



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Edition 1430/2009

HILAL JUDGMENT ON MOONSIGHTING

ACCORDING TO SHARIA'H

THE HISTORY OF ASTRONOMY AND THE LATEST RESEARCH



Including the Fatawa & Opinions of The Ahlus Sunnah wal Jama'ah
with Fatawaa of Hanafi Scholars from the Barelwi and Deobandi schools

Author

Molvi Ya'qub Ahmad Miftahi

Translated By

Mufti Muhammad Aslam Patel



Published by; :

Central Moon-sighting Committee of Great Britain

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قال الله سبحانه وتعالى:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَرَسُولَهُ وَلَا تَوَلَّوْا عَنْهُ وَأَنْتُمْ تَسْمَعُونَ وَلَا تُكُونُوا كَالَّذِينَ قَالُوا سَمِعْنَا وَهُمْ لَا يَسْمَعُونَ
وقال ايضا: يَسْأَلُونَكَ عَنِ الْأَهْلِ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ (سورة البقرة)
وقال النبي صلى الله عليه وسلم : لا تصوموا حتى تروا الهلال ولا تقطروا حتى تروه فإن غم عليكم فاقدروا له وفى رواية فأكملوا العدة ثلاثين
وقال ايضا: صوموا لرؤية وافطروا لرؤية فإن اغمى عليكم فأكملوا عدة شعبان ثلاثين
وقال ايضا : إنا أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا والشهر هكذا وهكذا
وقال ايضا: إن الإسلام بدأ غريبا وسيعود كما بدأ ويأرز بين المسجدين كما تترز الحية فى جحرها
وقال ايضا: لتتبعن سنن الذين من قبلكم شبرا بشبرا وذراعا بذراع حتى لو دخلوا جحر ضب لاتبعتموهم , قيل يا رسول الله اليهود والنصارى قال فمن؟
وقال الله سبحانه: يَا أَيُّهَا الَّذِينَ آمَنُوا إِنْ تَطِيعُوا اللَّهَ وَالرَّسُولَ لَيُخْزِئَنَّ الَّذِينَ كَفَرُوا يَدْخُلُونَ فِي أَعْيُنِ النَّاسِ يَوْمَ الْقِيَامَةِ يَوْمَ لَا تَنْفَعُ الْإِثْمَانُ الَّذِينَ كَفَرُوا عَنْهُ وَلَهُمْ أَعْدَابُ عَظِيمَةٌ

Origin of this Book

Origin of this Book: `Shar'i Thuboot Hilal, Tarikhe Falakiyat aur Jadeed Tahqique`` translated by Mufti Muhammed Aslam Patel of Harare , Zimbabwe. My most sincere thanks and appreciation to the efforts by the Translator for his dedicated commitment to completing this translation. May Allaah accept his most sincere intentions. Aameen.

There are new sighting data, including international and UK moon sighting records collected by Hizbul Ulema UK. Specifically the sightings by seventeen people (13 from Blackburn in Lancashire and 4 from Batly in Yorkshire); two persons from Birmingham Central Masjid; eight Ulema of Darul Uloom Bury; and three Ulema from Darul Uloom Leicester, England.

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DEDICATION

It is only befitting that I dedicate this humble work to the Noble Prophet Mohammad صلى الله عليه وسلم, addressed by Allah SubhanahuWata'Ala as the "Unlettered" Prophet, yet, the master of the most extensive knowledge, foretold in previous scriptures, and the mercy for the worlds.

It is the Holy Prophet صلى الله عليه وسلم who took the Arabs out of the depths of ignorance and elevated them to unprecedented heights of glory. The Arabs who buried their daughters alive in pre Islamic days were now the advocates of love and compassion. Allah took mercy on them and accepted them as the best of all people. Their Master was the greatest teacher of all, teaching not only the highest form of morality but also the most sublime acts of devotion to Allah SubhanahuWata'Ala. One of these acts of devotion is one with which this book is mainly focused on i.e. Moon sighting & Thuboot Hilal to start the Fast of Ramadhaan, Eidain, Hajj etc. The Master began the fasting month according to Shar'i principles and this is the one practice of the Prophet صلى الله عليه وسلم that we should all try to emulate so that we can please Allah SubhanahuWata'Ala and gain nearness to him.

"... We Sent Thee Not (oh Mohammad), but as a Mercy for all creatures" (Holy Qur'an, 21:107)

AI – IMAAN

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ اطَاعَ اللَّهَ
وَمَنْ تَوَلَّى فَمَا رَسَلْنَاكَ عَلَيْهِمْ حَفِظَا
(صدق الله)

*“He who obeys The Messenger, obeys Allah; But if any turn away,
We have not sent thee To watch over Their (evil deeds).” (Holy
Qur’an, 4:80)*

We believe in the Prophet صلى الله عليه وسلم

Believing in the Prophet صلى الله عليه وسلم is to believe in Allah
SubbhanahuWata’Ala.

The meaning of Iman in the Prophet صلى الله عليه وسلم and Allah is to do
what he صلى الله عليه وسلم commanded and practised.

Because we believe in the Prophet صلى الله عليه وسلم we believe in what is in
The Quraan and Sunnah. He صلى الله عليه وسلم commanded the Muslims to
follow none other than him and his methods (من تشبه بقوم فهو منهم), this
includes not to follow the method of moon sighting (specifically of
the Jews and Christians) to start and end the month. We believe that
he صلى الله عليه وسلم is the teacher and explainer of the *Deen* of Islam.

The practice of *Deen* depends on what last Prophet of Allah
SubbhanahuWata’Ala said and did by ‘*Wahi*’ (i.e. The Quraan &
Sunnah). That was the way of Islam and still is!

His companions’ رضى الله عنهم strictly practised it and that is the Islam
we all believe.

You will read in this book about the moon sighting method to start
the month and exactly what the Prophet صلى الله عليه وسلم said and did.
You will also read exactly what the Sahaabah رضى الله عنهم and our

honourable personalities commented and followed. The personalities are those in whom we trust and know about! Such as Darul Ifta Riyadh, wazaratul Awqaf kingdom of Saudi Arabia, Shaikhul Haramain Al sharifain, Darul Ifta Deoband, *Maulana Rashid Ahmed Gangohi*, *Maulana Ashraf Ali Thanvi* , *Maulana Ahmed Razakhan* and others .

We believe them in what they follow the way of Prophet صلى الله عليه وسلم
All these we will read in this book Insha Allah.

Islam didn't conditioned theoretically (hypothetically) calculated new moon conjunction and it's sighting possibility to see the moon for start the new month.

This calculation is not new! It was practised by Jews against prophetic unconditional moon sighting practice in 358ce before Islam depending on the calculation theory of Metonic philosophy (431BC) by Hilal 2nd, the Great Rabi of Baitul Moqaddas.

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اعوذ بالله من الشيطان الرجيم

بسم الله الرحمن الرحيم

قال الله تعالى : يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَرَسُولَهُ وَلَا تَوَلَّوْا عَنْهُ وَأَنْتُمْ تَسْمَعُونَ وَلَا تُكُونُوا كَالَّذِينَ قَالُوا سَمِعْنَا وَهُمْ لَا يَسْمَعُونَ (سورة الأنفال)

Translation: O you who Believe in Allah and His Messenger and do not turn away from him (Rasoolullah صلى الله عليه وسلم) whilst you are listening. And do not become like those who claim to have heard whereas they have not. (They do not listen attentively with all their heart and do not practice on what has been heard) Verily! The worst of creatures are the deaf and the dumb who do not understand. (Suratul Anfaal Verse 20-22)

وقالأيضا: وَمَنْ يُطِيعِ اللَّهَ وَالرَّسُولَ فَأُولَٰئِكَ مَعَ الَّذِينَ أَنْعَمَ اللَّهُ عَلَيْهِمْ مِنَ النَّبِيِّينَ وَالصِّدِّيقِينَ وَالشُّهَدَاءِ وَالصَّالِحِينَ وَحَسُنَ أُولَٰئِكَ رَفِيقًا ذَلِكَ الْفَضْلُ مِنَ اللَّهِ (سورة النساء)

Allah says: **سبحانه وتعالى** Whoever obeys Allah and the Messenger (Muhammad صلى الله عليه وسلم) will be among those whom Allah has favoured; the Prophets, the Truthful (who were first to follow the Prophets), the martyrs and the righteous. How excellent these are as companions! Such is the favour of Allah.

The promise, from Allah, for forgiveness is for those Believers who endeavour to fulfil their acts of worship within their stipulated times in accordance to the commands of Allah and his Rasool صلى الله عليه وسلم and in conformance to the Beliefs outlined by Shari'ah for the pleasure of Allah.

وقال رسول الله صلى الله عليه وسلم

عن أبي هريرة رضى الله عنه قال: قال رسول الله صلى الله عليه وسلم كل أمتي يدخلون الجنة إلا من أبى قيل ومن أبى قال من اطاعنى دخل الجنة ومن عصانى فقد أبى (الصحيح البخارى)

Translation: Rasoolullah صلى الله عليه وسلم said, ‘Every individual from my followers will enter Jannah (Paradise) except those who have denied.’ The Sahaabah asked who they were that have denied. Rasoolullah صلى الله عليه وسلم said, ‘Those who have obeyed me will enter Jannah (Paradise) and those who have disobeyed me have denied me. (Bukhari)

قال رسول الله صلى الله عليه وسلم: عن عبد الله بن عمر رضى الله عنهما قال قال رسول الله صلى الله عليه وسلم لا يؤمن أحدكم حتى يكون هواه تبعا لما جئت به (مشكوة – كتاب الإيمان – باب الإعتصام)

Translation: Ibn Umar رضى الله عنهما narrates that Rasoolullah صلى الله عليه وسلم said, ‘None of you can be a perfect believer until his desires are subject to the teachings that I brought. (Mishkaat)

AN OUTLINE ON SOME OF THE TOPICS DISCUSSED IN THIS BOOK

- 1) The prohibition by Shari'ah of giving consideration to the hypothetical theory of astronomy with regards to the determining and sighting of the new moon.
- 2) According to Shari'ah the 29th day is not conditionally stipulated for the sighting of the new moon as is the theory of astronomy.
- 3) Rare sightings of the new moon despite bad weather in Britain and substantiating proof and evidence of such sightings.
- 4) A rebuttal, by astronomers, of the principles of the new moon theory of astronomy.
- 5) The witnesses from all over the world including the Indian sub continent, Britain and especially those visitors and residents of Saudi Arabia whose testimony confirms the dates of Ramadhaan, the two Eids and Hajj.
- 6) The calculations of astronomy are not considered by Shari'ah. It is for this reason that in the entire world the new moon is only visible to some people due to being very feint as had occurred during the era of Rasoolullah صلى الله عليه وسلم and the Sahaabah رضى الله عنهم It is for this reason that in Britain during the summer when the sky is clear then according to the calculations offered by astronomy for the new moon it is sighted, without any difficulty, on many evenings in many cities and even throughout Britain. According to Shari'ah this is not the new moon.
- 7) Saudi Arabia base sighting of the moon, for determining Ramadhaan and the two Eids, on the method taught by Rasoolullah صلى الله عليه وسلم and not on the hypothetical theory of the birth of the new moon being on the 29th of a lunar month. This is one of the main

reasons why other countries differ with Saudi Arabia on the commencement of a month.

One should strengthen his Belief and Faith on the strength of the truth of the teachings of the natural Religion of Islam as well as the teachings of the last of the Messengers صلى الله عليه وسلم as well as by studying the above-mentioned topics that are complete with references of the Imaams of Jurisprudence, as well as the all Islamic Schools including Hanafi Scholars of the Sub-continent from the Deobandi, Bareilwi and Ahlus Sunnah wal Jama'ah.

Foreword

نحمده ونصلى على رسوله الكريم وعلى آله واصحابه ومن تبعه إلى يوم الدين
قال الله تعالى: مَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا (سورة الحشر)

Allah صلى الله عليه : Adopt whatever teaching Rasoolullah presents to you and refrain from anything that he prevents you from.

وقال النبي صلى الله عليه وسلم

لا تزال طائفة من أمتي ظاهرين حتى يأتي أمر الله وهم ظاهرين (البخارى ومسلم)

A group from among my followers will always remain dominant until the decree of Allah will come and whilst they are still dominant.

وقال أيضا: لتتبعن سنن الذين من قبلكم شبرا بشبرا وذراعا بذراع حتى لو دخلوا حجر ضب لا تتبعتموهم . قيل يا رسول الله اليهود والنصارى قال فمن (رواه البخارى و مسلم)

You will definitely follow the practices of those who passed before you to the finest detail so much so that if they entered the hole of a lizard you will do likewise. It was asked, 'O Rasoolullah J are you referring to the Jews and Christians?' and he replied saying, 'Who else!' (Muslim and Muslim)

In the present era the theory of astronomy on the new moon is being used by Muslims as a guide to determine the authenticity of the sighting of the new moon. However discussions are being held regarding this theory being made a precondition for the authenticity of any sighting. This theory was adopted by the People of the Scriptures and specifically the Jews in 356 AH, 268 years prior to the advent of Islam in 610 CE when it was refuted by Rasoolullah صلى الله عليه وسلم in the revelations he received such as the Verse of the Qur'aan:

يَسْأَلُونَكَ عَنِ الْأَهْلِ

They ask you (O Muhammad صلى الله عليه وسلم) about the new moons.

And the Hadith in which he stated:

نحن أمة أمية

We are an illiterate nation

Having expressed this Rasoolullah صلى الله عليه وسلم the Sahaabah and the Righteous, guided Khulafaa, verbally as well as practically, showed the Muslim nation the method of sighting the new moon.

Rasoolullah صلى الله عليه وسلم did not encourage or instruct his companions to learn astronomy from the Jews of Madinah but he rather refrained totally from their method of calculation such that he did not even refer to them in his entire lifetime even when certain unknown Bedouins came for the and testified that they had seen the moon. Even when the Sahaabah and the Khulafaa had captured the centres that held high regard in relation to the knowledge and research pertaining to astronomy such as Egypt, Syria and Iran they did not accord any honour to the libraries of Alexandria and they did not show any regard for the Greek literature on this subject. In fact, they ordered these books to be destroyed (Mukhtasar Akhbar-e-Misar by Abdul Latif Baghdadi, Mukhtasar Al-Dowal by Abul Faraj Ibnul Eabri, Akhbarul Ulama be Akhbaril Hokamaa by Dr. Julias Lepert).

Please note, when these references are used by Muslims, some argue by accusing them as “opposers of science and it`s reality”, and reject these historical events completely, arguing that Muslim historians never mentioned it. Those accusing, support their argument from the book, ‘The Arab Conquest of Egypt’ by Dr.A.J.Butler, in which he rejects this history!

Let me say yes, Islam opposes any notion of any modification to the fundamental change in the orders and the Shari’ah of Allah and His Messengers, especially the last Prophet صلى الله عليه وسلم whether in the name of science or otherwise. Also let me say yes, Islam does not

oppose scientific research and methods to aid the betterment of mankind's development.

Look, the Prophet ﷺ was saddened after seeds of the date trees produce no fruit, and told his companions, "Don't take my words for 'Omoore Dunya' as an order and sow date trees on your experience" (Muslim. And Mishkat babul Eatesam bil kitab was Sunnah, also can see in my book ``Birtanyah main Isha ka Sahih Waqt`` urdoo p16)

The references to book burning events:

(1) Qaisur Zainu 474 to 491 CE destroyed the schools and books of the Nastoori sect (Mirase Islam by Arnold p313 and The battle of Religion and Science p77).

(2) Julias Ceaser (50 to 44 BC) burned half of seven hundred thousand books of Alexandria p146 by Dr Drepur

(3) Thiaphilice burned the remaining books in Alexandria by order of Qaisur Theodoses 2nd (408 to 450 CE)

(4) Historian Orawshes didn't find any book at all when he came to Alexandria in 413CE.

(5) Pope Gerigorian destroyed all books of Sisroo 43bc and Historian Levi 17bc.

(6) In Talitila (Spain) the Bishop Xminese 1437 to 1517ce burned 80 thousand muslim's books.

(7) When third European crusade entered Constantinople (Istanbul) they burned all books found there.

(8) Two hundred years ago when Spanish fighters came to fight at Mexico they burned all books there.

(9) The Bishops of Britain burned those books in which there were references of Ibne Rushd (1198CE) like John Arejenia.

(10) The total books burnt in 1124 years (from 476 to 1500 CE) are more than 6,000,000 (700,000 in Alexandria, 1,500,000 in Spain, 3,000,000 in Tripoli, 300,000 in Sicily and others in Constantinople, Asia Kochak (Turkey), Palestine, Damishq and other parts of Europe.

The Quran talks about the historical events of past generations mainly using macro details. Thence our Eman which includes those in history not mentioned. The Qur'aan also supports the destruction of history as Allah's anger (and Azab) on them.

Similarly if the historian missed these events, there are still many many arguments in the support of the actions of the Sahaabah radia-Allahu unhum, let us read two from these examples.

Prophet of Islam صلى الله عليه وسلم became angry and stopped Umar Farooque radiallahu unh to read the Bible saying, the Quran is enough for us, even though he was looking at those Bible verses which prophesised the Messenger as the seal of the Prophets!

Secondly the history of the mass book burning during the time of Prophet صلى الله عليه وسلم by the Romans and Persians! Even after that, there were historical book burning events not only by non-Muslims, but by Muslims against Muslim writers too.

Unfortunately, since the second century after Hijrah when the Abbasid Rulers became engrossed in Greek literature and astronomy, the discussions relating to this subject have continued up to this present age. In the period in-between the Jurists had

refused to regard the theory presented by astronomy on the sighting of the new moon as being within the acceptable limits of Shari'ah and held fast to the moon-sighting method taught by Rasoolullah صلى الله عليه وسلم in that an effort must be made to seek the moon on the 29th day. However in the present age due to being inconvenienced by the moon issue as well as being influenced by the ideologies of the secular scholars, some Scholars of Islam have begun making convenient interpretations in the Islamic moon sighting method taught by Rasoolullah صلى الله عليه وسلم and are adamant in using the new-moon theory of astronomy on the pretext of using it as a moon-sighting aid and even as a means to interfere with the religious principles on this subject. This is despite the fact that the general public and learned Scholars have also given testimony against this theory to the extent that even the non-Muslim astronomers who are regarded as an authority in this field have acknowledged that changes have occurred in the concept and theory of the new-moon conjecture.

It is also a well established fact that the weather in Britain is always cloudy due to which the new moon is very rarely visible locally due to which Britain will always have to suffice on the sighting of other places in accordance to the Juristic principle of the sighting of one place being applicable to another place due to the difference in horizons not being applicable.

However it is necessary to adopt the method outlined by Shari'ah of searching for the new moon on the evening after the 29th day without regarding it as conditional that it can only be sighted as of that date as is the theory of astronomy and the Greenwich Observatory (London) wherein it is stipulated that the new moon will only be visible as of the evening after the 29th day of a lunar month.

The Need to Plan Islamic Dates and the Method of doing so

Anyone will be compelled to accept the fact that it has become a necessity of life to plan Islamic Dates in advance for the coming one or many years especially when Muslims prefer to practice on their own calendar rather than base their dealings on the calendar of other religions such as European Gregorian Calendar or Judo Christian lunar calendar conditioned with new moon calculation. This need becomes greater in a place being ruled by a Muslim government. Thus when they prepare a calendar for the year or for the coming few years they have to adopt some method for the distribution of the lunar months between the categories of months with 29 days and those with 30 days.

One method of doing this is to ignore the calculations and new-moon theory of astronomy by regarding every alternate month as having 29 or 30 days respectively.

The other method is to adopt the new-moon theory of astronomy. Adopting either method will result in the 12 months of the year being confined to either 29 or 30 days with or without an order of sequence.

It is an established fact that such calendars that are prepared before hand are only an estimation and have no bearing in fulfilling the requirement of Shari'ah for acts of worship such as Fasting of Ramadhaan and Aashorah of Muharram, Hajj, the two Eids and neither is the search for the moon conducted in accordance to the evening of 29th day of a lunar month on such a calendar. It has rather been stipulated by Rasoolullah صلى الله عليه وسلم that the requirement of Shari'ah will be fulfilled by sighting the moon on the conditioned evening of 29th with new moon theory day of a lunar

month and in the event that it is not sighted then the month should be completed with 30 days.

It is highly unfortunate that due to such calendars being prepared on the basis of the new-moon theory of astronomy that rather than searching for the moon on the evening after the actual 29th day (unconditioned with new moon theory) of a lunar month in accordance to the teachings of Shari'ah the notion being largely adopted is that the evening of the 29th day as per such calendars is made the basis for the sighting of the moon.

In order to prepare such calendars the well organised movement of astronomers throughout the world over have put the theory of astronomy on trial under the legal supervision of ruling governments.

It is on this basis that not only the non-Muslim astronomers but even the Muslim astronomers have adopted this theory in the preparation of such calendars. It is also for this reason that the Ummul Quraa perpetual calendar used in Saudi Arabia had in 1952 switched from using the first method of stipulating every alternate month as 29 and 30 days respectively to the method based on new-moon theory of astronomy. However for the purpose of determining the date for certain acts of worship the sighting of the moon is conducted on the evening after the actual 29th day of every lunar month.

The fact that the dates on such calendars are only estimation does not seem to be regarded as bad. However such calendars hold the potential danger of creating a notion of determining the dates for certain acts of worship based on calculations offered by astronomy. This is evident in the places under European control where they promote their own civilization and many intellectuals of the current age as well as newly qualified Islamic Scholars are influenced by the

calculations offered by astronomy. This is also due to the fact that this subject is not factually discussed in depth at Islamic institutions of learning.

Jeudo Christian Lunar Calendar

It is established that religiously minded Christians use the lunar calendar and it is the calendar which the Jews practice upon in this age (Calendar booklet by David B. Loughran-part 2). This lunar calendar was initiated by the highest ranking Rabbi in Palestine, Haael II, in 358 CE when he adopted the new-moon theory of Metone who lived in 431 BC and by so doing he terminated the practice of the Prophets whereby the moon was actually sighted for the first of each month and announced from Baitul Muqaddas by them.

Although it is common that the Christians use the Greek ‘Solar Calendar’ which the Roman Emperors adopted after they conquered Greece prior to the coming of Isa عليه السلام and changed the names of the months to that of their governors and they also altered the sequence of the months and days such that after the era of Isa عليه السلام the Roman Emperor, Constantine The Great I (331 CE) embraced Christianity the Christian calendar was attributed to him up to the era after the coming of Rasoolullah صلى الله عليه وسلم when it starting being attributed to Pope Gregory due to certain alterations made by him. However on the basis of the reference mentioned earlier it is established that the Christian calendar is actually the Lunar calendar.

Islam, the Messenger صلى الله عليه وسلم and the practise of the Jews and Christians

When the era of the final Messenger صلى الله عليه وسلم commenced in 610 CE we find that he expressed that he has come to do away with all the previous practices based on ignorance such that by the

command of Allah, Rasoolullah صلى الله عليه وسلم *did* away with most of the laws that were found in the previous scriptures. In one Hadith Rasoolullah صلى الله عليه وسلم is reported to have mentioned:

لَتَتَّبِعَنَّ سُنَنَ الَّذِينَ مِنْ قَبْلِكُمْ شِرَارًا بَشِيرًا وَذُرَاعًا بِذُرَاعٍ حَتَّىٰ لَوْ دَخَلُوا حَجْرًا ضَبًّا لَا تَتَّبِعْتُمُوهُمْ
, قِيلَ يَا رَسُولَ اللَّهِ الْيَهُودَ وَالنَّصَارَىٰ قَالَ فَمَنْ؟ (رواه البخارى و مسلم)

You will definitely follow the practices of those who passed before you to the finest detail so much so that if they entered the hole of a lizard you will do likewise. It was asked, ‘O Rasoolullah صلى الله عليه وسلم are you referring to the Jews and Christians?’ and he replied saying, ‘Who else!’ (Bukhari and Muslim)

This means that the Muslims will break the laws of Islam by adopting the ways of the Jews and Christians.

In light of this danger and on the basis of the fact that Islam, unlike the other religions, will remain until the Day of Judgement Rasoolullah صلى الله عليه وسلم stated the following:

لا تزال طائفة من أمتي ظاهرين على الحق لا يضرهم من خالفهم ولا من خذلهم حتى تقوم الساعة (بخارى و مسلم)

Translation: A group of my followers will always remain dominant on the true and right path. Those who oppose them as well as those who stop assisting them will not cause any harm to them until the last day.

Those Muslims who adopt the moon-sighting method of the Jews and Christians mentioned earlier and go against the categorical rulings of Islam as well as the practice of the Sahaabah رضى الله عنهم such people are the subject of the Hadith that mentions that Muslims will break the laws of Islam by adopting the ways of the Jews and Christians. An example of this is those people who regard it as conditional to adopt the new-moon theory formulated by Metone

that the Jews and Christians had adopted even prior to the advent of Islam.

It is not a secret to the Scholars of Islam that only those practices of the People of the Scriptures can be adopted which were upheld by Islam. Whichever practices were not upheld by Islam will be rejected and from among the rejected practices is the new-moon theory of astronomy and the calculations of the Greenwich Observatory.

It is unfortunate that those whose practice is contrary to the new-moon theory of astronomy or the calculated predictions on the possibility of sighting the new moon such as the government of Saudi Arabia who maintain the moon-sighting formula taught by Rasoolullah ﷺ are challenged by Muslims using the method adopted by the Jews and Christians despite the testimony of people the world over with regards to the sighting of the moon on the same evening. By opposing those practicing on the principles of Rasoolullah ﷺ such people become the subject of the parable of the thief who rebukes the sherrif.

Since the advent of Islam up to this present age the Muslims and the Muslim regions especially the Jazirat-ul-Arab, Deobandi and Bareilwi Ulama of the Indian Sub-continent (Indo-Pak & Bangladesh) have maintained this practice as well as issued their verdicts on the fact that the new-moon theory cannot be used to establish the sighting of the new moon nor can it be used to cross-examine any witnesses to the sighting of the moon.

Even today 99% of the Scholars are firm and steadfast on the principle of Rasoolullah ﷺ and it is in conformance to this Prophetic principle that the Central Moon-sighting Committee of Britain, Hizbul Ulama UK, Jami'atul Ulama Britain, Jami' ate Ahle Hadith and others are also of the same opinion that such a theory cannot be used as a basis for moon sighting. Besides these organisations the Arab countries especially the Ministry of Justice in

Saudi Arabia, their Supreme Court, Daarul Iftaa Riyadh, and the Senior Ulama of Saudi Arabia do not give any regard to the new-moon theory of astronomy and by so doing they bear the bitter comments and false accusations of those who are influenced by the moon sighting method of the Jews and Christians. However they hold fast to the moon sighting method taught by Rasoolullah ﷺ and very strongly oppose the new-moon theory and calculations of astronomy used for establishing the sighting of the moon as well as to confirm the testimony of any witnesses to the sighting of the moon. This is because if it is allowed then it will result in making the categorical laws of Shari'ah subject to the un-Islamic calculations and theories of astronomy and this has been prohibited by Shari'ah.

All Praise is due to Allah for the fact that the majority of Ulama from the Ahlus Sunnah wal Jama'ah especially in Jaziratul Arab, the Indo-Pak sub-continent have held fast to the moon sighting method taught by Rasoolullah ﷺ. May Allah strengthen their Imaan (Faith) by showering his special mercy upon them and also make them a means of guidance! Aameen!

A Prophecy Relating to the Beginning and End of Islam

إن الإسلام بدأ غربا وسيعود كما بدأ ويأرز بين المسجدين كما تئرز الحية في جحرها-
بخارى-مسلم-ابن ماجه -جامع صغير)

Translation: Rasoolullah ﷺ said, 'Islam began as a stranger and will return to that status and seek refuge between the two Masjids (in Makkah and Madinah) just as a snake seeks refuge in its hole.

There is no doubt that in comparison to the Muslims and Muslim governments of the world this Hadith is in favour and support of the Aa'le-Saud and Aa'le-Shaikh who are particular with adopting the rulings of Shari'ah and practices of Rasoolullah ﷺ especially

in relation to the issue of sighting the moon and confirming the reports of witnesses whereby they do not give any regard to the theory and calculations of Metone adopted by the Jews and Christians. This Hadith in turn openly opposes those who oppose the people who adopt the moon sighting method taught by Rasoolullah صلى الله عليه وسلم

The wisdom behind the above-mentioned Hadith and especially the narration that states that Rasoolullah صلى الله عليه وسلم adopted the moon sighting natural and Divine practice of the previous Prophets rather than the new-moon theory of astronomy established by Metone could not be fully comprehended for the last 1400 years and not even in this rather astonishing age of progress. In the previous centuries just as the claims of such theories being definite were made only to be altered repeatedly likewise such theories have also been repeatedly refuted in the present era.

Islam and the History of Astronomy

Keeping the principles of establishing a sighting of the moon as well as accepting the testimony of any witnesses to such a sighting in mind and then comparing it to the theories of astronomy then no one will find any difficulty in understanding the wisdom behind the simplicity of Islam. For example, the Polytheists and those other than the People of the Scriptures attribute their calendar to the theories and principles of Metone (430 BC) which was in practice until after the era of Isa عليه السلام but before the advent of Islam. The Chief Rabbi of the Jews, Haalel II, also attributes the Jewish calendar to a Metonic theory adopted in 358 CE. The Christians also accepted this as their Religious calendar as was mentioned earlier and the fact that Muslim astronomers have tried to make this theory a determining factor in Shari'ah is no hidden secret.

Keeping these historical facts in front and the fact that the Jews and Christians have adopted such a theory to be the basis for their

religious calendar now certain forces have engaged in a worldwide scheme in the name of some Muslim astronomers to convert the Prophetic principles on moon sighting to those based on the theory of Metone and adopted by the Jews and Christians. Just as it is unfortunate that this is happening it is of greater concern that this is an open challenge to our worldwide institutions and establishments engaged in promoting good and forbidding evil yet they have not even raised their voices on this subject whereas the teachings of Allah and Rasoolullah ﷺ are sufficient in establishing that such a theory is not categorical even if there is some apparent proof supporting it.

Those who are using all the strength of their Faith on astronomy should take note that even today there is no shortage of proof and evidence on such theories not being categorical. Due to the advance and progress of the electronic media as well experiments, testimonies and discussions being broadened the positive picture of Shari'ah being portrayed in opposition to the new-moon theory and hypothetical calculations on the presence or absence of the moon is not only an additional guide to the non-Muslim experts but also for the Muslim astronomers as will be mentioned later.

15th Century of Hijrah – Lunar Dates and the Latest Research

Professor Muhammad Ilyas Salamah who despite having prepared Islamic calendars for years on the theory of astronomy writes the following: 'Despite the advance and progress made during this age there has been no progress in relation to the sighting of the moon despite 1000 years having passed since Berooni presented his research.' By man having reached the moon people have regarded the seeing of an object from the earth and the calculation on reaching it as being effective in sighting the moon whereas that is not so (The Islamic Calendars, Times and Qibla' by Professor Muhammad Ilyas).

This is the same person who despite all his achievements acknowledges that theories of astronomy cannot be relied upon for the establishment of a sighting of the moon just as he had accepted the sighting of the Shawwal 1407's moon on the evening of 27th May 1987 by 17 persons, 13 from Blackburn Lancashire, UK including 2 women and 4 men from Batley York Shire UK who had seen the moon 4 hours after its theoretical birth. This acknowledgement was done at the world's Tableeghi Ijtimaa at Dewsbury York Shire ,UK in the presence of the Head of Hizbul Ulama UK, Moulana Moosa Karmadi as well as other Ulama from Dewsbury and Bradford.

Nevertheless, since theories keep changing and the theories of the past as well as those of the recent past which were portrayed as categorical have changed many times and there is no guarantee that whatever theories are being regarded as definite today will not change in the future. For example, Andre Danjon to whom Professor Ilyas made reference in his book under the observation of Berooni whereby there is a hypothetical meeting of the sun and moon (conjunction) then despite the sun and moon being lined up absolutely straight there is a gap, in actual reality, between them. No true astronomer will deny this fact. Where he has accepted the central point of the new moon he has also stated the possibility of sighting the moon when the two are at a distance of 7° from each other. It is on the basis of this that, for the last four decades, the astronomers and the Greenwich Observatory of London has been refuting testimonies by those who physically sighted the moon.

However since the means of communication have become more common and Muslims have in general searched for the moon on the evening after the 29th day of a lunar month in conformance to the 14 century old Sunnah practice and have repeatedly sighted the moon at the time of hypothetical conjunction, as well as before and

after it and even before the stipulated viewing time this has resulted in heavy criticism from the astronomers but the access to communication has brought forth new revelations in astronomy which are open to everyone:

1) The principle coined by Andre Danjon (1920 CE) of the moon being visible at an elongation of 7° which the Greenwich Observatory has ever since adopted. However Jim Stamm has mentioned the possibility of sighting the moon at an elongation of $6\frac{1}{2}^\circ$ and has expressed that according to his personal experience it can even be seen at 6° or $5\frac{1}{2}^\circ$.

