

# **The effect of the ability to be able to perform Hajj ) in light of the Corona pandemic ( between performance and obligation**

**A . M . D . Moaz Abdul-Alim Abdul Rahman**

Anbar University - College of Islamic Sciences - Department of Jurisprudence

## **INTRODUCTION**

The pilgrimage to the Sacred House of God is one of the five pillars in which the rituals of Islam do not exist except by it, and God Almighty has imposed it on this nation and stipulated its obligation and performance of conditions, the most important of which are Islam, reason, maturity ,ability and freedom. The jurists have agreed that the physical integrity of the diseases and disabilities that impede the performance of the Hajj is a condition for it being obligatory. If all the conditions of obligation are found in a person but he is temporarily sick or suffering from a permanent disability, or an elderly person who cannot ride, then he is not obliged to perform the Hajj himself by agreement .

There is no doubt that performing Hajj with its pillars, duties, and Sunnahs requires direct contact between large groups of people, and in light of the Corona pandemic, which is spreading widely throughout the world today, doctors agree that one of the reasons that lead to the rapid spread of this pandemic is gathering and crowding, and this may lead to Many casualties and may cause harm to them, so what is the ruling on Hajj this year in light of the existence of this general epidemic that has swept the entire world?

It is well known that the Muslim jurists (may God have mercy on the) did not leave a stray or an incoming unless they dealt with research and reasoning, discussion and weighting, and by looking at the sayings of the jurists about the conditions of Hajj , and in this research I try to shed light on the condition of being able to perform Hajj is it a condition of the origin of the obligation Hajj or a condition for performance, and for each one of them adopt rulings that differ from the other . Therefore, the research plan was intended to be divided into three sections:

The first sections:Defining arguments, its pillars, duties, and some of its conditions.

The second sections:the ability to be able (in light of the existence of the Corona pandemic ,is it a condition of the origin of the obligation of Hajj or a condition for performance?

The third sections :Fatwas of the Fiqh Councils regarding this year's Hajj.

The conclusion sums the findings of the paper. The conclusion sums up the finding of the paper. Allah is the arbiter of success.

The first section

Definition of arguments, its pillars, duties and some of its conditions

First: Hajj language :intent .Meaning and has come:a pilgrimage to us so and so any feet .OuhjIhjhpilgrimage :any purpose, man Mahjoj any intentional ,and insisted c shatter the name, and the argument is a time ,because the measurement Bafatth and some of them absolute intent or said the enrollment of repetition and it is said that the pilgrimage but Hajj: the intent of the and Thrush : intent Trade.

Either the idiomatic definition:the phrases of the jurists turn out to be :It is a visit or intention to a specific place in a specific time with specific actions.

The visit is to go, and the special place is the Kaaba and Arafah, and the specific time is the most famous of the Hajj, and the specific works are standing at Arafah, the circumambulation, the sa'i and other duties and the Sunnahs related to it, and some Hanafis added in the form of worship.

Ibn Arafa dedicated to the Malikis saying: It is an act of worship that is required to stand at Arafah on the first tenth of Dhu al-Hijjah, alone by visiting and performing the circumambulation of Dhu al-Hijjah and the pursuit of Safa and Marwah with Ihram in all

### **Second** : judgment rulings for Hajj and evidence:

It is known from the necessity that Hajj is imposed on the one who possesses the money that suffices him and the means by which he goes while ensuring the sustenance of his children in his absence with the safety and security of the road and the safety of the body back and forth and the official approvals of his state.

There is a great deal of evidence for this hypothesis of Hajj, including:

From the book : the verse )) : God on the people pilgrimage home from managed him a way and Kafr the God is rich in all worlds ] (( Al - Imran [97 : and Ability include all what we mentioned, but in light of this exceptional circumstance with a pandemic Corona Is Ability condition The origin of the obligation of Hajj or a condition of performance, and this is what we will discuss in this paper.

Sunnah, there are many hadiths, including:

A - What Muslim narrated on the authority of Abu Hurairah, he said : The Messenger of God said O people, God has made the Hajj obligatory for you, so you do Hajj, so a man said : O Messenger of God, did a common man eat ? She kept silent, until he said it three times, then the Prophet said: ) If I had said yes, then I would have had to, and would not have been able.

B - On the authority of Ibn Omar, may God be pleased with him, who said : The Messenger of Allah said ) : Islam is built on five : testifying that there is no god but Allah and that Muhammad is the Messenger of Allah, establishing prayer, paying zakat, hajj, and fasting of Ramadan.

Has held the consensus of the nation on the Hajj is obligatory on Almsstia age once, except for those who had an exception and said it is obligatory every five years.

And their evidence is) it was not narrated that the Prophet He said " ,Every Muslim must, in every five years, come to the Sacred House of God, " .and some went as must every two years and this is contrary to the consensus which Mahjoj unanimously accepted.

### **Third** :Conditions

Condition language:the sign and idiomatically :what is necessary or lack thereof is nothingness, and it is not necessary for its existence to exist, nor lack of itself .It is known in Usul al -Fiqh that the conditions are of two types:

Conditions of obligation and conditions of validity:The conditions of obligation :are those that,if provided, are obligatory in the right of a MuslimPerformed, the conditions of health : it is not true performance of worship or imposition only by, for example, the conditions for the health of the prayer is not valid to pray only by but it is not a condition of the necessity because if purified Muslim is not obliged to worship only if the time entered.

The pilgrimage has been involved in diverge, and this, and B according to the settled E case can t priest j m in terms of the conditions leading to the four sections:

There are those who are obligated to perform Hajj and are valid, such as an adult rational Muslim who fulfills the conditions of being able, as mentioned above.

There are those who must not do pilgrimage nor is it accepted from him/her, as the infidel or an insane person on the opinion of the public scholars evidence that if the safest, it does not fall by the argument of Islam and the return, as well as insane, Ibn said Qudamah : He said : not valid, it is a consensus if the pilgrimage insane the argument is incorrect.

