

Praise be to Allah, the Lord of the worlds; and peace and salutations be on our messenger Mohammad and on all his companions,

Then after,

Indeed the established fact is that this universe is guided by laws from the Most High the Almighty, Who created it in an innovative, systematic and perfect way. From that, He created the sun and the moon to know the times, the years and the calculations. The Most High said in Surah Yasseen Ayat 38 to 40:

And the sun runs his course for a period determined for him: that is the decree of (Him), the Exalted in
Might, the All-Knowing.

And the Moon,- We have measured for her mansions (to traverse) till she returns like the old (and withered) lower part of a date-stalk.

It is not permitted to the Sun to catch up the Moon, nor can the Night outstrip the Day: Each (just) swims along in (its own) orbit (according to Law).

And He said in Surah Ar-Rahman, ayah 5:

The sun and the moon follow courses (exactly) computed

And in Surah Younis, ayah 5:

It is He Who made the sun to be a shining glory and the moon to be a light (of beauty), and measured out stages for her; that ye might know the number of years and the count (of time). Nowise did Allah create this but in truth and righteousness. (Thus) doth He explain His Signs in detail, for those who understand.

And indeed Allah put, for people, the crescents as a timing indication to know the starting of the Lunar months. He, the Most High said in Al-Baqarah, ayah 189:

They ask thee concerning the New Moons. Say: They are but signs to mark fixed periods of time in (the affairs of) men, and for Pilgrimage. It is no virtue if ye enter your houses from the back: It is virtue if ye fear Allah. Enter houses through the proper doors: And fear Allah. That ye may prosper.

And because the relation of the beginning of the months and some worship duties like the Hajj and Ramadhan, and because the lunar months are the basic and the standard for many Shar'i rulings like waiting period after a divorce, AL-ILAA' [Waiting period for the woman before she can get married again when the husband dies], and the expiation, as the Most High said in Al-Baqarah, ayah 234:

If any of you die and leave widows behind, they shall wait concerning themselves four months and ten days: When they have fulfilled their term, there is no blame on you if they dispose of themselves in a just and reasonable manner. And Allah is well acquainted with what ye do.

And Al-Baqarah, ayah 226:

For those who take an oath for abstention from their wives, a waiting for four months is ordained; if then they return, Allah is Oft-forgiving, Most Merciful.

And in part of the two ayat 92 and 4 of An-Nisa, and Al-Mujaadilah respectively:

'... a fast for two months running...'

"...he should fast for two months consecutively..."

And indeed, the messenger, peace be upon him, showed, in many texts of his pure sunnah, the way to know the starting the month of Ramadhan and its ending is by the eye-sighting, as reported in the following:

"Start the fast at its (crescent) sighting, and break the fast at its sighting". Bukhari

The Muslim Ummah followed this principle since the era of Prophethood. We certainly have seen some issues and arguments at the beginning and the end of the month of Ramadhan and the month of Dhul-hijjah. In this modern time, the new technology that brought faraway places closer to each other added to the discussion, so much so that the world has become like one place where you can see and hear everything around the world (*like a "global village"*). And also, in this day and age, the horizons around the world become so polluted by the fumes and gases and the clouds of smoke which made the pollution reach high levels; in addition to all this, there is lighting pollution and the multitude of planes and satellites that roam the skies and reflect light which affect the eyesight.

All of the above and many other reasons added to the disagreement and the dispute over the crescent sightings. It happened that, in some Muslim countries, the time between one crescent sighting and the next reached three days. And this matter, for the Muslims, became one of the biggest dilemmas of our age.

Because of the great importance of this issue, symposiums and conventions were organized for its study, in which jurisprudential academies and legitimate organizations and experts were consulted. Yet, the controversy is still ongoing; and the need for an in depth study of the subject is very pressing, in which the rules of Shari'ah should be observed and conserved and there should be a look into the use of the new technologies with which Allah has blessed us, such as the great developments in astronomy, in computing and the available observatories. The different existing opinions should be discussed and studied in detail to reach a comprehensive solution.

For this reason, the Islamic Fiqh Academy at the Muslim World League, from its sense of responsibility to provide solutions to the Muslims, and from the feeling of the great need to study this subject, a convention was organized from the 19th to the 21st of Rabi' Al-Awwal 1433 in the Hijri calendar (From 11th to the 13th of February 2012) under the banner: "World Conference Between the Scholars of Shari'ah and the Scholars of Astronomical Calculation to Establish the (beginning/ending of) Lunar Months".

An elite group of Shari'ah scholars and astronomy scholars, belonging to different associations, organizations, and research institutes, from within the Kingdom of Saudi Arabia and from outside of it, met at the holiest site of the world, the Noble Makkah, and the majestic Kaabah, under the tutelage of the servant of the "Haramain" the King Abdel-Aziz Al Saud, may Allah protect him and help him in the servitude of Islam and Muslims.

