

Selected issues from the fatwas of Professor Dr. Abdul-Hamid Hamad Al-Obeidi, may God have mercy on him, from Al-Rafidain TV, Fatwa Hour program - A contemporary study

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Abstract

This research deals with a brief summary of Professor Dr. Abdul Hameed Hamad Al-Obeidi, may God have mercy on him, with issues selected from his fatwa on visual media and on Al-Rafidain channel, and studying it in a contemporary study, and the importance of this subject in the life of society, and these issues are considered among the most important topics in Islamic jurisprudence.

Introduction

Praise be to God, Lord of the worlds, and the best of prayers and peace be upon our master Muhammad and his family and companions, as for what follows:

God Almighty created man, made him his vicegerent on earth, and organized his social life to the fullest, as the glorious Islamic Sharia came to lay the foundations and frameworks for regulating the life of the Muslim individual, and the formation of an integrated family, based on intimacy and affection, and among the reasons for the formation of this family, is understanding The legal matters related to its formation, so the plan necessitated dividing the research into two sections:

The first topic: Introducing Professor Dr. Abdul Hamid Hamad Al-Obaidi, may God have mercy on him, and it contains two requirements:

The first requirement: a brief summary of the life of Prof. Dr. Abdul Hamid Hamad Al-Obaidi, may God have mercy on him

The second requirement: a brief summary of the fatwa and its importance in the life of the individual and society

The second topic: his fatwa on visual media, and it has four demands:

The first requirement: His fatwa regarding making up the prayers.

The second requirement: His fatwa regarding shortening and combining prayers.

The third requirement: the number of rak'ahs of Tahajjud.

The fourth requirement: wearing certain colors in prayer.

In conclusion, we ask God Almighty to pay and grant success, and to make this work of mine purely for His honorable purpose, and to make it a useful knowledge to be benefited

from, for He is capable of everything and is worthy of an answer.

And our last prayer is that praise be to God, Lord of the worlds, and the best prayers and peace be upon our master Muhammad and his family and companions altogether.

The first topic: introducing Professor Dr. Abdul Hamid Hamad Al-Obaidi, may God have mercy on him, and it included:

The first requirement: a brief summary of the life of Professor Dr. Abdul Hamid Hamad Al-Obaidi, may God have mercy on him:

His name: Abdul Hamid Hamad Shihab Ahmed Abdullah Muhammad, may God have mercy on them

Lineage: Fakhd al-Manahilah (1), al-Hayaza clan 2, al-Ubaid tribe (3), al-Zubaydiyah (Zubayd al-Asghar), al-Qahtaniyah, Arab, and this tribe is spread in all the provinces of Iraq and some countries

His nickname: Abu Abdullah, and Abu Muthanna (4).

His birth: Prof. Dr. Abd al-Hamid Hamad al-Obaidi, may God have mercy on him, was born in the district of Hit, affiliated to the Anbar Governorate, on 1/7/1941 according to the civil status identity.

His family: Prof. Dr. Abdul Hameed Hamad Al-Obeidi, may God have mercy on him, grew up in a conservative family that used to practice the profession of agriculture in the agricultural land owned by his family in the district of Hit, where he worked with his father from an early age, his uncle Hajj Hammoud and his cousins in cultivating a large grove of palm trees in their agricultural land, and he is described as the largest Al-Basateen in this district until he entered primary school in the district of Hit. He used to perform the five

daily prayers at Al-Farouk Mosque, next to his house in Hit. At the beginning of 1948 AD (5) the entire family of his uncle, Hajj Hammoud Al-Obaidi, his father, and Hajj Hamad Al-Obaidi, consisting of his sons Nuri, Abdul Hamid, Abdul Aziz, Saeed, and his six daughters, moved to the district of the center of Anbar Governorate, where they built two adjacent houses for them in the city of Ramadi, specifically in the Al-Azizah area. And near Al-Azza Elementary School for Boys in the middle of the district, and they were adjacent to the homes of the Al-Saadi family (6). His father is Haj Hamad Shihab Ahmed Al-Obaidi. As for his mother, her name is Nofah Khalaf Al-Ani, and she is the sister of Haj Abdullah Al-Ani, the father of Sheikh Abdul Qadir Al-Ani, may God have mercy on him (7).

his marriage:

Professor Dr. Abd al-Hamid Hamad al-Obaidi, may God have mercy on him, married two wives:(8)

The first wife: Sujudah Abdullah Al-Ani, who is the sister of Sheikh Abdul-Qader Al-Ani, and she is his cousin, and she is the mother of his children Abdullah and three daughters, and she is a housewife.

The second wife: Majeda Ahmed Jassem Al-Muaini, who lives in Baghdad and gave birth to him Muthanna, Muhammad, Osama, and three daughters.