There are some people who must not do pilgrimage yet but such worship is accepted from him/her worship. He is like a person who is indebted to someone and he confident he can pay. There are other conditions like road safety or falsifying governmental documents.

There are those who are obligated and not valid, and it is a condition of some rituals and it is an occasional event in some rituals, not all of them, and it does not affect the performance, starting from and likewise it is usually with women. Therefore, whoever is obliged to perform Hajj and goes and gets an accident of menstruation or postpartum, then Tawaf, for example, is not valid. Opinion of the majority of scholars even pass away the excuse this in terms of the total.

As for the details, The Hanafi went to divide the conditions into obligatory and fulfillment, which are as follows:

First: obligatory, there are seven terms that must be met: adulthood, reason, freedom, ability and time, that is, ability during the months of Hajj or at the time. Pilgrimage is not accepted if one of these conditions is missing.

Second: Performance Requirements: if any conditions with the entirety of duty will be performed by himself / herself and some of them have the terms of performance should not be obligatory. He / she must deputize or give will at death with terms of physical integrity and security of the road and lack of confinement.

Conditions for the Malikis:

The Malikis divide the conditions into obligatory conditions and conditions for their occurrence as follows:

First: the conditions of obligation: maturity, freedom and reason.

Second: the conditions of occurrence imposed a four: three former is free for the intention of practice of habit. Hajj is not obligatory for slaves, insane, or not adult.

Conditions for the Shafi'i and Hanbali:

The conditions of obligation according to the Shafi'is are the same as what was previously mentioned by the jurists: such as Islam, maturity, reason and freedom, except that they separated and divided the disbelief into two parts:

The first: major: and they said it is not true of him because that is one of the pillars of faith, so it is not valid from him and he does not address it in the case of disbelief, because it is not valid from him. If he becomes Muslim, he does not address what he missed in the case of disbelief because he, peace be upon him, said) Islam must be what came before it (and because he did not comply It is obligatory and is not obligatory as a guarantee of human rights.

The second: The apostate was not authenticated from what we mentioned and is obligatory on him because he committed himself to his obligation and did not waive his apostasy, like the rights of human being.

**Fourth** :The Pillars of Hajj:

Scholars agreed that the stand Arafah and ifaadah cornerstones, and differed in other corners and the following detail: The Hanafiyya said that Hajj has two pillars, standing in Arafah, and most of the pilgrimage rituals) four circuits). Ihram is a condition starting, corner finishes)

Maalikis like the pilgrimage four: Ihram stand Arafah and circling an agreement, and the pursuit of famous Unlike Ibn al - Kassar, and increased son Almajhun in the pillars: stand masha'ar and throw stones of Aqaba, and told Ibn Abd al - Barr word Baraknah the tawaaf of arrival.

ElDesoki said): and famous that stand in Sacred masha'ar throw stones of Aqaba is two pillars, but the first is desirable, and the second duty to force the blood, and either say Baraknah the tawaaf of arrival is not doctrine, but it is the duty of to be recompensed by immolation.

The Hanbalis are of the view that they are four:

Ihram is held with mere intention and does not stand at Arafah and perform Tawaf visit. If he leaves it and leaves Makkah, he will return to perform Umrah and the Sa'i is between Safa and Marwah.

The Shafi'i added: shaving or cutting the hair, and arranging between the pillars, so that they are six pillars.

Fifth: the duties of Hajj:

In Hajj : It is what is required to do and it is forbidden to leave it , but the validity of the Hajj does not depend on it , and the one who does not do it is sinning unless he leaves it with an excuse that is legally considered , and he must redeem it by redressing the deficiency.

The duties of Hajj according to the Hanafis are basically five : striving between Saffa and Marwah , standing in Muzdalifa , throwing stones , deviating from Ihram by shaving or shortening , and circumambulation .

Dr. Zoheily says " Hajj when the Hanafi Twenty - two and brought it in cotta with pulp to thirty - five, including: the pursuit, stand Palmzdlvh even by a moment in the second half of the night, throwing pebbles, and throat or default, and the farewell tawaaf . This At the Hanafi for non-menstruating horizons, i.e. those outside the timings " .

The Maliki : differentiate between duty and the imposition of the worship except in the Hajj , and duties have six namely : Cruising to come and get off Muzdalifah and throwing embers of Aqaba Day of Sacrifice and B in Mina on the days of al and throwing three pebbles days of al - three and throat default.

Some of them counted her eight, adding to her the introduction of the throwing of the obstacle on the throat and the presentation of the throwing of the obstacle on the circumambulation of the ifadah.

And duties when Shaafa'i's : Ihram from Miqat , throwing pebbles , and overnight Muzdalifah nights Mona , and the farewell tawaaf the three stoning ritual days of al - each one seven and the overnight nights Mona three or nights first J Tin If the first Alinver wanted the second day and the stoning of the three days of al . As for the Hanbalis : they are five : Ihram from the meeqaat, standing in Arafah until the night, staying overnight in Muzdalifah until midnight, Sa'i, staying overnight in Mina , stoning, shaving, and the farewell circumambulation .

## The second sections

Ability condition in light of the Corona pandemic, Is it a condition of the origin of the obligation of Hajj or a condition for performance?

The imposition of Hajj on the condition of this nation and for obligatory and performance.

Scholars agreed that the safety of the body of diseases and impairments . All the conditions obligatory in the person is unable or infected with a sustainable disability can not use a rise well, he should not have to lead the Hajj himself an agreement.

It is known that performing the Hajj, with its pillars and duties , requires the presence of large groups of people in one place and in light of the Corona pandemic, which is spreading widely throughout the world today , and doctors agree that among the reasons that lead to the rapid spread of this pandemic are gathering and crowding and this may lead to many injuries may damage sign their Will Ability condition in light of the pandemic condition for the origin of Hajj is obligatory or a condition for the performance?

