

Exploring the Application of Jurisprudence Rules about Facing with Pandemic Contagious Diseases (Case study: COVID-19)

HOSSEIN SHAMSI GOOSHKI^{1,2}, PEYMAN KAMALVAND³, HASSAN ABOLGHASEMI⁴, SYED MORTEZA HOSSEINI⁵, MEHDI MESRI⁶

^{1,3,4,5,6}Medicine, Quran and Hadith Research Center, Baqiyatallah University of Medical Sciences, Tehran, Iran

²Department of Medical Humanities, Faculty of Medicine, Baqiyatallah University of Medical Sciences, Tehran, Iran

Correspondence to Mehdi Mesri, E-mail: mesrimd@gmail.com

ABSTRACT

With the outbreak of the coronavirus as a pandemic virus in Iran and consequently, positioning of some people against medical advice regarding the change or closure of certain religious rituals and practices in order to control the virus, again the issue of the relationship between science and religion is raised among the thinkers of the country. The present article, with an interdisciplinary approach, intends to show that the two categories of science and religion, despite their distinction and separation from each other, in some way, are effective on or are effected by each other, and in the meantime, knowledge of jurisprudence and the rules derived from it, as part of the teachings of Islam, in terms of nature and subject, not only do not contradict medical science, but also have a close connection with medical science, especially in the field of physical health, as one of the four dimensions of health. Accordingly, the present study, which based on the prevailing framework of research methods is of qualitative type, explores the three jurisprudence rules of *the prohibition of contribution to sin and aggression, necessity suspends forbiddance, and no harm* by collecting information in the form of library and documents and in some cases, based on the opinion of experts in this field. From the most important results of this research, the efficiency of these three rules in changing some religious rituals in order to prevent the spread of coronavirus and also in the type of informing and spreading of news about this disease in order to keep calm may be pointed out.

Keywords: Jurisprudence, Medicine, Pandemic, COVID-19, Rules

INTRODUCTION

In late December 2019, a series of unexplained cases of pneumonia were reported in Wuhan, China, and on January 21, 2020, the World Health Organization named the virus as the novel Coronavirus-2019 or COVID-19 (nCoV-2019)¹. The speed of virus spread was so rapid that the World Health Organization identified it as a contagious pandemic disease^{2,3}. The untimely and unpredicted onset and spread of the virus in our country began. The type of reaction and involvement of a limited number of people in the early weeks of the outbreak of the virus in response to medical advice regarding the change or closure of certain rituals and religious practices became a pretext for unleashing of some pseudo-intellectuals against religion and religious beliefs of the Iranian people and casting doubt regarding inefficiency of the religion in the face of coronavirus. The counter-revolutionary media and Persian-language satellite channels also, by raising the flames of conflict and contradiction between science and religion in the meanwhile, launched a series of heavy attacks against religion and religious beliefs. The authors of this text, along with emphasizing that the main origin of the conflict or non-conflict between science and religion is the western philosophy and in the case of Christianity, believe that, believes that in the Islamic view, not only science and religion are not in conflict with each other, but they are in many cases complementary and, through interaction and cooperation, help each other in identifying position and achieving perfection and progress. Regarding the prevalence of coronavirus and how religion deals with this disease, this issue can be examined from various aspects. Given that one of the most important consequences of the coronavirus outbreak is the creation of social anxiety around the world, inviting people to peace of mind and

spiritual trust and moving towards inner peace is the first thing that can benefit from religion. Also, considering that one of the eternal features of the religion of Islam is that this religion benefits from comprehensive rules and valuable teachings, based on which, along with the creation of inner peace for the individual and society, it is possible to explain and formulate different rules of life of those obligated in personal and social relationships in different areas. And considering that the knowledge of jurisprudence and the rules derived from it as a part of Islamic teachings are widely related to the field of medicine, it seems that by applying and adaptation of some of these rules in the face of COVID-19 disease, practical and desirable results to prevent the spread of the virus in the community can be achieved. Also, although several paper are written in the form of articles, dissertations and books in the field of the link between the knowledge of jurisprudence and medicine, and Muslim researchers, regarding the requirement of the era, have each paid attention to such studies, but not paying attention to current medical issues in these papers can be known as their major damage both in the past and in the present. According to what has been said, the forthcoming research shows that in the Islamic view, not only the two categories of science and religion do not conflict with each other, but also the knowledge of Islamic jurisprudence with the high capacity and the considerable richness, is competent to face and cooperate with medical science to solve the problems of modern medicine such as COVID-19 relying on rules such as *the prohibition of contribution to sin and aggression, necessity suspends forbiddance, and no harm*.

