

The Urgency of Priority Jurisprudence in the Hajj: Maqasid Syariah Approach to Optimizing Ritual Implementation

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ABSTRACT

The Hajj pilgrimage is a pillar of Islam that must be carried out by Muslims who are physically, financially, and securely able. The Hajj rituals have a deep spiritual dimension, but are also full of practical challenges, including the density of pilgrims, time constraints, and various health conditions of pilgrims. This requires a deep understanding of the concept of priority fiqh, which is an approach in fiqh that focuses on determining the priority scale of practices based on maqasid sharia (objectives of sharia). This research aims to examine the urgency of priority fiqh in the Hajj pilgrimage and provide practical solutions for pilgrims in dealing with complex situations during the Hajj. This research uses a descriptive-analytical method by examining classical and contemporary fiqh literature, so that it is expected to be a guideline for Muslims in managing the Hajj pilgrimage optimally. By understanding the priority of fiqh, pilgrims can ensure that their implementation of worship remains valid, effective, and in accordance with the main objectives of sharia.

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1. INTRODUCTION

The Hajj pilgrimage is the culmination of a Muslim's devotion to Allah, with rituals that are full of spiritual values. Every stage of the Hajj pilgrimage, starting from the intention to depart, wukuf on Arafah, throwing the pilgrimage, to tawaf, not only has a deep meaning, but also aims to cleanse the soul and draw closer to the Creator. At every step, a Hajj pilgrim is reminded of simplicity, submission and sincerity, all of which are reflections of pure devotion to Allah. The Hajj pilgrimage is a means for a servant to purify his intentions, foster a sense of trust, and strengthen his commitment to living a better life in accordance with religious teachings.

However, the Hajj pilgrimage is not just a light spiritual journey. It requires great sacrifice in various aspects, be it time, wealth, or energy. Pilgrims must prepare themselves thoroughly to undergo a series of intense and challenging rituals. The time that must be sacrificed away from family and everyday environment, the wealth spent on the cost of the Hajj trip, and the energy needed to perform the worship in a crowded place and under extreme weather, are all forms of tests of patience and steadfastness of faith.

All of these sacrifices are intended to achieve the main goal of the Hajj pilgrimage, namely to gain Allah's pleasure and obtain manifold rewards.

Therefore, a deep understanding of the sharia is very important so that the Hajj pilgrimage can be carried out correctly and in accordance with Islamic guidance. Without a proper understanding of the applicable fiqh rules, pilgrims can fall into mistakes in carrying out their worship. This will not only reduce the perfection of worship, but can also lead to violations of sharia obligations. Therefore, it is important for every prospective pilgrim to obtain adequate education about the fiqh of the Hajj, both before leaving and while in the Holy Land, so that the worship carried out is truly in accordance with religious teachings. A proper understanding of priority fiqh, for example, is very important so that pilgrims can choose actions that are appropriate to the conditions they face, so that their worship is not only valid, but also brings maximum spiritual benefits.

In its implementation, congregations are often faced with complex conditions, such as congregation density, time constraints, or sub-optimal health conditions. This is where the concept of priority jurisprudence plays an important role. Priority jurisprudence provides guidance in determining what should take priority so that worship remains valid, orderly and in line with the objectives of the sharia (maqasid sharia). According to Yusuf al-Qaradawi, priority jurisprudence helps people to focus on the most important and urgent practices in a particular situation (Al-Qaradawi, 1995). Thus, the application of priority fiqh is the key to optimizing the implementation of the Hajj pilgrimage (Wahyuni & Imamah, 2024).

Priority jurisprudence (fiqh al-awlawiyyat) is a branch of jurisprudence that emphasizes the importance of understanding the sequence and level of urgency of a practice based on the objectives of the sharia (maqasid sharia). This concept not only focuses on establishing halal and haram laws, but also on a deep understanding of what is more important to do in certain conditions. Yusuf al-Qaradawi explained that priority fiqh aims to help Muslims organize their deeds according to the level of importance, benefits and impact, both for individuals and society. (Al-Qaradawi, 1995).

Priority fiqh is based on several main principles, including prioritizing obligations over sunnah, choosing what is of greater benefit to many people, and avoiding greater harm even if it means sacrificing small benefits. (Zahrah, 1997). This principle is relevant in the context of the Hajj pilgrimage which often presents situations where pilgrims must choose between several alternative courses of action.

In its application, priority fiqh also considers the maqasid of sharia, namely the main objectives of sharia, such as protecting religion, soul, mind, lineage and property. (Al-Zuhaili, 1989). By understanding these principles, a Muslim can be wiser in determining the most appropriate action according to the situation and conditions.

The implementation of this research is also important from the perspective of usul fiqh, which provides a philosophical and methodological basis for formulating laws based on sharia principles. Usul fiqh not only serves to establish religious laws, but also to direct the way of thinking in overcoming contemporary problems faced by Muslims. In the context of the Hajj pilgrimage, usul fiqh provides a framework for thinking that allows for the application of contextual laws, according to conditions in the field. For example, in stressful and limited situations, the principles of usul fiqh can be used to determine which actions are more prioritized, either based on the urgency of worship or the practical need to maintain the health and safety of the congregation.