His children:

First: Name: Abdullah Abdul Hameed Hamad Shihab Al-Obeidi (9)

Born: 1964

Academic achievement: Ph.D. in Computer Science from ISLES International University, UK

Job: He was appointed at the University of Anbar as a teaching assistant in 1991 AD for being one of the first students, then he left the job in 1995 AD, then he traveled to work as a freelancer and teach at a Libyan university

He is currently working as an advanced expert and programmer for electronic systems in state institutions in Iraq

Marital status: Married, with one son and four daughters.

Second: Name: Muthanna Abdul Hameed Hamad Shihab Al-Obeidi (10)

Born: 1972

Academic achievement: Bachelor of Science in Chemistry, University of Baghdad, Ph.D. in drawing the Qur'an and Islamic art from Turkey.

Position: Lecturer in Islamic Art and a world-famous calligrapher residing in Jordan.

Marital status: Married, with one son and two daughters

Third: Muhammad Abdul Hameed Hamad Shihab Al-Obaidi (11)

Born: 1976

Education: Bachelor of Civil Engineering, Al-Mustansiriya University

Job: Director of a contracting company in Muscat, Sultanate of Oman, decorator and expert in Islamic art.

Marital status: Married with two sons and a daughter.

Fourth: Osama Abdul Hameed Hamad Shihab Al-Obeidi (12)

Born: 1982

Academic achievement: Diploma in Fine Arts, Department of Calligraphy and Decoration in Baghdad, and an advanced expert in design programs for satellite channels.

Job: He works as a technical and technical expert in a satellite channel in Dubai

Marital status: Married with two children

His daughters:

He has six daughters, all of whom are married and have children who have completed their academic career. Some of them work, and some of them are housewives. Some of them memorize the Noble Qur'an and the provisions of its recitation and have an academic license and teach it to women according to God Almighty (13).

His death: After he settled in Egypt for nearly 18 years, he used to work in issuing fatwas on satellite channels, and he was answering people's questions and inquiries. On Monday, March 7/3/2022 CE, corresponding to Shaaban 4, 1443 AH, his death was announced from Cairo (14)

The second requirement: an introduction to the fatwa and its definition linguistically and idiomatically

A fatwa is a statement of the provisions of God Almighty, and their application to the actions of people, as it is a saying of God Glory be to Him, which is like a signature for Him, Glory be to Him; Therefore, the scholars mentioned the characteristics of the fatwa, which are tantamount to conditions. In order for it to be sound, true, and it is valid to benefit from it, and these qualities some of them are what is obligatory and necessary, and some of them are complementary and approving. Blessed and Exalted be He (16), and that was in compliance with His saying,

the Most High: “And they ask you about women. Say, God will give you fatwa about them” (17), and on the authority of Abu Hurairah, may God’s prayers be upon him, that he said: The Messenger of God, may God’s prayers be upon him, said: “Whoever is asked about the knowledge of his knowledge and then conceals it, he will be brimmed with a bridle of fire on the Day of Resurrection.” (18) Likewise, the fatwa is one of the obligations of sufficiency (19), which is the answer to what constitutes rulings with legal evidence (20). Al-Nawawi, may God have mercy on him, said while talking about “the etiquette of the fatwa, the mufti and the questioner”: “Know that this chapter is very important, so I loved introducing it because of the general need for it” (21), and among the issues that must be known and conceptualized comprehensively, so I started by explaining the fatwa linguistically and idiomatically:

First: The fatwa linguistically: Its origin in the language: from “a boy”, and the f, the ta’ and the weak letter are two origins: one of them indicates freshness and novelty, and the other indicates a clarification of a ruling.), and the man gave a fatwa on the issue, and I asked him about it, so he gave me fatwa, and the name is fatwa, or fatwa, and they are the people of the fatwa, i.e.: arbitration, and the people of fatwa (23).

Secondly, fatwa in terminology: fatwa in terminology has several definitions, which do not deviate from its general context in terms of its linguistic meaning. I mention these two definitions:

1- Al-Rahibani’s Definition: “Explaining the Shari’a ruling for the questioner about it” (24).

2- Definition of Abu Habib: “The answer to what constitutes legal questions” (25). Through the above, it appears that a

referendum means: asking about an order, or about a ruling on an issue, and this questioner is called the questioner, and the one responsible who answers is the mufti, and he answers the fatwa, and what he answers with is the fatwa, so the fatwa includes the presence of the questioner, the mufti, the fatwa itself, and the fatwa .

And that there is a connection between the linguistic and terminological meaning, but the issue whose ruling is asked about in the terminology of fatwa is considered one of the legal issues, and its ruling to be known is a legal ruling (26)

The second topic: his fatwa on visual media, and it has four demands:

The first requirement

Question / make up prayers?