And by looking at the sayings of the jurists about the conditions of Hajj , the ruling of Hajj with the existence of this pandemic is based on determining that. Here, the sayings of the jurists differed between two main schools of thought:

The first doctrine : The health of the body , which is the saying of the two companions from the Hanafi school to and from the Shafi'i and Hanbali schools, and that security self, health, safety , money and other needs of the road and it was narrated from Abu Hanifa , and it went Maliki and Shafi'i and telling the Hanbalis , although the possibility of walking in the road in the months of Hajj

It is the Hanafi, Maliki and Shafi'i school.

These conditions are all conditions for the origin of the obligation of Hajj, and if these conditions are not met, the origin of the Hajj is not required , and if the other conditions are met , and based on this, the outbreak of the Corona epidemic prevents the origin of the obligatory Hajj for this year in order to preserve the health and safety of people due to the lack of these advanced conditions .

The owners of this doctrine quoted evidence for their differences, the most prominent of which is:

God said )) : God on the people pilgrimage home from managed him a way ] (( Al - Imran : The evidence of the object :

**A**, Allaah has statedh that Ability condition for the origin of Hajj is obligatory and may be interpreted the Prophet as Hajj is not obligatory to be the appetite so is not able without security on the health and integrity , because the Prophet . Ed interpretation of the capacity to ) intake and late ( meaning to is equal to the in meaning , just as required in the performance of the Hajj intake and late so are required to self - preservation, health and performance of rituals in peace of and safety , and with the presence of the pandemic can not travel to reach the Sacred House because the requirement to travel to m under b often safety.

**B** - the condition is about being able, and with no disease .

**C**- The demise of the pain and a prevent sensory condition for the origin of Hajj is obligatory not provided for by the street wise , so too self safety and health of general diseases is a condition for the necessity of the origin of the Hajj , so the presence of this general pandemic most of sensory barriers ,because of the exposure of self Often risk and harm , and the Prophet p He says " : No harm or no harm .“ ,and because access to the Sacred House and the performance of rituals in which it is obtained apparent damage , and it Maintaining the health of self and security condition for them out of duty for being a kind of Ability , the ruling and this situation is like one who has lost the provision and the trip because they share the meaning for which the provision and the journey are stipulated, and because access to the Sacred House and the performance of the rituals is not achieved without great hardship, so preserving the soul and its health has become a condition of the basis of the obligation, so preserving the soul and its safety is from The most important types of ability.

Allah's Messenger says He who dies and does not perform the Hajj of Islam, a confinement disease or a clear necessity will not prevent him.

Or a powerless ,unfair one ,so that she may die in any case, a Jew or a Christian , ( .and the face of significance : that of the condition

Ability in Hajj to be in charge of right and be able to walk and perform only Rakan without difficulty, in that he was sick or leaving the pilgrimage leads him to hardship very unusual not obligatory pilgrimage to ward off harm him and to preserve the integrity , the obligatory Hajj him with the fear of self And money and other necessities are deceitfulness of soul and money , and deceit here places a person in danger that threatens his health and safety ,and the honorable Sharia prohibits that.Indeed, most scholars stipulated in the road to be safe by land and that security can be achieved in which the self, health and safety and save money e otherwise fall out of the necessity of Hajj , what in me from the solicitation of self and money and the like necessities ,undermines for the Kermani ) may Allah have mercy on him : ( if most of the sea safety of the development were done normally Barakoppe must not otherwise , although not often where he does not have safety behavior , but denied that it is overcome by the loss because of the danger , [\[39\]](#) and on all this he graduates that the safety of the pilgrim, his health, and the safety of his money back and forth is a condition of the origin of the obligation of Hajj.

quoted as evidence : that the road security includes security of self and health and maintain the money as going out to the pilgrimage to the time of return to the country , and therefore , all of that t count the evil and i of the origin of Hajj is obligatory , as well as to be often the safety of all baneful K apparent enemy checks him damage , whether it was an n Hab year of veterans or others , or a range of Kharijites T .T .p trauma to the pilgrims on their way and other causes of the visible that people do not feel safe with them themselves WSL nation should not be Hajj with them already ,because people Mstdafon Usually for those who dominate over them with authority and power and victory , if the fear of security and money on health condition for the origin of Hajj is obligatory there is no doubt that the safety of self and security ,the most important thing should be maintained so as to take care of the order of precedence in the interests.

And confirms that what was stated by senior scholars of the Hanafi and others fall of pilgrimage for years several Benoit cause the fatwa which is : the predominance of looting and fear on



the cell nation pilgrims house of God , and that : fatwas issued by al - Faqih , Abu Laith and Abu Bakr al -Razi ) Allah have mercy ( fall Hajj for the people of Baghdad in ) 326 AH , ( said snow ) God 's mercy : ( not on pilgrims since such and such a year . Likewise , they issued fatwas not to perform Hajj throughout the Qarmatians 'exit, when they were exposed to the Hajj route in the areas they overpowered, because they were overcoming places where they were repelled by the pilgrims ,and the jurists of that era were obliged to drop the Hajj obligation from people in order to preserve their safety and motherhood , and because bribery Non

The obligation to pay for the obligation of Hajj is self-security of a priority.

If the killing of pilgrims and Walt show their safety in those years an excuse is not obligatory Hajj must be about Safety is prevalent here for a group of people, not for individuals or for a few groups . And for that judgment is going on with his illness presence and naught : If overcame the fear of self and integrity because of any emergency and that the long Kjaihh Corona and so do not already do Hajj this year building what Achtrth scholars ) may Allaah have mercy ( to the origin of Hajj is obligatory : to secure the pilgrims on the way back and forth in perform the rituals on the self and health of the integrity of and be mostly in that safety should be a condition because the origin of the Hajj is restricted by safety.