2) Jim Stamm sighted the moon in the US on 11 October 2007 which many would term impossible. Dr Stamm's observation record is outlined below:

October 2007

Location = Tucson, Arizona (USA)

Longitude = 110.9645° W

Latitude = 32.4204° N

Elevation = 842 meters

Time Zone = -7.0 hours

Surface conditions at 14:00 Local Time

Temperature = 90 degrees Celsius

Relative Humidity = 9 percent

Topocentric and local time values from "Accurate Times":

Sunset (at sea level) = 18:02

Moonset (at sea level) = 18:07

Time from new moon at 18:04 = 19 hr. 41 min.

Moon lag time = 5 minutes

Relative Altitude = 1.14°

Elongation from sun = 9.80°

Crescent width = 13 arc seconds

Illumination = 0.73 percent

Crescent first observed through 8" SC telescope:

Time = 14:40

Altitude = 34.2 degrees

Crescent steadily observed through 8" SC telescope:

Time = 16:50

Altitude = 12.9 degrees

I began observing at 13:00 local time, under ideal conditions. There were the usual teasers, and some were convincing enough to keep me at the eyepiece. At 14:40 I saw what looked like a short arc, and when I centred the image, it was still there! However, the image would never stay for more than a few seconds, and at one point when I "positively" knew where it was, it wasn't there. So I ran through the procedure again, and when the time came (16:50), a ten degree image of the crescent was in the centre of the eyepiece. It remained steady. I left the telescope to get this report out.

Observer(s): Jim Stamm

E-mail Address: StammJim@gmail.com

3) A German, Dr. Joachim and his team saw the moon at 1 pm on 23 September 2006 (though with a telescope) whereas sighting of this new moon was regarded as not possible according to astronomy being 13hrs from calculated new moon birth.

4) A Muslim expert in this field, Professor Sultan (University of Yemen) clearly stated that it is possible to sight the moon at the moment of its hypothetical birth (new moon conjunction) in perfect visibility conditions. This may sound bizarre to opponents of sighting at conjunction but when it is explained to them that conjunction angles vary from zero to five degrees the possibility begins to sink in. So when conjunction is at its greatest inclination i.e. at five degrees the possibility of sighting becomes greater. He predicts that under near-perfect conditions with optimised equipment, the crescent could actually be seen at some conjunctions. There is no hard limit of crescent visibility at 7° or 6.5°. It is all a matter of contrast. With increasing effort (climbing higher mountains with bigger optics,

better training and preparation) ever smaller crescents might be possible. There is no hard limit, and definitely not the 'Danjon Limit'.

5) An expert non-Muslim astronomer, Martin Elsässer has stated exactly the same thing and created commotion among those who believe in astronomy-based theories by stating that it may be possible to sight the moon at new moon conjunction particularly when the angle is at its greatest.

(6) All experts in astronomy understand this phenomenon but those who would like Muslims to adhere to scientific principles ignore the finer points of science and try and get away with generalisations until professionals like Martin Elsasser, Jim Stamm, Dr Schaefer and Dr Sultan point out the finer details to the novices and amateurs within the field.

(7) Jim Stamm, Martin Elsasser and others agree that the 'Danjon Limit' is being used improperly. The work of Danjon focussed on the apparent shortening of the crescent at small elongations. The moon has been recently imaged at an elongation of 4.7° . Older, space-based imaging has even gone as low as 2° . This clearly shows, that the theory behind the supposed 'Danjon Limit' has been 'broken' repeatedly by different means and as the theory behind it is incorrect these scientists suggest that we should stop using the term altogether.

The new-moon theory is based on the logic that at the time of conjunction the sun and moon are directly in line with the sun thereby no light falls on the crescent. This is far from the truth. The phenomena where the three planetary objects are in a straight line only occur occasionally and are referred to as an eclipse. Hence, experts including Martin Elsasser tell us that instead of the moon being directly in front of the sun it is slightly away from it to an angle of up to 5° at the occurrence of every new moon except during an

eclipse. According to the theory of astronomy regarding the new moon the light of the sun will definitely fall on the moon to the extent of the conjunction, due to which there is a possibility of the moon becoming visible.

Observers should then be able to sight the moon apparently with the use of instruments as has been experienced by Martin and others. Muslims have rather sighted the moon in large numbers without the use of such instruments and this is becoming more evident by the day despite efforts being made, by non-Muslim as well as Muslim experts, to refute such sightings. Why some people are able to sight the crescent at such short angles whilst astronomers are not able to with instruments remains to be explained but it is not just once or twice but with frequency that this occurs. Simply saying the sightings are erroneous as they do not conform to astronomical standards is unacceptable in the light of Shari'ah.

It has been established that in the recent past as well as the last few decades experts in astronomy such as Fodhringham, Mondir, Professor Bernard Yallop, Professor Ilyas and McNally have deduced formulae based on the possibility of sighting the moon according to theoretical calculations ranging respectively between 12°, 11°, 10-10.5°, 9°, 7-7.5°, 14.6° and 5°. This difference is clear proof and indication that these calculations are not categorical and definite. Thus just as it is a futile exercise to go about trying to prove the new-moon theory as false using the experiences, common sightings and claims of sightings by Muslims compared to the occasional experiments of experts. Martin Elsassner has clearly said that placing such limits on visibility and ignoring the experience of the observer and visibility conditions is not appropriate in all circumstances as they provide a general guide only. The predictions provided in models developed by Odeh, Shaukat and others are for general guidance only and where sightings conflict with the

predictions one needs to be very careful not to jump to conclusions and reject the sightings as false.

In the same context the differences that the astronomers have with regards to the limits wherein a new moon can be seen are an indication that the principles governing this faculty are not categorical. The result is obvious and apparent that towards the end of the second decade of the 20th century the Danjon Limit as well as hypothetical lunar calculations of other astronomers with their respective variations defining the limits for the visibility of the new moon all prove that these hypothetical calculations are not categorical and definite and the basis of these calculations is a theory that was formulated 1000 years earlier as emphasised by Professor Ilyas and in all this time despite great scientific progress there has been little constructive change made to that theory but rather this outcome is attested to in the words of Al-Berooni himself wherein he states that 'Astronomy is such that if any person pays a little extra attention he will realise that he cannot arrive at a definite conclusion as to whether the moon will be visible or not. This still holds true centuries later (The Islamic Calendars, Times and Qibla' by Professor Muhammad Ilyas).

From the above-mentioned discussion it is established that the hypothetical theory on the limits of when the new-moon will be visible as stipulated by Andre Danjon in 1920 to be a point of 7° from the conjunction of the sun and moon will be rejected due to it being visible at 5°, 2°, and even 0° when the sun and moon are absolutely in line.

The black moon tablet! This aspect also requires a lot of attention since certain (amateurs) mention the following: During the hypothetical conjunction even though the moon is present on the horizon the sun does not shine on the part of the moon that is facing

the earth thus the moon cannot be seen and if it is observed through an infrared camera it looks like a black tablet.

However contrary to what they mention when the moon was observed through such a camera instead of it being totally black a portion of it could still be seen to have some light on it. It has also been mentioned that at the time of an eclipse the same conjunction occurs due to which the moon becomes invisible, however this has repeatedly been proven to be incorrect. On the one hand we have the case of the black tablet whereas we have read earlier that both Muslim as well as non-Muslim experts have mentioned that even during the conjunction the moon takes the form of a new moon since the sun and moon are not in the same line thus the rays of the sun will definitely fall on the smallest portion of the moon making it a new moon.

In the second case regarding the occurrence of an eclipse the moon still does not appear to look like a black tablet as was established during the last eclipse whereby the whole world including those in Britain not only saw the moon with naked eyes for over an hour but it appeared clearly visible with a tint of red in it rather than as a black tablet.

This is not all since the experiments and observations of astronomers have repeatedly changed over the centuries and even today there are changes being made to the theories of not only the universe and our solar system but even with regards to the moon. The astronomers are compelled to make these changes due to observations being made and these observations are expressed in the electronic and print media resulting in the philosophers and astronomers joining forces to revise their formulae and perceptions. The progress of technology and scientific research is also confined to these theories which have evolved over five thousand years.

In essence the real experts of the field have a different opinion but due to opportunists having gained control over the matter making the situation they raised their voices expressing that the theories and principles of astronomers are definite and categorical and regardless of what may happen we will not turn back from it. However those who are in essence the true researchers distance themselves from nonsensical talk and whenever they present any opinion then rather than branding it as something definite they refer to it as 'Current Research and Study' and by so doing they abstain from regarding it as something definite that will not change in the future.

These are the very theories of astronomy that had changed the divine teachings of the Messengers who came prior to Islam and not only were the divine religions affected but their sights were set on the divinely revealed scriptures (books) as well such that the coming of Rasoolullah صلى الله عليه وسلم entailed a rebuttal of such ideologies as has been discussed earlier. After the era of Rasoolullah صلى الله عليه وسلم and the Sahaabah رضى الله عنهم these very Greek philosophy books were translated into Arabic and on the platform of governance of the Abbasid Rulers and an emulation of the Jews and Christians had begun which today has presented itself, on the basis of a world wide movement, in the form of a serpent and great challenge for us.

Nevertheless if at any point in time these theories are accepted as definite and a reality then too the Faith that one has in Allah and his Rasool صلى الله عليه وسلم will demand that one regards it necessary to adopt and practice on the divinely inspired teachings of Rasoolullah صلى الله عليه وسلم. Many examples of this are found in the life of Rasoolullah صلى الله عليه وسلم whereby on the one hand was Islam and its laws and whilst on the other hand some current need or necessity and wisdom demanded that some deficiency should be tolerated with regards to the laws of Islam in order to encourage and incline the Arabs who were deeply influenced by some non-Islamic culture and civilization.

There is no doubt regarding the necessity of conducting such an exercise. However despite this necessity Rasoolullah صلى الله عليه وسلم did not allow the Bedouins and stubborn Arabs to embrace Islam in exchange for leniency regarding certain laws just as he had clearly refused to allow the drinking of wine and a concession in the five daily Salaah. Besides this another very strong proof in this regard is the Hadith wherein Rasoolullah صلى الله عليه وسلم stated that a child born from adultery will belong to the man who possessed legal conjugal rights with the woman by Nikaah and the adulterer will be stoned to death. (Muslim & others)

Islam or the Obvious (Self-evident)

It is also heard to be proclaimed that Islam does not oppose the obvious (self-evident). This is in essence an instrument or weapon of the Orientalists and the forces against Islam which they wish to use to bring the religion of Islam on the same platform as science and eventually attack and refute the beliefs of Islam to weaken its foundation and then gauge every aspect and belief of Islam in accordance to scientific principles thus creating a mentality to distort the religion.

All this is apparent in front of us in this current age whereby some refer to themselves as Islamic Scholars and portray themselves as highly qualified and well versed in Islamic knowledge yet they are seen to be the organs of the Orientalists by portraying in their writings and speech that Islam does not oppose the obvious (self-evident). Whatever ideology they base this statement of theirs becomes evident from the slogans they chant. For example: Science says that every living being is created from some base matter thus if the universe has a creator then he also is created from some base matter!

The concept and belief about our creator as understood by religion especially Islam is not in agreement with this viewpoint of science and neither is the stance taken by science in agreement with the basic and primary teachings and beliefs of Islam and other religions. This is because the being of Allah is free of any base matter and on the basis of Islamic belief any being who is created from some base matter is not fit to be god and to attribute such a concept to god is polytheism (shirk).

The viewpoint of science referred to as obvious (self-evident) happenings which are matched to the teachings of Islam and applied such as the new-moon theory after which it is said, 'The rising and setting of the sun occurs on a fixed pattern which no-one can deny, likewise the moon has a fixed orbit which cannot be denied whereas this is from the obvious (self-evident) happenings of the universe.' The response to this is that the point is accepted but the basis of religion and its laws is not science due to which all the fine details pertaining to the orbit of the moon must necessarily be applicable. It is for this reason that Rasoolullah صلى الله عليه وسلم did not base the sighting of the moon on the theory adopted by the Christians and Jews. This detail, in essence, is important to the scholars of science and religion will not be based on it.

Nevertheless, from a religious point of view how can the findings of such a faculty be applicable to religion when it portrays a fault in Allah or becomes an obstruction in recognising him and instead of promoting the oneness of Allah it results in ascribing of partners to him and the result of such a faculty is that its basic principles and conclusions are being proven to be false as is evident from the subject of moon sighting.

Despite all this, even if the new-moon theory is taken to be definite and obvious (self-evident) then it would imply that as time passes

and so-called progress and development takes place revealing scientific research that is contrary to the basic fundamental teachings of Islam then all these findings must be made the criteria for determining the truth or false of Islamic teachings and beliefs. The consequence of this will be that Islam will go down the same path that the religion of Moosa and Isa عليهما السلام had been taken by the people. May Allah protect and save Islam from such a fate!

The Research of a Muslim Astronomer, A.H. Sultan

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FIRST VISIBILITY OF THE LUNAR CRESCENT: BEYOND DANJON'S LIMIT

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"Many methods for predicting lunar first visibility have been proposed throughout history and new models are still being developed. All these models have to be compared with the published observations to test their validity.

In this paper, we use our photometric model to predict the naked-eye first visibility of the lunar crescent. We find that an elongation of about 7.5° is the lowest naked eye visibility limit.

We also find that lunar crescent may be seen with a suitable telescopic magnification and ideal local conditions when the Moon is about 5° from the Sun. Consequently, the thin lunar crescent may be seen in a telescope even at new Moon when the Moon is at its greatest inclination."

The Basic Principles and Beliefs of Islam and Scientific Reasoning

An example of this is the Islamic ruling that states, 'The child will belong to the person who has the legal right to engage in intercourse with the woman who gave birth.'

A woman gives birth but a man other than her husband comes forth and claims the child to be his. Rasoolullah صلى الله عليه وسلم ruled that the

child will be attributed to the woman's legal husband and the man who claims to be the father of the child will be stoned to death. The question arises as to why this child cannot be attributed to the adulterous man whereas he even confesses the child to be his. In this era the notion of scientists is that child and the man claiming to be the father should undergo a DNA test to determine whose child it is.

In this case according to the law and principles of Islam despite the adulterous man claiming the child to be his it will be attributed to the legal husband of the woman who gave birth to him even though the real father of the child is the adulterous man. Thus Rasoolullah صلى الله عليه وسلم gave preference to the principles of Islam over the apparent reality due to certain natural and divine wisdom (which is not known to all and neither are we expected to know it).

Likewise with regards to the sighting of the new moon we should search for it on the evening of the Shar'ea (and theoretically unconditioned) 29th day of the lunar month. If not the month should be completed with 30 days. As far as the new-moon theory of astronomy is concerned even if, for arguments sake, it is taken to be definite and obvious it will still be regarded as non-applicable in Shari'ah just as was the case in the previous example whereby something definite was disregarded on the basis of some religious principle and wisdom.

Another example pertaining to the sighting of the moon is the non-applicability of the differences in the horizon (Ikhtelafe Matala'e) whereas this is an aspect that is definite and self-evident; however it will not be considered when decided to begin Ramadhaan Eidain and other months as moon sighting considered worldwide including locally. It is as though certain aspects are regarded as non-effective by Islam despite them being definite and obvious so even if the non-categorical hypothetical new-moon theory of astronomy is accepted

as definite it will still be regarded as non-effective since Rasoolullah صلى الله عليه وسلم refuted this theory by the Hadith in which he stated that we are an illiterate nation.

The following are explanation and certain Fatawaa on this subject:

Mufti Rasheed Ahmad Ludhyanwi رحمه الله and Astronomy

Mufti Saahib رحمه الله writes: ‘To delve into the uncertainties of Science and Mathematics is disliked by Shari’ah and it results in confusion.’ At times the consequence of delving into such intricacies is that it causes one to develop unfavourable thoughts regarding Rasoolullah صلى الله عليه وسلم, the Sahaabah رضى الله عنهم, the Taabi’een (successors to the Sahaabah) and the general Muslims. (*Ahsanul Fatawaa Vol.2/Pg.327*)

Mufti Saahib رحمه الله has used very strong words against the calculations of astronomy and on the basis of the theories of astronomy and observatory instruments being non-definite as well as the fact that the principles of Islam and the teachings of Rasoolullah صلى الله عليه وسلم are definite and categorical Mufti Saahib رحمه الله has made mention of his revoking his objection with reference to the sighting of the moon in Saudi Arabia. (*Part of this discussion has been included in the author’s supplement ‘Thuboot e Hilaal, New-moon theory aur Daarul Uloom Karachi KA Fatwaa-See books in www.hizbululama.org.uk*)

Nevertheless Muslim Scholars especially Ulama of Saudi Arab ,the Deobandi ,Barelwi Scholars and Institutions like Daarul Iftaas in the Indian sub continent as well as their affiliate and associate bodies in Britain especially The Central Moon Sighting Committee of Britain, Hizbul Ulama UK, Jami’atul Ulama Britain etc and besides them the Supreme Court of Saudi Arabia, Daarul Iftaa Riyadh have all held firmly to the principle teachings of Rasoolullah صلى الله عليه وسلم pertaining

to moon sighting resulting in certain so-called astronomers including those who have qualifications in Islamic studies throwing dangerously harsh accusations against the Supreme Court of Saudi Arabia on the basis of the new-moon theory of astronomy as well as the so-called concept of 'the obvious' (self-evident) happenings thus challenging the moon-sighting method taught by Rasoolullah ﷺ as well as experiences and testimonies of the Muslims who have sighted the moon. These accusations are indirectly aimed at Rasoolullah ﷺ and his Noble Companions as well and this is an apparent fact as was stated by Mufti Rashid Ahmed Ludhyanwi رحمه الله

Difference of opinion has its merits but these pseudo astronomers are making worldwide efforts to portray the lies of these false accusers as true and thus change the course of the Islamic rulings towards hypothetical theories of astronomy by expressing them to be in conformance of each other and thus ruin the natural and spiritual sanctity of the two Sacred areas of Makkah and Madinah. By so doing they are lending support to the evil plots of the Zionist Agencies such that even the Weekly news paper/magazine Dharb e Mu'min which teaches the Muslims through their rather valuable articles to beware of such agencies is also unmindful of these discreet plots.

The Theoretical Calculations of Astronomy and the Opinions of Experts

Sixth reference: We have discussed five astronomy-related references and this reference will discuss an aspect that is related to the sighting of the moon at a point when it was considered as not possible. This aspect is discussed here despite the fact that we as well as others have records of sightings of the new moon before its birth, at birth and immediately after as well, all contrary to the multitude of new-moon theories. In my supplement, used as a reference earlier on, we sighted the crescent of Zulhaj 1409 on the eve of 3rd July 1989 Saturday after 11 hours 15 mins theoretically calculated new-moon birth whilst in Madinah Munawwarah KSA and also mentioned the telephone conversation I had with Professor Bernard Yallop.

Someone in Britain forwarded this reference to an expert in astronomy calculations, Dr. Khalid Shaukat in America seeking his opinion. It has been several months to date that the person who sent the query sent me an email of Khalid Shaukat's response in which he has attested to the truth of the sighting in very strong words i.e. Khalid Shaukat said it was possible to sight the moon when we did. This, despite the fact that other astronomers, using the theory of prediction, state its impossibility.

It would not have been a matter of surprise had Dr. Khalid responded on the basis that the person who saw the moon was some non-Saudi like myself or that the moon was sighted by some outsider like myself in Madinah Munawwarah wherein someone would not have the audacity to make a false claim of having sighted the moon, so it must be true. No, he did not base his attestation on such facts but it was rather contrary to that whereby reading the response I became bewildered that the calculations upon which Professor Bernard Yellop had based his respectful denial of this

incident stating that in such a circumstance the moon could not be seen even with the aid of a telescope let alone the naked eye whereas besides the three well known personalities who were with me close to 500 other people had seen the moon with little difficulty using their naked eyes. After observing it once I looked away and observed it for a second and third time without any difficulty. In contrast to the opinion of Professor Bernard, Dr. Khalid Shaukat confirmed that it was possible to sight the moon based on the same calculations of astronomy used by Professor Bernard.

Conclusion: It was the same mode of calculation that the Muslim expert on calculations, Dr. Khalid Shaukat, had used to offer his positive opinion which lends support to the proof of Shari'ah whereas on the basis of the same calculations Professor Bernard Yallop (*who is affiliated by lineage and ideology to the famous Rabbi, Halel II 358 CE*) and certain of his so-called Muslim followers offer a negative opinion which refutes the evidence of Shari'ah.

It is unfortunate that this is the same rejected so-called categorical calculation of astronomy that some members of the Dharb e Mu'min magazine, which is a fragrant flower of Mufti Rasheed Ahmad Ludhyanwi رحمه الله, use to refute the definite and obvious reality of the teachings of Rasoolullah صلى الله عليه وسلم on the sighting of the moon and are polluting the confirmation of the Saudi sightings made by Mufti Ludhyanwi Saahib رحمه الله (Ahsanul Fatawa vol.4 page 491to494) and are going beyond the limits by affording these theories the status of divine revelation against the Divine Revelation received by Rasoolullah صلى الله عليه وسلم in the form of the Nosoos the Qur'aan and Sunnah.

It is sad and unfortunate that this fragrant flower of yesterday is being used against the Fatawaa and viewpoints of its founder and is causing his soul great discomfort in the grave before Allah and his Rasool صلى الله عليه وسلم

Many years ago the government of Pakistan had desired to adopt the sighting decision of Saudi Arabia, the matter was presented collectively before the Muftis of Pakistan and Mufti Rasheed Ahmad Ludhyanwi رحمه الله objected it but at the same time he also engaged in correspondence with the relevant responsible authorities in Saudi Arabia. However the response was very belated and a few months later when a detailed response did arrive from Shaikh Bin Baaz رحمه الله then Mufti Ludhyanwi Saahib رحمه الله revoked his objection that he had expressed and clearly confirmed the sighting of Saudi Arabia to be conducted on the evening after the 29th of the lunar month and by so doing he expressed his trust in the Ulama of Saudi Arabia (this reference also can be read in our book ``Thuboot Hilal New moon theory aur Darululoom Karachi ka fatwa`` p.22 in web site www.hizbululama.org.uk)

Ulama of Makkah & Haram :

Shaikh Dr.Saeed 'Inaayatullah Makki: Alhamdulillah, the responsible authorities at Dharb e Mu'min published a detail explanation by Shaikh Saeed 'Inaayatullah who is a renowned lecturer at Madrasah Saulatiyyah in Makkah and an active Trustee of the world ``International Khatme Nubuwwat Movement``. They also included Fatwaa of Mufti Rashid Ahmed Ludhyanwi رحمه الله wherein he revoked his previous objection to the Saudi sighting and by so doing they expressed their trustworthiness. We are indeed grateful to Shaikh Dr.Saeed Ahmad 'Inaayatullah for rightly guiding the readers of Dharbe e Mu'min Karachi which was indeed the mindset of its founder Mufti Rashid Ahmad Ludhyanwi رحمه الله

Sheikh Muhammad Makki Ustaz of Haram:

Since reference has been made to the explanation offered by a resident of Makkah we wish to express our gratitude to the Scholar in charge of Urdu education, Shaikhul Haram, Shaikh Muhammad Makki Hijazi, who, in at least two editions of Dharb e Mu'min, wrote

about the service being rendered by the authorities of the Saudi government. An example is given where the Shaheed King Faisal bin AbdulAziz personally stood at an intersection and directed the flow of Hujjaaj. Another where high regard is paid to Islamic Law whereby a personal request for intercession to the Judge, turned down by the Khadimul Haramain the late King Fahad bin AbdulAziz. The high level of trustworthiness and truthfulness was also mentioned and with all this he conveyed a lesson on how to think responsibly, a lesson for the scholars who are so quick at levelling criticism at the Saudi Government and its officials and in so doing they support the conspiracies of the Orientalists as well as the Jews and Christians. By so doing Shaikh has offered support rather than counter the efforts of the Ulama and Aa`le Shaikh who are particular with practising on the Sunnah and the laws taught by Rasoolullah صلى الله عليه وسلم regarding it as the means for their salvation in this world as well as the hereafter (and whose praiseworthy efforts are enforced at a government level). The pristine purity of Islam in Saudi Arabia and the clinging to the rope of Islam by the Scholars is unparalleled throughout the Islamic world. Our scholars need to recognise this fact and be much more respectful of the government and scholars in Saudi Arabia.

Sheikh Abdul Hafeez Makki:

The Head Trustee of the Worldwide International Khatme Nubuwwat Movement, Shaikh Abdul Hafiz Makki (Khalifah to Shaikh Zakariyya رحمه الله) is not a stranger to those who read the publication of the Central Moon-sighting Committee of Britain.

He is the personality who had prepared a detailed response to our queries with references to the sighting of the moon in Saudi Arabia and thus enlightened our readers on the reality of the matter and also exposed the negative propaganda that was being spread in the name of Shaikh Zakariyya RA. Our local British as well as

international readers are all well aware of this. Nevertheless, the Muslims of this World especially those in Britain are indeed grateful to those great personalities.

Local Moon Sighting and the Overcast Weather of Britain

Due to the weather being overcast the moon is not visible in most instances due to which difficulties are faced in establishing the dates of Ramadhaan and the two Eids. It is no hidden secret that according to the Fatawaa records of Daarul Uloom Deoband approximately 70 years ago Haz. Moulana Ashraf Ali Thaanwi رحمه الله and Maulana Yusuf Binnori رحمه الله, Mufti Muhammad Shafi'a رحمه الله, Mufti Vali Hasan Toanki رحمه الله, Mufti Rashid Ahmed Ludhyanvi رحمه الله and many others had advised the Muslims of Britain to adopt the sighting of other countries as it is highly difficult to near-impossible to sight the moon locally because of bad weather. The responsible Ulama from the Majlisul Ulama UK, which was renamed to Jami'atul Ulama Britain after consultation with Senior Scholars from Indian subcontinent, sent a detailed questionnaire over 35 years ago to the Daarul Iftaa in Deoband and in response it was mentioned that the sighting decision of the closest Muslim country, Morocco, should be adopted and there would be no problem in adopting the sighting of Saudi Arabia also since the announcement of a sighting is done in the correct manner.

A) With regards to the weather and the possibility of sighting the moon in Britain there has been no change up to now and the new moon is very rarely seen in Britain. However when an effort is made to seek the moon and the date is stipulated as the evening after the 29th day of the lunar month (as this is when the new moon occurs according to astronomers and the Greenwich Observatory) then if the stipulated amount of hours after the calculated birth of the moon would pass before sunset then an announcement would be made for the moon to be searched for that evening and in the summer months it has been observed that on such an evening the

moon would be generally visible everywhere just as the Jang newspaper of London had recently published the sighting of the moon of Jumaada Thaaniyah 1429AH as proof and in the past they had also published such news on many occasions.

In essence this is a well organised conspiracy to introduce to and acquaint the minds of the Muslims with the non-Islamic method of moon sighting as promoted by astronomy in opposition to the Islamic method in order to realise some international agenda of making the divinely revealed method taught by Rasoolullah صلى الله عليه وسلم subject to the theories of astronomy. This path leads to the same destructive destination as the lunar calendar of the Jews and Christians , because people do not understand the depth of this matter and just as the literate masses from the Muslims have been thrown into certain religious intricacies the internet and media campaign as well as secular education has made them adopt the notion that they will only accept a ruling on the moon issue as expressed in accordance to the Greenwich Observatory or astronomers and not that which is expressed in accordance to the Islamic method of moon sighting. With the exception of a very few the majority of young Muslims are such that they do not seek a logical reason for most Islamic rulings when they are expressed by the Qur'aan or Sunnah. They regard the statement of Allah and his Rasool صلى الله عليه وسلم as the start and end of their Imaan (Faith).

Nevertheless for the last 23 years that the Central Moon sighting Committee of G.Britain has been accepting the news of sighting announced by the Supreme Court Judge in Saudi Arabia the moon has on certain occasions been sighted in Britain as well on the evening after the 29th day of the lunar month and it is on this basis that even today the Central Moon sighting Committee still adopts the sighting of Saudi Arabia. Those who base the sighting of the moon on calculations of astronomy which are in contrast to the ruling of Shari'ah have from until now mocked at the efforts of seeking the moon on the evening of the 29th day of the lunar month

by stating that if the new moon has been sighted elsewhere it should also be visible in Britain. However, in regarding the evening of the 29th day of a lunar month to be the actual date of the new moon it results in belying the famous bad weather of Britain as well as refusing the clear ruling of Shari'ah in this matter.

(B) In accordance to the Fatawaa issued for a country with weather like Britain the sighting of Morocco was adopted for 20 years and during this period at times there was news of Ramadhaan or Eid being a day earlier than the official announcement made by the Ministry of Endowments due to some local sighting in Morocco. This then revealed the fact that the Ministry of Endowments would seek the moon on the evening after the 29th day of a lunar month by basing their search for the moon on the forecast of the Weather Bureau and the Greenwich Observatory whereas the people would sight the moon even before that date. (This still happens to date.)

(c) When the problem of Ramadhaan being commenced on different dates as well as Eid being celebrated on different dates in Morocco came to the fore and only a few Masaajid in Britain were such that they still followed the sighting of Morocco then the officials of Hizbul Ulama UK sent out a detailed query on 25 August 1986 seeking a Fatwaa from the Muftis of the Indo-Pak subcontinent specifically to Daarul Iftaa Daarul Uloom Deoband. All of them including Daarul Ifta Deoband had ruled that it was permissible to adopt the sighting decision of Saudi Arabia and some of them had even advised that the sighting decision of Saudi Arabia should be formally adopted permanently. (It should be noted that the Daarul Iftaas and all their Muftis are affiliated to the Hanafi Math-hab (School of thought). This should be an advisory guide to those who state that the Saudis are not Hanafis thus we should not adopt their sighting. If it was not permissible to adopt the sighting of Saudi Arabia due to the people not being Hanafi or if their sighting was based on the forecast and calculations of astronomy then all these Muftis including Daarul Uloom Deoband, Daarul Uloom Saharanpur and even Hadhrat

Shaikh Zakariyyah رحمه الله, Moulana Rashid Ahmad Gangohi رحمه الله despite being Hanafis, did not prevent the following of the Saudi sighting. Some of them had in fact ruled it necessary for those living in India should fulfil any fasts missed in comparison to the Saudi sighting.) (Ref: *Bertannia Me Rooyate Hilaal Ka Pase Manzar – By Moulana Moosa Karmadi*)

iii) Together with this we also sent a query to the Ministry of Endowments in Saudi Arabia and their Daarul Iftaa in Riyadh seeking the method of sighting the moon in their place. A detailed answer was received. Thereafter the two bodies (Hizbul Ulama UK and Jami'atul Ulama Britain) discussed the matter at their working committee meetings as well as at their general meetings and the working committees of both organisations had met on Sunday 28 December 1986 at Daarul Uloom Bury under the joint chairmanship of Moulana Moosa Karmadi and Moulana Yusuf Motala wherein they had resolved to follow the sighting of Saudi Arabia only and they opted not to adopt the generality of accepting news of the sighting from elsewhere in the world due to the difference in horizons.

According to the Fatawaa of the Muftis the first of an Islamic month, for the sake of engaging in worship, cannot be based on astronomy or its hypothetical calculations and likewise the news of any sighting cannot be adopted if it comes from a country wherein the evening of the 29th day of a lunar month is fixed for the sighting of the new moon based on the hypothetical new-moon theory of astronomy that forecasts the possibility of the moon being visible.

For example, the 29th day holding the possibility of sighting the moon according to astronomy will be the day wherein the conjunction of the sun and moon takes place at least 15 to 17 hours before sunset whereas Rasoolullah صلى الله عليه وسلم did not state any such condition for the 29th day. It should be noted that astronomers initially stipulated more than 70 hours after birth of hypothetical

new-moon theory of astronomy the moon for it to be visible. This figure was later revised and has come down to 17 hours and some have settled on 15 hours.

In many countries especially Morocco and South Africa they search for the new moon on the evening that falls at least a certain amount of hours after the birth of the moon determined by astronomy and in Morocco and South Africa the time for the birth of the moon is formally announced on the basis of the hypothetical new-moon theory of astronomy after which the evening on which the moon should be searched for is also stipulated and this is then announced to the public via paper and electronic media as well by Jamiatul Ulama . Although the officials of the moon sighting committee are affiliated to Deoband they inform the public through their website on the birth of the moon and its age on at the setting of the evening on the 29th of each lunar month even for the determining of Ramadhaan and the two Eids and all this is based on calculations of the observatory. The same also happens in Morocco.

Nevertheless, the decision taken by the two organisations in Britain to follow the sighting decision of Saudi Arabia brought a lot of happiness to the UK Muslims and not only did they heave a sigh of relief but also began practicing accordingly. This system is still functional today after 23 years and in all this period a monthly Islamic calendar was sent to Masaajid. Unfortunately some people who were unhappy with this Islamic unity among the Ulama and the general Muslims tried to break up this unity by spreading false messages and lies This included bizarre accusations such as that the USA determines when the Eid takes place in Saudi and that the Majlis Qada Aa`la is infiltrated by Jews Naoozobillah. They even began sending false information to the Muftis and Daarul Iftaas of the Indo-Pak region and this still happens to date.

It is for this reason that whenever anyone asks any Daarul Iftaa or Mufti regarding the sighting of the moon and especially if the query comes from Britain then before engaging in a response to the query

they should first seek to determine the reality of the matter and engage in communication with the Central Moon Sighting Committee of G.Britain and they should make a point of consulting with the Daarul Iftaa in Riyadh or the Ministry of Endowments in Saudi Arabia.