Syihab explained that ushul fiqh is one of the vital disciplines and is very necessary to understand the Qur'an, especially in terms of the application of sharia laws. Al-Zuhaili also stated that the study of ushul fiqh has a very close relationship with the Qur'an and Sunnah. Both, as the main sources of law in Islamic sharia, are used as arguments that are processed through the rules of ushuliyah to produce sharia laws. Because, basically, every process of law-making (istinbath) in Islamic sharia must be based on the Qur'an and the Sunnah of the Prophet (Yuli Edi Z et al., 2024).

One of the main principles in Islamic jurisprudence that is relevant to the implementation of the Hajj pilgrimage is the rule of maslahat (benefits), which teaches that every law that is established must be oriented towards the good of the people and prevent harm (Sarah & Isyanto, 2022). This rule is very useful

in situations where there are several action options, but not all of them can be implemented at the same time. For example, a Hajj pilgrim who is physically weak may have to choose between carrying out sunnah worship or maintaining his body condition to carry out more obligatory worship. In this case, the rule of benefit emphasizes that priority must be given to efforts to maintain health, because health is a prerequisite for being able to carry out other religious obligations well. This also reflects that in carrying out worship, the benefit of individuals and the congregation as a whole must always be prioritized, by considering all possibilities that can bring benefits and reduce losses.

The application of the principle of *maslahat* in the context of the Hajj is not only beneficial for individuals, but also for the community of pilgrims collectively. When pilgrims face complex situations, such as dense crowds, time constraints, or extreme weather, the application of this principle will help them make decisions that are not only beneficial to themselves, but also for the common good. In this regard, the principles of Islamic jurisprudence offer very important guidelines in determining the priority of worship flexibly, while maintaining the greater objectives of the Shari'a, namely providing benefits and preventing harm. Therefore, a good understanding of the principles of Islamic jurisprudence and the application of the principles of *maslahat* are key to ensuring that the Hajj can be carried out optimally and in accordance with the guidance of Islamic law.

In addition, the *usul fiqh* also recognizes the concept of *al-dharuriyyat* (emergency matters), which allows for legal leniency (*rukhsah*) in certain situations. This concept is very relevant in the Hajj pilgrimage, especially in challenging and limited conditions such as the density of pilgrims, limited time, or physical conditions that do not allow for certain rituals. In this case, *al-dharuriyyat* provides space for Muslims to be more flexible in carrying out worship, while maintaining the essence and purpose of the worship. For example, if the health condition of the pilgrims worsens, then maintaining safety and health takes precedence over carrying out rituals that are sunnah or additional. In this perspective, the principle of *rukhsah* makes it easy for pilgrims to ensure that worship remains valid and in accordance with sharia even in less than ideal conditions (Yuni, 2023).

Thus, this research becomes a very important scientific basis for integrating the principles of *usul fiqh* into the practice of hajj. Through the application of the principles of *maslahat* and *al-dharuriyyat*, this research can provide more comprehensive guidance for pilgrims in facing various challenges that arise during the implementation of the hajj. This approach ensures that even though pilgrims have to face various difficulties, the implementation of the hajj can still take place well, in accordance with the objectives of sharia, namely achieving the welfare of the people and maintaining the essence of devotion to Allah. In this context, this research not only contributes to facilitating the implementation of the hajj, but also educates Muslims about the importance of understanding and applying the principles of *usul fiqh* in every aspect of life, especially in a worship that is full of meaning and challenges such as the hajj.

2. METHODS

This study uses a descriptive-analytical method to examine the urgency of implementing priority *fiqh* in the hajj pilgrimage. This approach aims to explain the phenomenon of implementing priority *fiqh* in depth based on classical and contemporary *fiqh* literature. Data were collected through library research, by reviewing the main works in the field of *fiqh*, including books that explain priority *fiqh* and *maqasid sharia*, as well as scientific articles related to the implementation of the hajj pilgrimage. The main data sources come from primary literature such as *al-Muwafaqat* by al-Shatibi, *Fiqh al-awlawiyyat* by Yusuf al-Qaradawi, and other hajj *fiqh* books. Secondary data includes journal articles, reference books, and documents related to the practice of hajj pilgrimage that are relevant to the research theme. Data analysis was carried out by identifying the principles of priority *fiqh*, linking them to *maqasid sharia*, and evaluating their application in practical situations of the hajj pilgrimage. With this approach, the research is expected to provide practical guidance for pilgrims to understand and apply priority *fiqh* in various conditions during the implementation of the Hajj pilgrimage.

3. FINDINGS AND DISCUSSION

2.1. Ushul Fiqh and its Functions

Zahrah explained that linguistically, the term ushul fiqh consists of two words, namely ushul and al-fiqh. The word ushul, which is the plural form of al-aslu, means the basis that becomes the foothold for the growth of something else, just as roots embedded in the ground become the foundation for a tree that grows taller. Meanwhile, fiqh refers to a collection of normative thoughts that regulate the actions of mukallaf, the result of an analysis of the detailed evidence contained in the Qur'an and the Sunnah. (Yuli Edi Z et al., 2024).