Moreover , the condition of the road security of this , even thinking should a n be achieved everywhere ,and according to what it deserves , if he feared himself a and his health or safety , or any member thereof ,or the same as respectable , or feared that his money , even if easy nor by his other He is not obligated to perform Hajj , because the harm usually occurs and the harm is paid according to Sharia , and what is meant here is public security , the fear in the right of a person alone is not like and n excuse years is not the prevention of a Pray Hajj is obligatory , but the spent from his estate ,and it : the presence of the enemy or disease General Kjaihh Corona , which can not be with him the possibility to walk in the usual way safely so as not to achieve public security for could not be acts of Hajj with him because they need to contact with the hustle and severe and contact , Hajj is not obligatory on those who can not m Ah there is a condition security even thinking .

Moreover, the condition of being able to go to Hajj is a condition of the origin of its obligation ,as it is like a condition that the time for prayer is obligatory, so prayer is not required before the time for prayer begins . Likewise,the principle of Hajj is not required unless the condition of being able to walk with public security is fulfilled at a time when all the acts of Hajj can be performed. This differs in different countries and this cannot be achieved in light of this general epidemic.

It is required for the origin of Hajj is obligatory to be able to charge from the distance of travel of minors and above without hardship .Even if this hardship achieved through walking in places asceticism and for any fear dominated by a suspecting achieved , no doubt that what is self -inflicted fear of this general pandemic is most likely to damage the Huq and so outbreaks everywhere human and cause discomfort in guarding against him, particularly in places of gatherings.

Many scholars argued that the road is not safe only need to pay the money that is called Balkhvarh or the bribe and so prevents out of Hajj ,because what Joel Take this money is like over p Li fare ideals in the intake and late , and because taking this money is a Take a for a bribe is on duty is not required to pay Haj even when having an easy but there is no need to be in charge of the pursuit of efforts to perform this act of worship .Likewise ,money does not need to be spent for my monitoring : He is the one who monitors people on the road to Hajj to take something from them and there is no way for the pilgrim except him , because it contains incitement and assistance to exposure to people, whether he is a Muslim or an infidel, and because it is a loss to pay the oppressor so it is like surrender to him ,so it is not obligatory with her request.Especially before flagrante 6hram , as it was not so need ,and for the humiliation and health gar he does not have to make money and because it gratitude for the inflicted damage and hardship , but be giver imam or his deputy to check out is obligatory , otherwise it should not be.

There is no doubt that the harm caused to the person responsible for going out to the Hajj route with the existence of this pandemic is more harmful than what drives him to watch and the like , because whoever pays the money may recognize himself and his health and reach the Sacred House and perform the rituals

in it and prevail in his path of safety , but with the existence of this general epidemic the most harmful of paying the money because the taxpayer is not safe to himself and his health not to provide health security for more than the general public for the possibility to walk and perform the rituals safely and God Almighty says ) ) : does not cost God breath , but it can ] ( ( Baqarah : 286. [

Based on all the above, p blood something which mentioned advanced conditions even though in some way tastier Wahab to Hajj , he may go back even if C Is inhibitor , it's a must exit originally only as certainty the absence of all barriers in order to preserve For the safety, health and security of people .

The second school of thought : The condition of a healthy body is the doctrine of the two Hanafis [And](#) security , health and safety, as well as money ,which is a saying by Abu Hanifa and a saying by Imam Ahmad ,although the possibility of a walk in the road time out of people to Hajj is the view of more Hanbali

These are all conditions for performing Hajj , and based on this , the outbreak of the Corona epidemic prevents the performance of Hajj for this year , and one of the effects that builds on this saying is that whoever was able, even if he was not, must perform Hajj himself if he could have someone appointed him, whether it was for a fee or a donation , or send someone to perform Hajj with him if he could not prove to the late ,and for a sufficient pilgrimage only after the death of others ,it must recommend that Hajj on his behalf after his death.

They quoted as follows:

God said )) God and the people pilgrimage home from managed him a way ] ( ( Al –Imran [97 : have interpreted this capacity of a and all the statement , which the Prophet , Hasan al –Basri said ) : When this verse was revealed asked the Prophet About the capacity ? Or what necessitates the Hajj ?He said) : The increase and the departed( The fate required its interpretation and statement □ Accordingly, whoever fulfills these two conditions is obliged to perform Hajj and is obligated to fulfill his obligation to fulfill the condition of his ability to be able.

Al– Dar Qatni narrated with his chain of transmission on the authority of Jabir, Ibn Umar, Anas and Aisha □)The Prophet was asked□ What is the way , to the Hajj, said the Prophet □) : The increase and the departed ,it is the king of the intake and late , he must Hajj , because it is worship related to cutting Msav of a long of Vacht Rt her intake and late ,and only p Tabar generality conditions without \_khasosa ,and the t x r travel permeated by shove it it is not difficult for him. \_

The difference between this condition and the rest of the barriers mentioned in the first school is that the provision and the traveler are impossible with the obligation and the performance. As for the rest of the barriers – other than these two – it is impossible to perform with it only, and the Hajj ruling remains an obligation for those who meet the rest of the other conditions. The answer to the above question is that the Prophet ( ) and that the text of the ) intake and late ( in the interpretation of the reach , but he wanted to do everything in their meaning than needed Haj to facilitate the way to go and return to the inferred Mounsos on the other as equal to the meaning, as that required in the performance of an obligation Hajj is obedience with provision and the journey as well as preserving the soul and its health and performing the rituals in a healthy and safe condition for the necessity of the origin of the Hajj.

The possibility of traffic condition for unnecessary Hajj performance by himself and not a condition for the origin of duty because the intake and the late specializes in long ago without the near , and long is the fact that between him and the Mecca palace distance either from me enabled him to reach without minors away are not considered in his right late to the possibility of arriving at The rituals without them and the departed but needed by the remote ,\_ and therefore the inability to walk your patient please pre A e not the cruel loss on the intake and late, are not able to with that performance only the loss of the late intake and with him are not able to m a performance out of duty together.