In essence this is well known to those in any Daarul Iftaa that some of those who send any enquiry try to deceive the Muftis and throw them into confusion by phrasing their question with such irrelevant wording whereby they manage to damage the image and reliability of not the individual Mufti but rather an entire institution in such a manner that the blame also falls on the person who answered the question rather than the one who asked it. This then creates further confusion among the public especially when it is clearly established in the text of Shari'ah that the sighting of the moon is not subject to the theories of astronomy and calculations of an observatory and this is the expressed view by the Muftis regardless of whether they are affiliated to the Deobandi, Barelwi or any other school of thought.

When this happens then confusion will be created and the biggest loss will be suffered by the text of Shari'ah and the Sunnah of Rasoolullah ﷺ as well as those who are engaged in the effort of raising and propagating the teachings of Shari'ah resulting in an opposition to and refutation of these teachings (this will also entail a denial of the Muftis and their Fatawaa). Then to make up for this loss a great deal of effort and material means will have to be repeatedly spent despite which the moon committees and even the Muftis will become the target of rebuke and taunt from the Muslim public who will accuse the Ulama and Muftis of making the Muslims fight among themselves. Besides this, it is the experience of everyone that in such matters of unity in Shari'ah the differences are not becoming less but are rather becoming endless and it is clear that we cannot please every individual and the question of uniting on a matter in conflict with the text of Shari'ah cannot even be

considered on the pretext of being unanimous on the basis of academic research since some scope of difference will always remain and this is no hidden secret.

Keeping these aspects in mind the members of any Daarul Iftaa should exercise caution and promote the idea of browsing through the files of previous answers given on any topic before attempting to answer a new query so that there is no contradiction between answers issued on different occasions. This is an era of mischief whereby people promote their rulings issued in their favour against others and conceal such rulings issued against their own outlook and ideologies.

Mufti Rashid Ahmad Ludhyanwi رحمہ اللہ and the Moon sighting Decisions in Saudi Arabia.

His seal of approval regarding Saudi moon-sighting decisions as well as his trust in the Ulama of Saudi Arabia

Mufti Saahib رحمہ اللہ was asked, ‘What is the status of our Hajj since the Saudis prepare their calendar in accordance to astronomy-based calculations? If what they are doing is correct then why is not promoted in Pakistan?’

In response to this **Mufti Saahib رحمہ اللہ writes:** Astronomy-based calculations are definitely not used to ‘establish the sighting of the moon.’ They regard such a practice as ‘Haraam’ (forbidden) and base their decisions on ‘a testimony of physically observing the moon.’ ‘I have, in my possession,’ an article written by Shaikh bin Baaz and the (Saudi) Ministry of Justice on this subject. They can be photocopied and sent on request. The reason they sight the moon based on some other factors which do not need to be mentioned here. ‘Due to the fact that Fasting, Eid and Hajj are done under Shari’ah rulings thus there is no doubt regarding them being correct (*Ahsanul Fataawaa Vol.4/Pg.491-494*).

In Establishing the New Moon is it the Shari'ah Islamic 29th day or the one based on Calculations of Astronomy that is considered?

In other words should the moon be searched for on the evening after the Islamic 29th day which is not subject to the hypothetical calculations of astronomy or should it be searched for on the evening after the 29th day according to calculations of astronomy?

The propaganda being voiced rather loudly is that only such testimony of any sighting should be accepted which does not conflict with astronomy. This is a clear mockery of Islam and is not only tantamount to defamation of the noble Sahaabah رضى الله عنهم but also defamation of Rasoolullah صلى الله عليه وسلم and his Ahaadith and such an act is classified as a distortion of Islam.

Some people accord the status of divine revelation to the principles and calculations of the observatory and by including the new-moon theory in to Islam. They simply refer to the place in the Hadith of seeking the moon on the evening of the 29th day to appease the Muslims and harness their support but they secretly practice on adopting that evening after the 29th day that conforms to the calculations of the observatory in which the possibility of calculated sighting the moon exists. They do this discreetly so in order to conceal the fact that such calculations have been rejected as part of Islam by Rasoolullah صلى الله عليه وسلم lest their efforts also become exposed and rejected by the Muslims.

It is the firm belief that the only examples to be followed are the Qur'aan, Rasoolullah صلى الله عليه وسلم and his Companions. When we study the lives of the Rasoolullah صلى الله عليه وسلم and his Companions we do not come across any instance whereby they had based the evening after the 29th day on calculations of astronomy. It is for this reason that during the era of Rasoolullah صلى الله عليه وسلم he did not pass the ruling

confirming any sighting based only on a sighting observed by the general masses and neither has this point been mentioned anywhere in the Ahaadith. On the contrary he accepted the testimony of sighting made by one or two people. The method of sighting the moon practiced by the Jews as initiated by their Rabbi, Haalel II and adopted by the Christians as well which is based on the hypothetical new-moon theory results in their date for the new moon being commonly delayed by a day or two after the Islamic 29th day. For the moon to be sighted by the general masses on such a date will not be a cause for surprise. The surprise will rather be in the case where Islam regards such a date as the first of the next month because in that instance it will be said that (Allah forbid) even Rasoolullah ﷺ made such an error as is evident from the Ahaadith that he and his Companions had accepted the sighting of a one or two individuals whereas the general masses did not sight the moon.

One of those who believe in the hypothetical theories of astronomy writes: 'When the Moon Sighting Committee will sit awaiting someone's testimony then such a person will definitely come forth.' Well, did Rasoolullah ﷺ not wait for the testimony of anyone who sighted the moon? Indeed he did and no one can deny that! So does this comment of such a person not result in belittling Rasoolullah ﷺ and his Companions? When Rasoolullah ﷺ is the source of all the laws of Islam since it is through his medium that the texts of Shari'ah in the form of the Qur'aan and Sunnah reached us and will remain as they are until the last day, then this person should judge for himself whether he needs to renew his faith by reciting the primary article of Faith (Kalimah) again!

We have included quotations from the books mentioned below that will be of benefit in guiding any person who desires to engage in his own academic research with regards to the Text of Shari'ah: *Kitaabul Fiqh 'alaa Mathaahibil Arba'eh' of Abdur Rahman Al Jazari Vol.1;*

Mughni of Ibn Qudaamah and its commentary by Shamsud Deen Ibn Qudaamah Al Maqdisi; ‘Umdatul Qaari; ‘Aini on the commentary of Bukhari; Fathul Baari; Tafseer Ahkaamul Qur’aan; At Ta’leequs Sabeeh; Ma’arifus Sunan; Raddul Muhtaar; Durrul Mukhtaar and many other books as well. Is it not necessary upon such a person to first think deeply before quoting any astronomer and thus causing harm to his own religious status as well as that of others?

The Ahaadith entail emphasis on searching for the moon on the evening after the 29th day of the lunar month and in the experience and practice of the Muslims that they search for the moon at home or out in the open. They fix their gaze at the sky in search of the new moon. However some of those who give great regard to the teachings of astronomers and even accord such teachings the status of divine revelation portray the sighting of the general masses as being the stance of Shari’ah and the practice of Rasoolullah ﷺ expecting the people to sight the moon with total ease by simply looking up at the sky and spotting the moon or maybe even seeing it unintentionally and then only will their testimony be accepted.

When the general masses of Madinah searched for the moon during the era of Rasoolullah ﷺ and none of them had sighted it then, contrary to the so-called general sighting, Rasoolullah ﷺ had accepted the sighting of one or two such people whose identity was not even well known. So, Allah forbid, are these people implying that they are in fact the compilers of Shari’ah?

It is definitely not established from the Ahaadith and the narration of Abul Bakhtari رحمه الله that the sighting of the moon will only be accepted when the general masses sight it without any difficulty and in only such a case will the first of the next month be determined otherwise not. However due to the crescent being so faint it is visible to only one or a few people and it is for this reason that the Jurists have compiled the laws pertaining to moon sighting from the Qur’aan and Hadith.

A narration recorded in Abu Dawood, Tirmidhi, Ibn Maajah, Daarimi and Musnade Ahmad states that once in Madinah the Ramadhaan moon was not sighted by Rasoolullah ﷺ the Sahaabah as well as the residents of Madinah and some unknown Bedouin came forth and testified that he had seen the Ramadhaan moon upon which Rasoolullah ﷺ announced the commencement of Ramadhaan. In a similar case Ibn Umar رضي الله عنهما had mentioned that he had sighted the Ramadhaan moon upon which Rasoolullah ﷺ also announced the commencement of Ramadhaan.

This had also occurred at an instance of Eidul Fitr when none of the residents of Madinah had sighted the moon due to which Rasoolullah ﷺ, the Sahaabah and the residents of Madinah had engaged in fasting on the 30th day. When the day had almost passed and it was close to sunset two unknown members of a certain caravan that was passing-by came in to the city and expressed to Rasoolullah ﷺ that they had both sighted the moon on the previous evening upon which Rasoolullah ﷺ had personally terminated his fast and instructed his companions to do the same. In another narration it states that he ordered that Eid Salaah should be performed the next day.

The wording of these Ahaadith in their respective order is as follows:
عن ابن عباس رضي الله عنهما قال جاء اعرابي إلى النبي ﷺ فقال إني رأيت الهلال يعني هلال رمضان فقال أتشهد أن لا إله إلا الله؟ قال نعم فقال أتشهد أن محمدا رسول الله؟ قال نعم قال فقال يا بلال اذّن في الناس أن يصوموا غدا

Ibn Abbaas رضي الله عنهما narrates that a Bedouin came to Rasoolullah ﷺ and said, 'I sighted the crescent.' Referring to the crescent of Ramadhaan. Rasoolullah ﷺ asked him, 'Do you bear witness that there is no one worthy of worship but Allah?' He replied saying yes. Rasoolullah ﷺ then asked him, 'Do you bear witness that Muhammad is the messenger of Allah?' He replied saying yes. Then Rasoolullah ﷺ instructed Bilaal d to announce that the people should fast the next day.

عن ابن عمر رضى الله عنهما قال ترائى الناس الهلال فأخبرت رسول الله صلى الله عليه وسلم أنى رأيته فصام وأمر الناس بصيامه

Ibn Umar reports that the people searched for the moon and I informed Rasoolullah صلى الله عليه وسلم that I had seen the moon thus Rasoolullah صلى الله عليه وسلم fasted and instructed the people to fast as well.

عن رجل من اصحاب النبى صلى الله عليه وسلم قال اختلف الناس فى آخر يوم من شهر رمضان فقدم اعرابيان فتشهدا عند النبى صلى الله عليه وسلم بالهلال أهدأ أمس عشية فأمر رسول الله للناس أن يفطروا وزاد فى رواية عليه وسلم وأن يغدوا إلى مصليهم

During the era of Rasoolullah صلى الله عليه وسلم the people were divided with regards to the last day of Ramadhan. Then two Bedouins arrived and testified that they had both sighted the moon on the previous evening thus Rasoolullah صلى الله عليه وسلم instructed the Sahaabah to terminate their fast and proceed to the Musallaa (Eid Ghaah) the next day.

Some people have interpreted the phrase أن يغدوا (*proceed in the morning*) to mean that Rasoolullah صلى الله عليه وسلم and the Sahaabah terminated their fast and proceeded to the Musallaa for Eid Salaah. However these words were mentioned by Rasoolullah صلى الله عليه وسلم to the Sahaabah for them to attend the Musallaa the next day. (*Abu Dawood, Ibn Maajah, Nasaai, Ahmad*)

According to this Hadith Rasoolullah صلى الله عليه وسلم accepted the testimony of Bedouin strangers who had travelled from a far place.

An Unfortunate Incident Regarding Moon-sighting

The following incident shows how misinformation and deceit is used to the general masses as well as to the Ulama in writing as well as verbally resulting in negatively influencing people's thinking.

Moulana Saeed Ahmad Paalanpuri Saahib, a lecturer at Daarul Uloom Deoband, used to spend the month of Ramadhaan in a certain Masjid of Britain for many years and whenever he was posed with a query regarding the sighting of the moon he would reply just as other illustrious Ulama would that in order to understand the issues faced in Britain it is necessary for one to spend an entire year living here and since we come here for a period of four to five weeks only it is difficult for us to express proper opinion on this matter.

However after many years on the occasion of Ramadhaan 1428 AH some people made a rather unfortunate and unnecessary effort to break the religious shar`ea unity of the Muslims and during the month of Ramadhaan certain selected pages of Moulana's book 'Tuhfatul Laam'iy' were widely distributed which, on the one hand, served as a promotion of his book and on the other hand was not only an open complaint and false accusation against the Ulama and Muftiyane kiram, Central Moon Sighting Committee of G. Britain, Hizbul Ulama UK, Jami'atul Ulama Britain, and other organizations but also against Daarul Iftaa Daarul Uloom Deoband, Mazaahirul Uloom Sahaaranpur, and other Daarul Iftaas of the Indo-Pak sub-continent as well as Daarul Iftaa Riyadh, the Ministry of Endowments and Justice and the Supreme Court of Saudi Arabia.

It is a fact of history that the Muslims of Britain have not forgotten that the Daarul Iftaa of Daarul Uloom Deoband and its Muftis had congratulated Ulama of Britain on their religious unity and also heaved a sigh of relief. Nevertheless there was a lot of confusion and commotion during the last ten days of Ramadhaan in the Masjid wherein Moulana was spending his Ramadhaan and the effects of this spread to other Masaajid as well especially when the people of this particular Masjid did not accept the view expressed by Maulana. On the morning of Eid Moulana secretly left this Masjid at 3 am and

went to a Masjid further away where they were not celebrating Eid but rather keeping the 30th fast.

This Masjid has become the headquarters for the movement against the religious unity of British Muslims and the Imaam and associates of this Masjid pose different types of questions to the Muftis in order to find some sort of justification for their ideology.

For the whole of that day as well as the next Moulana spoke very harshly in a discourse entitled '*Meri Wasiyyat ya Naseehat*' which instantly spread throughout Britain and according to our knowledge everyone had regarded it as very bad because due to him being a lecturer on Hadith at Daarul Uloom Deoband a lot of inappropriate comments were made against the institution and in the other hand it had a very negative effect against his personality in that he had spent Ramadhaan and Eid for many years here with CMC with Saudi Arabia so what was the need to for him to spill the anger of his heart in this manner.

The claim made by Moulana would only be justified if he presents his evidence to Raabitah Aaleme Islami of Makkah either verbally or in writing whereby it is pasted in his book because for the past 36 years neither the Saudi Government nor Raabitah try to determine the date of Ramadhaan or Eid on the basis of astronomy. What has been brought to our attention is that on behalf of the international delegates of Raabitah the officials of their respective local areas and countries had requested the headquarters to unify the perpetual Islamic calendar in all the Islamic states.

The manner in which this would be done is that on the basis of hypothetical observatory calculations a calendar should be prepared for the entire world with Makkah as the focal point. In essence the calendar that was prepared was not for the specific months related to acts of worship but rather an annual calendar that covered many

years for administrative purpose. It is for this reason that the Saudi Government had distributed the Ummul Quraa annual calendar that encompassed many years, however the difference that existed 36 years ago regarding the sighting of the Ramadhaan and Eid Moon still exist today and during their conferences the international delegates of Raabitah who harbour new ideas still try to make the Texts of Shari'ah and the principles taught by Rasoolullah صلى الله عليه وسلم comply with astronomy but are unsuccessful in front of the Saudi Ulama.

Theories are not definite and continually revised

On ICOP discussion took place on the phenomenon of conjunction and Martin Elsasser's response is interesting. Martin refers to conjunction as not one of a 'magical moment' where something happens in an instant.

Martin says it is something that needs further experimentation which may lead to expanding the current limits. Martins imaging experiments demonstrate that there can indeed be a crescent during conjunction depending on the elongation. Martin will be carrying out further intensive experiments to see if current visibility limits can be expanded and we keenly await the results.

In response to Moulana Saeed Palanpuri's views on moon sighting

With reference to the testimony of sighting the moon Moulana Saeed Ahmad Paalanpuri quotes Shah Waliyullah رحمه الله the following in his book '*Rahmatullahil Waasi'ah*':

نحن أمة أمية لا نكتب ولا نحسب

We are an illiterate nation who do not write or count.

احكام الصوم : قال النبي صلى الله عليه وسلم : لا تصوموا حتى تروا الهلال ولا تفطروا حتى تروه فإن غم عليكم فاقدروا له وفى رواية فأكملوا العدة ثلاثين

Rules on Fasting: Rasoolullah صلى الله عليه وسلم said Do not begin or end your fasting until you sight the moon. If the sky is not clear then complete the month with 30 days.

اقول : لما كان وقت الصوم مضبوطا بالشهر القمري باعتبار الهلال وهو تارة ثلاثون يوما وتارة تسعة وعشرون , وجب فى صورة الإشتباه أن يرجع إلى هذا الأصل . وأيضا: مبنى الشرائع على الأمور الظاهرة عند الأميين دون التعمق والمحاسبات النجومية بل الشريعة واردة باخمال ذكرها وهو قوله صلى الله عليه وسلم : نحن أمة أمية لا نكتب ولا نحسب

I say: Since the period of fasting is fixed to a lunar month determined by the sighting of the moon which, at times, can have 29 days and otherwise 30 days, it is necessary to revert to this principle in the event of doubt. The laws of Shari'ah are based on apparent features and not intricacies of astronomy as is generalised by the Hadith, 'We are an illiterate nation who do not write or count.'

(From this it is established that the very principles that are being made the basis for the sighting of the moon have no bearing on Shari'ah and Shari'ah has rather come to do away with such principles. Those who are trying to include this non-Islamic practice in Islam are actually distorting Islam.)

(After that Maulana Saahib quotes the following discussion rendered by Shah Waliyullah رحمه الله: The two months of Eid do not get shorter (by entailing 29 days). (Mishkaat 1972)

Commenting on this topic Maulana states that ``this Hadith had 10 explanations as mentioned in Ma'arifus Sunan Vol.2/Pg.25`` and then goes on to quote the 2 explanations of this Hadith rendered by Shah Saahib رحمه الله. ``The 1st is the opinion of Imam Ahmad رحمه الله that

Ramadhān and Dhul Hijjah do not both reduce to 29 days. If one is 29 the other will have 30 days. The 2nd explanation is the opinion of Imam Ishaq رحمه الله that regardless of the month being 29 or 30 days, the reward will be full and either month will not be more than the other in reward. Thus according to this explanation both months may even have 29 days``.

Shah Sahib رحمه الله then gives preference to the 2nd explanation stating that ``the 1st explanation is linked to *astronomy* and explaining astronomy was not the mandate of Prophethood whereas the 2nd explanation is linked to teaching of Islam which is the lofty objective of Prophethood (*Rahmatullahil Waasi'ah Vol.4/Pg.130*)

Maulana Saeed then discusses the point of a Muslim's testimony with regards to moon sighting which is oretical of his saying in his second.

ثم الهلال يثبت بشهادة مسلم عدل أو مستور أنه رآه

Translation: The crescent will be regarded as sighted if an upright Muslim testifies to having seen it or even if and unknown person testifies he saw it.

Under this Hadith Maulana tables the following discussion: *The news of a Muslim whose piety is not known.*

Ibn Abbaas رضي الله عنه relates that a Bedouin came to Rasoolullah صلى الله عليه وسلم and said that he had seen the moon (referring to the Ramadhān moon). Rasoolullah صلى الله عليه وسلم asked if he testifies that there is no other deity worthy of worship besides Allah. The Bedouin said, 'Yes'. Rasoolullah صلى الله عليه وسلم then asked if he testifies that Muhammad is the Messenger of Allah. The Bedouin replied, 'Yes'. Rasoolullah صلى الله عليه وسلم told Bilal رضي الله عنه to announce that people should fast the next day (*Mishkaat Hadith No. 1978*)

Commentary: *In matters of Religion the news of a religiously upright Believer or one whose condition is not known will be acceptable. There is no need for a certain number of people to have sighted the moon, or for the witness to be apparently upright or for the witness to testify. These matters will be just like the narration of Ahaadith, or just as the case wherein a Muslim who is apparently not an open sinner informs about the purity or impurity of water or of something being Halaal or Haraam, such news will be reliable.*

However due to the witnesses being potentially doubted with regards to the Shawwaal moon it is thus necessary for two upright Muslims to testify. Both those methods are proven from Sunnah of Rasoolullah ﷺ. This ruling applies to all religious matters of this nature. Thus they will all be treated as the incident of the Bedouin mentioned in the Hadith. (*Rahmatullahil Waasi'ah Vol. 4/Pg.135*).

Another Article by Moulana Saeed Palanpuri

(**Note:** All the brackets and quotation marks in the article below have been added by the compiler of this book)

Moulana Saeed's commentary on Tirmidhi entitled ``Tuhftul Laami'iy`` was published in Rajab 1429AH. "In Vol.3/Pg.57 – Kitabus Sawm" he refers to the sighting of the moon in Saudi Arabia between 1970/4 (when he was a lecturer at Daarul Uloom Ashrafiyyah, Rander) and on Pg.56 he mentions the wisdom regarding **"Sighting the Moon rather than adopting calculations"**. He then continues by saying:

(1) The followers of Rasoolullah ﷺ are illiterate and not acquainted with the knowledge of theoretical calculations thus if calculations are made the criteria it will be difficult to practice upon. However if actual sighting is made the basis for establishing the

moon then anyone will be able to practice on it regardless of whether he is a villager or city dweller.

(He then makes reference to Rabitah as follows :)

NB. *Approximately 40 years ago the Saudi organisation Rabitah convened a conference on “Unifying the Moon” to which all the senior scholars of the world were invited and this subject was tabled.*

(2) “When all the Muslims of the world make Hajj together they should also make the two Eids and Ramadhaan together. This can be done by basing the start/ end of Ramadhaan on the theoretical birth of the moon rather than actual sighting.” (Then explaining the definition of the new moon Moulana makes mention of the movement of the moon both from east to west and west to east then it’s appearing “directly in line with the sun” and then moving away from behind the sun).

(3) The plan of Rabitah was to make the theoretical new moon the basis so that Ramadhaan and Eidain would occur all over the world at the same time.

(4) However all the Ulama rejected this plan. (After this Moulana explained why all the Muslims of the world makes Hajj together and quotes the following verse as proof: *يسئلونك عن الأهلة* *they ask you regarding the new-moons*. He then proves it impossible for the world to unite on Ramadhaan and Eidain.)

(5) However even after that Saudi still announces the sighting of the moon based on its theoretical birth.

(6) In order to deceive the people every year on the occasion of Ramadhaan and the two Eids two witnesses are presented before the Judge and an announcement of the moon being sighted is made

based on their testimony whereas the moon was not sighted anywhere else in the world.

(Then in laying a false accusation on the Daarul Iftaa Riyadh and the Supreme Court of Saudia Moulana writes the following):

(7) The fact of the matter is that the officials of Saudi Arabia in whose hands the moon matter lies do not want Hajj to be performed at its correct time thus they have changed the entire system of moon-sighting and created turmoil in the world.

(8) In every country there are some people who foolishly follow the sighting of Saudi Arabia creating confusion among the Muslims. (Thereafter he mentions about the visit of Moulana Manzoor Nu'mani to Rander and his feedback on the Raabitah conference.)

(9) Moulana Nu'mani رحمه الله stated that this is a very dangerous scheme.

(10) I wrote an article in two parts that was published in the Al Furqaan magazine of Lucknow in which I used Verses of the Qur'aan as well as Ahaadith to prove that it was not possible for the whole world to unite on one sighting of the moon.

(11) In the light of the above-mentioned Verse of the Qur'aan mentioned above it was incorrect to commence Ramadhaan or have Eid all together on the basis of the theoretical birth of the new moon.

(12) Yes, a Unified Moon – if such a term is appropriate – is possible in Hajj because the new moon determines the time of Hajj and all those who intend to perform Hajj will have to comply with the date in Makkah and disregard the date in their respective countries.

(13) However Saudi Arabia has done whatever they felt was like doing.

(14) It still does not admit that they follow the theoretical birth of the new moon.

(15) Throughout the world whoever wishes to have ease in the matter happen to follow the Saudi system because they get to know the exact date of Ramadhaan etc beforehand.

(16) However in Africa and America, due to the sun setting many hours after Saudi Arabia, the moon is not seen until the next day.

(17) Thus in such a case the people should not spoil their fasts.

(18) Those that live within the Kingdom of Saudi Arabia are left with no choice but to follow the ruling issued. The same applies during Hajj.

(19) However those living outside of Saudi Arabia have no excuse.

(20) Thus they should not blindly follow the sighting of Saudi Arabia.

(21) Another aspect that needs to be noted is that there is no consideration given to calculations with regards to the moon.

(22) However it has been observed that some religiously unmindful people come forth and testify in order to have the Saudi sighting accepted.

(23) Some people speculate on the sighting of the moon.

(24) Thus if the calculations and forecasts are accepted to such an extent that *'if there is no possibility of sighting the moon (no Imkane Ruyat) then no testimony of a sighting will be accepted'*, **my humble opinion is that there is no problem in that.** And Allah Ta'aala Knows Best.

The truth of the matter with regards to what has just been mentioned

a) Moulana, in his latest book (2007/1428 AH) has aired his complaints about the Saudi officials without giving it much thought. However, between 1970-74, despite being informed of the conduct of Raabitah the Daarul Iftaa and other senior Ulama of Daarul Iftaa Deoband as well as the Saudi officials have, over the last 36 years, agreed with and declared as true the sightings announced by Supreme Court of Saudi Arabia and also defended these upright Ulama against all the false accusations directed towards them in this period. In the opinion of Moulana Saeed was this a foolish exercise?

Such support has been mentioned from Ahsanul Fataawaa (*Vol.4/Pg.426 has the abrogated Fatwaa and the new Fatwaa is on Pg.491-494*), Fataawaa Daarul Uloom Deoband, Fataawaa Raheemiyah, Fataawaa Rasheediyyah, Fataawaa Shaikhul Islam, Fataawaa Daarul Iftaa Riyadh, Supreme Court Riyadh, Shaikhul Haramain Muhammad bin Abdullah Al- Subayyil, Ministry of Endowments Riyadh, Ministry of Justice Riyadh, the late Governor of Madinah Munawwarah, Abdul Majeed Bin Abdul Aziz who addressed a gathering of approximately 40 Ulama from Europe and America (including Molvi Ya'qub Qaasmi, Molvi Ya'qub Miftaahi, Molana Khaleel Ahmad Lajpuri of Canada, Dr. Ismail Memon of America and others) wherein besides clarifying this issue he also presented a chart outlining the places throughout the world including Saudi Arabia, India, Britain, America etc wherein the moon was sighted contrary to the theoretical new moon forecast and calculations of the observatory and some of these places were such that they had even seen the moon at times a day before Saudi Arabia.

For example, in Nigeria and Niger which are regarded as among the strongest African countries in support of Islamic (Shari'ah) law,

Yemen and other countries in the Arabian Peninsula had seen the moon a day before Saudi Arabia.

Whereas according to their claim this was a sighting of the moon on the evening after the Islamic 29th day of the Lunar month.

Moulana mentioned having his two part article published in the Al Faros magazine but did he not come across any rebuttal of it in the same magazine? The famous article on this topic by Moulana Doctor Abdullah Abbaas Nadwi, who lived in Makkah for many years were published in Al Furqaan in August 1983, was Moulana Saeed Ahmad not aware of this?

In his commentary on ``*Hujjatullahil Baalighah* by Shah Waliyullah RA entitled ``*Rahmatullahil Waasi'ah*`, Moulana was compelled to quote and support a point made by Shah Sahib رحمه الله against theoretical calculations. Why did Moulana feel it appropriate to support such sentiments and not express his opinion at that point?

These are just a few references and readers can also study "***The Historical background to moon-sighting in Britain***" By Moulana Moosa Karmadi, "***Establishing the crescent the new-moon theory and the Fatwa of Daarul Uloom Karachi***" By Molvi Ya'qub Ahmed Miftahi, as well as our other related publications.

Hereunder is an explanation to the points highlighted in Moulana Saeed Ahmad's article quoted earlier.

- (1) The cause for revelation of the verse يسئلونك عن الأهلة (*They ask you about the new-moons*) was to refute the method adopted by the Jews and not in relation to plain calculations and writing which are made repeatedly in the Qur'aan and also used in the Ahaadith, even in the ``Hadith Lummi`` too which states that we are an illiterate nation

whereby the numbers 29 and 30 were pointed out too using the Mubarak fingers.

In this Hadith Prophet صلى الله عليه وسلم says we are an illiterate nation, i.e. we do not calculate as do the Jews who used the Metonic theoretical hisab nor do we write Zaich like the Jews and the Nojumi (Both the Astronomer & Astrologer) do. The Prophet صلى الله عليه وسلم clearly used his fingers to show what he meant.

If someone believes that the Prophet صلى الله عليه وسلم rejects ``plain hisab kitab`` that means (Nauzoobillah) Prophet SAW uses plain hisab kitab and rejects it at the same time! Every one knows that plain hisab is not forbidden by Shari'ah as it is referred to in the Quran and Ahadith many times.

On the basis of theoretical calculations the Jews would repeatedly ask the Sahaabah رضى الله عنهم in a sarcastic manner as to why the moon would change shape. On becoming frustrated with these remarks by two Sahaabah of Rasool صلى الله عليه وسلم Haz. Mu'aadh bin Jabal and Tha'labah bin Ghanam رضى الله عنهم both asked Rasoolullah صلى الله عليه وسلم regarding this matter and in response the Verse under discussion was then revealed. So the actual question asked by the Jews to the Sahaabah was in relation to the phases that the moon goes through whereby it first appears in the west as a crescent which then increases in size until it becomes a full moon and then reduces in size as it approaches the eastern horizon during the latter part of a month and then seems to disappear. When the Sahaabah رضى الله عنهم asked Rasoolullah صلى الله عليه وسلم about this matter and in response Allah revealed the fact that this cycle of the moon is beneficial to man for determining the time of Haj and the time of other aspects as well. Allah did not engage in a scientific explanation of this matter since that is not an objective for the success of the hereafter and it is also not a criterion for such success.

(2) We do not have, in our records, a reference to the claim made by Moulana. If only he had added some written proof from Raabitah or Moulana Nu'mani رحمه الله or he could have at least included an excerpt of the discourse made in Rander.

(3) If only Moulana had included a reference in this case as well.

Raabitah does not have any influence in the internal political affairs of Saudi Arabia since it is simply an international organisation that links up countries in the Islamic world with one another and Saudi Arabia only a member of Raabitah, it does not make up the whole of Raabitah. Most important is the fact that member states make independent representations at the conferences held and with specific regard to the moon issue there has been an effort to make the hypothetical laws of astronomy applicable to acts of worship. It is possible that some discussion took place at a conference with regards to preparing an Islamic Calendar for administrative purposes so that all Islamic and non-Islamic countries could use the same calendar. It is possible that Moulana could have mistaken this discussion to be in relation to the calculations for acts of worship and there are obvious reasons for this:

Firstly, even though the Head office of Raabitah is in Makkah, it was Saudi Arabia's Ulama who very strongly opposed the proposal of making the testimony of sighting the moon subject to the Metonic new-moon theory.

(4) This point is in reality, in total conformance to the essence of Shari'ah that is why, not only then, but even presently as well as in the future it will be unacceptable.

(5) It is possible that one or both Moulana Saeed and Moulana No'mani has been mistaken by the calendar prepared by Ummul

Qura based on astronomy calculations as well as the use of this calendar in Saudi Arabia for administrative purposes.

(6) This is a very grave accusation which is also based on astronomy generated calculations and the blatant lies that the moon was not sighted anywhere else in the world. What need is there for the Saudis to deceive the world by calling upon two witnesses to falsely testify in front of a Judge and by so doing destroy the Hajj and Ramadhaan of millions of people as well as take the burden of everyone's sins?

Has the Moulana made an effort to find out if the moon was sighted anywhere else in the world on the same day as Saudi Arabia or even a day before their sighting? If he has made an effort and established that it has been sighted then did he accept or reject such a sighting? Our presumption is that Moulana has not given any consideration to the responsible institutions or their confirmations or to the worldwide witnesses or the calculations of Shari'ah and expressed his assumptions and reservations on the matter based on the new moon theory of astronomy.

(7) What benefit is there for the authorities responsible for moon sighting in not allowing the people to perform their Hajj in its correct time? By repeating the agenda to change the system of moon sighting can the above-mentioned realities be rejected in the light of Shari'ah and moral conduct?

If Moulana wishes to brand the Saudis of creating a great disorder in the world simply because they are holding on to the true religion, especially with regards to the sighting of the moon, in such a way that such a sound system is not found in any other Muslim country then such an effort is nothing new since the Jews, Christians and Polytheists during the era of Rasoolullah صلى الله عليه وسلم who considered themselves as intellectuals had also regarded him as a great cause of

mischievous when he presented them with the teachings of the Qur'aan and Sunnah. Thus this has become a practice of the previous Messengers as well as Rasoolullah صلى الله عليه وسلم to be taunted in this manner. May Allah guide us!

(8) When the Sahaabah رضى الله عنهم adopted the teachings of Rasoolullah صلى الله عليه وسلم these so-called intellectuals had termed these teachings as foolishness, so in blindly following the path of Rasoolullah صلى الله عليه وسلم we are not bothered if anyone regards us as foolish. The followers of Rasoolullah صلى الله عليه وسلم are slaves unto him and his teachings and a slave has to blindly serve his master as a slave. If there is a concern of them causing confusion in the world due to adopting the categorical teachings of Qur'aan and Sunnah then is this in conformance to upholding the religion and working towards the hereafter? Please give it some thought!

