عَنْ نَفْسِكَ قَالَ لَّ قَالَ حُجَّ عَنْ نَفْسِكَ ثُمَّ حُجَّ عَنْ شُبْرُمَةَ (Abu Daud t.th., 2: 162)

We have been told that Ishaq bin Isma'il Ath Thalaqani and Hannad bin As Sari with one meaning, Ishaq said: 'Abdah bin Sulaiman from Ibn Abu' Arubah from Qatadah from 'Azrah from Sa'id bin Juhair from Ibn Abbas that the Prophet sallallaahu 'alaihi wa sallam heard someone say: 'labbaika' an synbrumah" he asked: "Who is Shubrumah?" He replied: "Brother." Or "My relative." He asked: "Have you performed Hajj for yourself?" He replied: "Not yet." He said: "Perform Hajj for yourself, then do Hajj for Shubrumah.

In the hadith, it is explained that the mubdil must have had the pilgrimage for himself before performing the badal haj of others. This condition applies to the badal haj of people who are still alive and badal haj of people who have died. The demand to carry out Hajj for individuals before performing badal will minimize the occurrence of
misuse of trust in the implementation of Hajj. His personal physical obligations if carried out, it will prevent him from using other people's funds for himself. If the Hajj has been performed, then the mubdil will not be burdened anymore when substituting someone else's Hajj.

d. Understanding the process of performing Hajj and Hajj badal

The requirement to perform Hajj for ourselves as informed by Syubrumah's hadith indicates that the mubdil must understand the technicalities and processes of performing Hajj and Hajj badal. The experience of carrying out the pilgrimage basically makes the mubdil know the pillars, conditions, and things that can cancel the pilgrimage.

While performing hajj for mubdal minhu, mubdil knows that every activity in the series of hajj pilgrimage is intended in the name of the mubdal minhu he replaces. At the same time knowing that a series of hajj pilgrimage only applies to making a person mubdal minhu only.

e. Replacing istita'ah Mubdal Minhu

The analogy between Hajj and debt in these hadiths shows that mubdal minhu has met the requirements of istitha'ah, because a person who is able to perform Hajj is obliged to perform Hajj, and as long as the Hajj has not been carried out, he is still in debt until the Hajj is completed. This explains that people who have been obliged to perform Hajj, and died before they had time to do it, must be replaced by someone else.

In some hadiths there are additional editors إنَّ أَمي نَذَرَتْ أَنْ تَحْجُّ. This implies a strong desire from the mubdal minhu to carry out Hajj. This is a description of the mandate to be carried out by a religious broker.

The fulfillment of istita'ah in terms of material from mubdal minhu illustrates the obligation to perform Hajj, either with a will or without a will. Then, the mubdil who has the mandate can carry out badal from the mubdal minhu's assets. However, if the mubdal minhu has not met the requirements of istita'ah, the mubdil is not obliged to carry out the badal haj even though it is mandated.
f. **Have a Healthy Physical and Mental**

Istitaah requirements for those who will perform Hajj consist of abilities in terms of physical and mental health. When the hajj is carried out for the purpose of making other people's hajj clear, a religious broker must also meet the istitha'ah requirements that include physical abilities that enable him to carry out all series of hajj pilgrimages. In addition to physical abilities, mental health must also be possessed by a religious broker so that the Hajj pilgrimage can be carried out properly in accordance with the pillars and requirements.

The characteristics understood from the hadiths about the badal hajj are a must-have requirement for a religious broker. Fulfillment of these characteristics guarantees the implementation of the badal hajj in accordance with applicable regulations and the problem of misuse of trust in the practice of badal haj by mubdil will not occur.

Based on the understanding of the hadith, it can also be concluded that the mubdil does not have to be the child or brother of the mubdal minhu. However, it can be conducted by other people who are not related at all, as long as the characteristics of the mubdil can be fulfilled.

**CONCLUSION**

Badal Hajj is allowed to people who are still alive with the condition that their physical condition does not allow them to perform Hajj, either because of old age, or illness that is predicted to be incurable or other conditions that make them unable to perform Hajj, while materially they are able to go Hajj and someone will conduct it. Badal Hajj also applies to people who have died on condition that during his lifetime. Mubdal Minhu is an individual who is able to perform Hajj both in material and physical aspects. At the time of his death, he has sufficient assets for the pilgrimage, so he/she is obliged to serve with his assets either through a will or without a will. The badal hajj hadiths also state that a child or relative is a child or relative, provided that the mubdil has had a pilgrimage for himself. This is understood as a symbol of the substantive criterion of responsibility and trustworthiness which makes it possible to be played by other people who are not related to mubdal minhu. Mubdil that has met the characteristics indicated by the hadith
has a great opportunity to carry out the mandate of badal Hajj in accordance with applicable regulations, without worrying about fraud in the implementation.

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