The science of ushul fiqh has the main function of formulating and producing norms that are sourced from the provisions of Islamic sharia as stated in the Qur'an and al-Sunnah. Thus, every mukallaf can understand it correctly and accept it as a provision of sharia, either with full conviction or based on the dhan. In addition, ushul fiqh plays a role in responding to various contemporary events whose laws are not explicitly stated in the text. Through ijtihaad and analysis based on the rules of reason, these events can be connected to the text. This creative approach is carried out by scholars because the legal norms in the Qur'an and al-Sunnah are spread in the form of written kalam that does not directly interact with the Prophet Muhammad SAW. To get closer to understanding divine truth, scholars compile rules taken from the kalam itself, so that the legal messages contained therein can be used as guidelines by mukallaf in living life in the world (Yuli Edi Z et al., 2024).

2.2. Urgency of Priority Fiqh in the Hajj Pilgrimage

Etymologically, fiqh means understanding. This meaning is reinforced by the hadith of the Prophet Muhammad SAW. when praying for his nephew, Ibn 'Abbas, with the sentence, "Allahumma faqqihhu fi al-din wa 'allimhu al-ta'wil" (O Allah, give him understanding in religion and teach him tawil). Meanwhile, the term priority (al-awlawiyyat) comes from the word awla which means more important (afdhil) and more important (ahamm). Based on this, fiqh priority terminologically can be interpreted as a deep understanding of various aspects of law, values, and religious practices, by giving a greater portion to the more important (ahamm) than the important (muhimm), the more important (afdhil) above the main (fadhil), and primary needs (dharuriyyat) above secondary needs (hajjiyyat), and so on. By implementing this priority scale fairly and proportionally in every legal rule, value and religious practice, a harmonious and balanced community life can be realized. (A. Latif, 2019).

In practice, the Hajj pilgrimage does not always run smoothly without challenges. Therefore, a deep understanding of priority fiqh is needed to help pilgrims perform their worship in the right way and in accordance with Islamic law.

The jurisprudence of priority in the Hajj pilgrimage is an understanding of which is more important in the practice of the Hajj pilgrimage, considering the limitations of time, energy, and sometimes physical constraints and certain situations that may be faced by the pilgrims. This jurisprudence of priority is very important to ensure that the Hajj pilgrimage is carried out effectively and in accordance with religious guidance.

1. The Complexity of the Hajj Pilgrimage

The Hajj involves various rituals that must be carried out within a certain time. Starting from wearing ihram clothes, circling the Kaaba, performing sa'i between Safa and Marwah, to throwing stones at the devils in Mina. Each of these rituals has certain virtues and is part of a series of worship that cannot be ignored. However, in reality, Hajj pilgrims often face various challenges, whether due to age, health, or extreme weather conditions. Therefore, priority fiqh is very necessary to provide clear guidance on which things should be prioritized and how to complete worship properly despite time and condition limitations. (Al-Karim, 2024).

2. Jurisprudence Priorities in Time Management

One form of application of priority fiqh in the Hajj pilgrimage is in the arrangement of the time for carrying out the Hajj rituals. For example, when the pilgrims are in Arafah, they must perform

wuquf, which is one of the most important pillars of the Hajj. In limited conditions, such as when there is a long queue, concerns about limited time, and so on, it is important for the pilgrims to understand which can be postponed and which must be done first. Another example is in determining when the time to throw the Jamarot. Is it at the afdhol time or the jawaz time. Priority fiqh provides direction on how to make the most of time, including determining which is more important to do first (Al-Karim, 2024).

3. Dealing with Emergency Situations

Sometimes in carrying out the Hajj pilgrimage, pilgrims face emergency situations, such as deteriorating health conditions, or even very extreme weather conditions. In such circumstances, understanding priority fiqh becomes very important. For example, in an emergency, a pilgrim who is seriously ill and cannot continue the pilgrimage normally can get relief by replacing some rituals with lighter methods or being represented by others. For example, lontar jamarot can be represented by others. This is a form of implementing priority fiqh which aims to keep the Hajj pilgrimage valid even though there are unexpected obstacles. (Syaukani & Ali, 1997).

Priority fiqh is one of the important principles in *usul fiqh* that provides a basis for regulating actions that must be prioritized in a particular situation. In the implementation of the Hajj pilgrimage, this principle is very necessary because the Hajj pilgrimage involves a series of rituals that must be carried out in the correct order. However, in reality, pilgrims often face various conditions that require them to choose which is more important in a situation that is very limited, both in terms of time, energy, and health. *usul fiqh*, especially in the context of the principle of *al-masalih al-mursalah* (goodness that does not have a text that regulates but must be considered based on the general interest), can provide clear guidelines on how to prioritize rituals or actions that are more urgent and relevant to the existing conditions. This is in line with the principle of priority fiqh which prioritizes more urgent actions based on the principle of *al-maslahah al-'ammah* (general interest), which ensures that the interests of the congregation as a whole are maintained despite physical and environmental constraints.