(9) If only some reference was mentioned in this regard as well.

(10) We do not have these articles of Moulana with us to comment. If only he had included them in his writings.

(11) Moulana has most likely been mistaken by the calendar prepared in the name of Ummul Quraa which is used in Saudi Arabia for administrative purposes only whereas the Saudis definitely depend on the actual sighting of the moon rather than base their dates on the calculations of astronomy as was discussed to be the reason for the revelation of the Verse: يسئلونك عن الأهلة (They ask you regarding the new-moons.)

(12) With regards to the unification of moon sighting and Hajj this is the unanimous and adopted stance, however there may be a little difference in interpreting it as is the case with the Hadith of Rasoolullah صلى الله عليه وسلم wherein he stated, 'Start fasting when you see the moon and stop fasting when you see it.'

Due to the context of this Hadith being general the Hanafi Jurists have ruled that there will be no consideration given to the difference in horizon between places thus the sighting observed in the east will be applicable to the west, south and north and vice versa as well as long as the news is transmitted reliably. This will also make the unification of moon sighting possible. Those who give consideration to the difference of horizons between places like the Saudis and some of the Hanafi Scholars can still have a form of unified moon sighting in the areas that fall within one horizon.

(13) This is a blatantly false accusation.

(14) Do you think to accuse them openly that they are lying about witnesses to make Hajj and Ramadhaan on the wrong day? If this was true then why are the Saudis not admitting to this?

(15) Moulana has based this on blatant untruths, whereas no one knows the dates of Sha'ban, Ramadhaan or Haj beforehand. Not only are the local and foreign residents of Saudi Arabia witness to this but even the Muslims of Britain who have been following the Saudi sighting for the last 23 years and even Moulana himself has spent Ramadhaan and Eid for many years as well as other Ulama and representatives including the Head Mufti of Deoband, Mufti Habibur Rahman Sahib who spent Ramadhaan and Eid in Britain on two occasions in the space of ten years.

It has never happened that a definite date is known to anyone and despite the time difference of 2-3 hours between Britain and Saudi Arabia the announcement has always been made after the completion of the 29th or 30th day.

Due to the time difference between the two countries it has occasionally happened that when the announcement of a sighting is made after sunset on the 29th day in Saudi Arabia then the news of this sighting does reach us before our sunset because the sun sets

there a couple of hours before it does in Britain and this is something absolutely natural. In which world is Moulana living! How can a statement made by someone without any fear or hesitation be taken to be the fact of the matter? It will be a cause for anxiety to hear such words from even a common person but the expectation from a responsible person such as Moulana would be that he gauges his words on the scale of Qur'aan and Sunnah before uttering them!

(16) This matter requires some deep thought with a composed heart that the British, Portuguese and French had colonised the sub-continent. Shah Waliullah رحمه الله, who was born 3 years before the demise of Aurangzeb Aalamgeer رحمه الله and lived for 52 years, had written a rebuttal to the theories of astronomy in Hujjatullahil Baalighah and after his demise the threat of the influence of foreign culture increased and the British eventually imposed a compulsory educational policy under which the so-called Muslim experts prepared solar and lunar calendars and thus introducing a new strain of thought among the Muslims.

(17) Muslims will have to blindly follow the teachings of The Qur'aan and Hadith and it is then only that their acts of worship and fasting will be correct whereas those who rode on their own intellect have fallen into the pit of Jahannam (Hell-fire)! Is it not a grave false accusation to refer to those who are following the sayings and actions of Rasoolullah صلى الله عليه وسلم as blind followers? Do the Saudis not openly reject the hypothetical new-moon theories rather than apply their intellect in this regard as Moulana has done? If Moulana feels that the logical dictates that rather than the sayings of Rasoolullah صلى الله عليه وسلم the hypothetical new-moon theory of astronomy should be applicable then he can repeat himself a thousand times and the Muslim Ummah (nation) respond a thousand times saying that we would rather blindly follow the texts of Shari'ah.

(18-19-20) Helplessness can only be determined when such happenings are actually taking place there whereas that is not true and Moulana has been mistaken because those living outside of Saudi Arabia, especially in Europe and particularly in Britain, are compelled to follow the sighting of Saudi Arabia because the new moon is very rarely sighted here and it is for this reason that for the past 70-80 years the Fataawaa issued to migrants from the sub-continent permitted this on the basis of the compelling circumstances. The records of Fataawaa issued from Deoband are proof of this.

The announcements made by Saudi Arabia on the sighting of the moon are a matter on their own. We have records of sightings observed in Britain, Europe, Indo-Pak Banglah Desh Sub-continent, Egypt, other Arab Countries, Africa and Saudi Arabia where the sightings were testified by Muslims from Britain and the sub-continent which were not only in conflict with astronomy but also in conformance with the announcements made by Saudi Arabia. Others also have their own records of these sightings.

(21) On the one hand Moulana states that there is no regard given to calculations of the observatory so then why does he refute the sightings of Saudi Arabia on the basis of these calculations? This is a strange characteristic of critics! Mufti Aaezam Pakistan Mufti Rafee' Uthmaani Saahib also became astonished and had to offer a response when this subject was raised by Moulvi Ya'qub Qaasmi. *(Refer to the Supplement on Moon sighting, ``Sharea Thuboot Hilal the new-moon theory and the Fatwaa of Daarul Uloom Karachi`` by Moulvi Ya'qub Ahmad Miftahi.)*

(22) The Prophets were sent to the world as examples. The Prophet of Islam صلى الله عليه وسلم was sent as an example to the final nation. Every action and statement as well as his silence on an action done by a Sahaabi is accorded the status of Sunnah and part of Shari'ah. Rasoolullah صلى الله عليه وسلم did not think like Moulana and reject the

sighting when those two unknown Bedouins came into Madinah and testified that they had seen the moon yet no one in Madinah had seen it. Rather when they expressed their belief in Allah as one and Muhammad صلى الله عليه وسلم as his Messenger then Rasoolullah صلى الله عليه وسلم personally terminated his 30th fast before sunset and instructed the Sahaabah to do likewise. Isn't there a greater possibility of these two unknown Bedouins being false rather than one or two people from Saudi Arabia who claim to have sighted the moon? Indeed there is! However this was a lesson being taught by Rasoolullah صلى الله عليه وسلم to his followers. If this incident is taken to be a speciality of Rasoolullah صلى الله عليه وسلم and his companions then the whole of Islam will be ruined (as is being proclaimed that those were Rasoolullah صلى الله عليه وسلم and the Sahaabah. Times have now changed! So will the changing of times become a cause for a change in the principles and text of Islam?

One, who became head of Eid Salat with fast, writes same thing in his book! So in this manner no one will have to fast or perform Salaah or Hajj or give out Zakaah or strive in Jihaad or follow Rasoolullah صلى الله عليه وسلم and the Sahaabah in any aspect. Neither will anything remain obligatory. Allah Alone is the best guide!)

(23) We are not sure whether Moulana refers to Saudi Arabia or India when he makes mention of a point in relation to the conspiracy. He should have explained further because if such a practice is really being conducted in Saudi Arabia then by bringing it to the attention of the government it will definitely be uprooted.

(24) *'Thus in such a situation if the observatory calculations are accepted to this that it is not possible to sight the moon then testimony should not be accepted'* This is the point upon which Moulana has based the strength of his discussion. However if Moulana really wanted to express this point then there was no need for him to unnecessarily mention all those points that we numbered, most of which entail sinful expressions. Instead of using the strength

of his Faith and spirituality he rather tried to have his own sighting accepted by way of an un-Islamic conspiracy by outlining the claims of wrong that he mentioned he makes the astronomy-generated calculations (and not the testimony according to Shari'ah a determining factor for the possibility of sighting the moon on the evening after the 29th day of the lunar month due to necessity whereas this necessity also existed at the time when those two unknown Bedouins came forward whereas it was not known whether they were even Muslims or not. That is why Rasoolullah ﷺ took the testimony of Shahadah from them. That was the initial era of Islam and the when the non-Muslims would take false oaths to trouble the Muslims as well as adopt other means of deception as well. However Rasoolullah ﷺ taught his followers that very lesson of accepting the testimony. If Rasoolullah ﷺ wished to do as Moulana expects he would have first referred to the Jews who were acquainted with astronomy-based on Metonic calculations and would have instructed that all testimonies until the last day should be subjected to such calculations.

Due to the fact that Rasoolullah ﷺ did not prohibit the seeking of knowledge from non-Muslims as he had personally instructed Zaid رضي الله عنه to learn the Hebrew language from the Jews which he learnt in fifteen days. Likewise he stipulated that the prisoners captured during the Battle of Badr would be freed if they taught the illiterate Sahaabah how to read and write. Thus during that era the knowledge of astronomy was known to the Jews and Rasoolullah ﷺ could have simply instructed that it be learnt from them and there was no religious harm in that as well. However, Rasoolullah ﷺ had prohibited the adoption of such calculations in accordance to the wish of Allah as expressed in the Verse of the Qur'aan: *يسئلونك عن الأهلة* (They ask you regarding the new-moons) and expressed that, 'We are an Illiterate nation who do not write and count.' The Daarul Iftaa in Saudi Arabia as well as their Supreme Court is holding fast to this teaching of Rasoolullah ﷺ so why is Moulana trying to have the astronomy-based

calculations of the Jews and Shi'as included into the Islamic system against the practice of Rasoolullah صلى الله عليه وسلم, the Sahaabah, the rightly guided Khulafaa, the best of generations as well as the consensus of the Muslim nation at large. Why is he also trying to encourage the Daarul Iftaas to join his endeavours? This means that Moulana has failed to understand the Fataawaa issued to date by the Daarul Iftaas of the sub-continent especially the Daarul Iftaa Deoband (wherein it has been emphasised that the sighting of the moon should not be subject to astronomy-based on (Imkane Ruyat) the possibility of moon sighting calculations but rather based on the statutory text of Shari'ah).

Moulana has, not only in his book, but also verbally repeated this forty year old issue which has been repeatedly rejected from the very first day by the illustrious Ulama of Saudi Arabia as well as their Daarul Iftaa and Supreme Court and these rebuttals have been repeatedly quoted and published by the Muftis of Daarul Uloom Deoband, the famous expert on calculations at Daarul Ifta wal Irshaad Karachi, Mufti Rashid Ahmad Ludhyanwi رحمه الله Moulana Moosa Baazi رحمه الله an expert on astronomy and even the Central Moon-sighting Committee of Britain. The Pakistani Delegate to the Raabitah Fiqh Academy, Mufti Taqi Uthmaani has also expressed in writing as well as verbally that at the Raabitah conferences the Saudi Ulama have always objected to making the sighting of the moon subject to the calculations of astronomy. Not only has the Daarul Iftaa of Saudi Arabia but also Mufti Taqi Uthmaani very strongly opposed those who, during the Fiqh Academy sessions, propose that the worldwide sighting of the moon and the testimonies therefrom should be subject to the astronomy-based possible sighting of the moon calculations of the Greenwich and Zionists. Mufti Taqi Saahib personally mentioned this in the presence of Moulana Moosa Karmadi Saahib and myself (Moulvi Ya'qub Miftahi) at a meeting of ours in London. (Ref: Supplement on Moon sighting, Sharee Thuboot Hilal, the new-moon theory and the Fatwaa of Daarul Uloom Karachi by Moulvi Ya'qub Ahmad Miftahi)

Mujaddide Millat Maulana Ashraf Ali Thanvi رحمه الله said:

It is unacceptable scientific calculation (hypothetical) in Shari'ah for moon sighting to start the month. Because in first place the base of this calculation already is Makhdoosh (uncertain - mashkook). Shari'ah did not accept this at all, even if it could be right! Because Hadith Ummiyah denied Astronomical calculation (Shar'i Ahkam for Calendar & Jantri p49)

A British Observatory's Record of Worldwide Moon-sighting for the last 100 years

From this record it is established that the new moon has been sighted, not only in its hypothetical young age, but even before its forecast birth or conjunction and visibility time recorded in the Royal Greenwich Observatory's Astronomical Information Sheet No 67, but after many years, some now say the dates the results were observed on are inaccurate.

Nevertheless, in this present age the Jeudo/Christian conspiracy against Islam and its fundamental principles with the support of our secular intellectuals is targeting qualified Ulama and Muslims and conducting a well-organised worldwide scheme.

British Astronomy: Their moon sighting record from 1985 to 1990

TABLE I
The unreliable crescent moon reports

Reported date	Age of moon	Location	Observer	Reference	Delay in report	Comment
1885 Dec 11	26.8 h	Paris, France	Flammarrion	Whitmell 1909	...	NM on 1885 Dec 6
1895 Jul 22	14.75 h	Faversham, Kent	Hoare	Whitmell 1911	16 yr	Clouds/rain
1910 Feb 10	16 h	Tunbridge Wells, Kent	Horner	Horner 1911, Whitmell 1911	14 months	Rain
1916 May 2	14.5 h	Scarborough, N. Yorkshire	King +	Whitmell 1916	5 months	Rain
1989 May 5	13.4 h	Houston, Texas	Badat +	Durrani 1989, Durrani 1990	No delay	Reported wrong altitude, orientation, and duration
1989 May 5	14.85 h	Mount Baldy, New Mexico	Shore +	di Cicco 1989	4 months	Wrong date reported
1991 Sep 7	-9 h	Helston, Cornwall	Hedges	Moore 1992	4 months	Typographical error, age was -29 h

TABLE II
The reliable records

Reported date	Age of moon	Location	Observer	Reference	Delay in report	Comment
1871 Sep 14	-15.4 h	Athens Obs., Greece	Schmidt	Schaefer 1988	...	Record for unaided vision
1989 May 5	13.47 h	East Lansing, Michigan	Victor	di Cicco 1989	No delay	Seen only in binoculars
1989 May 5	13.67 h	Grand Rapids, Michigan	Hunefeld +	di Cicco 1989	No delay	Seen only in binoculars
1989 May 5	13.79 h	Lake Travis, Texas	Pearce +	di Cicco 1989	No delay	Seen only in binoculars
1990 May 24	15.53 h	Mount Wilson, California	O'Meara	Private communication	No delay	First seen in binoculars, then with unaided eye

The Opinion of the Observatory Director, D. McNally

The following is a reproduction of a letter written by D. McNally (Director of the University of London Observatory) in response to a query made by Hizbul Ulama UK

Mr Y A Miftahi
The Society of Muslim Scholars in UK
7 Troy Street
Blackburn
Lancs
BB1 6NY

18 January 1994

Dear Mr Miftahi

Thank you for your letter of 13 January. My letter of July 1980 is now somewhat overtaken by events. A great deal more work has been done on the sighting of the Moon and a particularly good guide to that work is M Ilyas' 'Islamic Calendar, Times and Qibla'. This is an excellent work on recent studies of the first sighting of the Moon. This book is published by Berita Publishing SDN.BHD. Kuala Lumpur, with ISBN NO. 967-969-009-1. his work shows that the age of the Moon is probably not the best criteria to use and that the lag time between moonset and sunset may be a better guide. He also notes that times of sighting are latitude dependant. Shaeffer has also come with criteria of his own and there is some dispute between Ilyas and Shaeffer as to which is the preferable to use. Clearly, the subject is very much to the fore.

The reference to conflict with the Koran (Qur'aan) simply refers to an interpretation of the Koran (Qur'aan) that everything must be established by observation and not by theory. Very clearly if theory

were permitted, it would be simple matter to relate the beginning of the month to the instant of conjunction between the Moon and the Sun. **This instant of conjunction is only determinable by theory,** albeit theory derived on observation of the Moon. This would be a simple, straightforward and tidy way to handle the problem. *My letter merely referred to the fact that it appeared that this was not acceptable to very large sectors of Islam.*

However, I think that the book by Ilyas is perhaps one of the best treatments of the problem available today.

I hope this clarifies my position in this matter.

With all good wishes,

Yours sincerely

D McNally
Director

Record of Shar'i Sighting experiments by Muslims in the world contrary to the theoretical New-moon calculations

Below is a list of references prepared by The Central Moon-sighting Committee of Britain relating to dates on which the moon was physically sighted worldwide with the naked eye according to Islamic guidelines including sightings in Saudi Arabia and Britain.

Note:

(i) Not a single sighting declared by the Supreme Court of Saudi Arabia has been included in this list. If such sightings were to be included this list the list would be much more extensive.

(ii) Sightings of the moon observed by expatriate workers in Saudi Arabia as well those (including British nationals) who visited for the purposes of Hajj or Umrah have been included in this list.

(iii) This list encompasses those occasions where the moon was sighted before the hypothetical birth of the new moon, at the time of birth and a few hours after birth.

(iv) Details on the age of the sighted moon were taken from the Royal Greenwich Observatory no. 24. To read more details about these, go in www.hizbululama.org.uk & click on Book ``Fajar & Isha part 1'' and see pages 33 to 43 especially page 40 onwards)

Records of Shar'i moon sighting experiments performed by Muslims around the world from 14/03/1983, contrary to the theoretical new-moon calculations including UK Moon sightings, which is highlighted in bold. The moon sighted on the same day as Haramain/Saudi Arabia along with other countries.

No.	Place of sighting	Date of sighting (sighted at /after the Sun set)	The time gape after theoretically calculated new moon	
			hrs	Min
1	Chicago , USA	Ramadhān 1403/ 10 June 1983	3	12
2	London, UK	Ramadhān 1403/ 10 June 1983		
3	Morocco	Shawwāl 1406/ 7 June 1986	5	39
4	Morocco	Dhul Qa'dah 1406/ 7 July 1986	14	25
5	Egypt	Sha'baan 1407/ 29 March 1987	3	25
6	Bolton, Lancs, UK	Ramadhān 1407/ 27 April 1987 By 3persons	6	2
7	Chicago, USA	Ramadhān 1407/ 27 April 1987	49 Minis before TCNM	
8	Pakistan	Ramadhān 1407/ 28 April 1987	12	20
9	Bulandshehr, UP, India	Ramadhān 1407/ 28 April 1987 Darul-Uloom Deoband announced Ramadhān with Pakistan, and then news of this sighting reached them from Bulandshehr as it Seen by 5 persons, Shahadah taken by Darul Ifta Deoband delegation including Mufti Habiburrahman sahib by reaching there.	12	00
10	Madison, USA	Shawwāl 1407/ 27 May 1987	10	13
11	Wisconan USA	Shawwāl 1407/ 27 May 1987	10	13
12	Pakistan	Shawwāl 1407/ 27 May 1987	57 Miens before TCNM	
13	Batley, York's, UK	Shawwāl 1407/ 27 May 1987 Sighted by 4 men.	5	6
14	Blackburn, UK	Shawwāl 1407/ 27 May 1987 Sighted by 13 Men including 2 women	5	2
15	Meerath &Delhi (India)	Shawwāl 1407/ 27 May 1987	1Hr 32 Minis before TCNM	
16	Egypt	Shawwāl 1407/ 27 May 1987	1	38
17	Pakistan	Shawwāl 1408/ 15 May 1988	5Hrs 2 Mins before TCNM	
18	Preston, Lank, UK	Shawwāl 1408/ 15 May 1988	2Hrs 5 Mins before TCNM	
19	Peshawar, Pakistan	Shawwāl 1408/ 16 May 1988	15	56
20	Mujader,Palanpoor, Gujarat, India	Dhul Hijjah 1408/ 14 July 1988	16	8
21	Aswan, Egypt	Sha'baan 1409/ 7 March 1989 Sighted by 3 men including Imaam of Masjid. Shaikhul Azhar, Sh. Jaadul Haq refuted astronomy calculations and accepted their testimony. Eid next day.	2Hrs 25 Mins before TCNM	

22	Morocco	Ramadhaan 1409/ 16 April 1989 Accepted by Ministry of Endowments	15	22
23	Egypt	Ramadhaan 1409/ 16 April 1989	12	44
24	Madinah, Saudi Arabia	Dhul Hijjah 1409/ 3 July 1989 Sighted outside near' Babe Umar Farooq of Masjid Nabawi صلى الله عليه وسلم by 4 British Hujjaaj including Molvi Ya'qub Miftahi amidst 500 of others. (This spot is now within the Masjid due to extension)	11	15
25	Pakistan	Ramadhaan 1410/ 27 March 1990	17	42
26	Morocco	Shawwaal 1410/ 25 April 1990	1	12
27	Pakistan	Shawwaal 1410/ 25 April 1990	9	25
28	Turkey	Shawwaal 1411/ 15 April 1992	Contrary to TCNew Moon	
29	Algeria	Dhul Hijjah 1412/ 1 June 1992	=	
30	Brunei	Dhul Hijjah 1412/ 1 June 1992	=	
31	Turkey	Dhul Hijjah 1412/ 1 June 1992	=	
32	Pakistan	Ramadhaan 1412/ 4 March 1992	10 Mins before TCNM	
33	Pakistan	Shawwaal 1412/ 2 April 1992	15 Hrs 26 Mins before TCNM	
34	USA – 3 places (Ref: Houston)	Shawwaal 1412/ 3 April 1992	19	41
35	Blackburn, UK	Dhul Qa'dah 1412/ 2 May 1992 Sighted by 4 men including a Haafidh	2	00
36	Madinah, Saudi Arabia	Dhul Hijjah 1412/ 1 June 1992 Sighted from Jannatul Baqee' by 3 known men including 1 Haji from Britain and 2 Indian Muslims living in Riyaaadh amidst thousands of other Hujjaaj	12	00
37	Blackburn, Lancashire UK	Dhul Hijjah 1412/ 1 June 1992 Sighted by 1 person repeatedly from Masjid Tauheedul Islam Compound	12	00
38	Jeddah, Saudi Arabia	Muharram 1413/ 30 June 1992 Sighted suddenly outside Masjid Aziziyyah by 2 Migrant Indian Muslims and a famous Principle of Madrasah Maulana Ali Khanpuri in India. Total people 3.	3	00
39	Blackburn, UK	Ramadhaan 1413/21 February 1993 Sighted by 3 men including a well-known Aalim	4	00
40	Germany	Ramadhaan 1413/21 February	4	00

		1993 Sighted by 1 man		
41	Bolton, UK	Shawwaal 1413/ 22 March 1993 Sighted by 2 men	11	40
42	Blackburn, UK	Shawwaal 1413/ 22 March 1993 Sighted by 2 men including an Aalim	11	40
43	Morocco	Shawwaal 1413/ 22 March 1993 Accepted by Ministry of Endowments	12	40
44	Abu Dhabi	Shawwaal 1413/ 22 March 1993	12	00
45	Birmingham, UK	Shawwaal 1413/ 22 March 1993 Sighted by 5 men including an Aalim and 1 woman	11	16
46	Preston, UK	Shawwaal 1413/ 22 March 1993 Sighted by 4 men including a Haafith	11	40
47	Rodhrham, UK	Shawwaal 1413/ 22 March 1993 Sighted by 3men including 2 Imaams	11	40
48	Bolton, UK	Shawwaal 1413/ 22 March 1993 Sighted by 1 man	11	40
49	Cosalo-Burk	Shawwaal 1413/ 22 March 1993 Sighted by 3 men	11	40
50	Bradford, UK	Shawwaal 1413/ 22 March 1993 Sighted by 6 men	11	40
51	Birmingham, UK	Ramadhhaan 1413/ 21 May 1993 Sighted by 2 men(see hand scatch downen)	6	09
52	Birmingham, UK	Ramadhhaan 1414/ 10 Feb 1994 Sighted by Taxi Driver	2	30
53	Luton, UK	Sha'baaan 1415/ 1 January 1995 Sighted by 5 men after Maghrib	6	00
54	Dewsbury, UK	Shawwaal 1419/ 17 January 1999 Sighted by 6 people including 4 women	Near TCNM	
55	Holcombe, UK	Dhul Hijjah 1419/ 17 March 1999 Sighted by 8 Ulama from Daarul Uloom Bury	19 Mins before TCNmoon	
56	Morocco	Dhul Hijjah 1419/ 17 March 1999 Accepted by Ministry of Endowments!	19 Mins beforeNTCmoon	
57	Aden, Yemen	Shawwaal 1424/ 23 Nov 2003		
58	Lisbon, Portugal	Shawwaal 1424/ 23 Nov 2003 Sighted by 2 men		
59	Manchester, UK	Ramadhhaan 1425/ 14 Oct 2004 <i>Sighted by 8 men (based on this sighting the majority of Barelwi Masajid in Manchester commenced their Ramadhhaan though some refuted this sighting based</i>	14	00

		<i>on observatory calculations whereas M.Ahmad Raza Khan refutes totally observatorial theory and regards it as impermissible to base the status of a sighting on such calculation . (see his fatawa in our book & web. The media used blew this issue out of proportion as they always do and created a major rift among the Muslims of Britain. The Deobandi accepted this sighting.</i>		
60	Morocco	Shawwaaal 1425/ 12 Nov 2004 <i>Sighting not accepted by Ministry of Endowments though but locals went ahead with Eid</i>	1	30
61	Portugal	Shawwaaal 1425/ 12 Nov 2004	1	30
62	Birmingham, UK	Ramadhaan 1427/ 22 Sept 2006 <i>Sighted by 4 people including 2 women</i>	3	30
63	Pakistan	Ramadhaan 1427/ 22 Sept 2006 <i>Sighted by 17 people</i>	3	30
64	Iraq	Ramadhaan 1427/ 22 Sept 2006 <i>Sighted by 16 Sunnis</i>	3	30
65	Dayton, USA	Ramadhaan 1427/ 22 Sept 2006 <i>Sighted by 14 people</i>	3	30
66	Houston, USA	Ramadhaan 1427/ 22 Sept 2006 <i>Sighted by 1 man and accepted</i>	3	30
67	Nigeria	Ramadhaan 1427/ 21 Sept 2006	24 hrs before TCNM	
68	Senegal	Ramadhaan 1427/ 21 Sept 2006	24 hrs before TCNM	
69	Nigeria	Shawwaaal1427/ 22 October 2006	Contrary to TCNM	
70	Senegal	Shawwaaal 1427/ 22 October 2006	=	=
71	Halifax,	Shawwaaal 1427/ 22 October 2006	=	=
72	Toronto, Canada	Shawwaaal 1427/ 22 October 2006	=	=
73	California, USA	Shawwaaal 1427/ 22 October 2006	=	=
74	Phoenix, Arizona USA	Shawwaaal 1427/ 22 October 2006	=	=
75	Los Angeles, USA	Shawwaaal1427/ 22 October 2006	=	=

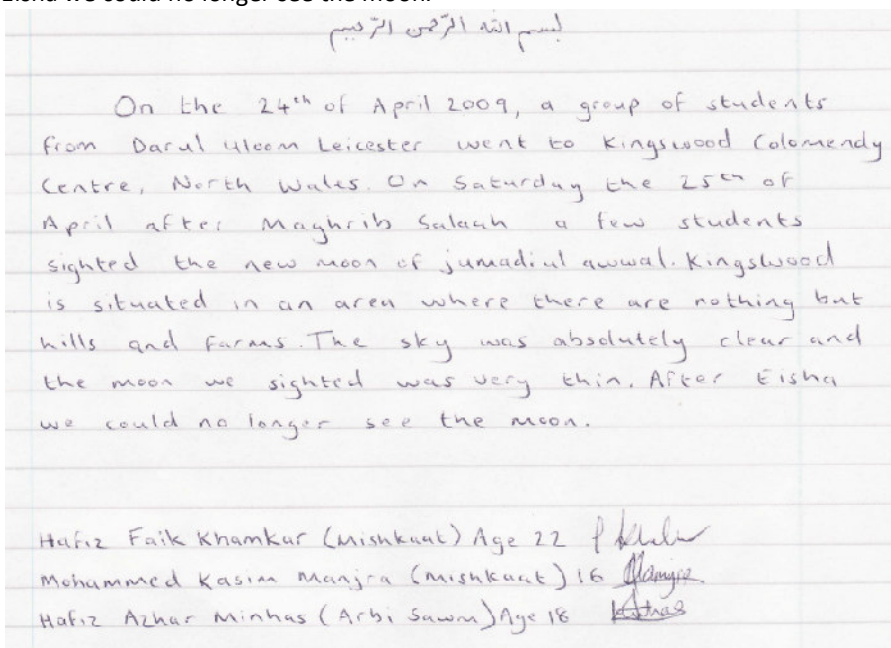
76	Sarhad, Pakistan	Shawwaal 1427/ 22 October 2006	=	=
77	Saudi Arabia	Shawwaal 1427/ 22 October 2006 <i>by 1 person</i>	=	=
78	Dabhel, Gujarat, India	Shawwaal 1427/ 23 October 2006 <i>Sighted by 2 Ulama</i>	=	=
79	Walsad, Gujarat, India	Shawwaal 1427/ 23 October 2006 <i>Sighted by 3 people</i>	=	=
80	Khanpur, Jambusar, Gujarat, India	Shawwaal 1427/ 23 October 2006 <i>Sighted by 3 including 2 Ulama</i>	=	=
81	Karmad, Gujarat, India	Shawwaal 1427/ 23 October 2006	=	=
82	Aachod, Gujarat, India	Shawwaal 1427/ 23 October 2006	=	=
83	Godhra, Gujarat, India	Shawwaal 1427/ 23 October 2006 <i>Sighted by 4 people</i>	=	=
84	Sarhad, Pakistan	Shawwaal 1427/ 23 October 2006 <i>Sighted by 38 people</i>	=	=
85	Sydney, Australia	Shawwaal 1427/ 23 October 2006	=	=
86	Aden, Yemen	Shawwaal 1427/ 23 October 2006	=	=
87	Barbados	Shawwaal 1427/ 23 October 2006	=	=
88	Batton Rug-USA	Shawwaal 1427/ 23 October 2006	=	=
89	Louisiana, USA	Shawwaal 1427/ 23 October 2006	=	=
90	Ocalos Iland-USA	Shawwaal 1427/ 23 October 2006	=	=

Moon Sighting of Jumadiul-Ula 1430

A campas group of students from Darul Uloom Leicester (119 Loughborough Road Leicester LE4 5LN) stayed at Colmendy Centre, Kingswood, Colomendy (North Wales, CH7 5LB).

- (1) Maulvi Hafiz Faik Khamkar (22)
- (2) Maulvi Hafiz Azhar Minhas (18)
- (3) Maulvi Mohammed Kasim Manjra (16)

On the 24th of April 2009, a group of students from Darul Uloom Leicester went to Kingswood Colmendy Centre, north Wales. On Saturday 25th April after Maghrib Salaah a few students sighted the moon of Jamdiul Awwal. Kingswood is situated in an area where there is nothing but hills and farms. The sky was absolutely clear and the moon we sighted was very thin. After Eisha we could no longer see the moon.



Remember ; this moon 1 Muslim sighted it by binaculus & 4 persons including 1 Muslim sighted by tetescope and 2 scholars sighted too.

(For more information look on Moon Sighting News Letter of Jamadiul Al-Ula 1430 and related article on www.hizbululama.org.uk)

The printed pamphlet on page 101 had been distrubited with the Urdoo pamphlet published by (Maulana) Muhammad Ayyub Surtee (Kholwadia), Idara Hashmi Batly W.Yorks, England. (Re-typed below by us for ease of readability)

HTING OF THE MOON: 1st ZUL-HIJJAH 1419

This is to inform all Muslims that a delegation organised by (Maulana) Muhammad Ayyub Surtee consisting of Respected Imams and Ulama-e-kiram of Batley travelled to meet the representatives of Darul-Uloom to enquire regarding the sighting of the 1st moon of Zul-Hijjah 1419. At the meeting it was established that the new moon of Zul-Hijjah 1419 had been sighted by a group of eight students all in the final year of studies (Dawrae-Hadith) on the night of Wednesday 17th March 1999. Furthermore all the students are Aqil, Balig and sensible. It also emerged at the meeting that the students were interviewed individually after their sightings by the representatives of Darul-Uloom who found their testimony as authentic and reliable. It was only after the interview that the students decided to make their sightings public. We hreby produce a copy of their testimony for the benefit of readers. Artilece submitted by (Maulana) Muhammad Ayyub Surtee (Kholwadia), Idara Hashmi Batly W.Yorks ,England.

MOON SIGHTING TESTIMONY

On Wednesday 17th March 1999, seven of my colleagues and I were instructed by the principle of Darul-Uloom, Bury, Maulana Yusuf Motala to attempt to sight the moon.

We left the Madrassah at 5.50pm to climb the local Holcombe Hill upon which Peel Tower is situated. We reached the top at 6.05pm and situated ourselves at the highest points in two different places. The sky was clear at the time of sunset and we managed to sight the moon at 6.30pm. The moon remained visible for at least three to five minutes before we lost sight of it.