After the participants reviewed all the research presented at the conference and heard the summaries of the papers and the discussion about them, they confirmed the following:

First:

The defining element of the starting or ending of the lunar month is the sighting (of the crescent), either with unaided eye or aided by observatories and astronomical equipment. If the crescent is not seen, then complete the month 30 days. Abu Hurairah, may Allah be pleased with him, reported that the Prophet, peace be upon him, said:

"Fast at its [crescent] sighting and break the fast at its sighting, and if it is clouded complete Shaaban thirty days." Reported by Bukhari.

Ibn Umar, may Allah be pleased with both of them, said that, [the Prophet] peace be upon him said:

“The month is twenty nine nights. So do not fast until you see it [crescent], and if you are clouded complete counting thirty days.” Reported by Bukhari.

From him also, he said that [the Prophet] peace be upon him said:

“Do not fast until you see the crescent and do not break the fast until you see it. And if you are clouded approximate it.” Reported by Bukhari.

These Ahadith and others like them prove that the sighting (of the crescent) establishes of the beginning or the ending of the month.

Second:

The observation of the crescent is a “Kifa’i” obligation (*not an obligation on every Muslim as long as a group from them fulfills it*) because it is of the matters that without it, other obligatory acts will not be complete. This is supported by his actions, peace be upon him, and his acknowledgement. Aisha, may Allah be pleased with her, said:

“The messenger peace be upon him, overses in Shaaban that which he does not do in other months. Then he fasts at the sighting of (the crescent of) Ramadhan. If it was clouded, he completes thirty days, and then he fasts.” Reported by Abu Daoud.

And in the narration of Ibn Hibban and Ibn Khuzaimah with the following words:

“The messenger peace be upon him overses the crescent of Shaaban that which he does not do in other months...”

And Abdullah Ibn Umar, may Allah be pleased with both of them, reported:

“People were observing the crescent. And I informed the messenger of Allah, peace be upon him, that I saw it, he (the messenger) fasted and ordered people to fast”. Reported by Abu Daoud.

Third:

It is obligatory that the observer fulfills the conditions for which a testimony is accepted, and any hindrance for which a testimony is rejected is absent, and to be sure that their vision is good, and the manner during which the crescent was seen is known and anything that may put a question mark on the sighting is absent.

Fourth:

Astronomical calculation is an established science. It has its own principles and regulations and some of its results should be considered. From this science the knowledge of the time of conjunction, the knowledge of the setting of the moon before the setting of the sun or after it; and the position of the moon in the horizon in the night preceding the conjunction which could be one degree less or more. Hence, to accept a sighting of the crescent, it cannot be an impossible sighting in accordance to the accepted truths and the definite calculated data from credible astronomers or astronomical organizations, such as taking into consideration if the conjunction occurred yet or if the moon set before the setting of the sun.

Fifth:

The sighting in one country where Muslims are a minority should be the same for all Muslims in that country so that their fast and their breaking of the fast would be united.

Sixth:

Concerning countries where Muslims are a minority and the moon cannot not been sighted for some reason, they should follow the sighting of the closest Muslim country or another country with a Muslim minority in which the sighting was confirmed by their representative organization.

Seventh:

Establishment of the beginning or ending of the lunar months concerning worship matters is Shar'i issue and is the responsibility of Shari'ah scholars appointed by an authority or an organization, and the astronomers and astronomical organizations have the responsibility to present their exact astronomical calculations concerning the birth of the moon, and the position of the crescent and the estimations of the conditions of the sighting throughout the world, and any other information that would help the expert Shar'i organizations to issue a valid and sound decision about the sighting.

Eighth:

Shari'ah does not prevent benefitting from modern science, such as astronomical calculations with it innovations and technologies in advanced observations, and using them in the good of people. Islam does not contradict science and its truths.

Ninth:

If the beginning of the month is established from the Shari'ah point of view, and the ruling authority in the Muslim country accepted it, it is not permissible to question it or doubting it after it is released, since it is an "Ijtihadi" issue and the dispute is settled by the ruler.

Tenth:

Encouragement is given to the Muslim countries to give attention and importance to the methods of crescent sighting and form observation organizations. In this regard, this conference praises the efforts of some of the Muslim countries in area of observation and establishing astronomical observatories, and at the forefront, the efforts of the Kingdom of Saudi Arabia shown by the "King Abdul-Aziz City of Science and Technology."

Eleventh:

The conference recommends the Muslim World League forming a body of scientists, Shari'ah scholars and astronomers, to look into all studies and research in both fields that were presented at the previous meetings, symposiums, and conferences concerning this subject, and to also look at what was issued by the Fiqh academies, organizations, and Muslim experts. Make sure to work for achieving a consensus in establishing the beginning of the lunar months. The conference also recommends the use the Noble Makkah as the center for astronomical observatories and the issuance of a united Hijri calendar and for the league to coordinate between the Shari'ah scholars and authorities and the astronomy scholars and organizations and experts in the Muslim world and should be headquartered in the Noble Makkah, the heart of Islam, where it sprung with goodness.

Also, this body should comprise the Fiqh academies of the Muslim countries and the "Fatwa" authorities or those who would appoint them from the experts of Shari'ah and astronomy. And from there, they would issue what was achieved during this conference to the fiqh academy of the league.