In practice, the Hajj involves many rituals that require precise timing. The process of wuquf in Arafah, for example, is one of the most important pillars of the Hajj and should not be missed. However, at certain times, pilgrims often face limitations, such as long queues or tiring physical conditions. In conditions like this, the application of priority fiqh from the perspective of *usul fiqh* can provide guidance for choosing which is more important to do first, for example prioritizing wuquf even though there are technical problems, or choosing the right time to throw the jamrah, whether at afdhol or jawaz time. The principle of *istihsan* (choosing actions that prioritize ease and comfort in a situation) is very relevant in this situation, where the implementation of worship must be adjusted to the concrete conditions in the field, but still maintain the validity and authenticity of worship.

In addition, the application of priority fiqh is also very important in dealing with emergency situations. For example, in deteriorating health conditions or extreme weather that threatens safety, pilgrims may need to get leniency to perform certain worship in a lighter way, such as replacing rituals that are not possible to do directly. In this case, the principle of *rukhsah* (leniency) explained in the proposal of fiqh can be applied, where someone who is unable to perform worship physically is given permission to replace it in another way, such as stoning the jamrah by being represented. The principle of *al-'urf* (custom) can also be considered in this context, where habits carried out by pilgrims in emergency conditions that do not reduce the substance of worship can be considered valid. The application of priority fiqh in this case aims to maintain the validity of worship despite unexpected obstacles or constraints, while still maintaining the goal of sharia, namely the benefit of the congregation as a whole.

2.3. Urgency of Understanding Priority Fiqh

1. Maintaining the Authenticity of Worship

One of the main objectives of understanding priority jurisprudence in the Hajj pilgrimage is to ensure that every act of worship performed remains valid. For example, when pilgrims are confused about the order in which rituals are performed, priority jurisprudence provides an explanation of the correct order, which if followed correctly will ensure the validity of the worship. Priority jurisprudence also helps pilgrims to better understand the rules governing the procedures for the Hajj, so that they can avoid actions that invalidate or reduce the reward of worship. (Bukhari & Ismail, 1997).

2. Avoiding Mistakes in Worship Practices

Priority jurisprudence also helps congregations avoid mistakes in carrying out their worship, especially in situations full of stress or confusion. For example, when throwing the juror, throwing the wrong stone or doing it at the wrong time can cause the worship to be invalid. Priority jurisprudence provides clear guidance on what can be done first and what should be postponed, as well as ways to avoid mistakes (Nawawi & Sharaf, 2004).

3. Respecting Leniency in Islamic Law

Islam as a religion of rahmatan lil 'alamin teaches that Allah does not burden His people. In this case, priority fiqh provides space for pilgrims to get relief according to the conditions they face. For example, someone who is unable to perform sa'i by walking due to illness is allowed to use a wheelchair or vehicle to complete his worship. This shows that priority fiqh is not only related to the order of worship, but also related to the application of flexible Islamic law that is oriented towards the convenience of the people.

So, understanding the priority fiqh in the Hajj pilgrimage is very important to ensure that the worship carried out by the Hajj pilgrims can run well and in accordance with religious guidance. Priority fiqh helps pilgrims to determine which is more important to do, how to deal with physical and situational obstacles, and how to get relief in carrying out worship. Thus, understanding priority fiqh not only strengthens worship, but also shows the flexibility of Islamic teachings in dealing with various conditions.

In the perspective of fiqh proposals, understanding fiqh priorities in the Hajj pilgrimage is not only important to ensure the validity of the pilgrimage, but also functions to ensure that every action taken by the congregation can be carried out in accordance with the guidance of the sharia even though they face various unexpected conditions. One of the main principles that can be linked to priority jurisprudence is the principle of al-'amr bi al-'azim (commandment for something greater). In the context of the Hajj pilgrimage, this principle guides pilgrims to prioritize larger and more basic acts of worship, such as wuquf at Arafah, compared to other smaller things or sunnah, when facing limited time or energy. In this case, priority jurisprudence is the basis that ensures that acts of worship are not only valid, but also accepted by Allah in a way that is in accordance with the principles of the Shari'a.

Understanding the fiqh of priorities is also very relevant to avoid mistakes in the implementation of the Hajj pilgrimage, which can damage the validity of the pilgrimage. In this case, the principle of al-istiqla' wa al-qiyas (analogy and induction) becomes important, because the usul fiqh teaches how a legal decision is taken based on an analogy from the existing situation. For example, in the implementation of jumrah, the congregation must understand which is more important to do first, or how to perform the ritual in the correct manner. The fiqh of priorities provides clear guidance on the order and procedures of worship that must be followed to avoid mistakes, by prioritizing basic worship and ensuring that the rituals are performed in a timely and orderly manner. The principle of al-istihsan (choosing the better) is also used in this case, giving leeway to the congregation in certain circumstances to choose a better action in order to maintain the smoothness of their worship.