The students who sighted the moon are:

- | | | | |
|-----------------------------------|-----------------|-------------------------|------|
| (1) Rashid Ahmed Esakjee (Age.27) | (5) Imran Mulla | (20) | |
| (2) Mahmood Miah | (40) | (6) Shakir Pandor | (21) |
| (3) Shahzad Khan | (21) | (7) Zainul Abedin Yaqub | (22) |
| (4) Shabbir Mulla | (22) | (8) Ismail Badat | (22) |

A CLARIFICATION: SIGHTING OF THE MOON; 1st ZUL HIJAH 1419
MOON SIGHTING TESTIMONY / SAUDI OFFICIAL ANNOUNCEMENT

ذی الحجہ ۱۴۱۹ھ کی رویت کے متعلق باٹلی کے علماء کی مزید تحقیق

جملہ مسلمانوں کی خدمت میں مؤدبانہ عرض ہے کہ شہر باٹلی کے ہر دل عزیز اثر عظام اور سنجیدہ علماء کرام کا (مولانا) محمد ایوب سورقی (دامت برکاتہم) کی معیت میں (وفد کی شکل میں) دارالعلوم کے ذمہ داروں کے پاس۔ یکم ذی الحجہ ۱۴۱۹ھ (عید الاضحیٰ) کے چاند کی تحقیق کے سلسلہ میں جانا ہوا۔ ذمہ داروں سے تفصیلی گفتگو ہوئی۔ دارالعلوم کے ذمہ داروں نے فرمایا کہ چاند دیکھنے والے دورۂ حدیث کے بخاری شریف پڑھنے والے سب عاقل بالغ اور سنجیدہ قسم کے طلباء ہیں۔

چاند دیکھنے کے بعد ہم نے ان سے فردا فردا شہادت لی، تو روایت کے سلسلہ میں سب کے جوابات یکساں معلوم ہوئے جس سے ہمیں شرح صدر اور قلبی اطمینان ہونے پر طلباء سے تحریری روایت کا اقرار نامہ لے لیا۔

مذکورہ حقیقت حال سے واقف ہو کر اس پر اعتماد کرتے ہوئے عام مسلمانوں کی مزید تسکین کے لئے شہر باٹلی کے انہماک دار علماء کرام، رویت کا مضمون چاند دیکھنے والوں کے نام، ان کی دستخطوں کے ساتھ شائع کر رہے ہیں۔

(مجاہد:- مولانا) محمد ایوب سورقی قاسمی عفی عنہ (نائب صدر۔ رابطہ العلماء الاسلامیہ۔ باٹلی۔ یو۔ کے)

☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆

دارالعلوم کے طلبہ کی روایت کا مضمون | میں اور میرے ساتھیوں نے دارالعلوم کے ہمتیہ حضرت مولانا یوسف متا صاحب مدظلہ کے حکم پر۔ بروز بدھ ۱۷/ مارچ ۱۹۹۹ء کو یکم ذی الحجہ ۱۴۱۹ھ کے چاند کی رویت کے لئے دارالعلوم کے متصل واقع سینکڑوں فٹ بلند ترین پہاڑی (جو بال کیمبال کے نام سے مشہور ہے اور اس پر پہل ٹاور قائم ہے) پر، چھ بجے سے پہلے پہنچ گئے، وہاں جا کر دو جماعت بنا کر دو مختلف اونچی جگہوں پر چاند دیکھنے کی سعی میں مصروف ہو گئے۔

الحمد للہ مغرب کے وقت آسمان بالکل صاف تھا اور ساڑھے چھ بجے ہم نے چاند دیکھا، کم از کم تین سے پانچ منٹ تک چاند نظر آتا رہا، صاف اور ظاہری طور پر چاند دکھائی دے رہا تھا۔

وہ طلباء جنہوں نے چاند دیکھا انکے اسماء گرامی یہ ہیں: (۱) رشید احمد اسحاقی، عمر۔ ۲۷ سال (۲) شبیر ملان، عمر۔ ۲۷ سال (۳) زین العابدین یعقوب، عمر۔ ۲۲ سال (۴) اسماعیل بدات، عمر۔ ۲۲ سال (۵) شہزاد خان، عمر۔ ۲۱ سال (۶) شاہر پانڈو، عمر۔ ۲۱ (۷) محمود میاں، عمر۔ ۲۱ سال (۸) عمران ملان، عمر۔ ۲۰ سال

فون: 473441 07957

حج کے دن کی تعیین کے متعلق سعودی مجلس قضاء اعلیٰ کا اعلان

یکم ذی الحجہ ۱۴۱۹ھ کی رویت کا اعلان جو سعودی حکومت نے شائع کیا ہے اسکا ترجمہ قارئین کی معلومات کے لئے تحریر کیا جا رہا ہے۔

ریاض۔ حمد و صلوة کے بعد۔ شرعی طور پر مختلف جگہوں سے چند عادل شاہدوں کی شہادت موصول ہونے پر، سال رواں کے ذی الحجہ کی پہلی تاریخ بروز جمعرات ۱۸/ مارچ ۱۹۹۹ء کو ہوئی اور یہ پہلی ذی الحجہ ۱۰ اتم الاخریٰ کی تقویم کے مطابق ہے۔ اس اعتبار سے وقوف عرفہ۔ ۹/ ذی الحجہ ۱۴۱۹ھ مطابق ۲۶/ مارچ ۱۹۹۹ء بروز جمعہ ہوگا۔ تمام مسلمانوں کی معلومات کے لئے مجلس قضاء اسکا اعلان کرتی ہے۔

رئیس مجلس اعلیٰ (۱) صلح بن محمد الحمیدان (۲) عیم المبارک۔ رکن مجلس (۳) محمد بن سلیمان البدر۔ رکن مجلس (۴) عبداللہ رشید، رکن مجلس (۵) محمد بن الامیر، رکن مجلس۔
ناشر: ادارۃ ہاشمی، باٹلی انگلینڈ

A CLARIFICATION

SIGHTING OF THE MOON: 1st ZUL-HIJJAH 1419

This is to inform all Muslims that a delegation organised by (Maulana) Muhammad Ayyub Surtee consisting of Respected Imams and Ulama-e-kiraam of Batley travelled to meet representatives of Darul-Uloom to enquire regarding the sighting of the 1st moon of Zul-Hijjah 1419. At the meeting it was established that the new moon of Zul-Hijjah 1419 had been sighted by a group of eight students all in the final year of studies (Dawra-e-Hadith) on the night of Wednesday 17th of March 1999. Furthermore, all the students are Aqil, Balig and sensible. It also emerged at the meeting that the students were interviewed individually after their sightings by the representatives of Darul-Uloom who found their testimony as authentic and reliable. It was only after the interview that the students decided to make their sightings public. We hereby reproduce a copy of their testimony for the benefit of readers. Article submitted by (Maulana) Muhammad Ayyub Surtee (Kholwadia)

MOON SIGHTING TESTIMONY

On Wednesday the 17th of March 1999, seven of my colleagues and I were instructed by the principal of Darul-Uloom, Bury, Maulana Yusuf Motala to attempt to sight the moon.

We left the Madressah at 5.50 pm to climb the local Holcombe Hill upon which Peel Tower is situated. We reached the top at 6.05 pm and situated ourselves at the highest points in two different places. The sky was clear at the time of sunset and we managed to sight the moon at 6.30 pm. The moon remained visible for at least three to five minutes before we lost sight of it.

The students who sighted the moon are:

Rashid Ahmed Esakjee, Age: 27

Mahmood Miah, Age: 20

Shahzad Khan, Age: 21

Shabbir Mulla, Age: 22

Imran Mulla, Age: 20

Shakir Pandor, Age: 21

Zainul Abedin Yaqub, Age: 22

Ismail Badat, Age: 22

For further enquires phone: (mobile) 07957 473441 (4pm-6pm)

SAUDI OFFICIAL ANNOUNCEMENT

(AN ENGLISH TRANSLATION OF THE ARABIC TEXT)

RE: 1st ZUL-HIJJAH 1419 / THURSDAY 18th MARCH 1999

Riyadh: The official Saudi broadcast said that the 1st of Zul-Hijjah 1419 is on Thursday 18th of March 1999 according to the Saudi Supreme Court Ruling. Their Ruling is as follows:

All praise is due to Allah and Salutations be upon the final Messenger. We hereby announce to all Muslims that after receiving numerous Sharee sightings of the moon from various locations the 1st of Zul-Hijjah for this year (1419) was on Thursday 18th of March 1999. These sightings also accord with the Um al-Qura calendar. The Day of Arafah will be on 9th Zul-Hijjah 1419 corresponding to 26th March 1999 and Eid ul Adha will be on 10th Zul-Hijjah 1419 corresponding to 27th March 1999. Salutations be upon Messenger, his descendants and all of them.

Saleh bin Muhammad al-Laheedaan
Chairman of Supreme Court

Muhammad bin Sulaiman al-Badr
Member of Supreme Court

Abdullah bin Rusd
Member of Supreme Court

Geem al-Mubarak
Member of Supreme Court

Muhammad bin al-Aseer
Member of Supreme Court

In Blackburn & Batley UK: Theoretically 5hrs old,
1st moon of Shawwal 1407 sighted on the eve of Wednesday
27.5.1987.

Sighting of the Moon by Islamic Law or Calculated Observatorial Law!

From the Observatory

It is not possible to see the Crescent Moon before the calculated New Moon time nor is it possible to sight moon before 15 hours from this calculated New Moon time.

They further say :-

"The eyes are not reliable instruments for making such observations."

Facts & Figures

The observatorial calculated New Moon time on 27th May, 1987 was at 4:22pm. According to the above law the crescent moon should have been sighted 15 hours after this calculated New Moon time.

But however, the crescent moon was sighted at the sunset time on 27th May, 1987, which makes the Crescent Moon 5 hours old. This is in direct conflict with the observatorial calculated law.

Proof

The 17 persons listed below sighted the First Hilal of Shawwal 1407H on Wednesday 27th May, 1987, after Salat-ul-Maghrib, 13 persons in Blackburn, Lancashire, and 4 persons in Batley, Yorkshire.

It was sighted by 17 people (13 from) Blackburn L.S. including 2 women & 4 men from Batley.

The witnesses in Blackburn took part in an Islamic Oath Ceremony conducted by Mufti Ahmed Devlawala and signed in the presence of Musal-le-a-ne-Kiram and Ulema, namely Maulana Ismail Manubari, Maulana Yakub Sheikh Devlawala, Maulana Yakub Kavi Bariwala, Maulana Ismail Makodia, Maulana Yakub Miftahi.

The 13 people who sighted the Moon in Blackburn on the 27th May, 1987.

1. Haji Yarub Hafizi Issa Deghamwala 2. Haji Ibrahim Bharucha 3. Mohammed Safi Mow. 4. Haji Wali Thakralwala 5. Ibrahim Musa Matha 6. Ali Kachwala 7. Ismail Musa Kambohwalala 8. Altaf Haji Ibrahim Bharucha 9. Haji Mohammed Hanif Sufi Sahib 10. Mushtaque Ebrahim Bharucha 11. Mohammed Hanif Chodri 12. Najma Altaf Bharucha 13. Fatma Adam Deghami

The witnesses in Batley, Yorkshire also took part in an Islamic Oath Ceremony conducted by Maulana Ismail Manubari, Maulana Ismail Makodia and Maulana Yakub Miftahi, in the presence of Hafiz Faruque Patel, Mr Mohammad Chipda and Mr. A. A. Divan.

The 4 people who sighted the Moon in Batley on the 27th May, 1987

1. Mr. Abdul Hal Dawood 2. Sadique Ismail Patel 3. Mr. Ashraf Divan 4. Mr. Faruque Baser

Brothers and Sisters in Islam, we must follow the true guidance for Moon Sighting Issues through the *Islamic Law* clearly shown by *Prophet Mohammad, prayer and peace be upon him*.

The Islamic Law forbids us to follow observational forecasts, and promotes sighting of the moon on the 29th of Islamic Months by the naked eye, otherwise complete 30 days of the month.

N.B. We have a record of names of all the Ulema and witnesses together with their signatures

Published by the Central Moon Sighting Committee of Great Britain 7 Troy St. Blackburn. Lancs. BB1 6NY

یلم ذوالحجہ ۱۳۱۱ھ کا چاند اندر گرہوں کی طرف سے تھا کہ جو
سورج سے نکلے ہوئے کہ جو کہ غیب سے بعد رکھی دینے والے چاند
از علیہ الرحمہ خیر علی



The status in Shari'ah on the majority, minority! *Shah Ashraf Ali Thaanwi* رحمه الله

Regarding the status in Shari'ah regarding '*The majority being unanimous on a wrong*' Moulana Thaanwi رحمه الله states:

- 1) The nation of Hud عليه السلام told him to worship idols and he refused.
- 2) On the occasion of the Battle of Uhud there were 50 archers guarding the mountain pass and 40 decided to climb down. The 10 who refused were later established to be correct.
- 3) During the delicate period after the demise of Rasoolullah صلى الله عليه وسلم when Abu Bakr رضى الله عنه decided to wage Jihaad against those who refused to give Zakaah the majority of Sahaabah رضى الله عنهم objected but Abu Bakr رضى الله عنه was later proven to be correct. (*Dhammun Nisyaan –Fadhaailul Ilm*)

The trick used by enquirers to have favourite fatwa: An example of a query and Fatwaa in response

In previous times and currently as well the answer given by the Daarul Iftaa in every place is that the difference of horizon between places is not considered. However we have, with us, the opposing view of certain other Imaams' against the unanimous opinion of Imaam Abu Hanifah رحمه الله which we have no objection in revealing, in which the other Imaams state that the difference of horizon between places will be considered. Even though the ruling was previously issued on many occasions based on the opinion of Imaam Abu Hanifah رحمه الله that the difference of horizon between places will not be considered due to which adopting the sighting of distant

places including Saudi Arabia was ruled to be acceptable. This continued such that a time came just like today whereby people began making assumptions and falsely accusing the Saudis of declaring the sighting of the moon based on other than the method taught by Rasoolullah صلى الله عليه وسلم thus this spread of false accusers is not something new yet they have been proven to be false especially regarding establishing the sighting of the moon.

The English Fatwaa issued by Daarul Uloom Deoband that we currently have with us (*based on the difference in horizon between places being applicable*) has included two new points:

(1) It mentions the ‘impermissibility for those living in Britain to follow the sighting of Saudi Arabia’ simply on the basis of it being far from Britain. However this very aspect of ‘distance will not affect the permissibility of following the sighting of South Africa?’ (Whereas, not only are both these countries far from Britain, but South Africa is even further away in comparison to Saudi Arabia.)

(2) In the same English Fatwaa it is mentioned that ‘rather than following the sighting of Saudi Arabia they should follow the sighting of either Morocco or South Africa **as long as the sighting is established according to Shari’ah!**’ (*With reference to this precondition that states: as long as the sighting is established according to Shari’ah we explained earlier in this book that besides Saudi Arabia every other place that searches for the moon on the evening after the 29th day of the lunar month (especially in determining Sha’baan, Ramadhaan and the two Eids **including Morocco and South Africa where their moon sighting authorities’ website (Jamiatululama) openly shows** bases the date of the calculated 29th on the hypothetical calculation of the birth of the new moon as recorded in the Al Manaak diary of the British Greenwich Observatory. together with following this hypothetical theory on the possibility of sighting the moon (Imkane Ruyate Hilal*

day) they already stipulate, well before, as to whether the moon will be visible or not based on the amount of hours after its hypothetical calculated birth that the sun will set.

This is not only contrary to the statutory texts of Shari'ah but it has also been mentioned that this method is in conflict with reality and the new research of both Muslim and non-Muslim astronomers has been mentioned earlier as well as the experiences of the general Muslim masses. So, rather than the sighting of the moon in those places being in conformance to the principles of Shari'ah it has been established to be in conformance to the principles of astronomy!

(The reader can see More Fataawaa including Darul Uloom Deoband which rejects sighting of the moon on the base of Astronomy and it's Imkane Ruyate Hilal calculated method)

Thus despite regarding the difference of horizon between places as applicable it will not be permissible for the people of Britain to adopt the sighting of either Morocco or South Africa. However the permission that the Muftis have, up to now, been granting for the sighting of any place in the world being acceptable especially Morocco and South Africa on the basis of the difference in horizon between places being not applicable was because neither the Muftis nor the Central Moon sighting Committee could establish as to which countries based the evening after their 29th day of the lunar month on the calculations of the Greenwich Observatory and its hypothetical new-moon theory as well as the rules for the possibility of sighting the new moon.

It is incumbent upon the Muftis to closely study the new queries that they receive regarding the sighting of the moon from some of those brothers of ours who are blindly falling prey to the worldwide Zionist/Christian conspiracy against the manner of moon-sighting taught by Shari'ah as well as the drive to reject the statutory texts of

Shari'ah in the name of research based on the their so-called lunar calendar. Care should be taken to make sure these people do not use the Daarul Iftaa to the advantage of their un-Islamic efforts as can be observed from the query mentioned above as to what sort of answer they were seeking and how they had succeeded in attaining it!

A question from South Africa and the confirmation by Shaikhul Islam of the sighting in Saudi Arabia being based on the Teachings of Rasoolullah ﷺ

Shaikhul Islam, Moulana Hussein Ahmad Madani رحمه الله states in his Fatwaa that the sighting of the moon in Hijaaz is based on physical observation and not on the new-moon theory of astronomy!

(Readers should pay attention to the interpretation on abandoning the statutory texts of Shari'ah in this question from South Africa)

Question:

What is the opinion of the learned Mufti Scholars regarding the fact that in South Africa many of the graduates of secular education are insisting that we should determine our Ramadhaan and Eid based on the new research relating to the hypothetical theoretically calculated birth of the moon? It was necessary to practice on the Hadith which instructs us to begin and end our fasting days upon sighting of the moon until this new research was discovered. However that Hadith will be abandoned now and the birth of the moon must be followed since it can never go wrong. Is this claim correct?

Answer:

This is no new research and ideology. This was researched by science in the past as well. However (Islamic) laws are not based on the birth of the moon but rather on the physical sighting of it.

Fasting, Hajj, Zakaah etc are all based on the physical sighting of the moon not on its birth. (*Durrul Mukhtaar Vol.2/Pg.387*)

According to my opinion Egypt, Hijaaz etc all practice the physical sighting of the moon and not on the hypothetical theoretically calculated birth of the moon; otherwise the system of testimony would not have remained. The basis is not on new research. (*Fataawaa Shaikhul Islam*)

False propaganda being circulated in the name Of Shaikh Zakariyyah رحمه الله

By: Dr. Abdullah Abbaas Nadwi

Just this year in Ramadhaan I (*Dr. Abdullah Abbaas Nadwi*) had summarised the biography of Hadhrat Moulana Zakariyya نور الله مرقدہ “**Aap Beti**”. The last ten years of Moulana’s life were spent in Hijaaz and mainly in Madinah Munawwarah. Mention of the Ramadhaan, Eid and Hajj moon is made repeatedly and from the discourses of the Honoured Shaikh رحمه الله it is also established that the declaration of any dates is not based on calculations but rather on testimony on the sighting of the crescent.

The Honoured Shaikh رحمه الله spent the first half of Ramadhaan 1389 AH in Makkah Mukarramah and the second half in Madinah Munawwarah in which he spent the last 10 nights in I’tikaaf (religiously confined) in the Masjidun Nabawi. In No.4 of Aap Beti he had written that I’tikaaf was observed from the evening of 20 Ramadhaan.... The moon was sighted on the 29th. After Esha Salaah the Qaadhi made an announcement in an excited voice that the sighting of the moon has been established by testimony according to Shari’ah and Ramadhaan has come to an end. (*Aap Beti Nol.4/Pg.294*)

In Aap Beti No.7 whilst making mention of his stay in Madinah Munawwarah during Ramadhaan 1393 AH he states:

Since the sighting of the moon was established late the Qur'aan was not commenced on the first night so was started on the second night. (*Aap Beti Nol.7/Pg.31*)

Mentioning the Hajj of 1397 AH in Aap Beti No.7 he states:

During Dhul Hijjah an announcement was made on TV etc that a change has occurred to the date and Hajj will be on 19th Dhul Hijjah rather than 20th. (*Aap Beti Nol.7/Pg.235*)

It is obvious that the reason for this change in date was due to the fact that the testimony on the sighting of the moon a day before the start of Dhul Hijjah was only drawn-up after the month had started. If the decision of any sighting was done by computer generated calculations there would be no possibility for this sort of change in date or to draw-up the testimony so late.

There are numerous other examples of this sort in Aap Beti of the Honoured Shaikh رحمه الله.

Anyway, after these sort of things are presented there remains no doubt of the fact that the decision and announcement of the lunar dates in Saudi Arabia is based on the testimony provided on the moon being sighted which is the correct method according to Shari'ah. *Allah speaks the truth and it is He who guides to the straight path. (Al Furqaan August 1983-The Original Urdu text can be read in our web site www.hizbululama.org.uk)*

A letter from Dr. Abdullah Abbaas Nadwi to Moulvi Sameerud Deen

(It is common knowledge to all that Moulvi Sameerud Deen has raised the flag of astronomy against the statutory texts of Nusoos of Shari'ah considering it to be some righteous deed beneficial to his Imaan (faith) as well as his well-being in this world and the hereafter. On meeting me at one of the Masjids in Blackburn, Lancashire, UK he gave me the following letter together with some other documents.)

Dr. Abdullah Abbaas Al Nadwi
Makkah Mukarramah
27 July 1992

Hadhrat Sameerud Deen

Assalaamu 'Alaikum wa Rahmatullah

I received your letter dated 26 June 1992 one month later on 27 July 1992 in Lukhnow.

You have rebuked a sinful person like me in a very harsh tone with words to the effect that researches are very astonished with article you published in Al Furqaan during 1986 and many Mufti Scholars have fallen into misconception and issued Fataawaa expressing their approval of the sighting observed in Saudi Arabia. Due to this the sin of those who will fast on the day of doubt (*Yowmush Shak*) will be on your head.

Having adopted patience on your harsh words I reply with respect and honour that I had only written such facts that have been repeatedly experienced and besides me whoever else lives in Saudi Arabia will inform you that the announcement made for the start or

end of fasting is based on a testimony taken from the witnesses according to Shari'ah.

The testimony is taken from such to such witnesses who are reliable according to Shari'ah and whose identity is known to the Qaadhi (Islamic Judge). If the Qaadhi does not know them personally then two people (*known as Muzakkis*) will have to give testimony that the witnesses are reliable. Please inform which of the facts that I have revealed need to be revoked! If I had mentioned any fact as a claim attributed to myself or stated any ruling of Shari'ah or some untrue fact then you have the right to take me to task.

As for the claim that the decision on the sighting of the moon in Saudi Arabia is based on computer-generated calculations of the conjunction of the sun and moon, such a claim is absolutely incorrect! This is because the (Ummul Qura) calendar was prepared before 1986 till this year at such a time when the computer had not even arrived in Saudi Arabia. You may have an objection to the Government of Saudi Arabia thus you should write to them directly or through the Daarul Iftaa in Riyadh. You can write to the Grand Mufti, Shaikh Abdul Aziz bin Abdullah bin Baaz (رحمه الله) and seek a clarification from him.

As a sincere Muslim you have every right to do so and alternatively you may lodge a query with those Mufti Scholars who have issued their Fataawaa on the basis of my article or the approval of Moulana Manzoor Nu'mani with reference to the autobiography of Shaikhul Hadith Moulana Zakariyya رحمه الله. If you have some difficulty in referring to these Senior Scholars and are directing the blame on this lowly servant then please outline to me which facts I need to revoke!

Do you expect me to say that there is no Shari'ah court in Saudi Arabia and that the decision on the sighting of the moon is announced without witnesses having observed it as expected by

Shari'ah? It is a fact that all is on order and even if a thousand people like you deny it you will be refuted a thousand times.

I humbly state that I did not write that I had seen the moon personally with my naked eyes. I wrote that the principles of Jurisprudence as well as Shari'ah are being adhered to and that is a fact. If you feel this to be untrue then verify it with the officials there! Articles by Shaikh Bin Baaz have been published in a number of magazines which you could also request of. May Allah guide us and you as well!

والسلام

Abdullah Abbaas Nadwi

Dr. Abdullah Abbaas Nadwi, his explanation letters to others: Hizbul Ulama UK

Dr. Abdullah Abbaas Al Nadwi
Makkah Mukarramah
2 Sha'baan 1413 AH

Moulana Ya'qub Ahmed Miftahi
Secretary, Hizbul Ulama UK

Assalaamu 'Alaikum wa Rahmatullahi wa Barakaatuh

I received your letter of 6 Rajab 1413 AH on 1 Sha'baan 1413 AH. Alhamdulillah, I previously held the conviction that the Supreme Court of Saudi Arabia made their decisions with total precaution in accordance to Islamic Shari'ah. I felt further ease on seeing the

Fatawaa and testimonies that you compiled. On the contrary those who are trying to negatively influence the Muslims are unknowingly (Allah alone knows their intentions) trying to prove that the Ulama, Mufti Scholars and Islamic Judges are astray and ignorant and are destroying the fasts and Hajj of the Muslims.

They feel that the Ahaadith relating to testimony and physical observation of the moon are irrelevant whereas the British observatory is worthy of being granted due consideration and regard.

When I was young I heard that Allamah 'Inaayatullah Mashriqi (Founder of the Khaaksaar movement) claimed that the Masajids in the Sub-continent are not facing the Ka'bah and the Ulama fixed this incorrect direction because they are ignorant to the subject of Geography. The crisis being faced of moon sighting issue in Britain seems to be similar in nature.

To make the Hajj and Fasts of hundreds of thousands of Muslims and to reject the testimony against their decision and to make such an issue one's personal problem is a grave act of audacity. May Allah guide us all!

From the literature that you sent I found the article by Moulana Muhammad Musa Bazi, a lecturer Jaami'ah Ashrafiyyah Lahore, very beneficial and my knowledge increased greatly by reading it. May Allah reward you, as well as him, very well!

Wassalaam

Abdullah Abbaas Nadwi

The Internet Crescent Moon

Just as all the other evils of internet it also holds the worst type of evil associated with Religious Rulings especially that anyone can portray his opinion with regards to Religion and display it on the internet. Our young generation is becoming especially confused over the issue of moon sighting after seeing the timetables based on hypothetical calculations for the religious Judo/Christian calendar, with its computed phases, and are now trying to understand the Qur'aan and Hadith in the light of science and basing their belief on that! Adding fuel to fire the certain custodians of Islam have regarded this as a 'favour to Islam'. Every such religious article on the internet is not worthy of seeing and neither should it be adopted into practice. May Allah save us! (Regarding further discussion refer to 'Majority & Minority Page 106' as well as 'Islam and Science' by Haz.Thanvi رحمه الله on page 237)

The following is a letter from Moulana Abdullah Abbaas Nadwi to Moulvi Ya'qub Ahmed Miftahi.

Dr. Abdullah Abbaas Al Nadwi
Makkah Mukarramah
2 Sha'baan 1413 AH

Moulana Ya'qub Ahmad Miftahi
Secretary, Hizbul Ulama UK

Assalaamu 'Alaikum wa Rahmatullahi wa Barakaatuh

I received your letter of 6 Rajab 1413 AH on 1 Sha'baan 1413 AH. Alhamdulillah, I previously held the conviction that the Supreme Court of Saudi Arabia made their decisions with total precaution in accordance to Islamic Shari'ah. I felt further ease on seeing the Fatawaa and testimonies that you compiled. On the contrary those who are trying to negatively influence the Muslims are unknowingly

(Allah alone knows their intentions) trying to prove that the Ulama, Mufti Scholars and Islamic Judges are astray and ignorant and are destroying the fasts and Hajj of the Muslims.

They feel that the Ahaadith relating to testimony and physical observation of the moon are irrelevant whereas the British observatory is worthy of being granted due consideration and regard.

When I was young I heard that Allamah 'Inaayatullah Mashriqi (Founder of the Khaaksaar movement) claimed that the Masajids in the Sub-continent are not facing the Ka'bah and the Ulama fixed this incorrect direction because they are ignorant to the subject of Geography. The crisis being faced of moon sighting issue in Britain seems to be similar in nature.

To make the Hajj and Fasts of hundreds of thousands of Muslims and to reject the testimony against their decision and to make such an issue one's personal problem is a grave act of audacity. May Allah guide us all!

From the literature that you sent I found the article by Moulana Muhammad Musa Bazi, a lecturer Jaami'ah Ashrafiyyah Lahore, very beneficial and my knowledge increased greatly by reading it. May Allah reward you, as well as him, very well!

Wassalaam

Abdullah Abbaas Nadwi

***Further details regarding H.Shaikh Zakariyah رحمه الله by
Moulana Abdul Hafeez Makki, Head of the International Khatme
Nubuwwat Movement***

**(Entailing a rebuttal of the false propaganda being circulated in the name of Shaikhul
Hadith Haz.Moulana Zakariyya رحمه الله)**

The following is a reply to a letter of Hizbul Ulama UK by:

Respected Ya'qub Ahmad Miftahi
Secretary, Central Moon-sighting Committee of Britain

Assalaamu 'Alaikum wa Rahmatullahi wa Barakaatuh
I received your letter through Moulana Moosa Karmadi (*Madda
Zillulhumul Aali*) and the response is as follows:

The Islamic system for moon-sighting in Saudi Arabia is based on physical sighting and has nothing to do with astronomy. The misconception that some people have is due to the fact that in the Islamic world Saudi Arabia is the only country who government affairs are all based on the Islamic date and that is why they have to prepare an annual calendar so that (rather than the solar western calendar of Pope Gregory - *ym*) they can rely on it to stipulate future dates. This is because the months based on physical sighting of the moon will keep changing due to uncertainty of months having 29 or 30 days 'which cannot fixed beforehand.'

For the sake of government administration a calendar has been prepared, known as the ``Ummul Quraa Islamic calendar``, which is used in government departments, Madaris schools, embassies, and all local newspapers ,magazines each so that the government administration can run smoothly without any confusion between any day and date.

However, the dates of Ramadhaan, Eidul Fitr, Hajj, Eidul Adhaa and (the fast for the day of Ashorah) are all based on the definite sighting of the moon in accordance to Shari'ah. The method in which this is conducted is that the Islamic Judge (Qaadhi) of every city or his representative who is a qualified Aalim must necessarily be present in court on the evening after the 29th lunar day. Whoever sights the moon should then proceed to the nearest Islamic court and testify to the Judge (Qaadhi – Aalim) that he sighted the moon. The Judge will record this testimony according to Shari'ah and relay the information to the Supreme Court who, after the necessary routine process, then send out their ruling to the regional courts and announce their decision through radio, TV and other media agencies.

It is an established fact that the decision is taken by the Supreme Court and no other institute has any influence in their decision. There is no sign of astronomical calculation at all in this exercise. It should also be noted that the courts in Saudi Arabia issue their rulings in accordance to the Hambali School of Jurisprudence and the Hambali Scholars are rather strict on moon-sighting matters. With the exception of physical sighting of the moon all other astronomy-based calculations used for determining the moon of Ramadhaan etc are regarded as categorically Haraam (forbidden) by them.

With regards to our pious predecessors especially Shaikhul Hadith Moulana Zakariyya رحمه الله you stated that they had at times objected to the sighting of the moon there. I am not aware of this fact and in my opinion it is not possible to go against the decisions taken and neither have I seen anyone do so nor have I heard of anyone having done so.

I do recall one particular incident whereby the moon was sighted in the morning and it was announced that evening the next day will be

Eid due to which Hadhrat Binori رحمه الله had expressed surprise in one of his gatherings. When Shaikhul Hadith Moulana Zakariyya رحمه الله heard of this then upon meeting Hadhrat Binori رحمه الله he sarcastically asked him, 'Moulana! Where is that principle of yours which states that if the moon is sighted in the morning then that evening will not be the night of Eid? Hadhrat Binori رحمه الله evaded the question and responded saying that, 'This is Hijaaz. The principles of our place do not work here!' However, Hadhrat Binori رحمه الله also did not flatly oppose this decision and had Eid the next day.

The objective of Shaikhul Hadith رحمه الله was that once the sighting has been established then nothing else matters or holds any importance. All the associates of Hadhrat Shaikhul Hadith know very well that according to him the 'Principle of Shari'ah was the primary basis' (and not the hypothetical calculations of astronomy). This fact is apparent in this incident as well in that once the sighting of the moon has been established by testimony of witnesses then the factors that are stipulated and well known to science will be regarded as redundant making the physical sighting the primary basis of any ruling. All the associates present felt this was the message and likewise Hadhrat Binori رحمه الله also took the same effect from Hadhrat Shaikh's statement. Besides this incident I have never heard any objection in this regard from the great Scholars of Indo-Pak and neither have I seen or heard of any of them practicing contrary to the decision taken.

Wassalaam

Abdul Hafeez Makki

Question sent out by Hizbul Ulama UK to Barelwi Mufti Scholars;

Respected Mufti Saahib

Assalaamu' Alaikum wa Rahmatullahi wa Barakaatuh

An answer to the query posed below will indeed be appreciated. I hope that you are in the best of health. Please remember us in your noble Duas. Wassalaam.

Question: 1 A

Is it permissible to commence and terminate the month of Ramadhaan as well as have Eidul Adhaa on the basis of the forecast made by the observatory?

Question: 1 B

Is it permissible to make the moon-sighting testimony subject to the forecast of the observatory such that the testimony will only be acceptable if it is in conformance to the day on which the observatory forecasts the possibility of sighting otherwise not?

Question: 1 C

Should the start and end of Ramadhaan as well as Eid be based on the sighting established by testimony on the evening after the 29th lunar day and in the event that it is not sighted then upon completion of 30 days regardless of whether the observatory forecasts the possibility of sighting or not?

Question: 2 A

In determining the times of Salaah will the calculations of the observatory be granted preference or the observation of the physical signs of Salaah times?