Conceptology: The conceptology of components of a research is one of the most important steps in examining the context of a conflict. In the work environment of this

research, a number of concepts and terms are used frequently, which play a key role in promoting and explaining the idea of this research, which will be summarized in this section.

The conceptology of the word *rule*: The word *rule* is expressed in different books with different definitions. The word is sometimes defined as *basis*^{4,5,6}, some other lexicographers consider *rule* to be derived from the word *Qoud*, meaning to sit⁷, another group is of the opinion that *rule* refers to a general matter that matches with details⁸, and some others, by adding the meaning of criteria to the previous definition, believe that the word means criteria, and that it is a general matter that matches with all the details⁶. Regarding the terminological meaning of this word, it should be said that its terminological meaning is closely related to its literal meaning, and Tahanavi in describing the terminological meaning of this word states that *rule* is a general matter that matches with all its details when identifying the regulations of its details⁹. Therefore, it can be said that although *rule* means *basis*, whether materially or spiritually. But in the term, it is synonymous with principle, criteria, and law, and means a general regulation that matches with its details.

The conceptology of the word *jurisprudence*: The word *jurisprudence* is from the category of “*feghh*”. However, in the view of most lexicographers, *jurisprudence* merely means sense of understanding^{10,11,8}. However, by examining this word more closely, we will come to the conclusion that lexically *jurisprudence* does not merely mean knowledge towards an object and its perception, but consists of a secret and accurate perception accompanied by a kind of inference and reasoning¹² in which accuracy, scrutiny, and meticulousness lies. Also, in the terminological definition of this word, it is stated that *jurisprudence* means knowing subsidiary regulation of detailed evidence^{13,14}.

Conceptology of jurisprudence rules: One of the topics related to the science of jurisprudence, which independently allocates publications in this field to itself, is the issue of jurisprudence rules. The jurists have not provided a single definition for jurisprudence rule, and in defining jurisprudence rules, each of the jurists has considered an aspect of it and has defined it according to the type of his own view¹⁵⁻²¹. After reviewing the definitions for jurisprudence rule and comparing them with each other, the author realized that these definitions, despite some differences, agree on several indicators, which are:

- Generality, meaning that the subject matter of these rules is holistic in a way that it includes all individuals and instances of its subset, except that some cases are excluded for a specific reason.
- Legitimacy, meaning that the jurisprudential rule is in fact a religious rule, but a religious rule, the subject of which is not partial and specific.
- Matching with details meaning that the jurisprudential rule can be matched with the jurisprudential issues mentioned under its subject; that is, the above-mentioned rule matches with all issues that fall under that category.

Therefore, according to what is stated, in a general conclusion, it can be said that jurisprudential rules are generalities that have collected different subsidiaries and can be provided to the jurist as an indicator and

guideline, and guide his *ijtihad* in order to implement the objectives of the religion.

Application of jurisprudence rules in the face of COVID-19 disease: The outbreak of coronavirus has led to new conditions and issues among religion believers in facing personal issues such as *ghusl* and *tayammum* of the dead, *najasah* of alcohol (in order to use it to disinfect surfaces) as well as social issues such as closure or the non-closure of group worships such as Friday prayers or the pilgrimage to holy places, which caused the emergence of these issues, willingly or unwillingly, to turn the issue of Corona into a jurisprudence issue. Of course, in order to turn the issue of Corona into a jurisprudential issue, it is necessary to observe a few points:

- 1) Recognize the extent to which the religion cares
The first step in examining the approach of jurisprudence to an issue is whether the subject is the concern of the religion or not, and if this effort is realized, redefining it is left to the jurisprudential issues within this framework.
- 2) Avoid simulating the subject
The second step in this regard is that the researcher should not fall into the trap of simulation error in turning a subject into a jurisprudence issue and should avoid simulating any emerging subject that seeks to deduce its rule with other subjects. Because subject simulation – if occurs – leads us to deviate from the reality of that subject.
- 3) Examining whether the subject is individual or social
The third step in this regard is whether the subject matter is purely individual or social in nature. Regarding COVID-19 disease, it should be noted that an individual's view of corona infection means that in the inference, attention is drawn to the design of a set of questions that revolve around the issues of individual infection with the virus, the view – focused on individual – disregarding the fact that this infection is part of a widespread social phenomenon. But according to the social view, without considering the interrelationship between the components of this phenomenon, it is not possible to get a correct picture of the disease and its effects in society. In this view, even if a person is sure that the virus is not activated in his body or that it won't make any problem for him, in a social process, he may be the carrier and agent of transmitting the virus to others and contributes to its prevalence.

Therefore, due to the unique feature of this virus, i.e. its rapid and silent contagion at both individual and social levels, which can be the cause of human death, and considering that human life is one of the most important issues of the religion and is considered by the religion, then the issue of coronavirus and how to deal with it is an important jurisprudence issue.

Facing and application of jurisprudence rules with COVID-19: How to deal with coronavirus from the perspective of jurisprudence can be explored under two axes, which are described below:

First Axis: Scientific knowing of COVID-19: Coronavirus 2019 (COVID-19), also known as 2019-nCoV acute respiratory disease²², is one of the enveloped viruses with single-stranded RNA, of animal origin and belongs to the family *Coronaviridae* and the *Nidovirales* group. COVID-19

is the third most well-known zoonotic disease after SARS and severe acute respiratory syndrome coronavirus (known as MERS), although the epidemiological study of primary cases of coronavirus pneumonia showed that many cases were exposed to the Huanan seafood market in Wuhan, China, and the WHO report states that the novel Coronavirus-2019 is identified in environmental samples collected from the Huanan seafood market, but it has not yet been fully elucidated what specific species of animals carry the novel Coronavirus-2019. However, researchers have concluded that the novel Coronavirus-2019 may have originated from bats and then transmitted to humans through an intermediate host in the Huanan market, given that the novel Coronavirus-2019, separated from pangolins is 99% similar to strains separated from humans infected with the novel Coronavirus-2019. It seems that the route of transmission and evolution of the novel Coronavirus-2019 from bat to pangolins has been as an intermediate host and then to humans¹.

The second axis: the application and matching of the jurisprudence rules with COVID-19 disease

1- The rule of the prohibition of contribution to sin and aggression

- The conceptology of the components of the rule

This rule is based on the three words of contribution, sin and aggression. These three words will be conceptualized lexically and terminologically in order to explain *rule*:

The conceptology of contribution: "Moawenat" or "Eaanat" is originated from "Oun" and means "support, backing up", "helping and assistance"⁴. In the jurisprudential and terminological definition of this word, it is also stated that "*Contribution* means performing some preliminaries of something that another does, with the intention of realizing the action of that person not merely without intended purpose. "In other words, the purpose of *contribution* to sin, is to help in sin, that is, a sin that is committed by the doer, and this contribution is by creating all the preliminaries or some of the preliminaries of the forbidden act, which the sinner does²³.

The conceptology of the word sin: The word "Ithm" is used in the sense of "sin", "gambling" and things that man is not permitted to do, and sometimes *sin* is used to mean punishment. Therefore, given the verse, regarding the contradiction of "sin" and "benefit" it's understood that its main meaning is "harm". Therefore sin is the effect of anything in which there's harm. Regarding the literal meaning of "sin", it can be said that sin is something that God has forbidden, whether it is a minor sin or a great sin, and sin is the abandonment of everything that is obligatory and the fulfillment of everything that is forbidden. Therefore, *Ithm* includes all sins and all the preliminaries of sin⁵.

The literal and terminological meaning of aggression:

Odwan as a word, means attacking, intrusion, oppression, and enmity, and in the same sense, it is the violation of the divine limits that God has condemned for His servants in the religion.

Documentation of rule: To prove this rule, jurists and fundamentalists have cited the Qur'an, Sunnah, reasoning and consensus.