Furthermore, priority jurisprudence in the Hajj serves to show the flexibility of Islamic law, which always takes into account the conditions of the Hajj pilgrims. In the perspective of Islamic jurisprudence, the application of rukhsah (legal relaxation) is very crucial in maintaining a balance

between the implementation of worship and the comfort of the people (Karim et. al, 2024). Examples of its application, such as when a sick Hajj pilgrim is allowed to use a wheelchair or vehicle to carry out the sa'i, show that Islamic law does not aim to burden the congregation, but provides relief so that the pilgrimage can still be carried out properly. The principle of al-maslahah al-'ammah (public benefit) is also integrated into priority jurisprudence, where the application of the law is carried out by prioritizing the benefit of the congregation as a whole, both in terms of health, comfort and continuity of worship. Thus, understanding the priority jurisprudence in the Hajj pilgrimage teaches that Islam is a religion that is easy and oriented towards the benefit of the people, enabling pilgrims to continue carrying out their worship legally and in accordance with the guidance of the Shari'a even though they are faced with various challenges.

2.4. Implementation of Priority Fiqh in Hajj

1. Prioritizing Wajib over Sunnah

If Hajj pilgrims are faced with a choice between carrying out obligatory tawaf and sunnah tawaf, then what is obligatory must come first. This is in accordance with the rules of fiqh: "What is obligatory takes precedence over what is sunnah." In the book *al-Ashbah wa al-Naza'ir* written by al-Suyuti, it is stated that obligations always take precedence over sunnah practices because obligatory practices are part of the pillars of worship that must be carried out for the worship to be valid. In the context of the Hajj, obligatory tawaf is part of the pillars of the Hajj which must be carried out by every Hajj pilgrim after performing wuquf at Arafah and before returning to their homeland. On the other hand, sunnah tawaf, although highly recommended, is not obligatory and cannot replace the obligation of tawaf (Suyuti & Al-Din, 1993).

2. Prioritizing Safety

In crowded conditions, such as when performing the pilgrimage, pilgrims who feel unsafe can perform the pilgrimage at a quieter time. Maintaining the safety of the soul is prioritized because this is included in maqasid sharia, namely protecting the soul. In the book *al-Muwafaqat fi Usul al-Shari'ah* written by al-Shatibi, it is explained that one of the main objectives of the Shari'a is to maintain the safety of the soul (hifz al-nafs), which is the main priority in every performance of worship. Islamic Sharia does not want its people to fall into danger, so if there are risky conditions such as human overcrowding which can endanger lives, then priority must be given to safety first, even though there are obligations of worship that must be carried out. Therefore, if the congregation feels unsafe, they are allowed to postpone the Jumrah to a quieter time, with the aim of avoiding damage or danger. (Shatibi & Ishaq, 1997).

3. Doing Things That Have a Wider Impact

Helping other pilgrims in need, such as helping the sick, can be prioritized over individual voluntary worship, because it provides greater benefits to others. In *Fiqh al-Zakat*, Yusuf al-Qaradawi wrote that one of the principles of fiqh is to assess charity based on its impact on the public interest. Helping others who are in trouble or sick prioritizes the collective welfare of Muslims. Hajj is not only an individual act of worship, but also a social act of worship that brings wider benefits to Muslims. By helping fellow pilgrims in need, a pilgrim not only gains rewards, but also maintains social harmony and harmony in carrying out the hajj. Therefore, in an emergency, helping fellow pilgrims who have fallen or are sick can be more important than carrying out individual voluntary worship. (Qaradawi & Yusuf, 1999).

A concrete example is the tanazul and murur policies implemented in the implementation of the 2024 Hajj pilgrimage which have a major impact on the comfort and safety of pilgrims. The murur scheme speeds up the journey of pilgrims from Arafah via Muzdalifah to Mina without having to stop in Muzdalifah, which reduces congestion and ensures smoother mobilization. In 2024, more than 50,000 Indonesian pilgrims followed it, and this contributed to reducing congestion and increasing time efficiency (Hashifah et. al, 2023).

On the other hand, the tanazul policy aims to reduce the density in Mina when pilgrims stay overnight (mabit). With this policy, pilgrims who stay in hotels around Jamarat (the area where the Jumrah is thrown) can return to their hotels to rest after being in Mina for a long time, thus reducing the pressure on the facilities in Mina. This is in line with the principle of maintaining the safety and comfort of pilgrims. In the future, this concept will be strengthened by adjusting facilities such as catering for pilgrims who choose to return to their hotels.

Both policies reflect the application of priority fiqh in the context of the Hajj, where the safety and comfort of pilgrims, as well as the fulfillment of sharia obligations, are the top priorities in challenging conditions. Prioritizing more pressing needs—such as maintaining safety and reducing crowds—is related to the broader principle of maqasid sharia, namely the protection of the lives and health of the people.