Question: 2 B

In the event of a difference with regards to Salaah times between the observatory calculations and the observation of the physical signs of Salaah times which of the two should be adopted?

Moulvi Ya'qub Ahmad Miftahi
Secretary, Hizbul Ulama UK

The following note was also added:

Note:

In Britain, during certain months, despite the nights being very short the red twilight disappears within two hours and the sun also rises early due to which the working class get very little sleep making it difficult to rise for Fajr as well. In such a case will it be permissible to regard the time of Esha Salaah as non-existent and thereby offer Esha Salaah one hour after sunset? A certain Aalim is of the opinion that on the basis certain reasons (mentioned below) during the months of April, May, June, July and August due to the nights being very short and the lack of sleep the time for Esha Salaah is non-existent so it is permissible to perform Esha Salaah after waiting for an 'endurable' amount of time from sunset.

His reasons based on 'proofs of ease' are:

A) From the Qur'aan:

يُرِيدُ اللَّهُ أَنْ يُخَفِّفَ عَنْكُمْ وَخُلِقَ الْإِنْسَانُ ضَعِيفًا (سورة النساء)

Allah wishes to lighten (the burden) for you and man has been created weak.

يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ (سورة البقرة)

Allah Intends for you ease and he does not want to make things difficult for you.

وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ (سورة الحج)

And Allah has not laid any hardship upon you in Religion.

وَجَعَلْنَا نَوْمَكُمْ سُبَاتًا (سورة النبا)

And we have made your sleep a source of rest.

لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا (سورة البقرة)

Allah does not burden a soul more than it can bear.

From the Ahaadith:

عن أبي هريرة رضى الله عنه عن النبي ﷺ قال إن الدين يسر الخ (الصحيح البخارى)

Rasoolullah ﷺ said, 'Verily, Islam is easy.'

احب الدين إلى الله الحنيفة المعسار (الصحيح البخارى)

The most beloved religion to Allah is the upright and easy one.

يسروا ولا تعسروا بشروا ولا تنفروا (الصحيح البخارى)

Make matters easy and not difficult. Give good tidings and do not make people turn away.

Principles of Jurisprudence:

يباح الجمع من خاف على نفسه أو ماله أو عرضه ومن خاف ضررا يلحقه بتركه فى معيشتة (الفقه على المذهب الأربعة ج ص)

Combining two Salaah is permissible for that person who fears for his life or wealth or honour or one who fears some harm that may inflict his livelihood if he does not combine the two Salaah.

الحرج مرفوع

Inconvenience is overlooked.

إذا ضاق الأمر اتسع

When a matter becomes difficult the rules pertaining to it become lenient.

الضرورة تبيح المحظورات

Necessity makes prohibitions permissible.

المشقة تجلب التيسير

Difficulty draws ease.

الضرر يزال مهما امكن

Difficulty is removed to the extent possible.

The following are responses given by Barelwi Mufti Scholars

Mufti Shahaadat Hussein

Daarul Iftaa, Soudagran Bereli Shareef

Answer 1 A:

It is not permissible to base the start and end of Ramadhan on the forecast of any system. Rasoolullah صلى الله عليه وسلم said, 'Begin and end your fasting with the sighting of the moon and if the moon is hidden (due to clouds or haze) then complete the count of the month with 30 days.' By this statement Rasoolullah صلى الله عليه وسلم has expressed that the start and end of fasting is based on the sighting of the moon and not any forecast thus they are not beneficial.

Answer 1 B:

In the event that testimony has been given according to Shari'ah for the moon having been sighted then the decision will be based on it. **This ruling will not be based on any further conditions regardless of**

whether it is in conformance with the forecast of the media or any calendar.

Answer 1 C:

Yes, this ruling is in accordance to the teachings of the Hadith regardless of whether the observatory forecasts the possibility of sighting or not?

Answer 2 A:

The observation of the physical signs of Salaah will be give preference.

Answer 2 B:

In the case of a difference between calculations and physical signs the physical signs will be granted preference. It has been mentioned in Durrul Mukhtaar:

لا عبرة بقول الموقتين ولو عدولا على المذهب

The opinion of astronomers will not be considered even if they are regarded as upright.

And Allah Ta'aala Knows Best

Mufti Zainul Aabideen

Jaami'ah Ashrafiyyah, Faiz Aabaad

Answer 1 A:

Certain people who discuss this issue on the basis of the situation of the sky and movement of the stars and forecast that the moon will be sighted on a certain day and that a certain month will be 29 days while another will be 30 days and even happen to be correct at times. It has been established that according to them that as long as the moon is not 8° away from the sun it cannot be seen and when it is 12° away it will definitely be seen. They then calculate the

distance that the moon will be at from the sun on the 29th of a lunar month and if they find it to be less than 8° they declare that that moon will not be visible and if they find that it will be 12° or more away from the sun they declare that it will definitely be seen. If it will be between 8° and 12° then they declare the sighting to be doubtful. **Thus 'their forecast will not be considered and to base the decision on such a forecast is also not permissible.'**

Answer 1 B:

The decision of any sighting based on testimony will not be subject to the forecast of the observatory. For example if they declare that the moon will definitely be sighted on the evening after the 29th lunar day but the weather turns out to be overcast and the moon is not sighted then the next day will definitely not be declared as Ramadhaan but will rather be termed as a 'doubtful day.' Or if they declare that the moon will not be sighted and the next is definitely 30th Sha'baan but then **a reliable testimony on the sighting of the moon is taken then it will be accepted regardless of the forecast that the sighting was not possible on this day.**

sAnswer 1 C:

Rasoolullah صلى الله عليه وسلم instructed that the beginning and end of fasting should be based on the sighting of the moon. In the Hadith books of Bukhari, Muslim and others many Sahaabah رضى الله عنهم relate that Rasoolullah J stated:

صوموا للرؤية وافترؤا للرؤية فإن اغمى عليكم فأكملوا عدة شعبان ثلاثين

Begin and end your fasting with the sighting of the moon. If the sky is not clear then complete the month with 30 days.

Thus it is compulsory for us to practice on this instruction. As for the calculations of astronomy, Rasoolullah صلى الله عليه وسلم has denounced it by stating that we the following:

إنّا أمة أمية لا نكتب ولا نحسب الشهر هكذ وهكذ والشهر هكذا وهكذ

We are an illiterate nation. We do not know how to write or count. A month will have either 29 or 30 days.

We are the illiterate followers of our Prophet صلى الله عليه وسلم who also did not receive formal secular education so what does writing and counting concern us. As long as the sighting of the moon is not established we will not abide by the calculations of anyone or the writings of anyone or any indications or estimations.

Answer 2 A:

If the calculations of the observatory are in conformance to the physical sighting of the moon then they will be acceptable, otherwise not.

Answer 2 B:

In the event of a difference on the matter the calculations of the observatory will not be adopted.

Mufti Muhammad Shareeful Haq

Daarul Iftaa Darul Uloom Ashrafiyyah, Mubaarakpur, Azam Ghar

Answer 1 A:

It is not permissible to begin or end fasting or perform Eid Salaah on the basis of observatory calculations. It has been mentioned in Durrul Mukhtaar:

لا عبرة بقول الموقنين ولو عدولا

The opinion of astronomers will not be considered even if they are regarded as upright. And Allah Ta'aala Knows Best

Answer 1 B:

It is not permissible to base the acceptance of testimony on the observatory calculations since they are regarded as non-existent whereas the testimony according to Shari'ah on sighting the moon is binding. It is mentioned in Tanweerul Absaar:

فيلزم أهل المشرق برؤية أهل المغرب إذا ثبت عندهم رؤية أولئك بطريق موجب وفي الشامية (قوله بطريق موجب) كان يتحمل اثنان الشهادة أو يشهدا على حكم القاضي أو يستفيض الخبر

The people in the east will be bound to follow the sighting observed by the people in the west.

Allaamah Shaami رحمه الله comments saying:

This will be binding if two people go forth and testify or testify on the instruction of the Qaadhi or news of the sighting is received reliably. And Allah Ta'aala Knows Best

Answer 1 C:

If the moon is sighted on the evening after the 29th day of Ramadhaan then it is definitely necessary to terminate the period of fasting and have Eid the next day. However, if the moon is not sighted on the evening after the 29th day and there is no testimony of any sighting then the month should be completed with 30 days and Eid should be held thereafter **regardless of what the observatory forecasts. Their opinion will not be regarded at all.** And Allah Ta'aala Knows Best

Answer 2 A:

Physical sighting of the moon will be granted preference on condition that the person sighting the moon is experienced in this task and the horizon is clear without any obstruction by clouds, dust or smog.

A doubt that is raised is that when the opinion of the observatory is accepted with regards to the times of Salaah then why is it not accepted with regards to the sighting of the moon? The answer to this has been expressed by Maulana Ahmad Raza Khan that Shari'ah has based the issue of the moon on sighting it or completing the month when not sighted.

Rasoolullah صلى الله عليه وسلم stated:

صوموا لرؤيته واقتروا لرؤيته فإن غم عليكم فأكملوا العدة ثلاثين يوما

Begin and end your fasting with the sighting of the moon. If the sky is not clear then complete the month with 30 days.

This has made the matter very clear. *Ghumm* refers to the moon being hidden due to cloud cover. Thus if the moon is on the horizon such that if there was no obstruction it would be easily visible but there happens to be some obstruction due to which it cannot be seen then it will be necessary to complete the month with 30 days. This is categorical proof that the basis is on physically sighting the moon.

Besides this Rasoolullah صلى الله عليه وسلم has negated the calculations of astronomy by stating:

إنا أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا وهكذا

We are an illiterate nation. We do not know how to write or count. A month will have either 29 or 30 days.

This is contrary to the issue of Salaah wherein the basis is on the rising and setting of the sun and not on physically observing it. Thus if the rise or setting of the sun is established by any other means besides physically observing it then it will still be reliably acceptable.

Mufti of *Daarul Uloom Mu'eenul Islam*

Thaam, Bharuch, Gujarat

Answer 1 A:

No, (it is not permissible to adopt the forecast of the observatory).
And Allah Ta'aala Knows Best.

Answer 1 B:

It is unfounded and an addition in Shari'ah (to base the truth of a testimony on the forecasts of the observatory). And Allah Ta'aala Knows Best.

Answer 1 C:

Yes, if the moon is sighted it will be Fardh (obligatory) to adopt the sighting. (And if not sighted then the month should be completed with 30 days **regardless of what the observatory forecasts in either case.**) And Allah Ta'aala Knows Best.

The astronomers are those who say base their discussion on the condition of the sky and movement of the stars and thereby forecast that a certain month will have 29 days whilst the other will have 30 days. Even though they may be correct and even religiously upright their opinion will not be reliable despite a large group among them unanimously declaring such a forecast in one voice.

لا عبرة بقول الموقنين ولو عدولا

The opinion of astronomers will not be considered even if they are regarded as upright.

In Raddul Muhtaar the following is mentioned:

لا يجوز للمنجم أن يعمل بحساب نفسه

It is not permissible for an astronomer to adopt his own calculations.

Rasoolullah صلى الله عليه وسلم has based the ruling of Fasting and the two Eids on physically sighting the moon. A Hadith recorded in Bukhari, Muslim and other books states:

صوموا للرؤية وافترون للرؤية فإن اغمى عليكم فأكملوا عدة شعبان ثلاثين

Begin and end your fasting with the sighting of the moon. If the sky is not clear then complete the month with 30 days.

Thus it is compulsory for us to practice on this instruction.

There are seven ways in Shari'ah to establish the sighting of the moon.

- 1)** The testimony of those who sighted the moon
- 2)** The witnesses did not personally see the moon but rather those who sighted the moon testified in front of these people and made them witnesses to their testimony.
- 3)** Testifying upon a ruling issued by an Islamic Judge: If the Islamic Judge in another place had issued the ruling of the sighting being established and there were two religiously upright witnesses to this judgement and they inform the Islamic Judge of another place that they were witnesses in the court of the other Judge when he accepted the testimony of the moon being sighted.
- 4)** One Islamic Judge writing to another: One Judge accepts testimony from those who sighted the moon and writes to the Judge of another place stating that he has accepted such a testimony. He then grants this letter to two religiously upright men to deliver it to the Judge to whom it is addressed and they duly fulfil their task.
- 5)** Widespread sighting of the moon.

6) Completion of 30 days: When 30 days of a month have been completed then the new moon for the next month will automatically be established.

7) The sound of cannons: In an Islamic city the Islamic ruler instructs for cannons to be fired when the moon is sighted on the evening after the 29th lunar day when the moon has been sighted in accordance to the method taught by Shari'ah.

This is a brief explanation of these seven methods of establishing the sighting of the moon. For further details please refer to Fataawaa Razwiyyah Vol.4.

Rasoolullah صلى الله عليه وسلم had also denounced the aspect of astronomy-based calculations by the following Hadith:

إنا أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا والشهر هكذا وهكذا

We are an illiterate nation. We do not know how to write or count. A month will have either 29 or 30 days.

Alhamdulillah we are followers of Rasoolullah صلى الله عليه وسلم and have no concern with the calculations of astronomy. As long as the sighting of the moon is not established we will not abide by the calculations of anyone or the writings of anyone or any indications or estimations. And Allah Ta'aala Knows Best

Answer 2 A:

Salaah times are also based on physical observation and due to repeated observation and experience a general code has been established based on the laws of astronomy that allows such times to be defined correctly beforehand depicting the exact time of sunrise etc.

Answer 2 B:

There should be no difference between an expert in the field of astronomy and physical observation. Despite this if any difference does occur then the physical observation will be granted preference. And Allah Ta'aala Knows Best.

Mufti Shabbir Ahmad

Daarul Uloom Shah Aalam, Ahmadabad, Gujarat, India

Answer 1 A:

In the case under discussion for the sighting of the moon to be established it is necessary that physical observation or a testimony in accordance to Shari'ah must be taken. **The moon cannot be established by the calculations forecast by astronomy or that which is recorded on a calendar.** A Hadith states:

صوموا لرؤيته وافتروا لرؤيته

Begin and end your fasting with the sighting of the moon.

And Allah Ta'aala Knows Best

Answer 1 B:

Absolutely not! The forecast of the observatory has no status in Shari'ah. And Allah Ta'aala Knows Best.

Answer 1 C:

If the moon is not sighted on the evening after the 29th day and if there is no testimony to any sighting then the ruling of the Hadith is that the month should be completed with 30 days. And Allah Ta'aala Knows Best.

Answer 2 A:

The signs indicated in the Ahaadith will be granted preference (and not the calculations of the observatory thus physical sighting will be

preferred over observatory calculations). And Allah Ta'aala Knows Best.

Answer 2 B:

(In the event of a difference arising between physical observation and observatory calculations) the method taught by Shari'ah (which instructs that the moon must be physically observed) will be adopted. And Allah Ta'aala Knows Best.

Mufti Muhammad Ya'qub

Daarul Iftaa Jaami'ah Gulzaar Habeeb – Soldier Bazaar, Karachi 3

Answer 1 A:

The forecasts of the observatory are definitely not reliable according to Shari'ah because Islam has given consideration to the physical sighting of signs to determine the time of acts of worship based on them. As a precautionary measure testimony has been made necessary as well.

The observatory is an invention of science regarding which even the inventers have expressed that their calculations are not refined and definite. Rather every new observation and experiment reveals changes to previous findings and may even establish a previous finding to be false. Thus such calculations are not regarded as reliable in Shari'ah.

Whereas the laws and principles of Shari'ah are such that they are not overcome by the changes that occur in the world. It is for this reason that we find the principles mentioned by Rasoolullah ﷺ are so encompassing and firm which support what has just been expressed such as the principle stating **صوموا لرؤيته وافترؤا لرؤيته** *Begin and end your fasting with the sighting of the moon.*

This principle destroys all hypothetical calculations regarding moon sighting.

Answer 2 A:

Even though the Red twilight sets so late the fact that it is not absent the ruling according to the Hanafi Math-hab is that **Esha Salaah cannot be performed before the red twilight sets.** “Sleep is no excuse” since the day is so long, sleep can be covered up therein.

The reasons and proofs mentioned in the question are not acceptable according to Hanafi scholars who have sound proofs against those presented which would result in length detail if mentioned here. Thus the detailed books on Jurisprudence can be referred to if need be. And Allah Ta’aala Knows Best.

Mufti Waqqaarud Deen

Daarul Iftaa Darul Uloom Amjadiyyah

Answer 1A:

Rasoolullah صلى الله عليه وسلم stipulated certain Laws pertaining to moon-sighting and stated:

صوموا لرؤيته وافطروا لرؤيته

Begin and end your fasting with the sighting of the moon.

The objective of Allah and His Rasool is that the general public should be presented with the Laws of moon-sighting so that they can engage in acts of worship with ease. The start and end of fasting should not be based on the knowledge of a few certain astronomers due to whose errors the worship of everyone is spoilt or destroyed. Since Shari’ah has made physical sighting of the moon a criteria thus in a case wherein it is possible to be sighted Ramadhaan and Eid will be based on it “even though it is in conflict with astronomy.”

Answer 2

The duration of night and day is not the same in all countries. Thus these countries in which the sun also and set every day, Salaah will be performed in accordance to the respective times of each Salaah. Maghrib and Esha will be based on the times fixed in the Hadith.

In countries such as England, though the night is very short, it is established that after sunset, the red twilight does set, though very late. Due to this Esha Salaah cannot be performed before the Red twilight sets. The excuse of the night being very short due to which Esha should be performed one hour after sunset is not acceptable in Shari'ah.

Since you acknowledge that the red twilight does set due to which the Esha time occurs but due to the people having to go early to work Esha should be performed early so they can sleep early. The objective of this is that every person should perform Salaah according to his commitments! A Muslim cannot even bear to think that such an important aspect such as Salaah should be performed out of its stipulated time for the sake of some worldly gain whereas made it necessary to abide by the Ahaadith mentioned in the question are not practiced upon in this regard and the jurists as well as the scholars of Hadith have rather adopted the narrations that are stronger in authenticity and also entail a ruling other than the expressed in the narrations quoted in the question. "This is a matter of seeking loopholes by seeking such narrations that suit one's quest for ease!"

If the meaning of ease in Islam is taken to be as expressed in the question then the laws of Shari'ah need to be changed because those upon whom these laws are applicable i.e. mature, sane Muslims are known as religiously bound whereas "ease" is in conflict to that. This would then demand that in this rather busy life of today (the laws of Shari'ah must be sidelined and) Salaah should be performed when convenient. Likewise fasting should be postponed in the hot season and it should rather be kept in the winter months as the Christians do. (This is a distortion of Islam)

Note; In this Fatwa, Mufti Sahib mentions some very important points relating to showing the right path to those astray. He writes: Do the people intend to make changes in Islam by stipulating that Esha Salaah should be performed one hour after sunset or at least before the red twilight sets rather than after on the basis of seeking ease? This is just the same as allowing everyone to perform Salaah according to their convenience or fasting only in the cold months as Christians do and accepting ease over being religiously obliged. If this is not so then rather than Islam they should adopt the practices of the Christians.

OTHER FATAWAA:

Moulana Muhammad Amjad Razwi

(Excerpt – Tayyibah Monthly, Feb 94 Ahmadabad, Gujarat India)

Answer: 1

According to Shari'ah there is no consideration at all granted to the forecast of an astronomer on the visibility of the moon even though he is religiously upright or even if there are many such astronomers. This is because the only aspects regarded as reliable are the physical sighting of the moon or the testimony of a person who sighted it.

Answer: 2

(The difference in horizon is not considered when sighting the moon) because the moon, when sighted at a certain place, is not specific to that place only but is for the whole world on condition that the news of its sighting reaches other places reliably (Durrul Mukhtaar)

The following are articles by selected Barelvi Ulama

Mufti Muhammad Shafee Al-Haashimi Ittihaadul Ulama Britain

There is no greater benefactor on the Muslims than Rasoolullah ﷺ. If he so wished, he could have granted the Muslims a calendar for fasting Eid and Haj as well as other deeds, that could last until Qiyaamah.

However, in the best of interest for the Muslims Rasoolullah ﷺ did not do so in order to allow them to draw the blessings kept by Shari'ah in moon-sighting as well as letting them determine the time of those acts of worship in accordance to his Sunnah.

Those who, previously, used to reject the “Testimony in accordance to Shari’ah” that was taken in Egypt, Yemen and U.A.E citing that their dates were fixed according to a calendar. Now those very people have started distributing annual calendars entailing the dates of certain acts of worship like Ramadhaan, Eid etc which are fixed with a prior sighting of the moon and this is not acceptable in Shari’ah. Most unfortunate of all in that the group that follows the observatory have also announced different days for Eid due to which problems have arisen among the Muslims of Britain.

(Jang London, 16 Feb 95)

Mufti Muhammad Saeed Bandyalvi -UK

Markazi Sunni Jama’at, President Aalami Ittihadul Ulama

When the director of “SPARCO” Ishaq Mirza of Pakistan made the claim that the moon should be sighted on the 8th of January and an expert astronomer Samad Razwi counterclaimed saying that it was impossible for the moon to be sighted that evening, then Moulana Muhammad Saeed Sahib commented saying that these conflicting views further confirm that “the forecast of the observatory regarding the sighting of the moon are not definite thus those people who are insisting that Ramadhaan and Eid should be based on the observatory generated “*possibility-of-sighting-formula*” are in fact applying deception to Islamic Shari’ah because the decisions of Shari’ah are based on “certainties” such as physical sighting of the moon whereby the witness is certain that he is seeing the moon. Whereas the observatory experts are always falling prey to contradictions and in no case does that offer the benefit of certainty!

When the expert astronomer Samad Razwi claimed that it was impossible to sight the moon on Monday evening then this further proved that despite the impossibility of sighting the moon it was still possible to see it, since it was sighted in Pakistan. Thus it has been established that whether the observatory declares it possible to sight the moon or impossible it will still be necessary in both cases to search for the moon with the naked eye and the formulae forecasting the possibility of sighting the moon will be disregarded.

Mufti Muhammad Saeed Bandyalvi -UK

Mufti Saeed Ahmed Bandyalvi says that Moulana Ahmad Raza Khan says that the principles of moon-sighting are based on estimation. And Bitlimoos, who is regarded as an authority in astronomy compiled a book wherein he recorded all the situations and conditions pertaining to the rising and setting of all planets but did not mention anything with regards to the moon since it was not within his scope to do so. The latter-day scholars then formulated principles governing the moon which at times are definite and at times doubtful. The most correct method of calculation is that which our Nabi ﷺ taught and it will never waiver. Rasoolullah J stated that we are an illiterate nation who do not write or count. A month will have either 29 or 30 days. If in doubt then complete the month with 30 days. (*Discourses of Moulana Ahmad Raza Khan*). Every Hadith on this subject refutes the theoretical calculations because Rasoolullah ﷺ did not state that if the moon is not visible then ask the astronomers but he rather stated that the month should be completed with 30 days. Imaam Badrud Deen Ainy states that there is practical consensus of the Pious predecessors on beginning and ending the fast with the sighting of the moon. (Jang 18.4.1992)

Mufti Muneebur Rahman

Central Moonsighting Committee - Pakistan

Some Islamic scholars who get excited with new discoveries say that physically sighting the moon is just the same as gaining knowledge of its presence and because the knowledge of contemporary science affords a strong presumption on the sighting of the moon it can thus be relied upon.

In response we say that the literal meaning of physical observation is to see it with the naked eye. To regard it to mean '*simply having knowledge about the moon*' is the metaphoric meaning. An accepted principle of Jurisprudence (Fiqh) states that when it is not difficult to adopt the literal meaning of a word then it not permissible to consider its metaphoric meaning. Our moon-sighting system is based on physically sighting the moon (*The Daily Jang, London*).

Author`s assumption: Thus Ramadhaan Eid or any other Islamic date of significance cannot be based on the new-moon theory as it is a rejected knowledge. Allah *Subhanahu Wat `ala* ignored real answer to the question in Aayate **يَسْأَلُونَكَ عَنِ الْأَهِلَّةِ** and Prophet صلى الله عليه وسلم said **نحن أمة أمية** and he practised unconditional moon sighting against knowledge and practice of the Jews in Madinah.

Moulana Taariq Mujahid Jehlumi Sahib, Bradford

Shari'ah has made the physical sighting of the moon the basis for Ramadhan, Eid and the commencement of Islamic months. The Ahaadith of Rasoolullah صلى الله عليه وسلم are proof of this and the Muslims have been practicing this for the last 1400 years which means this fact was related from generation to generation in great succession and this also has a status in Shari'ah. For the last 1400 years the commencement of Islamic months was determined by the sighting of the moon and if the new system of determining the start of a month is applied to Islamic months then it will be necessary to revise the calendars of the past 1400 years and effectively make changes to the historical dates of Islam as well. (Moulana then further mentions that the Arabs refer to the moon in many ways; for example,

- 1) The night at the end of 29th day is known as evening of Ghurrah
- 2) From first to three days old it is known as Hilaal
- 3) Thereafter it is known as Qamr
- 4) When it is a full moon it is known as Badr.

They also use other names to refer to the moon such as:

- | | |
|------------|------------------------|
| 1) Ghurrah | 6) Dir' |
| 2) Nafl | 7) Zhalm |
| 3) Tis'ah | 8) Janaawis or Amaawis |
| 4) Ashar | 9) Daadi |
| 5) Beedh | 10) Muhaaq |

These ten words are not only names of their respective sections but indicate the size of the moon. In this manner the Muslims must unite on referring to the moon in such a way

that is not reflective of the size or phase of the moon based due to its age. Such a formula should be devised.

History informs us that whenever any non-Muslim nation conquered some civilised nation or empire then they adopted the religion of the conquered people, for example the Germans did when they conquered other lands or the Moguls of Central Asia. However when the Arabs conquered the lands of Shaam (Southern Syria), Egypt and Iran they learnt the art of construction, administration, governance, craftsmanship and other faculties as well from the conquered nations but never did they ever consider taking any aspect of their religion as well. Thereafter due to political downfall, weakening of the army and academic idleness many Muslims had to spend lengthy periods in prison but despite this we do not hear of any incidents whereby the Muslims had due to reading 'books by the enemies of Islam' or due to 'rebuks by the Christians' considered making changes or alterations to their religion. (Jang London 10 May 1993).

(Note; In this passage Moulana has very beautifully expressed, with reference to historical facts, that the Muslims had learnt a lot from non-Muslim nations about worldly matters but even in their bad times they were not influenced or misled by the books or criticism of the Christians. He then goes on to deliver a real message by saying,)

O Muslims! Without worrying about the consequences of refuting the new-moon theories of astronomy and the criticism by others hold fast to the practice of physically sighting the moon for Ramadhaan and Eid according to the teachings of Rasoolullah ﷺ.

From the explanations and discourses of Ulama it is established that relying only on observatory- generated calculations is in essence putting your trust in rejected opinions and hypothetical principles. There is a lot of extremism in the conduct of those who, In advance, declare the commencement or termination of Fasting and Eid to be a day later on the basis of the possibility of sighting the moon being very slim (on the pretext of precaution due to the hypothetical calculations regarding the new moon) because this results in the moon not being searched for on the evening after the 29th day whereas it is absolutely necessary to do so.

Commentators on the Qur'aan and Hadith have termed it as doubtful and incorrect to adopt only the forecast of the observatory with regards to the sighting of the moon. The author of Roohul Ma'aani states that the theory expressed by astronomy entailing the distance of the moon from the sun as a criterion for the possibility of sighting the moon is regarded as incorrect in Shari'ah and regardless of whether the person expressing the theory is some old philosopher or a contemporary scientist, his opinion will not be reliable.

Allaamah Ibn Hajr Asqalaani رحمه الله quotes from Ibn Bazeezah رحمه الله that the calculations and forecasts made using the stars is only an estimation and let alone it being definite it does not even afford the benefit of a overriding presumption. (*Jang London – 18 April 1993*)

Moulana further quotes, "Moulana Ahmad Raza Sahib Bareilwi who is regarded as an expert in the field of astronomy": "The new-moon theory of astronomy is only an estimate and not definite."

After this comment from the commentators of Qur'aan and Hadith we find that it is a sad case that certain Ulama who do not even know the basics of Astronomy or that the calculations of the Observatory are doubtful (not presumptive, not definite) happen to drum-up support from the general masses. Most definitely, only those who are not awe-stricken by anybody will support the Ulama who are on truth. (*Jang – 23 May 93*).

Mufti A.Rasool Azhari & Aalim, Peerzadah Sardar Ahmed Qaadri

Sardar Ahmad Qaadri who is an Aalime Deen and Lawyer as well, says: "I personally do not believe in any moon-sighting formula other than what was taught by Rasoolullah ﷺ. I also do not regard any forecast policy as correct, because differences all arise from pre-planned formulae. Everyone is aware of the excitement created by the announcements made to inform people of the school holiday weeks before the closing date, regardless of the date when Ramadhaan or Eid will take place. However for the evening on which the moon will be visible to be fixed is being extreme with regards to an important act that was practiced during the blessed era of Rasoolullah ﷺ and it also becomes more difficult to reach a definite decision when a witness testifies that he had sighted the moon.

Shedding light on the philosophy of uniting the Muslims on one sighting of the moon as well as the fixing of the date of Eid for the purpose of ease when tabling holidays for school and work Qadri Sahib further states: In Britain as long as moon sighting decisions were not based on forecasts and predictions there was an atmosphere of unity prevalent on

the occasions of Eid. The only question that remains is whether we should put the unity of the Muslims in jeopardy for the sake of pre-planned holidays? The preference as well as importance of unity among the Muslims is not a hidden secret to the Ulama!

According to an article published in a contemporary daily paper based on a fax from an Aalim of Blackburn, six Muslims from Dewsbury took an oath to 14 respectable people including 3 Ulama and a local councillor that they had sighted the moon of Eidul Fitar (Shawwal1419) at conjunction time! They did this from outside their homes on the evening of Sunday 17th January 1999 between 4:35pm to 4:49pm. The 14 respectable personalities accepted their testimony after being convinced by the replies that these six witnesses gave to certain questions that were posed.

Based on this rather fresh and latest incident I telephoned Mufti Abdur Rasool Mansoor Al Azhari to ask if it was permissible to have Eidul Fitr on Monday on the basis of the testimony of these witnesses. Mufti Sahib replied in the affirmative saying that, "It is absolutely correct to perform Eid Salaah in the case of a sighting by eye-witnesses."

Background to the above mentioned discussion by Peerzadah Sardar Ahmed Qaadri

Since the past few years the migrant Muslims in Europe especially those who came from the Indo-Pak subcontinent had just overcome their differences pertaining to decisions of Eid based on their tribal affiliation and when they fell to the "forecast and predictions of the Observatory" they opted to adopt the sighting of their respective countries. However in

an effort to find a lasting solution to the problem of stipulating a date for holiday from school and work they fell for the sweet poisonous terms of “ease in Islam” and adopted the new-moon theory and the observatory formulae on the possibility-of-sighting-the-moon giving it preference over the Sunnah method.

Due to the fact that both those methods of the observatory result in the date of Ramadhaan and Eid being fixed, those with a deep sense of love for Shari’ah and the Sunnah of Rasoolullah ﷺ caused a great uproar. This caused a split in both the Deobandi and Barelwi sects based on the theories of the hypothetical calculation of the new moon being acceptable or not. All Deobandis (except a few) totally rejected this theoretical new moon (conjunction) as a point between old & new moon but the Barelvi group mostly accepted it! then again those who accepted this hypothetically calculated conjunction point as a dividing line for the old & new moon also split in two with one group only accepting the calculated new moon (conjunction end point) to start or end fast and the other with a few Deobandis further from new moon to the calculated possibility of its sighting (Imkane Ruyat) time e.g. at least 15 hours after new moon.

Since both formulas were in conflict with the method taught by Rasoolullah ﷺ as he never mentioned it or practiced it as Jews of Madinah practised at his time, rather than Prophet ﷺ rejected it as we read previously, resulted in both parties challenging one another in the press as a result of which the greatest harm was that the leaders of these groups would refute the physical sighting and even the testimony of the other openly in their articles in the press. One particular newspaper took full advantage of this and

supported the party that was of the same tribal background as them resulting in not only the Islamic principles and the aspect of testimony becoming a joke but the Muslims also became the laughing stock in front of the non-Muslims.

In these conditions the situation became so delicate that members, custodians of the Pulpit (Mimbar) and the Imaams who were conveying the teachings of Islam and the Sunnah of Rasoolullah ﷺ to the people, in their quest to save their jobs as well as to attain a permanent residence stamp, would try not to disappoint their Masjid committees and thus lead the Eid Salaah secretly in the state of fasting, or they would perform Eid Salaah in their Masjid on one day and in another Masjid the next day for some worldly gain or would simply repeat it out of the fear of Allah. (Inna Lillahe wa Inna Ilaihe Raje'eon).

“In a similar situation Qaadri Saahib received a call from Belgium wherein the caller mentioned that ‘This time round we have been deprived of the true happiness of Eid.’ The reason for this was that even though we had fixed the date for Eid from before the majority of people from Morocco and Algeria had announced that they will have Eid on Monday based on the physical sighting observed on Sunday evening. even though we remained firm on our resolve a certain Moroccan Aalim asked us the following question, ‘When Rasoolullah ﷺ had accepted the testimony of Abdur Rahman bin Auf رضى الله عنه (whilst he was still a young teenager) and announced the commencement of Ramadhaan despite the fact that no one else sighted the moon so why should we not have Eid despite receiving news of physical sightings from Morocco, Algeria and Egypt? And why are you adamant on your fixed formula?’