The answer: The one who missed the prayers should calculate their times, and if he is not able to estimate, then make an addition to it (27)

Commentary / He said that the missed prayers should be spent and estimated, and if he does not know the number of them, he should estimate them with an addition to them

1. The Hanafis went: “(He who sleeps and misses a prayer...) clearly states that it is immediately obligatory. As for this hadith, it is understood as a slight delay, which does not make its owner negligent and averted from making up the fast, especially since it came in the hadith to explain the reason, which is: (that This is a place where Satan has attended us.) And his saying (in order) means that the missed prayers must be spent in order.” (28).

2. The Malikis went: “And whoever forgets many prayers, neglects them or sleeps about them, then remembers them, he makes them

up according to what he was obliged to do, and he has the right to spend the night prayer during the day, and the daytime prayer during the night and the day, and he is silent in what he is pleased with, and he is loud in what he used to be loud in.”(29).

3. The Shafi’is went: “Whoever misses an obligatory prayer must make it up and should make it up immediately.”

It is desirable to make up the prayers in order, and it is not obligatory to make them up, nor between the time and the missed prayers. If the time for an obligatory prayer and remembering has passed, then if the present time has expanded, it is recommended to start with the missed one. ancient city" (30)

4. The Hanbalis held: “It is obligatory for us to make up the prayers immediately, as far as possible, as long as it does not cause hardship, as Anas, may God’s prayers be upon him, narrated that the Prophet, may God’s prayers and peace be upon him, said: “Whoever forgets a prayer, let him pray it when he remembers it, and there is no expiation for it except that.” (31)

5. The Dhahriyyah went: making up missed prayers at these times, and persisting in the morning prayer when the sun rises while he is in it, or if it sets for him while he is in it, and to performing every voluntary prayer that came with a command. Or overlook it? He said: Its expiation is that he prays it when he mentions it.”(32)

The weighting / And what I see as the most correct is what Professor Dr. Abd al-Hamid Hamad al-Obaidi, may God have mercy on him, went to in his fatwa, because it is one of the clear issues, and after presenting the evidence of the jurists and knowing its source and realizing its purposes, as the jurists agreed

that whoever missed a prayer must make it up immediately, and it agrees with what was reported by the majority of jurists from Sayings, and God Almighty knows best

The second requirement

Question: Shortening and combining prayers?

The answer/ It was mentioned on the authority of the Prophet, peace be upon him, to shorten his prayers when he was on a journey, due to the Almighty’s saying: Verily, the unbelievers are an open enemy to you} (33) As for the plural, it was not mentioned except in the rituals of Hajj. Dhuh and Asr gather in Arafat and Maghrib with Isha in Muzdalifah. The jurists differed, some of them said the distance of the palace is 120 km, and some of them said 82 km, which is the view of the majority. The Imamis said 40 km, the Zaydis said 20 km, and some scholars said 2 km. Travel must be a travel of obedience, and the Muslim is not entitled to shorten his prayers on a sinful journey.

Commentary/ He answered, may God have mercy on him, and clarified the ruling on shortening prayer to be during travel and war, because God Almighty says: {And when you strike the land, it is no sin for you to shorten your prayers if you fear that they will be persecuted. How many are those who disbelieve? Indeed, the unbelievers are an open enemy to you} (35) As for the congregation of prayer, it is not It is mentioned in the Sharia except in the rituals of Hajj, where noon and afternoon combine in Arafah, and Maghrib and dinner in Muzdalifah.

1. The Tap Gold: “It is lawful to shorten the prayers in security and fear and in case of travel. It is not permissible to combine two

obligations at the time of one of them, except in Arafah and Muzdalifah” (36)

2. The Malikis went: “Prayer is not shortened except in obligatory travel. And with it Daoud said. Ibn Masoud argued that obligatory prayers are not left without obligatory, so when the two rak’ahs were obligatory, they were not left except for obligatory travel. (37)

3. The Shafi’is went: “It is not permissible to shorten the prayer unless it separates from the place of residence, so the palace is made dependent on hitting the ground. At the time of sunset in urban areas with the excuse of rain” (38)

4. The Hanbalis held: “He should not shorten his prayers except during Hajj or Jihad, because what is obligatory is not left unless it is obligatory. It is not permissible to shorten it except in a way of goodness. It is not permissible to combine prayer except on the day of Arafah and the night of Muzdalifah(39)

5. Dhahriyyah: Prayers are not shortened except in times of difficulty, jihad or Umrah. And that the combination between noon and afternoon, then between sunset and dinner is ever without necessity, without excuse, and without violating the Sunnah.” (40)

The weighting / And what I see as the most correct is what Professor Dr. Abd al-Hamid Hamad al-Obaidi, may God have mercy on him, went to in his fatwa, and it is one of the issues whose evidence is clear and the word of the jurists agreed on it, and that he, may God have mercy on him, agrees with what they said in this ruling and went in it to what they went to. It was mentioned by the majority of jurists, and God Almighty knows best

The third requirement

Question: The number of rak'ahs of the Tahajjud prayer?