The application of priority jurisprudence in the Hajj pilgrimage from the perspective of Islamic jurisprudence can be seen as an attempt to regulate actions based on urgency and importance in the context of Islamic law. One of the basic principles applied in Islamic jurisprudence is al-awlawiyyat (priority), which emphasizes that in situations involving a choice between two actions, the more urgent obligation must take precedence. In this case, if a Hajj pilgrim is faced with a choice between carrying out obligatory acts of worship such as obligatory tawaf or sunnah tawaf, then obligatory tawaf must be prioritized because it is part of the pillars of the Hajj which determine the validity of the Hajj pilgrimage. On the other hand, even though sunnah tawaf has priority, it can still be postponed or replaced without affecting the validity of worship.

Apart from that, in the context of fiqh proposals, the concept of maqasid sharia (purpose of sharia) becomes very important. One of the main goals of sharia is to maintain the safety of the soul, or what is known as hifz al-nafs. When carrying out the Hajj pilgrimage, maintaining the safety of pilgrims must be a top priority, especially in potentially dangerous conditions. For example, when there is a crowd of pilgrims during the Jumrah pilgrimage, even though throwing the Jumrah is an obligation for the Hajj, if the crowding could endanger the safety of the congregation, then action to postpone the Jumrah to a safer time becomes more important. This principle shows that Islamic law not only regulates the obligations of ritual worship, but also pays great attention to aspects of the safety and welfare of the people, which are part of the overall objectives of the law.

The perspective of usul fiqh also emphasizes the importance of maslahah (benefit) in determining the priority of action. In emergency situations or situations involving greater needs for the Muslim community as a whole, the public interest must be prioritized. For example, in emergency situations, helping other pilgrims who are sick or experiencing difficulties is more important than performing sunnah worship personally. This is in accordance with the principle that deeds that provide greater benefits to the Muslim community as a whole must be prioritized. This is also reflected in the policies implemented during the Hajj, such as regulating density in Mina or policies for smoother pilgrim mobilization. These policies focus on protecting the safety and comfort of pilgrims, which is a manifestation of the application of priority fiqh in order to maintain the welfare of the wider community.

2.5. Challenges in Implementing Priority Jurisprudence

Although priority jurisprudence is very relevant in the context of the Hajj pilgrimage, its implementation often faces a number of challenges that must be taken seriously. Some of these challenges include:

1. Lack of Understanding of the Congregation

Many pilgrims do not yet understand the concept of priority fiqh, which results in their tendency to prioritize the ritual aspect alone without considering the urgency in each particular condition. For example, a pilgrim may insist on performing sunnah worship even though he is in a less than ideal physical condition, while the more important obligations may be neglected. According to al-Suyuti in al-Ashbah wa al-Naza'ir, a lack of understanding of this concept often

leads to a mistake in prioritizing worship. Therefore, a deep understanding of priority fiqh is very necessary so that pilgrims can adjust their worship practices to the conditions they face. (Qaradawi & Yusuf, 1999).

2. Information Limitations

Not all Hajj instructors deliver material on priority jurisprudence in depth. In reality, many Hajj pilgrims do not receive sufficient information regarding how to determine priorities in carrying out their pilgrimage, especially in conditions that require quick decision making. This often happens because the Hajj education curriculum is inadequate in providing explanations of deeper aspects of fiqh, such as the rules for choosing which is more important between obligations and sunnah or actions that must be taken in emergency situations. According to al-Qaradawi in *Fiqh al-Zakat*, comprehensive education and a clear understanding of the priorities of worship are very important to ensure the implementation of worship in accordance with sharia principles.

3. Complex Field Conditions

The situation in the field is often very dynamic and requires quick and precise decision making. Pilgrims are often faced with stressful situations, such as crowds when throwing stones at the devil or when time is limited to perform tawaf. In these situations, the application of priority fiqh is very important, but sometimes difficult to implement because of the need for quick and practical decisions. Al-Shatibi in *al-Muwafaqat fi Usul al-Shari'ah* explains that in complex situations, the main maqasid shari'ah (objectives of shari'ah), such as maintaining the safety and health of pilgrims, must be prioritized even though there are obligations of worship that must be carried out. (Shatibi & Ishaq, 1997). The right decision in such a situation depends heavily on good knowledge and understanding of the principles of priority fiqh.

The application of priority fiqh in the Hajj pilgrimage is indeed very important, but there are several challenges in its implementation that must be considered carefully. The first challenge is the lack of understanding of the Hajj pilgrims regarding the concept of priority fiqh. Many pilgrims tend to focus more on carrying out ritual worship without paying attention to urgent conditions. From the perspective of *usul fiqh*, the principle of *al-awlawiyyat* (priority) emphasizes the importance of prioritizing obligations that are more important than sunnah practices. Therefore, a good understanding of priority fiqh is very necessary so that pilgrims can adjust their practices to the conditions they face, as well as maintain the safety of themselves and others.

The second challenge is the limited information received by Hajj pilgrims regarding the application of priority jurisprudence. Hajj advisors often do not provide in-depth explanations about how to determine priorities in emergency or stressful situations. In fiqh suggestions, the principle of *al-istihsan* (making the best decision) can be an important guide in conditions like this. Insufficient understanding of priority jurisprudence can lead to errors in decision making that have the potential to endanger the safety of the congregation. Therefore, it is important for Hajj guides to convey clear and comprehensive information so that pilgrims can carry out their worship in accordance with sharia principles.