The person who phoned Qaadri Saahib went on to inform him that the people went away from the Pakistan Muslim Cultural Centre and performed their Eid Salaah in the Masaajid run by the Moroccan Muslims. On the next day the Pakistani Muslims performed their Eid Salaah in Masjidul Aabideen which has three large halls and each hall has the capacity to hold between 2 000 and 2 500 worshippers. On the occasions of Eid this Masjid gets filled. However on Tuesday when they had their Eid Salaah there only 30-40 individuals were present and these were also largely the committee members and their close associates who were not aware of the reality of the Eid issue and everyone was saddened by this. Thus they resolved and called Qaadri Saahib to consult with him regarding the issue of passing their judgements in future based on the testimony of witnesses.`` (*Nation, London UK – January 1999*)

This was the background based upon which the Respected Peerzadah Sardar Ahmad Qaadri Saahib dressed the bleeding wound of the Muslim Nation by writing his article in support of Islam with the spirit of love for Rasoolullah ﷺ.

Fatawaa by Head of the Bareli Maktab

Fazil Bareli Moulana Ahmad Raza Khan

Those factors which are not considered when establishing a sighting of the moon from page 461 of`` Fatawaa Radhwiyyah v18`.

(1)The opinions of astronomers are not considered at all even though they are religiously upright and in great number. They also cannot practice on their own opinion.

The astronomers are those who say base their discussion on the condition of the sky and movement of the stars and thereby forecast that a certain month will have 29 days whilst

the other will have 30 days. Even though they may be correct and even religiously upright their opinion will not be reliable despite a large group among them unanimously declaring such a forecast in one voice. For example, on the 29th of Sha'baan they say that the moon will definitely be sighted today. However in the evening the sky is overcast due to which no reliable news of any sighting was received then we will definitely not announce the start of Ramadhaan but will regard the next day as a doubtful day. Or if they say that the moon cannot be sighted today and tomorrow will definitely be the 30th of Sha'baan. However a testimony was taken by one who sighted the moon then we will immediately accept the news and will not even consider the fact that according to astronomy it was not possible to sight the moon today so the witness made an error or spoke a lie.

Rasoolullah صلى الله عليه وسلم instructed that the beginning and end of fasting should be based on the sighting of the moon. In the Hadith books of Bukhari, Muslim and others many Sahaabah رضى الله عنهم relate that Rasoolullah J stated:

صوموا لرؤيته وافتروا لرؤيته فإن اغمى عليكم فأكملوا عدة شعبان ثلاثين
Begin and end your fasting with the sighting of the moon. If the sky is not clear then complete the month with 30 days.
(Bukhari Vol.1/Pg.256)

Thus it is compulsory for us to practice on this instruction. As for the calculations of astronomy, Rasoolullah صلى الله عليه وسلم has denounced it by stating that we the following:

إنا أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا والشهر هكذا وهكذا
We are an illiterate nation. We do not know how to write or count. A month will have either 29 or 30 days. (Bukhari, Muslim Abu Dawood and Nasaai from Ibn Umar رضى الله عنهما)

We are the illiterate followers of our Prophet صلى الله عليه وسلم who also did not receive formal secular education so how does writing and counting concern us. As long as the sighting of the moon is not established we will not abide by the calculations of anyone or the writings of anyone or any indications or estimations. (He then goes on to quote the opinions of the Jurists.)

(2) لا عبرة بقول الموقتین ولو عدولا

the opinion of astronomers will not be considered even if they are regarded as upright.

In Raddul Muhtaar the following is mentioned:

لا يجوز للمنجم أن يعمل بحساب نفسه

It is not permissible for an astronomer to adopt his own calculations.

Thereafter he discusses the calculations of astronomers regarding the possibility of sighting the moon and says, 'The calculations of the Indian Astronomers is somewhat strange because this humble servant has repeatedly observed the moon on the 29th of the month to be very far from the 12° point yet they stipulated that the moon would be sighted only the next day.'

At this point what needs to be discussed is that the Greek philosophers had prepared these laws but were personally not satisfied with them. They acknowledge that the matters relating to the moon have not been encompassed totally to date so how can we rely on such details that are doubtful to those who prepared them.

سُبْحَانَكَ لَا عِلْمَ لَنَا إِلَّا مَا عَلَّمْتَنَا إِنَّكَ أَنْتَ الْعَلِيمُ الْحَكِيمُ

Glory be to you! We do not have knowledge except that which you teach us. Indeed you are the most learned, most wise.

In the light of the above-mentioned discussion he makes a rebuttal of Imaam Shaafi', Zarakhshi and some of those Hanafi Scholars who are inclined to the opinion that calculations are definite and testimony is a presumption. He writes, 'We say that calculations are not categorical in any dealings as you have learnt earlier and the possibility of an error is not any less than in the news of sighting relayed by an upright person. Rasoolullah صلى الله عليه وسلم had declared calculations as null and void and termed testimony as having the status of certainty. *Thus the correct opinion is that it is not permissible to depend and rely on astronomers.'*

The Ruling Regarding Sighting of the Moon in the Morning and Then Seeing it Again that Evening, as well as The Status of A Testimony in this Regard

At the end of a month the moon certainly sets for a day or two but the ruling regarding moon-sighting is not based on this. A Fatwaa is issued by Fazil Bareli explaining that 'If the month has 29 days then the moon sets for one night and if the month had 30 days then the moon sets for two nights. It so happened that this morning before sunrise the moon was sighted in the east and in the evening testimony was given for having sighted the moon that evening, this will definitely be accepted and there will be no objection that the moon was present on the eastern horizon in the morning so how did it become a crescent without setting first. (This means that if

the moon was sighted on the morning of the 29th day in the east then it was sighted that very evening in the west and if a testimony was given it will not be rejected by saying that this moon was present in the morning so how has it become a crescent now. Rather such a testimony will be accepted.

He then quotes a Fatwaa from Raddul Muhtaar in support of his own Fatwaa;

رُئِيَ يَوْمَ التَّاسِعِ وَالْعَشْرِينَ قَبْلَ طُلُوعِ الشَّمْسِ ثُمَّ رُئِيَ لَيْلَةَ الثَّلَاثِينَ بَعْدَ الْغُرُوبِ وَشَهِدَتْ بَيِّنَةٌ شَرْعِيَّةٌ بِذَلِكَ فَإِنَّ الْحَاكِمَ يَحْكُمُ بِرُؤْيَيْهِ لَيْلًا كَمَا هُوَ نَصُّ الْحَدِيثِ وَلَا يُلْتَفَتُ إِلَى قَوْلِ الْمُنْجِمِينَ أَنَّهُ لَا يُمْكِنُ رُؤْيَاهُ صَبَاحًا ثُمَّ مَسَاءً فِي يَوْمٍ وَاحِدٍ ، كَيْفَ وَقَدْ صَرَّحَتْ أَيْمَةُ الْمَذَاهِبِ الْأَرْبَعَةِ بِأَنَّ الصَّحِيحَ أَنَّهُ لَا عِبْرَةَ بِقَوْلِ الْمُنْجِمِينَ (رد المحتار – كتاب الصوم ج ٢ ص)

After that he mentions the reasons cited by astronomy as to why the moon cannot be seen in the evening if it is seen in the morning and then states his conclusion, 'It is for this reason that astronomers say it is not possible for the moon to be sighted in the morning and evening of the same day, however if it is sighted then on what basis will it be denied because:

إِنَّ اللَّهَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ

Indeed Allah has power over everything.

He then emphasises his Fatwaa with another subheading 'Shari'ah does not accept that the moon cannot be sighted on the morning of 29th lunar night.' He then states his Fatwaa that 'Shari'ah does not accept that the moon definitely sets on the morning after the 29th lunar night.' He then explains this by way of an example and rejects the opinion of the

astronomers in the light of Shari'ah. (*Fataawaa Razwiyyah Vol.18 Pg.461-465*)

On page 469 he has a subheading that reads, 'Shari'ah does not accept that the moon does not set before Esha.' He then mentions that Rasoolullah صلى الله عليه وسلم used to perform his Esha Salaah at the time when the moon sets on the third night. On the basis of this he issues a Fatwaa that by the moon setting before Esha on the 3rd night of a lunar month whereby the month was commenced by testimony on the sighting of the moon it cannot be denied that this is not the moon of the third night simply because it set before Esha.

He then explains further that by adopting this testimony there is definitely no conflict with the Hadith. Rather it is in absolute conformance of the teachings of the Hadith. Rasoolullah صلى الله عليه وسلم would perform his Esha Salaah after observing that the time has set in. Due to his common practice the Esha time was mainly in conformance to this instruction. Even if we consider that his time was always in conformance to the setting of the moon on the 3rd night it will not imply that Rasoolullah صلى الله عليه وسلم had, even on one occasion, based the Esha time strictly on the setting of the moon and neither did he regard it as impossible for the moon to set later.

This does not imply that the testimony of a physical sighting of the moon in relation to fasting can be overlooked. Fazil Bareli then adds weight to his proof by quoting a reference from Raddul Muhtar, Chapter on Fasting Vol.2/Pg.100 and together with this he also quoted the Fatwa by Moulana Abdul Hay Lucknowi (Deobandi) in support of his opinion that the testimony will not be rejected and that such an action will not be in conflict with the Hadith mentioned.

Is it Necessary for the Full Moon to Appear before Sunset on the Fourteenth Day?

Fazil Bareli then sets up two subheadings entitled 'The full moon appears before the sunset on the 14th day' and 'Appears after sunset on the 15th day.' He then goes on to reject these two ideologies by issuing a Fatwaa stating, 'Both these facts are unacceptable.' He then gives examples of the moon having appeared before sunset on the 15th based on testimony of witnesses (for its first date) and expresses that such a testimony will not be rejected on the basis of calculations by astronomers. This will rather be the 15th day and the calculations of astronomers will be rejected.

He then writes that the ignorant will exclaim that based on the occurrence of the 1st of the month this is supposed to be the full moon of the 14th. In response he indicates that this is all hypothetical ambiguous and vain talk and the ruling in Shari'ah is not based on such facts because the Islamic Ruler, Judge or Aalim are not bound to become aware of the actual reality as is known to Allah since that would result in making them bound to discover something that is beyond their ability. Rather than that Shari'ah makes it obligatory on them to adopt that which is proven by a proof acceptable in Shari'ah even though the reality according to Allah may be different.

Rasoolullah صلى الله عليه وسلم himself had expressed that:

إنكم تختصمون إليّ ولعل بعضكم أن يكون ألحن بحجة من بعض فأقضى بنحو مما أسمع فمن قضيت له من حق أخيه شيئاً فلا يتخذه فإنما أقطع له قطعة من نار (رواه أحمد والستة عن أم المؤمنين أم سلمة رضي الله تعالى عنها)

You people bring your disputes to me and it is possible that some of you are more eloquent in presenting their case than the others and I then pass judgement according to what I have heard. If I pass a judgement in favour of any person against the right of the other then he should not take it because that would be a piece of the fire that I have granted him. (Ahmad)

Thus even though it is common for the full moon to appear before sunset on the 14th it is possible for it to be different even according to astronomy calculations as is apparent to those who know this fact.

Fazil Bareli then goes on to refute the common belief that the day on which the 4th of Rajab will appear will always be the same day on which Ramadhaan will commence. It is apparent that this is not a fact of Shari'ah. Likewise it is not necessary that the day on which the 1st of Ramadhaan will commence will be the same day on which the 10th of Dhul Hijjah will appear. He then also mentions that at some point Ali d had mentioned that the day on which we had commenced Ramadhaan is the same as the day of Qurbaani (Ritual Sacrificial Slaughter). This was the coincidence of that particular year and not a general law of Shari'ah as has been witnessed countless times that the 1st of Ramadhaan and the 10th of Dhul Hijjah were on different days. He then also refutes the claim that not more than four months of the year will have 29 days saying that, 'This is also from those experiences of people or calculations which Shari'ah does not rely upon. (*Fataawaa Razwiyyah Pg.469-474*)

Under the subheading, 'Certainty of a fact due to common practice of the masses is not beneficial.'

Fazil Bareli goes on to explain that certainty is of two types:

1) That which is achieved through a method taught by Shari'ah.

2) That which is achieved through common prevailing practices. Despite this method not being that of Shari'ah it gives one the benefit of comfort and contentment based on it being acceptable due to its prominence or through experience or certain external indications. Those who are not aware of the reality cannot differentiate between these two and regard the second one as sufficient and acceptable proof in Shari'ah whereas this is clear misconception. An example of this is where Shari'ah has stipulated a number with regards to testimony whereby it is necessary to have two men or one man and two women. Now if a certain highly renowned pious saint of academic and spiritual excellence has to give a testimony that a certain event took place in front of him and he had physically observed it with his own eyes then according to our common practice we would have more regard, respect and confidence in his testimony than we would in the testimony of possible 20 or 40 common people, however we cannot accept his lone testimony because Shari'ah demands that there must be two men to testify.

He then comments in conclusion of this point that Ulama very often feel confident of the moon being sighted due to apparent signs but due to the sighting not being proven according to the demands of Shari'ah they do not pass the ruling of it being sighted. In a similar manner when the sighting of the moon is reliably established in accordance to the principles of Shari'ah then they will be compelled to rule that the sighting has been established even though certain

apparent factors make one feel doubtful about it. It is at this point that the difference between an Aalim and ignorant person becomes apparent. When the apparent factors are against the ruling of the Aalim the ignorant raise objection against the Aalim whereas he is fully aware that his decision is correct and it is necessary for him to abide by such a ruling.

Fazil Bareli then goes on to discuss the Hadith that states that the two months of Eid do not fall short whereby he comments saying that in one year the months of Eid will not have 29 days each. Imaam Ahmad Ibn Hambal رحمه الله mentions that if Ramadhaan has 29 days then Dhul Hijjah will have 30 days and if Ramadhaan has 30 days Dhul Hijjah will have 29 days and he then quotes the Hadith from Bukhari (Vol.4/Pg.107) which states that the two months of Eid will not have a total 58 days. Moulana comments saying that the meaning of this according to researchers is that this will be the result in the majority of cases, it is not a definite rule forever. Imaam Tahaawi رحمه الله mentions that we have experienced for many years that both months of Eid had 29 days.

Despite these facts the Ulama have offered a better explanation stating that this Hadith is in relation to the reward of the two months. They will both have an equal reward regardless of either having 29 days. The authenticity of the second Hadith is not known and it is possible that the narrators related it in the metaphoric sense. And Allah Ta'aala Knows Best.

Overall the notion is that it is not necessary for such facts to be experienced at all times and even if they always occur the laws of Shari'ah are not based on them. And Allah Ta'aala Knows Best. He is the guide to the straight path. May Allah Shower his Blessings and Mercy upon Muhammad, The

Leader of all Messengers and upon his Family and Companions! (*Fataawaa Razwiyyah V18-Pg.469-479*)

The approval of renowned Barelwi and Deobandi Scholars regarding the adoption of the Moon sighted in Saudi Arabia

Barelwi Graduate Aala Hazrat: Moulana Ahmad Raza Khan rules in this Fatwa;

Question: *Fataawaa Razwiyyah* V18-Masala 230 from Behraich; If the Ramadhaan moon is sighted on the evening after the 29th day of Sha'baan in Makkah Mukarramah or some other place far from India and for example the moon is not sighted that evening in Behraaich but is rather sighted after completion of 30 days of Sha'baan then will the residents of Behraaich have to keep one compensatory fast after receiving reliable news of its sighting? Zaid says that it is not necessary to keep a compensatory fast because the sighting of a far off place is not considered when the moon is sighted in a nearby place. Amr holds the opinion that it is necessary to keep one compensatory fast.

Ruling:

The opinion of Amr is correct (that if the moon is sighted at a place far from India like Makkah Mukarramah on the 29th of Sha'baan then it will be necessary upon the residents of Behraaich to keep one compensatory fast). The correct and reliable opinion of our Imaams is that the difference in horizon between places is not considered in relation to the sighting of the moon for Ramadhaan and Eid. If the people in the East sight the moon then their sighting will be binding on the people in the West and vice versa on condition they receive the news of such a sighting through reliable means. The following is a quotation from Durrul Mukhtaar expressing

what has just been mentioned with regards to the difference in horizon between places `` counted as one``:

اختلاف المطالع غير معتبر على المذهب وعليه اكثر المشائخ وعليه الفتوى الخ

Deobandi Graduate Aala Hazrat Moulana Rashid Ahmad Gangohi

Rules in this Fatwa:

If the people of Calcutta sight the moon on Friday night whereas it was sighted in Makkah Mukarramah on Thursday night but the people of Calcutta were not aware of the sighting in Makkah. ***Whenever they do find out about the sighting in Makkah being a day before theirs they should have Eid on the same date as Makkah and keep one compensatory fast for the first that they missed.*** (Kawkabud Durriy Commentary on Tirmidhi Pg.336)

Regarding the times of Salaah Fazil Bareli issued the Fatawaa in which he refutes the calculations of astronomy being definite also

Question:

Is there a general rule in Shari'ah that defines the time when true dawn occurs due to which there is no need to observe it physically or is there no such calculation and general rule. If there is no such general rule then what is the meaning of the narration mentioned in ``Miftaahus Salaah`` with the reference of ``Khazaanatur Riwaayaat`` which states that the seventh portion of the night is the time for Fajr Salaah?

Ruling:

Shari'ah has stipulated times for Salaah, Fast, Hajj, Zakaah, Iddah (waiting period) for a woman after her husband's death or divorce, the period of pregnancy, Eelaa, respite for an impotent husband and the maximum period for menses and post-natal bleeding etc. All these are based on certain formulas like rise of true dawn, sunrise, twilight, and noon, doubling of the length of a shadow, days, months and a year. All these periods will be determined by physical observation. None of them are such that they can be determined by some calculations or logical theory. All these can be determined by physical observation because Shari'ah has been revealed for all people and everyone has the ability to physically observe them without being bound to learn the intricacies of astronomy and its related calculations. Rasoolullah صلى الله عليه وسلم has opened a very easy and broad path for his followers by stating that we are a nation that is unlettered, we do not write or count. (Abu Dawood) Allah Ta'aala the Most Wise has given us two very apparent signs in the form of the Sun and Moon whose orbit and phases are visible to both learned and illiterate who can determine the Shari'ah defined times with ease. Allah Ta'aala says in the Qur'aan:

وَجَعَلْنَا اللَّيْلَ وَالنَّهَارَ آيَتَيْنِ فَمَحَوْنَا آيَةَ اللَّيْلِ وَجَعَلْنَا آيَةَ النَّهَارِ مُبْصِرَةً لِّتَبْتَغُوا فَضْلًا
مِّن رَّبِّكُمْ وَلِتَعْلَمُوا عَدَدَ السِّنِينَ وَالْحِسَابِ وَكُلَّ شَيْءٍ فَصَّلَنَاهُ تَفْصِيلًا (سورة الإسراء -)

And we have appointed the night and the day as two signs. Then, we obliterated the sign of the night whilst we made the sign of the day illuminated so that you may the bounty of your Lord and that you may know the number of the years and the reckoning. And we have explained everything in detail. (Suratul Israa Verse 12)

يَسْأَلُونَكَ عَنِ الْأَهْلِ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ (سورة البقرة -)

They ask you (O Muhammad J) about the new moons. Say, They are signs to mark fixed periods of time for mankind and for the Pilgrimage (Haj).

كلوا واشربوا حتى يتبين لكم الخيط الأبيض من الخيط الأسود من الفجر ثم اتم الصيام إلى الليل (سورة البقرة -)

Eat and drink until the white thread (light) of dawn becomes distinct to you from the black thread (darkness of night), then complete you fast till nightfall. (Suratul Baqarah Verse 187)

Rasoolullah stated:

صوموا لرؤية وافطروا لرؤية فإن اغمى عليكم فأكملوا عدة شعبان ثلاثين

Begin and end your fasting with the sighting of the moon. If the sky is not clear then complete the month with 30 days. (Bukhari Vol.1/Pg.256)

From these times some are based on the sighting of the moon. Rasoolullah says:

إن الله امده لرؤية (دار قطنى - كتاب الصوم)

Allah has based the issue of the moon on physically sighting it. (Daaru Qutni Pg. 26)

The appearance of the moon in its different phases is based on reasons that no one can define perfectly. That is why Batlimoos in his book Majesty discussed about the phases of other stars but did not discuss the moon at all. He knew that it is a subject that he cannot encompass and proclaim a general principle. Those who came after him mention certain facts about the moon based on their experiments but none of them

has been able to declare that his findings are definite without facing resistance and opposition from those who factually differ with him and this is a point that is apparent to those in the field of astronomy.

That is why the contemporary astronomers discuss unnecessary facts in extreme and intricate depth and the annual Almanac of the British Observatory records the orbit of the moon at every hour as well as its point of rising and they thus predict the time of its monthly conjunction with the Sun revealing many finer details pertaining to the angles and position of the moon but *despite all this they cannot identify the exact time for sighting the moon.* They realise that it is beyond their ability to determine such facts. *It is for this reason that our Ulama have mentioned that with regards to the sighting of the moon we will not depend on the opinions of astronomers.* A ruling is mentioned in Durrul Mukhtaar with reference to Wahbaaniyyah which states:

وقول أولوا التوقيت ليس بموجب (ج ص)

The opinion of the astronomers is not binding.

(Thereafter Moulana goes on to reject the theoretical calculations of astronomy with regards to the times of Salaah)

Even though the times of Salaah are based on physical observation, however due to repeated observation experience has formulated certain general rules which could not have been achieved without physical observation. After having physically observed these signs and determined their times the general rule deduced became part of the principles of astronomy due to which we can forecast the hour, minute

and second of a certain event like sunrise etc. *Aallama Bareli then uses the Verses to refute the observatory-generated times for sunrise and sunset based on the fact that more than one result is deduced and regarded as definite though the formula used for calculation is the same:*

الشَّمْسُ وَالْقَمَرُ بِحُسْبَانٍ

The sun and the moon run on their fixed courses.

ذَٰلِكَ تَقْدِيرُ الْعَزِيزِ الْعَلِيمِ

That is the decree of the All Mighty, All Knowing.

He then expresses his objection to the daily sunrise and sunset timetable prepared by the British Observatory and published in their Almanac and upon mentioning the estimation of the actual sunrise and sunset times says that ‘this is such an aspect of astronomy that has remained hidden to most of the astronomers who simply uttered baseless assumptions.’

Astronomers have a difference of opinion on the angle of the sun at false dawn whereby some say it is at 17° below the horizon whilst others hold the opinion that it is at 18° or 19°. The most common is that it is at 18° and this is the preferred view recorded in Sharh Chugmandi. As for true dawn some have mentioned that the sun is at 15° below the horizon and this has been quoted by Allaamah Bargundi in the footnotes of Chugmandi as a claim by certain astronomers and this is what has deceived Allaamah Khaleel Kaamiliy in believing that between the two dawns is a difference of only 3° as has been recorded in Raddul Muhtaar and regarded as reliable. This is all baseless since Shari’ah has not discussed such detail but simply mentioned that false dawn is a vertical rise of light and true dawn is indicated by the light spreading horizontally. As

we mentioned earlier that there is no logical reason to consider the angle of the sun and both forms of dawn will be based on physical observation or the testimony of a religiously upright person. The formulae stating that the angle of the sun will be at 17°, 18° or 19° below the horizon at false dawn and at 15° below at true dawn with a 3° difference between the two dawns is all false.

Moulana had experienced the sun to be at 18° below the horizon at false dawn then upon observing that false dawn appeared with the sun at 33° below the horizon expresses that he had not paid much attention to physical observation previously. He then mentions that his personal physical observation has revealed that there has been a difference of even more than 15° between false and true dawn. He then concludes by saying that three points have been made clear by this discussion:

The primary basis is on physical observation. Rasoolullah ﷺ has not mentioned any rule or calculation and neither can logic alone determine the angle of the sun below the horizon at dawn.

Physical observation has afforded precise sightings that have allowed the formulation of rules that make it possible to determine the time without having to engage in a physical exercise of sighting.

The established rules will be derived by physical observation and both Shari'ah and logic are silent on this matter so it is necessary that any formula that is in conflict with physical sighting or rules determined by it will be regarded as false. This is a basic principle that when the rule is in conflict with its principle the rule will automatically become false. The law

that dawn is the seventh portion of the night is based on these false rules and formulae since physical observation and rules determined by it are proof against such formulae. And Allah Ta'aala Knows Best.

In this Fatwaa Fazil Barelwi has mentioned the very points that we mentioned regarding the fact that just as it is necessary to physically observe the moon in conformance to the Sunnah of Rasoolullah صلى الله عليه وسلم and his Companions رضى الله عنهم the times of Salaah are also based on physical sightings. (*Fataawaa Razwiyah V10*)

Question sent by Hizbul Ulama UK to Daarul Uloom Deoband and other Affiliate institutions

(Readers can read answers to questions on Fatawaa of Deobandi school in the book ``Barelvi Fataawaa regarding Thuboot Hilal & Salat Times'', by Molvi Yaqub Ahmed Miftahi. See our web site; www.hizbululama.org.uk)

Respected MuftiEsq

السلام عليكم ورحمة الله وبركاته

In Britain due the overcast weather, at times, the moon is mostly not visible for many months on end causing difficulties regarding Ramadhaan and the two Eids. In the past we had consulted with yourselves and put to practice your noble advice to adopt the sighting of the nearest Muslim country to us, Morocco. Alhamdulillah, we had adopted the announcement of Morocco for approximately 20 years however of late due to news regarding the sighting of the moon arriving rather late (at times as late as 10/11pm, 2/3am

and even the next morning) the general public and even some learned people had fallen into confusion.

Our affiliate Ulama got divided into two groups but and are in a state of anxiety. In this regard we wish to consult with you as to whether it will be permissible for us to adopt the sighting of Saudi Arabia when the moon cannot be sighted in Britain and also due to the difficulties experienced in dealing with Morocco.

Due to Saudi Arabia being the headquarters of Islam and the two Holy Masjids being situated there as well, Muslims the world over tend to respect the place. An additional fact is that the sighting of the moon is done in accordance to the principles of Fiqh (Jurisprudence) and the weather bureau is not relied upon.

والسلام

Moulana Ismail Adam Kantharwi

(The following question was also sent after the previous one.)

Question 2

What is the ruling regarding the fact that the decision on the sighting of the moon in Saudi Arabia is made either before, at the actual time or a few hours after the theoretically calculated conjunction of the Sun and Moon? Should such a sighting be accepted? The Ulama of Saudi Arabia states that they do not consider the calculations of the observatory and base decisions unconditionally on the sighting of the moon on physical observation only. What is the ruling of Shari'ah on this matter; should the sighting of the moon be subject to conformance of the observatory forecast or should we simply

accept the sighting due to it being observed by Muslims as the Saudi Ulama accept it, regardless of the sighting being before, just after or at the time of conjunction? Please advise us accordingly since a certain Aalim in Britain has declared that the sighting announced before, just after or at the time of conjunction is incorrect. We thus refer this matter to your respected selves!

والسلام

Moulana Ismail Adam Kantharwi

P.S. The issues being cited as ‘reasons for ease’ in this matter were also sent with this question so that no angle of this discussion is left out.

(The following were the answers received from the Mufti Scholars; May Allah grant them the best of Reward!)

**Mufti Nizamuddin / Mufti Habeebur Rahmaan,
Daarul Iftaa, Darul Uloom Deoband**

Is has been known to me for a long time about Saudi that the 1st of the lunar month for the establishment of Ramadhaan or the two Eids is not based there on any fixed calendar or theoretical calculations but is rather established by testimony according to the principles of Shari’ah after which the respective acts of worship are observed. In 1983 when the article of Ziyaad Deen Lahori was published against the sighting in Saudi Arabia, I had at that moment also considered it to be incorrect and an unfounded accusation. Thereafter the reality of the matter became apparent when responsible Ulama of Saudi Arabia began refuting his claims.

It is correct to say that since the Holy Lands of Makkatul Mukarramah and Madinatul Munawwarah are found in the Arabian peninsula it will be necessary for the Muslims of the world to revere and honour it. Likewise since the Saudi government practices on the rulings of the Qur'aan and Sunnah it will also be correct to say it is necessary to honour it as well and if news of the sighting of the moon reaches your country in the evening or night after the 29th day of a lunar month it will be permissible for you to adopt such a sighting since the announcement in Saudi Arabia is made in Shari' terms and according to the principles of Shari'ah. And Allah Ta'aala Knows Best.

Another Fatwaa from the Muftis at Darul Uloom Deoband

Someone from Britain had written to us that the sighting of the moon in Saudi Arabia is based on a fixed calendar. Upon this I wrote replied saying, if that is the case then the sighting of Saudi Arabia is not reliable. After that the Daarul Iftaa in Riyaadh issued a statement from Shaikh Abdullah bin Baaz saying that we do not announce the sighting of the moon for Ibadat purpose based on a fixed calendar but rather base our declarations upon receiving an established sighting supported by a testimony in accordance to the principles of Shari'ah derived from the Ahaadith. Thereafter I revoked my previous answer and also sent a copy of it. Despite this any further mention of this issue with reference being made to me will be tantamount to oppression. Nevertheless for the Hizbul Ulama UK and Jami'atul Ulama Britain to have united and come to an agreement is a very blessed move and we pray that Allah accepts it and grants you the ability to always remain united within the limits of Shari'ah. Aameen! And Allah Ta'aala Knows Best.

Mufti Muhammed Yahya

Mazaahirul Uloom, Sahaaranpur

It will be permissible for you to adopt the sighting of Saudi Arabia since they are very particular on the sighting of the moon as has been established from Moulana Abdullah Abbaas Nadwi. By accepting the sighting from Saudi Arabia you won't have the problem of having every month of Ramadhaan consisting of 28 or 31 days, likewise you won't have the problem of it having 29 days every year due to not fixing a country to follow. There is no fear of the Muslims of England dividing into two groups but rather a strong hope that all the Muslims of England will unanimously adopt the sighting of Saudi Arabia and a declaration of any sighting can very easily be accessed. There won't be any difficulty as experienced with the announcements from Morocco. Based on these reasons my humble opinion is that you adopt the sighting of Saudi Arabia.

Mufti Ismail Bhadkodrawi

Head Mufti – Daarul Uloom Kantharia, Bharuch, India

The sighting of the moon in Saudi Arabia is done in conformance to the principles outlined by Shari'ah as is established from the article of Dr. Abdullah Abbaas Nadwi in Al-Furqaan and the evidence presented by Moulana Manzoor Nu'mani Saahib as well as the declarations approved by the senior Ulama of the Idaaratul Bu'hooth Al'Ilmiyyah wal Iftaa wad Da'wati wal Irshaad. According to Shari'ah it will be incorrect to declare the sightings of Saudi Arabia as erroneous based on the fact that they do not correspond to the principles and calculations of astronomy since Rasoolullah صلى الله عليه وسلم stated:

إنا قوم لا نكتب ولا نحسب الحديث (رواه البخارى ومسلم)

"We are an illiterate nation who cannot write or calculate"

As well as:

صوموا لرؤيته وافتروا لرؤيته

"Begin and end your Fast with the sighting of the moon."

Based on these narrations it will not be permissible to base the sighting of the moon on the calculations and principles of astronomy. *It will also be incorrect to refute the sighting of the moon established reliable testimony on the basis that it does not conform to research and calculations of astronomy.*

It is highly inappropriate to refute the sighting established by reliable testimony due to it not conforming to research and calculations of astronomy and by so doing causing the Muslims of the world to doubt the status of certain important acts of worship like Hajj, Qurbaani (Udhiyyah/animal sacrifice) etc.

It will be correct and highly permissible for the Muslims of Britain to adopt the sighting of Saudi Arabia because on the basis of the difference in the longitude and latitude it is strongly perceived that had there been no obstacles in the sighting of the moon both places would have the same sighting. Since the weather in Britain is mostly overcast due to which it is difficult to sight the moon locally, there will be no fear of the sighting of Saudi Arabia resulting in a local sighting revealing a month of less than 29 days or more than 30 days.

Mufti Muhammad Burhaanud Deen Sambhali

Faculty of Islamic Research, Lucknow

The forecast of the weather bureau or an observatory are not recognised by Shari'ah. Only those means and methods

recognised by Shari'ah will be of benefit in establishing matters of Shari'ah especially acts of worship. It is for this reason that the testimony of 10 disbelievers will not be accepted whereas the testimony of just two religiously upright Muslims will be reliable proof. It should also be noted that the change of months is based on the sighting of the moon not just on the appearance of the moon on the horizon. For further details refer to the discussion on the sighting of the moon on pages 5-9.

And Allah Ta'aala Knows Best.

Mufti Habeebullah Qaasimi

Jonpur, Up, India

Within the limits of Shari'ah news of sighting the moon from both Morocco and Saudi Arabia will be reliable however since the news from Saudi Arabia will be save dispute and rather unite the Muslims it would be preferable to adopt their sighting.

According to your pamphlet as well as the article by Moulana Manzoor Nu'mani Saahib and the details supplied by Moulana Abdullah Abbaas Nadwi, a lecturer at the Ummul Quraa University in Makkatul Mukarramah, the Saudi government adheres to the principles of Shari'ah thus if the news of any sighting of the moon can be transmitted from there in accordance to regulations set by Shari'ah it will be totally reliable. Baseless rumours will keep doing their rounds and they should simply be ignored.