The answer to this : that the possibility to walk to reach the Sacred House conditional on condition enrollment of safety is often eitherBy himself or by proxy, and with the existence of this epidemic, safety is often not achieved, so the condition of being able in this sense has not been met, even

if it is close, unless all preventive precautions have been taken from this epidemic, so the condition of self-preservation is like the condition of provision and the departed, but it may be first, even in the case of the relative of the sanctuary that is It does not need a depart.

Insecurity is like fear of a deadly enemy, even if it is an excuse, but it does not prevent the principle of obligation, but rather prevents performance intermittent insanity and the disease sought to be cleared, so they are excuses that prevent performance, not the basis of obligation.

The Q Il Imam Karkhi : those who do not perform Hajj for fear of the road sector and others ? He said : Was the desert free from the pests that were not without it due to the lack of water and the excitement of toxins ? And this meaning : that what gets death lack of water and agitation toxins more than gets death of bandits many times over many, if that excuse necessary should not be a pilgrimage only on the near Mecca and in special times with that Allah has enjoined on the people of the general prospects and from every deep ravine, it is known that the travel of Hajj is not free of theft, murder, death and other caveats, like other travel, well that often the possibility of a rush of evil exposed to pilgrims strongly Sultan, then the request Watchkeeping and take bribes not prejudice his money because it is a fine pilgrimage standing on the efforts It does not preclude the principle of obligation, with the possibility of giving it by analogy with the price of water and animal fodder.

I answer this evidence and the rest of the evidence with the following:

One of the most important necessities of life after preserving religion is self-preservation. Rather, there is no strength for worship except with the presence of worshipers who worship God Almighty the right to worship Him. Preserving the soul and its safety from contemporary pandemics such as ) Corona ( and the like is one of the physical barriers, especially with the issuance of reports of organizations Global Health in its various countries warns of the spread of this virus, and that among the causes of its transmission is mixing, crowding, direct contact, and the like, and this is what endangers the human being even more than the disease that is not hoped to be cleared, because that exposes the soul to danger and harm, and death may happen in most cases. Provided : Being able to walk to the Hajj and perform the rituals is often conditional on a safety restriction.

In obliging the Muslim to perform Hajj in the presence of this general epidemic, he causes harm to himself and his safety, but in it there is deception of soul and money, which places a person in mortal danger or other usual and other apparent reasons with which people cannot be safe for themselves and their health, And the Prophet He says ) : No harm, no harm.

If you want to Ba is not here public security that everyone is safe on the health of safety and from any disease, even if an organ or the same respectable, and the existence of this general pandemic can not be achieved with only the public on the safety of self and health, because God has enjoined the origin of Hajj on Almsstia In this case, the capacity is not available in its intended legal meaning.

what counts in the pilgrimage not to get severe damage performance in the pilgrimage route, nor in places the performance of rituals for any fear is most likely achieved should not be out of Hajj with him. There is no doubt that the harm t caused to landfill rolled out to the Hajj in a severe J for the existence of the epidemic and God Almighty says : does not cost God breath, but it can ) Baqarah : 286

#### Predominant views

After presenting the sayings of the jurists on the issue of) the condition of being able to perform Hajj in light of the ) Corona ( pandemic ( and discussing the evidence of the two schools of thought, what seems to me to be the preponderance of the first doctrine that says that the Corona pandemic prevents the origin of the obligation of Hajj and not just performance.

This is because God a must Hajj on condition Ability and can not be achieved Alasttaa of the required to secure Hajj pilgrimage route freely and contentment and leads the rituals of the existence of this year, the bidder, With the existence of this pandemic in lead Ability required to perform the Hajj in Islam, because of the exposure self - risk and the abused, and therefore, any impediment or sensory, health or security. the origin of Hajj is obligatory, because the performance of this worship safety, so the whole building evidence facilitation and raise the critical rules of her, including the verse : and make you in the religion of embarrassment Hajj : 78 Almighty said ) : wants God you Yosr not want you



to hardship and fulfill the kit and to grow up God on what guided you and that you may give thanks (( Al-Baqarah , [185 : and the saying of the Prophet ) PBUH ) ( No harm or harm , ( and the general rules of jurisprudence : hardship bring facilitation , and the damage continues , and pay general damage your damage , and if you oppose inhibitor and in turn stems s d m inhibitor , and ward off evil takes precedence over bringing benefits and other doctrinal rules that indicate should not be out of Hajj In this year for the existence of this pandemic and general epidemic.

This is in order to preserve the safety and health of people, and to perform the rituals in a healthy and safe manner after the disappearance of this impediment, and this ruling includes every taxpayer who does not fulfill the aforementioned conditions, whether he is far from or close to Mecca, and it is part of the license that the jurists have authorized in light of this pandemic and it is invalidated. When the general excuse is absent, because the ruling revolves around the illness, in existence and absence, and necessity is estimated by its extent.

Based on what is not aware of all e does not leave Gelle and in order to preserve this duty of the ordinances of Islam , and this

The ritual of rituals and through cooperation with the Authority and the Ministry of Hajj in Saudi Arabia with the World Health Organization which , and place the T conditions and preventive precautions to perform the Hajj to limit possible performance and to keep this establishment ritual , as happened in the pilgrimage this year ) Dhu al -Hijjah 1441 July August / 2020 (as one of the pillars of religion that can be established according to the special exceptional circumstances of the existence of this emergency.