The Book (Qur'an)

Sunnah: The Holy Prophet (pbuh) said: "Whoever contributes to killing a Muslim, even with one word, on the

Day of Judgment it will be written between his two eyes that this person is desperate for God's mercy"⁷.

The sentence of reasoning: Wisdom has sentenced the ugliness of contribution to sin, which angers the Master, just as it is rationally ugly to commit. Also, the wisdom considers the preparation of the preliminaries and requirements of a forbidden act and contribution to the act to be ugly and considers the contributor deserving of punishment. And in criminal law, he is also considered deserving of punishment. When the human intellect considers such an act to be ugly independently, it will also be ugly in the Holy Religion in for the rule of "All what the wisdom sentences, the religion sentences." And the contributor will also be hated by the holy religion.

Consensus: Although the great jurists have a consensus on the forbiddance of contribution to sin²⁵, but despite the verse and other reasons "narration and reason", consensus is invalid. Therefore, consensus is forcefully an evidence and this consensus is not independent

Facing and matching of the jurisprudential rule of forbiddance of contribution to sin and aggression on Coronavirus

Considering what has been said about the content and thematic structure of this rule, it should be said that this rule can be applied to an issue such as corona disease and the role of individuals in the spread of this virus. According to the Qur'anic document, the rule in which the word *contribution* means the gathering of a group of people to create a thing, the jurists state that contribution is "the gathering of several people to create something good or evil, which is issued from all of them." The second point is that contribution on one thing is formed in two ways. The first form: contribution based on collusion; and this type of contribution is called "simple contribution". And the second form is the formation of a social process; this type of contribution, also called "non-simple contribution", is formed in social issues affected by complex economic, cultural, political and even disease conditions, and is formed if all people, without previously colluded, behave in the same way, and these behaviors form a single social process with their combination. And this social process leads to the emergence of a specific situation. In the case of COVID-19 disease, this behavior can lead to the formation of a specific condition or status for the spread of the disease. And because of the role of the set in creating this process, the result can be attributed to everyone. So based on this rule, those who, with ill-considered behaviors outside the framework of health principles (such as attending meetings), form or deepen the social process of corona disease, if aware of their work, their behavior is counted as an instance of contribution on "sin" and "aggression". And from the most important acts that are considered as forbidden or examinable as religious prohibition, can be acts such as approaching a person or other persons if they have this disease or even if they are suspected of it; Especially in the case of coughing or sneezing, holding meetings, especially large meetings, participating in meetings in a careless manner and without a health framework, travel from one city or region infected to another city or region not infected, hoarding of tools and goods needed for health and defense against this deadly

disease in society, not observing principles of personal health, therefore, observing these things, apart from medical advices, becomes a religious obligation given the rule of forbiddance of contribution to sin and aggression and this can help medical advices to prevent the spread of COVID-19 disease.

Rule of emergency (necessity suspends forbiddance)

- The conceptology of the word emergency

Iztiraris from the category of Iftaal, and its root is "zarah". In the Arabic language, it is stated: emergency is the need for something, and its infinitive noun "al-zara" means need and necessity, and "al-zarura" is the infinitive noun of Iztirar. IbnManzur also believes that the origin of "emergency" is "harm", which means hardship (4). It is also stated in Sahah: "He was Muztar to do something means that he was forced to do so"¹¹. Firoozabadi, about the sense of emergency, also believes that "Iztor" pronounced – with o after t – and its infinitive is "Iztirar", "al-zara" and "al-zarura" which means extreme need and necessity"¹⁰.

There are various definitions in terminological meaning of this word (26-28), which can be said according to the summary of the stated definitions, emergency is a situation which an obliged person is in, and getting out of that situation is not possible for him except by committing a forbidden thing. In such cases, based on the rule of "necessity suspends forbiddance", the forbiddance of that thing is removed for that person to the extent that he can get out of that situation.