The third challenge is the field conditions which are often very dynamic and full of pressure, such as when throwing Jumrah or in situations where time is limited to carry out tawaf. In these conditions, fast and correct decision making becomes crucial. Maqasid sharia principles such as maintaining safety (*hifz al-nafs*) must be prioritized, even though there are obligations of worship that must be carried out. In this case, the application of priority jurisprudence becomes very relevant, because Islamic law prioritizes the safety of the congregation rather than obligations that can be postponed. Therefore, the application of priority jurisprudence in emergency or stressful situations is very necessary to ensure the safety and smoothness of the Hajj pilgrimage.

2.6. Solutions for Optimizing Priority Fiqh

1. Education Enhancement

Providing intensive training to prospective pilgrims on priority fiqh before departure. This can be done by involving fiqh experts in delivering the material so that participants understand the importance of priority fiqh in the hajj and umrah. With a comprehensive approach, it is hoped that pilgrims can perform their worship with a better understanding of the principles of priority in fiqh (Ahmad, 2020).

2. The Role of Hajj Guides

Hajj guides must be more proactive in providing guidance to pilgrims while in the field. Hajj guides act as facilitators who can help pilgrims prioritize the most important acts of worship, especially at certain times such as when there are crowds or difficulties in carrying out worship. Guides must be able to provide clear and precise instructions so that pilgrims are not confused in complex situations. (Hidayat, 2019).

3. Preparation of Practical Guide

The government and related institutions can compile a guidebook that contains priority fiqh in a simple and applicable manner. This guidebook should be compiled in a language that is easily understood by pilgrims from various backgrounds, and accompanied by concrete examples that are relevant to the situation in the field. This aims to ensure that pilgrims can easily access information about priority fiqh before and during the hajj pilgrimage. (Rahman, 2021).

The urgency of implementing priority fiqh in the Hajj pilgrimage is very high, considering the complexity of the situation faced by Hajj pilgrims every year, especially in the context of large crowds, time constraints, and various other emergency conditions. From the perspective of *usul fiqh*, this is rooted in the main objective of Islamic law, namely *maqasid al-shari'ah*, which not only includes carrying out worship as a ritual, but also maintaining the safety of souls, social harmony, and the welfare of the community. Therefore, a deep understanding of priority fiqh will guide pilgrims to choose actions that are not only valid, but also in line with the broader objectives of sharia, such as maintaining the safety, health, and interests of the community.

In addition, this urgency is also seen from the perspective of *maslahah* (benefit), which is the core of decision-making in fiqh. In carrying out the hajj, pilgrims are often faced with situations that require quick decisions, such as determining whether to perform *sunnah* worship or prioritize more urgent obligations. In this case, *maslahah* must be a guide, where greater benefits, such as maintaining the safety of pilgrims or preventing further damage, must be prioritized. The urgency of priority fiqh is not only seen in theory, but in real applications in the field, where the right decision can prevent danger, accidents, or even riots.

The application of priority fiqh is also urgent to ensure that the hajj pilgrimage runs smoothly and in accordance with the principles of sharia which prioritize *hifz al-nafs* (soul care) and *hifz al-mal* (protection of property). As a pilgrimage involving millions of Muslims, the hajj does not only focus on individuals, but also on the collective interests of the community. If pilgrims do not understand and apply priority fiqh, then potential problems such as accidents, confusion, or discomfort can disrupt the smoothness of the pilgrimage and create greater damage. Therefore, efforts to improve the understanding of pilgrims about priority fiqh are not only important, but also urgent, so that the implementation of the hajj can optimally fulfill the objectives of sharia.

The conclusion of the application of priority fiqh in the Hajj pilgrimage shows that this principle is very important to ensure that every act of worship carried out by the Hajj pilgrims is in accordance with the broader objectives of the Shari'a, namely maintaining the safety of life, health, and welfare of the community. Priority fiqh teaches that obligations must be prioritized over the *sunnah*, the safety and welfare of the congregation must be the main priority in certain conditions, and that charities that provide wider benefits to Muslims can be prioritized. However, challenges in its implementation such as the lack of understanding of the congregation, limited information, and complex field situations need

to be overcome through increased education, the active role of Hajj guides, and the preparation of easy-to-understand practical guidelines.

The urgency of implementing priority fiqh lies in the ability to maintain the safety and welfare of the hajj pilgrims, which is the main aspect of maqasid sharia. With a better understanding of priority fiqh, pilgrims can make the right decisions in facing challenging situations, so that the hajj pilgrimage can run smoothly and bring greater benefits to the pilgrims themselves and the Muslim community as a whole. Therefore, efforts to optimize the implementation of priority fiqh are very urgent, both through comprehensive education, effective guidance, and the provision of relevant practical guidance in the field.