And based on that : If a person fulfills the condition of being able to go to perform the rituals while taking precautions and caution, especially for those near Makkah and the predominant road is safety and no hardship when performing the rituals - only pillars and duties - then it is better to perform these rituals and that is the establishment of this ritual in This year is the minimum, so that this obligation does not fall under any circumstances ,with the necessity to adhere to the conditions and controls stipulated by the World Health Organization, in cooperation with the Kingdom of Saudi Arabia, for the travel of pilgrims from inside and outside the Kingdom, and conditions for performing the pillars and duties of the Hajj to establish this ritual to the extent possible in accordance with the Almighty saying ) : And by God ,the people must perform the pilgrimage to the house ,whoever is able to perform it as a way ,and whoever disbelieves , for God is rich from the worlds ] (( Al -Imran : 97. [

The third sections

Fatwas of the Fiqh Councils regarding this year's Hajj

One of the obligatory Hajj said the requirement of the security of the road out time people Alp Lydda be mostly the safety and already veteran jurists not issued a fatwa should be out of Hajj and prevent going out to him and of which the foregoing second sections : where he issued a fatwa leading scholars of the Hanafi mercy of God Kfiqh Abu Laith and Abu Bakr al - Razi and Abu The firstborn of al-Iskaaf and others : With the fall of the obligatory Hajj on the authority of the people of Baghdad in the year (326) ..and the like, Al -Alam Al-Thallji said : The people of Khurasan do not have to perform Hajj for such and such a year .. and they explained the reason for the fatwa : It is the time for prohibition and fear on the road ,and there is no doubt that The importance of the soul, its health, and its security is higher than the importance of money, because it is just as in the advanced ranks of caring for interests.

There is no doubt that the ruling revolves around with its cause. With the existence of this Corona pandemic, all public and private Sharia bodies have taken the initiative to say that the holding of Hajj rituals is limited to a minimum and that the origin of the Hajj this year is not due to the existence of this general epidemic .. The following are the most important statements issued by the public Sharia bodies in various Islamic countries:

And in Cairo, the Sheikh of Al-Azhar, Dr.Ahmed Al-Tayeb, confirmed that the Kingdom's decision to conduct the Hajj this year with a limited number for those wishing to perform the rituals of Hajj for various nationalities who are inside the Kingdom due to the Corona pandemic is a wise decision and legally paid, and takes into account not disrupting the Hajj, and reflects concern for the safety of Pilgrims to the Sacred House of God, and the upholding of self-preservation, which is the most important purpose of Islamic law , as it indicates the awareness of the Kingdom's leadership of the danger of the Corona

virus, especially in light of the accelerating spread of this epidemic that threatens the lives of people everywhere.

The Minister of Endowments, Dr. Muhammad Mukhtar Jumaa, also confirmed that the Kingdom's decision regarding this year's Hajj

And his residence in very limited numbers, for those wishing to perform the rituals of Hajj for various nationalities who are inside the Kingdom, is consistent with the intention of the true Sharia in self-preservation, indicating that the decision comes within the framework of the Kingdom's keenness to enable the guests of the House of God to perform the rituals of Hajj.

In its turn, the Egyptian House of Ifta, in a statement, praised the Kingdom's efforts in serving the guests of Rahman and expressed its support and keenness on the security and stability of religious feelings and all the measures it takes to ensure that this is achieved and its tireless endeavor to preserve the lives of pilgrims, pilgrims and pilgrims, pointing out that the decision to conduct Hajj is in numbers Limited comes on the basis of the jurisprudential rule "warding off evil takes precedence over bringing interests."

Has been released from the Association of the World Islamic Monday, 22 June 2020 statement on behalf of its scientists, grouped under the umbrella of "Council Supreme Association" and complex the doctrinal Islamic and "Council Top Global mosques" supports what taken by the Government of the Kingdom of Saudi Arabia from the procedures precautionary Hajj this year 1441 AH.

He said the statement issued from His Excellency the Secretary General of the Association of the World Islamic President of the Authority Scholars Muslim Sheikh Dr. Mohammed bin Abdul Karim Al-Issa on behalf of the institutions of the Association mentioned it and "on behalf of the Authority scholars of Muslims," and "the Association of Universities of the Islamic," the envelope emergency pandemic Corona emerging is a case of exceptional Sharia must be taken with great care and consideration, in order to preserve the safety of the pilgrims in the Sacred House of God in their bodies and souls.

The statement that the texts of Sharia Islamic and rules of major considered conservative on the souls of Dharoryatea five complex on the sponsorship and maintenance and not to tolerate them "under any pretext" and "under penalty of responsibility legitimacy," which fully carried out its duty the Government of the Saudi Kingdom Arabia from through this procedure precautionary salt in the framework of its comprehensive care.

He said the statement Association that a number of senior Mufti and scholars of the world Islamic immediately after the issuance of this decision conciliator confirmed the wisdom and the good of its measures as an injunction required by the necessary legitimacy, due to the fact that this pandemic Almkhovh does not continue to represent the seriousness of not significant by the speed of the spread of infection, especially at gatherings that constitute plentiful a threat to great for bodies and lives up to the predominance of probably downloaded the status certainty in the law, has said God Almighty: "do not kill yourselves, that God was our merciful".

He said the statement that the scholars of Islam have decided to raise the embarrassment of the greatest purposes of the law, where he says the right Almighty: "and what made you in the religion of embarrassment, and says the Almighty: "wants God you not want you hardship Cow: 185 the Almighty said: "God does not charge a soul except to expand it" ((Al-Baqarah: 286).

Including support: the Organization of Islamic Cooperation, and the overarching voice of the Islamic world Thulatha, 8 Dhul Hijja 1441 AH And the Islamic Cooperation Organization strategy to enable the institution of marriage and the family 2025-2020 Secretariat where he welcomed the T's decision to Saudi Arabia organized a rite of Hajj according to strict health misgivings b Date: 22/6/2020. Where he welcomed the Secretary - General of the Organization of Islamic Cooperation, Dr. Yusuf bin Ahmed'Uthaymeen, as announced by the Ministry of Hajj in Saudi Arabia, about the decision of Saudi Arabia organized a rite of Hajj for this year, according to health misgivings strict, and limiting the season

on a limited number to ensure the establishment of the ritual safely And it guarantees the safety of everyone from the threats of the emerging corona virus.