The documents of the rule

To prove this rule, jurisprudents and fundamentalists have cited the Qur'an, Sunnah, reason and consensus

The Book (Qur'an)

- A) He has only forbidden to you dead animals, blood, the flesh of swine, and that which has been dedicated to other than Allah. But whoever is forced [by necessity], neither desiring [it] nor transgressing [its limit], there is no sin upon him. Indeed, Allah is Forgiving and Merciful. (29)
- B) But whoever is forced [by necessity], neither desiring [it] nor transgressing [its limit] - then indeed, Allah is Forgiving and Merciful." (30)

Sunnah: The narrations cited for the rule of emergency are:

- A) The hadith of raf'athat the Prophet said: "Nine things are removed [from the responsibilities] of my people, error and forgetfulness and what they are reluctantly forced to do and what they do not know about it and what they are obliged to do"³¹.
- B) The hadith of AbiBasir from Imam Sadiq (AS): "Nothing is forbidden unless the God had permitted it in case of necessity".

Consensus: Shiite scholars believe that it is not a dispute that, if necessary, eating something forbidden is permissible of course its consensual³².

Wisdom: Removing of obligation due to emergency and not deserving the punishment of a person who is forced to commit a forbidden act is a rational rule, because emergency is in fact a person's encounter with two dangers or two corruptors, and reason dictates that between two ugly things or corruptor chooses the one which has less ugliness or is less corrupting and violating this rule has rational ugliness. In the case of force to do two forbidden

things where one is less than the other in terms of ugliness and corruption, wisdom sentences to commit the one with the least.

Conditions of the application of emergency rule:

- 1- Facilitation of the rule: The rule applies in cases where the removal of forbiddance or obligation is for facilitation, so if the transaction that a distressed person is forced to make to prepare living for himself and his family is not correct, the sentence to avoidance of the transaction is contrary to facilitation and leniency.
- 2- The realization of an emergency must be involuntary: that is, the distressed person himself has not caused it. Therefore, if a person voluntarily makes an emergency for himself, the rule will not apply.
- 3- Removing is as much as necessary: Removing the forbiddance is for the sake of eliminating a necessity, and in case of necessity, it should be sufficed as much as it is necessary. "Necessity removes as much as needed"³³.

With the gathering of these conditions and a few other controversial conditions, the religious emergency is realized and the obligatory ruling (prohibition) is eliminated and the distressed person will not be interrogated in the religion. As it is well known among the jurisprudents: "The necessities suspends forbiddance", is the case of emergency (Iztirar), forbidden things (both enjoining and forbidding) become permissible.

Facing and applying the emergency rule (the necessity suspends forbiddance) on the subject of coronavirus

Use of Forbiddance substances to combat the spread of coronavirus:

According to jurisprudents, if a person uses something forbidden (forbidden things such as contaminated and najis substances and harmful substances and substances in which there is a significant possibility of harm) in order to eliminate and cure a disease, he should suffice with the amount of necessity. Regarding facing with coronavirus, disinfection of various surfaces with alcohol in order to prevent the spread of coronavirus can be defined under this jurisprudential rule because there are three jurisprudential views on alcohol; some do not consider alcohol as a najis substance. Others believe that alcohol is najis if it is intoxicating and not najis if it is not intoxicating, and some religious references also do not have an explicit fatwa on this matter and have said that it is najis according to the obligatory precaution and it should be avoided. Now that alcohol use is necessary to disinfect surfaces in order to prevent the spread of COVID-19 disease, followers of the religious references who do not consider alcohol to be najis have no problem with this, as well as if there is a suspicion that alcohol is intoxicating or not, again it's sentenced to taharah. However, followers of the religious references who consider alcohol to be najis in any case can use alcohol as much as necessary in the absence of other disinfectants and fear of infection or the spread of disease due to the application of the rule of necessity suspends forbiddance.

Treatment with imported drugs: Given that most countries in the world are looking to develop vaccines and drugs to treat COVID-19 disease, it may be made by doctors in our country or other countries, and given that syrups, pills and powders imported from foreign countries,

their najasahand taharahor forbiddance are suspicion. There are two possible assumptions in this regard:

First of all, if they do not contain meat, their initial rule is halal and their consumption is permissible. Therefore, their use is permissible and cannot be sentenced to forbiddance simply because they may have become najis or because they are unaware of their composition. Because according to the rule of Ibahe, the opinion of most of Shiite jurisprudents is that the initial principle is the permissibility and being halal of everything. This means that the consumption of all goods and objects is permissible for human beings, and all food is halal except if its forbiddance is proven. Therefore, in order to prove the forbiddance of a good, it is necessary to have a reason, and until the reason is not given, there is a right to use it, and in case of doubt in the sentence, it can be used³⁴ and secondly, if the drugs in question have meat and we doubt it, it is forbiddendue to non-purification, because we have doubts about both the animal from which it was taken and its legal slaughter, so it cannot be compared with the foods prepared in Islamic society. Therefore, on the one hand, there is no statistic on purification, and on the other hand, the first principle in livestock products relies on legal slaughter and non-purification³⁵. As a result, their use is forbidden, but if it's the only drug is for treatment and the person is in emergency to use it, it is permissible to use them, of course as much as necessary.