Answer: At the Hanafis, eight rak'ahs, he prays two rak'ahs, reads the tashahhud, and rises without taslim to eight rak'ahs, then gives the salutation and resumes again. As for the rest of the jurists, it is permissible for him in every two rak'ahs of peace. Because the Prophet, may God bless him and grant him peace, said about the night prayer two by two, and the daytime prayer four by four. Some scholars say that it is not permissible to increase it to eight rak'ahs, and in general the scholars say, so pray as much as you like, because God Almighty says: Wen} (41) This is adhered to by those who do not allow a person to pray more than eight rak'ahs, and the jurists They said: No, it is his closeness to God Almighty, that he may pray as he pleases, but in the end he prays Witr and the prayers of those who said eight are over. They said that the Messenger, may God's prayers and peace be upon him, did not exceed eight rak'ahs in the night prayer, and they have a rule in their origins. This group says that what is not narrated from the Messenger of God is forbidden. So if he prays two rak'ahs, and every two rak'ahs, he receives the best agreed upon, but it is more than eight. As for its time, it starts after the Isha prayer until before dawn. (42)

Commentary/Professor Dr. Abd al-Hamid Hamad al-Obaidi, may God have mercy on him, separated the sayings of the jurists. He began with the Hanafi school of thought and mentioned that the number of them is eight rak'ahs and they are with one salutation, then he mentioned the other saying that he prays every two rak'ahs and gives the salutation. The night prayer, and the Messenger of God,

peace be upon him, said: (Night prayer is two by two, so if one of you fears the morning, he prays one rak'ah, making it more frequent for him than he has prayed) (43) and he prayed four during the day, and he said, "This is the best." Then he mentioned the saying of the jurists that it is permissible to add to eight rak'ahs, and he said that it is not permissible. According to some jurists, and according to the majority of jurists, it is permissible, and he inferred the Almighty's saying: {Their sides forsake their beds, calling on their Lord in fear and hope. A Muslim has the right to pray whatever he wants

1. The Hanafis held: "The minimum of Tahajjud is two units, its average is four, and its maximum is eight." (45).

2. The Malikis held: "The least of Tahajjud is two rak'ahs and the most of it is twelve rak'ahs" (46).

3. The Shafi'is held: "The least of them is two, and there is no limit to their number, and it was said that they are twelve rak'ahs" (47).

4. The Hanbalis said: "The minimum of Tahajjud is two rak'ahs and the most of it is eleven rak'ahs, and it was said that it is thirteen rak'ahs" (48).

5. The Dhahiriyyah view: "The minimum of it is two rak'ahs and the maximum of it is twelve rak'ahs" (49).

Al-Tarjeeh / After presenting the doctrines of the jurists and their evidence that praying Tahajjud at night is a confirmed Sunnah from the Messenger of God, may God's prayers and peace be upon him, but the jurists differed in the number of rak'ahs in the Tahajjud prayer, and what I see as the most correct is what Professor Dr. And if they differ in the number of rak'ahs of tahajjud, God Almighty knows best.

The fourth requirement

Question / Wearing certain colors in women's prayers?

The answer: It has nothing to do with colors. The important thing is to cover the private parts, and the clothes should not be tight and not light, so that he can see her body (50)

Comment: A specific color is not required for a woman in prayer, as she prays in any color, but the main condition is that the awrah be covered, and that the clothes are not tight that tells the shape of the body, and that they are not transparent that shows the woman's complexion. I will explain the scholars' sayings on this issue:

1. The Hanafis went: "The feet are not part of the awrah, and it was said that his face is that the soles of her feet are not part of the awrah" (51).

2. The Malikis held: "Most scholars are of the view that her entire body is awrah, except for the face and hands." (52)

3. The Shafi'is held: "It is obligatory to cover the awrah with something that does not describe the color of the skin, such as a thin garment, leather, or paper.

4. The Hanbalis held: "Covering the nakedness from sight in a way that does not describe the color of the skin is obligatory in prayer and otherwise, and it is a condition for the validity of prayer with the ability to do so.

5. Dhahiriyyah's view: "Covering the awrah, the neck, and the chest. And there is a text that stipulates the permissibility of revealing the face; it is not possible otherwise." (55)

Weighting / The jurists have agreed that the woman's entire body is awrah, except for the face and the hands, and in the feet there is talk,

and that covering this awrah must be with wide clothes through which the color of the woman's skin is not visible, and what I see as the most correct is what Professor Dr. Abdul Hameed Hamad went to Al-Obeidi, may God have mercy on him, in his fatwa, and he agrees with the statements of the majority of jurists who all spoke about the obligation to cover the private parts of women, and God Almighty knows best.

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