And the Secretary - General that the organization of the rite of Hajj for this year ,in light of the continuation of the pandemic and the lack of presence of treatment preserves for all their safety ,places the Muslim countries at the top of the Kingdom of Saudi Arabia in front of the responsibility of humanity and legitimacy great ,as the preservation of self is a necessity five that came out of the purposes of Sharia Islamic , a This , which calls for the Kingdom to take decisions and strict procedures are based on the data health of the current rules of jurisprudence established ,and identifies with licenses legitimacy that were prescribed by God Almighty and the Almighty for His slaves when it is difficult to perform acts of worship or rituals .

Welcomed the President of the Islamic Fiqh Academy of Sudan : B 's decision to establish a limited number of Hajj , which shows the awareness of the Kingdom of the seriousness of the virus Corona 3:31 the evening of 2 November 1441 e - areas \_ Khartoum And counting the Congregation for the jurisprudence of the Islamic in Sudan , Dr. Abdul Rahim Adam Mohammed 's decision the Kingdom to establish the Hajj this year , a limited number of those wishing to perform Hajj for the different nationalities of those within the Kingdom because of the pandemic Corona wise decision, reflects the concern for the safety of the pilgrims, and uphold the preservation The soul which is the most important purpose of Islamic law.

He said in a statement ” : The decision indicates the Kingdom’s leadership’s awareness of the seriousness of the Coronavirus, especially in light of the accelerating spread of this epidemic that threatens the lives of people everywhere and all the measures it takes to ensure this, and its relentless endeavor to preserve the lives of pilgrims.

He drew attention to the fact that the decision to conduct Hajj in limited numbers is based on the jurisprudential rule ” warding off evil takes precedence over bringing interests “ , calling on God Almighty to help the Kingdom in serving the pilgrims and for health measures to bear fruit.

The United Arab Emirates praised the sincere efforts made by the Kingdom in the service of the Two Holy Mosques, the pilgrims of the House of God and the visitors of the Prophet’s Mosque , and the Office of Pilgrims Affairs in the United Arab Emirates confirmed in a statement that the Kingdom’s decision comes within the framework of the preventive and precautionary measures made to limit the spread of disease and preserve the health of people And their lives, which are among the most important purposes of our true law ;Pointing out that God Almighty linked in the Holy Qur’an the worship of Hajj with the ability that is not available in such circumstances.

In Manama, Sheikh Khalid bin Ali Al Khalifa, Bahrain's Minister of Justice, Islamic Affairs and Endowments, affirmed his country's full support for the decision taken by the Kingdom of Saudi Arabia to conduct the Hajj this year, with a limited number of those wishing to perform Hajj rituals for various nationalities from those inside the Kingdom due to the Corona pandemic, in The framework of the qualitative precautionary measures taken by the leadership of the Kingdom represented by the Custodian of the Two Holy Mosques King Salman bin Abdulaziz Al Saud to limit the spread of the Coronavirus ) Covid , (19- pointing out that this blessed decision came to preserve the ritual of Hajj, and meets the requirements of the legitimate necessity that preserves the soul Humanity, and in line with international requirements and standards to combat this global epidemic

In Islamabad, the Council of Pakistan Scholars praised the decision of the Kingdom of Saudi Arabia to conduct Hajj this year in very limited numbers for those wishing to perform Hajj rituals for various nationalities who are inside the Kingdom, in the interest of the health and safety of the pilgrims in light of what is witnessing

The world is facing the danger of the Corona pandemic , and the Council affirmed its support for this wise decision, which affirms the necessity of establishing the ritual of Hajj without harming the lives of pilgrims, God Almighty willing, and without this great ritual being a reason for the further spread of this dangerous epidemic, especially as Islamic Sharia urges everyone to achieve and collect Interests and ward off evil.

Fatwas to stop Umrah due to Coronavirus 3/4/2020 Preventing the spread of the Coronavirus ) COVID 19 (In a number of Arab and Islamic countries , including Saudi Arabia in limited numbers, the Saudi authorities issued a decision to suspend the Umrah in Makkah and visit the Prophet 's Mosque in Medina, and that provision for the effects of corona virus . According to a statement issued by the Saudi Ministry of Tourism, with the issuance of visas for citizens of seven countries absolutely suspended, whether for Umrah or others, and the seven countries are : China, South Korea, Italy, Japan, Singapore, Malaysia and Kazakhstan , and some fatwa bodies and jurisprudence institutions have initiated the legality of preventing the Saudi authorities wishing to perform Umrah In Makkah Al-Mukarramah from traveling, stopping the ritual performance and visiting the Prophet's Mosque in Madinah:

On top of those bodies are the International Islamic Fiqh Academy in Jeddah, the Council of Senior Scholars in the Kingdom, as well as the Egyptian House of Ifta and a number of scholars and jurists in the Islamic world.

First - Fatwa of the International Fiqh Academy in Jeddah:

Whereas, the International Islamic Fiqh Academy, based in Jeddah, Saudi Arabia, issued a statement on Saturday, the twenty-ninth of February 2020, permitting the suspension of performing Umrah in Makkah Al-Mukarramah and visiting the Prophet's Mosque in Madinah, and praising the precautionary measures taken by the authorities of the Kingdom of Saudi Arabia in this.

The International Islamic Fiqh Academy has based its ruling on the permissibility of stopping the performance of Umrah in Makkah Al-Mukarramah on the following : Purpose of self-preservation : as the International Fiqh Council saw that preventing the performance of Umrah in it” is a protection for the people of the homeland, residents and Muslims all , “ which is what the street urged to protect oneself, and not Exposing her to harm.

Rule : What is not fulfilled without an obligation is an obligation : as the Council relied on the jurisprudential rule ” : What is not fulfilled without an obligation is an obligation , “ which is” : The legal duty that those in charge of the matter in the Kingdom of Saudi Arabia are keen on in order to protect their lives, security, stability and what it supports What is settled in the law of God Almighty by taking all that can be taken to achieve this purpose.