Informing about COVID-19 disease: It is necessary to save the lives of people of a society, especially in the Islamic government. Therefore, if honesty and informing lead to the preservation of people's lives, information is obligatory. However, if informing is in such a way that the people of the society suffer from stress and anxiety and leads to weakening of the collective spirit of the society, informing is not obligatory. Because necessities become permissible to the extent of that necessity. Therefore, according to the rule of necessity suspends forbiddance, whatever leads to the preservation of the lives of the believers, must be informed and no more is needed.

Rule of no harm: One of the most important rules of jurisprudence that is used in many jurisprudence chapters and jurisprudents have inferred religious laws by referring to this rule, is the rule of *no harm*. This rule, as a very important principle and basis for denying any harm to the self or other, purifies and saves the Islamic community from any harm to the self or others. The purpose of this rule is that in Islam no harmful sentence is prescribed. For example, if prayer, ablution, ghusl, fasting, and the like are harmful to anyone, they should not perform the above-mentioned acts of worship, and if they are deceived and harmed in buying and selling, they can terminate the mentioned transaction. Thus, various other examples and issues can be found, many examples of which are found in Islamic jurisprudence.

The conceptology of the word zararand zizar: The word *zarar* is the infinitive of "Zera" and the opposite of benefit. It's defined as a defect in the right. Also, *zizar* – with *i* after *z* – like the word "khilaf" is derived from the category "Yzar"⁴. The word *zarar* in public is known as financial loss or loss of life or reputation³⁶ also in expressing the literal meaning of loss, the following are possible:

- Zizar means harming of two people to each other according to the nature of the category of "Mofaale in arbica".
- Zizar means punishment, retribution, compensation for the harm caused by someone.
- Zizar means harming another without making a profit, and zarar means harming another in one's own favor.
- Zizar means shortage and hardship and need.
- Zizar means intentional harming and zarar includes both intentional and unintentional.
- Zizar means the repetition of committing zarar and harming repeatedly.
- Zizar means spiritual harms and shortage and hardship and need and zarar is used in material and spiritual harms (37).

The concept of the rule of no harm: Considering that five theories have been included regarding the concept of the *no harm* rule (36,37), in a summary it should be said that the meaning of the *no harm* rule is that: harm is not legitimate in Islam. In other words, any rule issued by the religion, if requires harm, i.e. imposes harm on the people when implemented, according to this rule, its primary sentence will be revoked and the obligators will be exempted from its implementation.

Rule documentation: To prove this rule, jurisprudents and fundamentalists have cited the Qur'an and Sunnah.

The Book (Qur'an): A) The holy verse, No mother should be harmed through her child, and no father through his child³⁸.

B) And when you divorce women and they have [nearly] fulfilled their term, either retain them according to acceptable terms or release them according to acceptable terms, and do not keep them, intending harm, to transgress [against them]³⁹.

C) The division of the assets of the dead among the heirs after any bequest which was made or debt, as long as there is no detriment [caused]⁴⁰.

D) Let no scribe be harmed or any witness⁴¹.

Sunnah: In addition to these verses, there are many narrations, many of which contain the famous phrase "La Zararwa La Zizar", although some of these narrations can be disputed in terms of documents, but the multiplicity of their narrators is reassuring. Even Fakhr al-Mohaghheghin has confessed the spiritual frequency of the hadith of "No harm to the self or others"⁴². Documentary narrations in this field can be divided into two categories:

The first category is the narrations that include the narration of the case of Samarahibn Jundab⁴³.

The second category is the narrations which, without quoting the case of Samarahibn Jundab, contain only the word "La Zararwa La Zizar"^{7,43}.