4. CONCLUSION

The application of priority jurisprudence in the Hajj pilgrimage has proven to be a very important guide in ensuring that the implementation of the pilgrimage is carried out in accordance with the maqasid of sharia. The main aim of this research is to explore how priority jurisprudence can be applied in the context of the Hajj pilgrimage, with a focus on applying the principles of jurisprudence to choose more important and urgent actions based on certain conditions. In this research, it was found that the principles of maslahat (benefits) and al-dharuriyyat (emergency matters) can help congregations in dealing with challenging situations, such as congregation density, time constraints, and health problems, which often affect the smooth running of worship.

This research also shows that the application of priority fiqh not only helps pilgrims to fulfill their worship obligations validly and on time, but also brings them closer to the ultimate goal of the Hajj pilgrimage, which is to be mabrur. The application of the principles of usul fiqh provides a solid foundation for every action taken by pilgrims, to ensure that their worship is not only valid but also meaningful. Therefore, this research contributes to a deeper understanding of how sharia law, especially priority fiqh, can be applied contextually in the Hajj pilgrimage.

This research can be expanded by further exploring how the application of priority fiqh in the Hajj pilgrimage can be adapted in a broader context, including in other worships such as Umrah and other obligatory worships. In addition, further research can also be conducted to evaluate the effect of the application of the principles of usul fiqh on the understanding and spiritual experience of pilgrims during worship, in order to provide better practical guidance in the future.

REFERENCES

- A. Latif, H. M. (2019). Studi Fiqh Prioritas Dalam Sunnah Nabi. *Jurnal Ilmiah Al-Mu'ashirah*, 16(1), 22. <https://doi.org/10.22373/jim.v16i1.5738>
- Ahmad, M. (2020). *Pendidikan Haji dan Umrah: Panduan Fikih Praktis*. Pustaka Al-Qalam.
- Al-Karim, A.-Q. (2024). *Surah Al-Baqarah [2:158], Terjemah al-Muyassar*. Maktabah Wahbah.
- Al-Qaradawi, Y. (1995). *Fiqh al-Awlawiyyat: Dirasah fi Daw'i al-Qur'an wa al-Sunnah* (5th ed., Vol. 5). Maktabah Wahbah.
- Al-Zuhaili, W. (1989). *Al-Fiqh al-Islami wa Adillatuhu* (4th ed.). Dar al-Fikr.
- Bukhari, A., & Ismail, M. ibn. (1997). *Sahih Al-Bukhari*. Al-Maktaba al-'Ilmiyyah.
- Hashifah, G. I., & Anasom, A. (2024). Analisis Operasional dan Tindakan Preventif terhadap Eskalasi Angka Kematian Jemaah Haji Tahun 2023. *Islamic Review: Jurnal Riset dan Kajian Keislaman*, 13(2), 57-72.
- Hidayat, S. (2019). *Fikih Haji dan Umrah*. Al-Mumtaz Press.
- Karim, A., Maulani, M., Nurani, Q., & Qaaf, M. A. (2024). Murur Sebagai Wujud Moderasi Dalam Pelaksanaan Ibadah Haji. *Khazanah Multidisiplin*, 5(1), 88-104.
- Nawawi, A., & Sharaf, Y. bin. (2004). *Al-Majmu' Syarh al-Muhadzdzab*. Dar al-Fikr.
- Qaradawi, A., & Yusuf. (1999). *Fiqh al-Zakat*. Dar al-Qalam.
- Rahman, Z. A. (2021). *Panduan Praktis Fikih Haji*. Lintas Media.
- Sarah, S., & Isyanto, N. (2022). Maqashid Al-Syari'ah Dalam Kajian Teoritik Dan Praktek. *Tasyri'*:

- Journal of Islamic Law*, 1(1), 69-104.
- Shatibi, A., & Ishaq, A. (1997). *Al-Muwafaqat fi Usul al-Shari'ah*. Dar al-Kutub al-Ilmiyah.
- Suyuti, A., & Al-Din, J. (1993). *Al-Ashbah wa al-Naza'ir*. Dar al-Kutub al-Ilmiyah.
- Syaukani, A., & Ali, M. bin. (1997). *Nailul Authar: Syarh Musnad al-Imam Ahmad*. Dar al-Kutub al-Ilmiyah.
- Wahyuni, S. W., & Imamah, A. I. (2024). Tantangan Platform Nusuk dalam Meningkatkan Pelayanan Ibadah Haji dan Umrah. *Mecca: Journal of Hajj and Umrah Studies*, 1(1), 1-13.
- Yuli Edi Z, M. K. H., Rahman, P., & Jemain, Z. (2024). Penerapan Kaidah Ushul Fiqih dalam Menafsirkan Teks Al-Qur'an. *Jurnal Kajian Pendidikan Islam*, 3, 72-93. <https://doi.org/10.58561/jkpi.v3i1.111>
- Yuni, L. A. (2023). Problematika Moderasi Haji: Suatu Tinjauan Maqashid Untuk Memudahkan Dan Menyempurnakan Ritual Haji Armuzna. *Jurnal Kolaboratif Sains*, 6(12), 1881-1892.
- Zahrah, M. A. (1997). *Ushul Fiqh* (3rd ed.). Dar al-Fikr al-Arabi.