The fulfillment of the objectives of the Sharia: The Sharia calls for the prohibition of everything that leads to harm to a person. The saying prohibiting the performance of Umrah and visiting the Prophet’s Mosque represents ” : Fulfilling the duty called for by the objectives of Sharia that are keen to prevent everything that leads to infection with communicable diseases and harm to people“.

Prophetic guidance from the Prophet’s Sunnah : The fatwa was also based on texts from the Prophet’s Sunnah that guide ” quarantine “ and prevention of falling into diseases ” .The Messenger of God, may God bless him and grant him peace, said ) : Flee from the leper as you flee from the lion , ( and the hadith The other authentic authenticity narrated on the authority of the Prophet, may God’s prayers and peace be upon him, who said ) : If you hear of the plague on a land, do not enter it, and if it falls on a land while you are in it, do not leave ( .This meaning is also confirmed by what was mentioned in the authentic hadith of the Prophet, peace and blessings be upon him, saying ) : A pathogen is not brought to mind Corrector. (

Obligation of obedience to the rulers of matters : The Council also based its fatwa on obedience to the rulers of matters in what is in the interest of the people , and that is why the International Islamic Fiqh Council calls for adherence to all the instructions issued by the rulers of the matter concerned with these urgent matters, and to abide by them and take great care of them, says God Almighty in Aziz book : )interpretation of the meaning and hear and obey and spend good for yourselves and Aouk the scarcity of the same those are the successful ) ( Taghabun verse , ( 16 and said the Almighty ) : what made you hardship in religion ) ( Hajj verse 78. (

Second - The Council of Senior Scholars in the Kingdom of Saudi Arabia : The General Secretariat of the Council of Senior Scholars in Saudi Arabia praised the precautionary measures taken by the government against the new Corona virus , and the Council of Senior Scholars confirmed in a statement, that this comes ” based on the responsibility of Saudi Arabia, which God Almighty honored to serve the Two Holy

Mosques The two holy mosques, and work on everything that would preserve the security and safety of those visiting the Two Holy Mosques.

III - Egyptian Fatwa : affirmed " the Egyptian Fatwa House " that " the decision of Saudi Arabia authorities to comment temporary granting of Umrah visas and visit the Haram al - Sharif to counter the spread of the virus ) Corona ( in accordance with Islamic Sharia law, to preserve the lives and safety of pilgrims and pilgrims . And it supports and supports all the power positions of the Kingdom and strong keenness on the security and stability of the religious feelings and all their actions to ensure that, and to strive to preserve the lives of pilgrims. "

The Egyptian Dar Al Iftaa has based its fatwa on the following:

1. Preserving the human soul from the effects of that virus, which may kill the lives of pilgrims.
2. Pursuant to the rule of blocking pretexts, and preventing corruption takes precedence over bringing interest.
3. Preserving the security and stability of the holy feelings, because of their great importance in the lives of Muslims.

Fourth - Fatwa of the Mufti of the Republic of Tunisia:

The Mufti of Tunisia, Sheikh Othman Batikh, issued a fatwa permitting the permissibility of performing Umrah temporarily , and based his fatwa on the necessity to protect the lives of thousands of people threatened with infection with the Corona virus that is currently sweeping the world, and the need to take quick and temporary measures to protect people's lives and bodies from injuries that may result in death , and from this rapid suspension measures for temporary Umrah season to go away all fears of this new epidemic , which claimed the lives of thousands of people. "

The contemporary fatwas are almost in agreement on the permissibility of preventing the reception of pilgrims and those intending to visit the Prophet's Mosque in such circumstances, and fatwas that contradict that opinion have not been recorded.



## Conclusion

After delving into the condition of being able to perform Hajj in light of the Corona pandemic, he summarized his summary in the following:

- 1 There is no disagreement among Muslim jurists regarding the necessity of Hajj for everyone who is able to perform the Hajj with all of its conditions available.
  - 2 One of the most important conditions for Hajj is being able to do it.
  - 3 One of the effects that builds on this saying is that whoever is able, even with something else, must perform Hajj himself if it is possible for him to help him, whether it is for a fee or a donation, or he sends someone to perform Hajj on his behalf if he is not able to prove on the departed, and the pilgrimage of others is not sufficient until after death And he must recommend that he perform Hajj on his behalf after his death.
  - 4 It is also necessary for the pilgrim to meet the pilgrimage and the journey, as well as the rest of the provisions in which the ability is achieved, the most important of which are : public and private security for oneself and money back and forth, denying the danger of the road and that most of the road is safety and that there is nothing to prevent From a public or private disease or enemy lurking in the way of the pilgrim and other security powers and contemporary official approvals imposed by the Hajj Authority in the Kingdom of Saudi Arabia for the purpose of organizing the Hajj every year.
  - 5 The condition of being able in light of the Corona pandemic is a condition of the origin of the obligation of Hajj and not a condition for performance.
  - 6 effects that build on this to say that it was able , even without him does not have to perform Hajj himself whether a fee or donation, and does not have to send to perform Hajj with him , and enough pilgrimage of others after the death mustahabb , and not he should recommend that Hajj on his behalf after his death.
  - 7 The Fiqh councils and the public and private legal bodies in the Islamic world as a whole have agreed that Hajj and Umrah are not required this year in order to avoid the risk of the spread of the general epidemic, and to establish this obligation at a minimum, in order to preserve its establishment.
- Finally, I ask God Almighty to take this epidemic away from us and write health, safety and wellness to everyone, and to make this work purely for the sake of God Almighty and to be within the acceptance of him that He is Hearer and Responsible, and the last of our prayer is that praise be to God, Lord of the worlds, and may God bless and bless our master Muhammad and His family and companions altogether.