Facing and adapting rule of no harm to COVID-19 disease: Regarding this issue, it should be said that two of the principles of the subject matter are default to the following issues: First, the identification of the issue is follower's (public) responsibility. Therefore, in what we discussed, the diagnosis of harm is the responsibility of experts and physicians. Secondly, it is necessary, by religion and reason, for the illiterate to refer to the expert. And in what we were discussing, doctors are experts and scientists, and others have to refer to them. So, for example, although according to the primary rule,

performing ghusl, wrapping in winding sheet, and saying prayers is obligatory on the corpse, but if, at the discretion of the physicians in terms of these obligations, a harm – even if probably – comes to who performs ghusl or who says prayers on the corpse and other occupants, and the performance of these obligations, lead to the spread of the coronavirus in the community, based on the rule of *no harm*, the sentence of obligation of the above-mentioned rules is revoked. Also, the obligation of Friday prayers, if it is obligatory, and the obligation of fasting and Hajj in the coming months, if the corona conditions continue, will be eliminated according to the rule of *no harm*, and according to some principles from the view of enjoining and forbidding, and the implication of forbidding like corruption in worship, such worship will be forbidden. As the deceased SeyyedKazemYazdi—the owner of Orwa—considers harmful ablution and ghusl not only obligatory but also invalid⁴⁵. Visiting holy shrines, which is one of the emphasized mustahabbat, and gathering in religious rituals, which are examples of religion-introducing ceremonies, if they cause harm to the person or harm to the Muslim community and the spread of the disease, not only not recommended, but are also forbidden in terms of harming others. This subsidiary is also one of the instances of the contradiction of mustahabbat and forbidden, where definitely forbidden is superior to mustahabbat. However, closing mosques, may not be permissible, due to the law of the forbiddance of making barriers in the path of God and the obligation of introducing beliefs⁴⁶. But, if according to an expert, its openness causes harm to the worshipers or spreads the virus to others, it will be forbidden according to the rule of emergency (necessity suspends obligation). And it may be necessary to close them, according to the rule of obligation of rejecting a probable harm. Of course, it should be said that if these issues take a long time and people do not attend religious gatherings such as Friday prayers and pilgrimages to holy places such as the holy shrines and so on, for fear of getting sick or transmitting the disease, and this may lead to the closure of some religious rituals. Here, there is a conflict between the reasons for the forbiddance of harm to the self and others, and the obligation of introducing the rituals, which the most important should be considered and the less important should be set aside, and it is the responsibility of the jurists to determine this issue.

Informing on COVID-19 disease: Given the many rumors about COVID-19 disease, if the rumors cause harm to the person or harm to others or intimidation at the community level, it should be stopped in any way and it is the responsibility of the government to prevent these rumors based on the rule of *no harm*. Because maintaining the mental health of the society is the responsibility of the Islamic government, and disrupting this mental health causes harm to the people.

CONCLUSION

Pandemic and pervasive diseases such as corona are not just a pervasive virus, but can sometimes, as a religious phenomenon, expose the hidden and visible layers of society more clearly. Although the logical response and consistent with the science and adhering to medical advice

of most Shiite scholars and references regarding exposure to the coronavirus showed the association of science and religion in Islamic thought, the type of reaction and involvement of a small number of pseudo-religious people in the face of medical advice played an important role in the widespread manifestation of the relationship between science and religion and the creation of a discourse of incompatibility between religion and medicine by some pseudo-intellectuals, as well as counter-revolutionary media and Persian-language satellite channels. Meanwhile, the present article, relying on the dynamics of Shiite jurisprudence and the use of the three rules of jurisprudence, namely *the prohibition of contribution to sin and aggression, necessity suspends forbiddance, and no harm*, showed that these jurisprudence rules in such cases as the use of forbidden substances to combat the spread of coronavirus, treatment with imported drugs, illegitimacy of gatherings to prevent the spread of the disease, the change of some religious rituals, such as burying the dead, and about the ways of informing and broadcasting news about the disease in order to keep the community calm, jurisprudence as part of Islamic teachings, not only does not have any conflict with medical science, but also can significantly help medical science prevent the spread of COVID-19 disease.

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