And Allah Ta'alaa Knows Best

Mufti Abdul Quddus Rumi

Daarul Iftaa, Aagra, Up, India

In a situation where in the sighting of the moon in England is difficult the ideal option according to principle would be to adopt the sighting of the nearest Muslim country. However, according to your question, news of any sighting tends to be delayed and due to the many forms of transmitting this news (Radio/TV etc) it causes confusion and anxiety thus there will be no restriction for the Ulama and religiously responsible people to base their decisions on the sighting of Saudi Arabia. However, it will be necessary to ensure that no such decision is made resulting in particular month having less than 29 or more than 30 days. The best system would be to fix the dates of your lunar months to those of Saudi Arabia throughout the year as this will save you from having less than 29 or more than 30 days in any given month.

Mufti Azeezur Rahman Saahib Madani

Daarul Iftaa Bijnor-U.P.-India

You had asked queried about the weather bureau and their calculations. (Prophet SAW says)

صوموا لرؤيته وافتروا لرؤيته

“Begin and end your Fast with the sighting of the moon.”

Since the tense used in the Hadith is that of a command which implies the action ordered to be necessary (Waajib) and the Waajib is lifted (relaxed) when sighting of the moon is established thus Shari’ah does not discuss the appearance of the moon on the horizon because the moon will definitely be

present on some horizon at that time. What is really considered in Shari'ah is the actual sighting of the moon or for the sighting to be established that is why the Waajib is lifted (relaxed) by a reasonable excuse and will immediately be replaced by testimony which is based on physical sighting of the moon not on the receipt of news from someone else and also not based on calculations. Regarding calculations Rasoolullah صلى الله عليه وسلم stated in a Hadith:

إنا أمة أمية لا نحسب ولا نكتب....

"We are an illiterate nation who cannot write or calculate"

The objective is to witness the month as the Verse of the Qur'aan states:

فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ

Whoever of you witnesses the crescent of the Month of Ramadhaan must fast.

Another Hadith states:

لا تصوموا حتى تروه ولا تفكروا حتى تروه

Do not begin (the month of Fasting) until you see the moon and do not end (the month of Fasting) until you see the moon.

The tense used in this Hadith is one of prohibition which also implies it to be necessary to sight the moon. The author of Hidaayah has termed the one who observes his Fasts in accordance to calculated dates as an open sinner and some scholars have even termed such a person as apostate:

وإن استحل أظفاره فرضاً من عده واجبا صار كافراً (المراقبة ج ٤ ص ٢٤٢)

Thereafter it is mentioned that the views of astronomers is not recognised and this is by consensus. Some have said their

views can be quoted if one wishes to refute them but not as a proof. From this it is established that in the absence of a physical sighting the use of calculations is not a substitute and if it has to be regarded as a substitute then, Allah forbid, it will imply that the Verse of the Qur'aan and the Hadith would have no standing.... Calculations should not be considered since they are rejected and denounced by Shari'ah.

Mufti Ahmad Khanpuri

Daarul Iftaa, Jaami'ah Dabhel, Gujrat, India

According to the opinion of Imaam Abu Hanifah رحمه الله the difference of horizon should not be considered in the sighting of the moon. The majority of Hanafi Jurists have preferred this view and having declared the difference of horizon between east and west as irrelevant consider the sighting of one place to be reliable for another (*Durrul Mukhtaar; Fatawaa Rashidiyyah; Fatawaa Daarul Uloom Deoband; Imdaadul Fatawaa; Kifaayatul Mufti etc.*). In order to save dispute and confusion there will be no problem in collectively resolving to adopt the sighting of one particular place. If the sighting of the moon in Saudi Arabia is declared on the 29th and is backed by testimony (Shahadah) it will be acceptable otherwise no

Mufti Abdur Raheem Saahib Lajpuri رحمه الله

Mufti of Gujrat, Rander, Dist. Surat, India

Mufti Abdur Raheem Lajpuri Saahib رحمه الله had written the following in response to a question in 1398 AH:

If news of the sighting of the moon is received in accordance to the regulations stipulated by Shari'ah and it happens to be between the 29th and 30th of the month it can be accepted

since there is no consideration given to the difference in horizon according to Zaahirur Riwaayah. However, if accepting such a sighting will result in the month having 28 or 31 days it cannot be accepted. The following is mentioned in Fatawaa Aalamgeeri:

ولا عبرة لإختلاف مطالع في ظاهر الرواية كذا في فتاوى قاضى خان وعليه فتوى
الفقيه أبى الليث ... الخ (عالمكيرى)

It is mentioned in Ilmul Fiqh that the sighting of the moon by the people of one city is reliable for those of another city regardless of what distance lies between the two cities such that if the moon was sighted in the west and the news of such a sighting can reach those living in the east by reliable sources or means then it will be necessary to fast on that day. (Durrul Mukhtaar; ref- Ilmul Fiqh Vol.3/Pg. 17; Behishti Gohar)

Moulana Muhammad Habeebur Rahman Ameer Deen Saahib

In Shari'ah the start and end of months is determined by the sighting of the new moon. The calendar and calculations of the observatory are not considered at all. 'Thus what preventive factor is there for the sighting of Saudi Arabia being adopted when the moon has been sighted there first whereas it is the Qiblah (focal point in worship) for the Muslims as well as the headquarters of Islam?'

Shah Waliullah Muhaddith Dehlawi رحمه الله

He has mentioned in Hujjatullahil Baalighah that the laws in Shari'ah are based on apparent signs and not on calculations and formulae of the observatory. Shari'ah has rather

prevented us from basing the rulings of Shari'ah on such calculations. (*Hujjatullahil Baalighah Vol.2/Pg.51*)

Moolla Ali Qaari رحمه الله

He also mentions:

إن العمل على ما يعتاده النجوميون ليس من هدينا وسنتنا بل علمها يتعلق برؤية الهلال فإننا نراه مرة تسعا وعشرين ومرة ثلاثين (مرقاة شرح مشكوة)

It is not the practice of Muslims to practice upon the opinions of astronomers but the basis is on the sighting of the moon which we sometimes see on the 29th and sometimes on the 30th.

With all these Fatawaa and statements from the experts of the field of astronomy we establish that the information acquired from the observatory cannot be used categorically in the determination of the sighting of the moon since it is only an estimation based on experiment. *Thus Shari'ah does not permit its use; so it will then be incorrect to observe Ramadhaan or the two Eids on the basis of calculations from an observatory.*

Allaamah Shabbir Ahmad Uthmaani رحمه الله

He mentioned in Fathul Mulhim that Rasoolullah صلى الله عليه وسلم did not recognise the difference of horizon just as he did not recognise the observatories. (*Fathul Mulhim Vol.3/Pg.123*)

Mufti Muhammad Shafee' رحمه الله
(*Grand Mufti of Pakistan*)

Mufti Saahib رحمه الله mentioned that the science of astronomy has indeed made a lot of progress but despite this it cannot

be said that the opinion of any researcher is final and no one will be able to prove it wrong in future. He further mentions that the Karachi and Punjab observatories had a difference of opinion regarding the sighting of the moon on Friday 29 Ramadhaan 1380 AH. The Weather Bureau at Punjab University stated that the possibility of sighting the Eid moon on Friday Evening was very slim whereas the Karachi Weather Bureau indicated that it would be possible to sight the moon that evening. (*Ru'yat e Hilaal by Mufti Shafee' Saahib رحمه الله* Pg.32-34)

It is obvious that between the two observatories one was correct and the other was not but what becomes apparent from this difference is that the forecast of the weather bureau can also be wrong and that their calculations cannot be regarded as categorical and definite.

Abu Raihan Al-Beruni; The famous philosopher and expert astronomer of the 4th century of Hijrah, Abu Raihan Al-Beruni who lived in India during the era of Shihabud Deen Ghawri wrote in his book '*Al Aatharul Baaqiyatu Anil Quroonil Khaaliyah*' wherein he stated that it is the consensus of all the experts of the field of astronomy that the results achieved from by the use of instruments of an observatory are not definite:

إن علماء الهيئة مجموعون على أن المقادير المفروضة في أواخر أعمال رؤية الهلال هي إبعاد لم يوقف عليها إلا بالتجربة ... (الأثار الباقية ص ١٩٨)

The experts of astronomy are unanimous on the fact that the theories used to calculate the sighting of the moon are all such that can only be understood by experiment and since the people observing the moon have different abilities due to which the things that can be seen with the eyes could appear

to be of different sizes and the situation with space or the galaxy is such that whoever gives it some deep thought will realise that no definite statement can be made regarding the visibility of the moon. (*Al Aathaarul Baaqiyah Pg.198*)

Shamsud Deen Muhammad Bin Ali Khwajah: With reference to this great astronomer it is mentioned in *Kashfuth Thunoon* that his experience of forty years has revealed that determining the moon by the use of astronomy-based calculations is such that no reliable, correct and definite prediction can be made regarding the sighting of the moon. (*Kashfuth Thunoon Vol.2/Pg.969*)

This is the very reason `Shah Waliyullah` Muhaddith Dehlawi رحمه الله mentioned in 'Hoojjatullahil Baalighah' that the rulings of Shari'ah have been based on apparent signs not on calculations; in fact Shari'ah has discouraged even the attempt of the basing of its laws on calculations. (*Hujjatullahil Baalighah Vol.2/Pg.51*)

رحمه الله Allaamah Ibn Aabideen Shaami

For further satisfaction on this matter reference is made to Raddul Muhtaar of Allaamah Ibn Aabideen Shaami رحمه الله

صرح به علمائنا من عدم الإعتماد على قول اهل النجوم في دخول رمضان لأن ذاك مبني على أن وجوب الصوم معلق برؤية الهلال لحديث "صوموا لرؤيته" وتوليد الهلال ليس مبنيًا على الرؤية بل على قواعد فلكية وهي وإن كانت صحيحة في نفسها لكن إذا كانت ولادته في ليلة كذا فقد يرى فيها الهلال وقد لا يرى والشارع علق الوجوب على الرؤية لا على الولادة (الرد المحتار ج ١ ص ٢٨٩)

Our Ulamaa have explicitly mentioned that the beginning of Ramadhaan cannot be based on the opinions of astronomers

since the compulsion of Fasting is linked to the Hadith “*Begin and end the Fast with the sighting of the moon.*” Thus the beginning of Ramadhaan is based on the sighting of the new moon whereas the birth of the moon is not based on the sighting of the moon but rather on astronomical calculations which even if they are correct are such that moon may or may not be seen in the same night that it was born and Shari’ah has based the compulsion of Fasting on the sighting of the moon not on the birth of it.

Moulana Idrees Kandhelawi

In his Commentary on Mishkaat entitled At-Ta’leequs Sabeeh Moulana رحمه الله mentions the following under the discussion of the Hadith which refers to the followers of Rasoolullah صلى الله عليه وسلم being illiterate:

وقوله لا نكتب ولا نحسب: إن العمل بالحساب على ما يتعارفه المنجمون ويتعاطونه ليس مما تعهدنا به ولا امرنا إذ ليس ذلك من هدينا وسنتنا في شيء والله اعلم

Adopting the calculations commonly used by the astronomers with relation to anything is not from our teachings.

A selection of responses to questions posed by different people

Alhaj Ghulam Ali of Glasgow compiled certain objections that he had regarding the announcements made by the Supreme Court in Saudi Arabia regarding the sighting of the moon when compared to the calculations of astronomy. He then sent a query to Daarul Uloom Karachi seeking a ruling on the authenticity of such announcements. The following is a response from Daarul Uloom Karachi:

**Answer: Mufti Muhammad Uthmaan Saahib,
Mufti Muhammad Taqi Uthmaani Saahib,
Mufti Muhammad Abdul Mannaan Saahib,
Mufti Mahmood Ashraf Saahib**

A summary of the objections that you enlisted in your query is that in the light of astronomy-based calculations the moon-sighting announcements made in Saudi Arabia are sometimes questionable and at times such announcements made there are at such a time when, *according to observatory forecasts, it is not even possible to sight the moon there and you have attached certain examples and proof on this matter.* All the facts that you presented are in order but the basic issue that matters is whether such astronomy-based calculations will be acceptable when physical observation of the moon contradicts such forecasts? *A rather large group of Ulama hold the opinion that in such a situation the physical sighting of the moon will be acceptable and the forecasts of astronomy will not be regarded.* Mufti Muhammad Rafee' Uthmaani has issued a detailed response on this matter from Daarul Uloom Karachi wherein he states that the majority of Ulama are of the opinion that *in the event of a difference arising between the physical sighting of the moon and the observatory forecast then the physical sighting will be upheld and the forecast will not be regarded.* (Fataawaa Register: 461/76; 461/85)

In a response to a query from Germany regarding the sighting of the moon in Saudi Arabia he writes: *'The Saudi Government state that decisions on the sighting of the moon are based solely on the principle of Shari'ah instructing physical observation of the moon and not on astronomy-based calculations. Even though many people doubt the authenticity of this claim made by the Saudi Government there is no valid*

reason according to Shari'ah to reject this claim. Many people are not at ease with the moon-sighting announcements made by Saudi Arabia because such announcements are, at times, made when, according to the observatory, it is not possible to sight the moon there. However due to the fact that the sighting of the moon is based on the principle of Shari'ah instructing physical observation and not conformance to astronomy-based calculations thus if Germany adopts the sighting of Saudi Arabia it will be permissible. (Fataawaa Register: 461/86)

Allahma Ibn Abedeen Shami رحمه الله

Has an outstanding position in Hanafi School of thought. Muftis are using his book ``RADDUL MUKHTAR ALA DURRIL MUKHTAR`` as a reference book. He strongly rejected the idea of astronomy in one of his booklet.

He wrote:

“On the 29th of Sha’ban (1240 AH) sky was cloudy in Damascus. Some people came across by saying that they saw the moon from a high ground. Another group of people testified them when first group were investigated. Local Qadhi Magistrate sent a letter to the grand Mufti by asking his opinion about it. Mufti’s ordered came bearing that fast must start. People started fasting on his order. Some people stood against it by giving some baseless proofs. First of all they claimed that According to astronomy it is impossible to see the moon on Sunday evening. **If the moon was sighted on Sunday evening, same moon can never be seen on next day morning. So when people saw the moon in the next day morning, it means moon was not sighted last evening.** A corruption erupted everywhere on this matter. Later on the

news was received that other Islamic countries also kept fast on Monday like Syria. As a result, one group was celebrating the Eid while the other one was still fasting. This corruption spread so much that people started to have doubt about everything. Some people left Islam. Their mistake was they did not believe in the witnesses and relied on the moon, which one was sighted in the morning. In fact they relied on astronomical (theoratically calculated) data.

It is a unanimous decision that in the matter of sighting the moon astronomical calculation will not be taken under consideration. Prophet صلى الله عليه وسلم said, “do not keep fast until the moon is sighted and do not celebrate the Eid till the moon is sighted too.” So prophet (s.a.w) confirmed the sighting as pre condition for fast and Eid. Otherwise 30 days must be completed. In another Hadith it says, “We are an illiterate nation; do not know writing and calculating (**Tambihul Ghafile wal wasnan ala**

Rooyte Hilal, page 47).

Fatwaa of Shaikh Bin Baaz رحمه الله issued to Moulana Suhaib Hasan, Ameer of Jami'ate Ahlil Hadith

من عبد العزيز بن عبد الله بن باز إلى حضرة الأخ المكرم الشيخ صهيب حسن عبد الغفار وفقه الله السلام عليكم ورحمة الله وبركاته وبعد
وصلنى كتابكم المتضمن الخلاف الذى وقع بين المسلمين فى بريطانية عند بدء شهر رمضان ... حول العمل الجارى فى المملكة فى موضوع رؤية الهلال وطلبكم الإفادة عن حقيقة مزاعمه كل ذلك كان معلوماً. وأفيدكم ... أما دعوى صاحب الفتوى أن السعودية تقدم جوائز لمن يشهد بالرؤية المطابقة للتقويم الرسمى العد. فهذا شئ باطل لا أساس له من الصحة بل هو من كذب الكذابين الذين فى قلوبهم غل الحكومة السعودية. أو من جهلة بعيدة قول كل ناطق. والإعتماد فى إثبات دخول الشهر فى المملكة هو على ثبوت الرؤية لا مطابقة التقويم العد الذى اشار إليه صاحب الفتوى فإن التقويم المذكور معتمد على حسابات فلكية لضبط امور الرسمية المتعلقة بالدولة وعند حصول مخالفته للرؤية فإن الاعتبار بالرؤية لا به والأمثلة على ذلك كثيرة مشهورة لا تخفى الخ

عبد العزيز عبد الله بن باز
الرئيس العام لإدارة البحوث الإسلامية

The claim that a prize is offered to the person who comes forth first with a sighting of the moon in conformance to the forecast of the common calendar is incorrect and rather a lie from the lies of those who are jealous of the Kingdom of Saudi Arabia. The start of a month in the Kingdom is based on the physical sighting of the moon and not on the forecast because those are based on astronomy-generated calculations used for administrative purposes only and when these calculations are in conflict with the physical sighting of the moon then the sighting is considered and not the forecast of the Ummul Quraa calendar. There are many examples to prove this...

Abdul Aziz Bin Abdullah Bin Baaz (رحمه الله)

Fatwaa of Daarul Iftaa Riyadh to Hizbul Ulema UK

Hizbul Ulama UK had also sent a query on Wednesday 24 Rabe'e'ul Awwal 1407 AH (15 December 1987) enquiring about the manner in which the dates of Ramadhaan, Eid and other months are stipulated. Are these dates stipulated in conformance to the calendar of Ummul Quraa or physical sighting of the moon? In response the Fataawaa compiled at the meeting of Senior Ulama on 21 Jumaadal Ulaa 1408 AH were sent in which detailed answers were given with reference to all the objections raised regarding the new-moon theory in the light of the Hadith which states that we are an illiterate nation who do not write or count.

Selected excerpts from the Fatwaa

من عبد العزيز بن عبد الله بن باز إلى حضرة الأخ المكرم فضيلة الأمين العام لحزب العلماء في بريطانيا يعقوب بن أحمد مفتاحي سلمه الله فاشير إلى استفتائك المقيد بإدارة البحوث العلمية والإفتاء (برقم) تسئل فيه عن كيفية معرفة بدء شهر رمضان ونهايتها بالمملكة العربية السعودية واسئلة أخرى تتعلق بالصيام والصلاة ... وافيدك أنه سبق أن صدر من هيئة كبار العلماء ومن لجنة الدائمة للبحوث العلمية والإفتاء عما سئلت عنه فنفردك لك نسخا منها

عبد العزيز عبد الله بن باز
الرئيس العام لإدارة البحوث الإسلامية

In your query you ask about the manner in which the start and end of Ramadhaan is determined in Saudi Arabia as well as other questions pertaining to Fasting and Salaah. A meeting of the Senior Ulama was conducted earlier so we make available to you details thereof on this subject.

نظرا لما يترتب على معرفة أول يوم من شهر رمضان من أهمية بالنسبة لشهر رمضان المبارك فإن وزارة العدل تقوم في شهر رجب من كل عام بالتعميم على المحاكم بأن على القضاة أن يؤكدوا على الناس تحري رؤية الهلال

With regards to the importance of determining the 1st of Ramadhaan the Ministry of Justice issues a decree to all their departments that the Judges must urge the people to search for the crescent. (All the related detail mentioned in the earlier Fatwaa is being omitted to avoid repetition.)

Answer is given to the issue regarding the notion that due to the increase in experts in the field of astronomy the aspect of us being an illiterate nation no longer applies:

وقالوا إن تعليق الحكم بثبوت الشهر على الأهلة المعلل بوصف الأمة بأنها أمية وقد زال عنها هذا الوصف فقد كثر علماء النجوم وبذلك يزول تعليق الحكم بالرؤية أو بخصوص الرؤية ويعتبر الحساب وحده أصلاً أو يعتبر أصلاً آخر إلى جانب الرؤية، والجواب أن يقال : إن وصف الأمة أنها أمية لا يزال قائماً بالنسبة لعلم سير الشمس والقمر وسائر الكواكب , ولو فرض زوال وصف الأمية عن الأمة في علم الحساب لم يجز الاعتماد عليه في إثبات الأهلة لأن رسول الله ﷺ علق الحكم بالرؤية وإكمال العدة ولم يأمر بالرجوع إلى الحساب

By learning about the orbit of the sun, moon and other stars the quality of Illiteracy will not be negated from the Muslim nation with regards to astronomy and in determining the new-moon we cannot base our decisions on the new-moon theory of astronomy because Rasoolullah صلى الله عليه وسلم instructed without condition of Metonic calculated theory we base our decisions on the physical sighting of the moon and in the event that it is not sighted we should complete the month with 30 days.

He then mentions the following in relation to the question pertaining to why forecasts and calculations are not used for the sighting of the moon as they are for Salaah times:

وقالوا ان توقيت بدء الشهر القمري ونهويته لا يختلف من توقيت الصلوات الخمس .. فليعتبروه في بدء الشهر ونهائيته . اجيب بأن الشرع اناط الحكم في الأوقات

بوجودها قال تعالى اقم الصلوة لدلوك الشمس إلى غسق الليل وقرآن الفجر ... فصلت السنة ذلك , واناظ وجوب صوم رمضان برؤية الهلال ولم تعلق الحكم فى شئ من ذلك على حساب المنازل وإنما العبرة بدليل الحكم ... عن طريق رؤية الهلال بدليل حديث لا تصوموا حتى تروه ولا تقطروا حتى تروه الخ

The times of Salaah have been defined by Allah whereby he states in the Qur'aan: 'Establish (Zuhr and Asr) Salaah from the descent of the sun until (Maghrib and Esha) are performed at nightfall and Fajr. Whereas we have been instructed to physically sight the moon for the obligation of Fasting to be effected since it is not base on the forecasts of its orbit and the instruction of Rasoolullah صلى الله عليه وسلم will be applicable whereby he states: Do not commence and end your Fasting until you sight the moon.

Fatwaa of Shaikh Subayyil

(Imaam and Khateeb of the Haram Makkah and a Minister for Haramain Sharifain)

Translation: Respected (Moulana) Ya'qub Ahmad Miftahi and all those whom this matter concerns:

السلام عليكم ورحمة الله وبركاته

Muslims must be made aware misinformation being spread about the sighting of the moon in Saudi Arabia is all incorrect. Allah has mentioned in the Qur'aan:

يَسْأَلُونَكَ عَنِ الْأَهْلِةِ

They ask you (O Muhammad J) about the new-moons.

الْحَجُّ أَشْهَرُ مَعْلُومَاتٍ

Hajj is in the well known lunar months.

فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ

So whoever of you sights witnesses the month (of Ramadhaan) should fast.

Rasoolullah صلى الله عليه وسلم states in a Hadith:

صوموا لرؤيته وافطروا لرؤيته

Begin and end your fasting with the sighting of the moon.

From the above mentioned texts we establish that determining these specific dates depends on the physical sighting of the moon *thus the calculations of the observatory will have no bearing on this matter. It is for this reason that the method taught by Rasoolullah صلى الله عليه وسلم is adopted in Saudi Arabia.*

I will enlighten my brothers on the manner used to determine the dates of these occasions:

A meeting of the Supreme Court is held every year in the Month of Rajab and *the Judges are instructed to be particular with searching for the Sha'baan moon by encouraging the people to also do so.* (Rasoolullah صلى الله عليه وسلم would also instruct the Sahaabah towards the end of Rajab to search for the Sha'baan moon in order to determine the true date of Ramadhaan.) *The Supreme Court meets again towards the end of Sha'baan whereby they instruct the Judges to inform the people to search for the moon on the evening after the 29th day of Sha'baan as per the testimony upon which the month of Sha'baan had commenced.*

On the evening after the 29th day of Sha'baan the Qaadhi (Islamic Judge) of every place in the Kingdom is available to take the testimony of any person who sights the moon after enquiring on how and where the moon was sighted as well as how long after sunset the moon was sighted etc. in order to determine the authenticity of the sighting. The Qaadhi thereafter issues his verdict on the sighting and this ruling is then communicated to the officials of Supreme Court who are available on this evening to announce the outcome of that evening's moon-sighting exercise. This very process is conducted on the occasions of Eid and Dhul Hijjah. In the event of a sighting being established the public is informed through the media. *The calendar and forecast of Ummul Quraa is not used to establish the dates of Ramadhaan, Eid and Haj. It is only used for administrative needs of the Kingdom. As for laws of Shari'ah only the method taught and instructed by the Qur'aan and Sunnah are adopted.*

والسلام عليكم ورحمة الله وبركاته

Muhammad bin Abdullah As Subayyil

Head of affairs at Masjidul Haraam and Masjidun Nabawi, Imaam and Khateeb at Masjidul Haraam

Fatwa by Mufti Abu Zafar Deobandi

Imaam and Khateeb at Station Road Masjid Birmingham, UK

Mufti Saahib wrote a detailed response to the objections of those who express reservations on the physical sightings observed. Since his response is in the form of a booklet it cannot be pasted in this book thus only certain proofs and arguments of Mufti Saahib are mentioned here. (It should be noted that Mufti Saahib tore to bits the arguments presented

by the opposition in the press and having rightly advised them also invited them to return to the straight path.)

Mufti Saahib writes:

وَالْقَمَرَ قَدَرْنَاهُ مَنَازِلَ حَتَّىٰ عَادَ كَالْعُرْجُونِ الْقَدِيمِ

And the moon, we have measured for it mansions (to traverse) till it returns like the old dried curved date stalk.

Allaamah Aaloosi Baghdaadi رحمه الله mentions in ``Roohul Ma'aani`` under the commentary of the above mentioned Verse that the word *mansions* in this Verse is an explanation made by the Disbelievers such as the polytheists. Thus such rejected references cannot be used to establish the sighting of the moon according to Shari'ah. Only such teachings imparted by Allah and Rasoolullah صلى الله عليه وسلم will be regarded as Shari'ah and not the teachings of the Kuffaar. All the Jurists from Imaam Abu Hanifah to Allaamah Shaami *all the Hanafi, Shaafi', Hambali and Maaliki Jurists are unanimous on the fact that the opinion of astronomers will not be considered even if they are religiously upright.*

ولا عبرة لقول الموقتين ولو عدولا (الدر المختار)

These personalities, likened to mountains of knowledge, brought Faith in Allah and His Messenger J and you say no leave them and bring Faith in us!?

Allaamah Subki رحمه الله is from among those who feel that the calculations of astronomy are definite but very few scholars agreed with his opinion:

ولا عبرة لقول الموقتين ولو عدولا على مذهب الصحيح (الدر المختار ج ص) أى فى وجوب الصوم على الناس بل فى المعراج لا يعتبر قولهم "بالاجماع" ولا يجوز للمنجم أن يعمل بحساب نفسه وفى النهر فلا يلزم بقول الموقتين أنه أى الهلال

يكون فى السماء ليلة كذا وإن كانوا عدولا فى الصحيح كما فى الايضاح . للإمام السبكي الشافعى تأليف مال فيه إلى اعتماد قولهم لأن الحساب قطعى انتهى ومثله فى شرح الوهبانية قلت ما قاله السبكي رده متأخروا أهل مذهبه منهم ابن حجر والرملى فى شرح المنهاج (الرد المختار)

The opinion of astronomers is not considered even though they are religiously upright according to the correct opinion of the Math-hab. (Durrul Mukhtaar Vol.2/Pg.100) Meaning that their opinion will not be considered with regards to the commencement of Fasting and in Al Mi'raaj it is mentioned that there is consensus on their opinion not being accepted and it is not permissible for them to adopt their own calculations and practice on them. In An-Nahr it is mentioned that the opinion of astronomers does not necessitate that the moon will appear in the sky on a certain night. This is despite the astronomers being religiously upright as is mentioned to be the correct opinion of the Math-hab in Al-Iedhaah. Imaam Subki As-Shaafi' has indicated in one of his writings that the opinion of astronomers can be relied upon because their calculations are definite. A similar opinion is mentioned in Sharhul Wahbaaniyyah to which I respond that what Imaam Subki has stated has been refuted by Scholars of his own Math-hab such as Ibn Hajr and Ar-Ramli in Al-Minhaaj. (Raddul Muhtaar Vol.2/Pg.100)

2) The condition of a witness who sights the moon being a Muslim and religiously upright refutes the theory of astronomy based calculations.

3) The opinion of the observatory has always changed, will continue changing and will eventually die out.

4) There is no such word in the Hadith that refers to a definite sighting and that which does not conform to astronomy calculations as non-definite.

5) The following text refutes the conditions set by astronomers for the sighting of the moon:

ولا عبرة بقول الموقتين ولو عدولا على مذهب الصحيح (الدر المختار) أى فى وجوب الصوم على الناس بل فى المعراج لا يعتبر قولهم "بالاجماع" ولا يجوز للمنجم أن يعمل بحساب نفسه وفى النهر فلا يلزم بقول الموقتين أنه أى الهلال يكون فى السماء ليلة كذا وإن كانوا عدولا فى الصحيح كما فى الايضاح

The opinion of astronomers is not considered even though they are religiously upright according to the correct opinion of the Math-hab. (Durrul Mukhtaar Vol.2/Pg.100) Meaning that their opinion will not be considered with regards to the commencement of Fasting and in Al Mi'raaj it is mentioned that there is consensus on their opinion not being accepted and it is not permissible for them to adopt their own calculations and practice on them. In An-Nahr it is mentioned that the opinion of astronomers does not necessitate that the moon will appear in the sky on a certain night. This is despite the astronomers being religiously upright as is mentioned to be the correct opinion of the Math-hab in Al-Iedhaah.

6) The mention of the opinion of astronomers not being accepted is only with regards to the compulsion of Fasting and it is not mentioned as a refutation of their opinions. (The forecasts of the observatory regardless of how they may appear to be will not be used to prove or refute any law of Shari'ah. The establishing of any law of Shari'ah will only be done by conditions stipulated by Shari'ah)

Allaamah Shaami رحمه الله has refuted the opinion of Imaam Subki رحمه الله by expressing that Scholars of his own Math-hab like Haafiz Ibn Hajar رحمه الله and Ramli have rejected his opinion.

للإمام السبكي الشافعي تأليف مال فيه إلى اعتماد قولهم لأن الحساب قطعي انتهى ومثله في شرح الوهبانية قلت ما قاله السبكي رده متأخروا أهل مذهبه منهم ابن حجر والرملي في شرح المنهاج (الرد المحتار)

Imaam Subki As-Shaafi' has indicated in one of his writings that the opinion of astronomers can be relied upon because their calculations are definite. A similar opinion is mentioned in Sharhul Wahbaaniyyah to which I respond that what Imaam Subki has stated has been refuted by Scholars of his own Math-hab such as IbnHajr and Ar-Ramli in Al-Minhaaj. (Raddul Muhtaar Vol.2/Pg.100)

Wherever in the world the moon is sighted it will be binding on the rest of the world to abide by that sighting. Allaamah Shaami رحمه الله mentions the following:

اعلم أنما الخلاف في اعتبار اختلاف المطالع بمعنى أنه يجب على كل قوم اعتبار مطلعهم ولا يلزم احد العمل بمطلع غيره أم لا بل يجب العمل بالاسبق رؤية حتى لو رئي في المشرق ليلة الجمعة وفي المغرب ليلة السبت وجب على اهل المغرب بما رثاه اهل المشرق؟ فقول بالأول واعتمده الزيلعي وصاحب الفيض وهو الصحيح عند الشافعية وظاهر الرواية وقيل بالثاني وهو المعتمد عندنا وعند المالكية والحنابلة (الرد المحتار)

The difference of opinion that exists regarding the difference in horizon between places is whether every place should consider their own sighting and the sighting in one place will not be binding on another place or that the difference in horizon will not be considered such that if the people of the East sight the moon on Friday and those in the West sight it on Saturday it will be necessary on the people of the West to

adopt the sighting of the people in the East. It is said that the first opinion should be adopted and this is the view of Imaam Zaila'i and the Author of Fa'idh and this is the correct opinion according to the Shaafi' Math-hab as well as Zaahirur Riwaayah. The second opinion is the view of the Hanafi Math-hab as well as the Maaliki and Hambali Math-habs.

7) The opinion of Imaam Ibn Taymiyyah رحمه الله that the sighting by the people of the East is binding on those in the West but not vice-versa is not the view of any of the four Imaams of Jurisprudence and is in conflict to the opinion of the majority and thus not considered. (Besides this opinion of Imaam Ibn Taymiyyah رحمه الله he has prepared an encompassing book against astronomy calculations and upholding the proofs that the Muslims are an illiterate nation with regards to such calculations. This book has been included in his Fataawaa Ibn Taymiyyah Vol.25. He regards the basing of Islamic laws on astronomy calculations as an innovation)

8) *The 29th day stipulated by Mufti Scholars for the sighting of the moon is that 29th day which is in accordance to the sighting of the moon at the beginning of the month and not the 29th day according to observatory calculations. By adopting the 29th day according to physical sighting of the moon the month will never have 28 or 31 days.*

9) The Author of `Bahrur Raaiq` has written that even when the sky is clear the testimony of two witnesses will be acceptable.

10) *The sighting of the moon on the evening after the 29th day of the lunar month by one or a few people will not be rejected by thousands of people seeing the moon on the second or*

third night of the new month and it is not even necessary to confirm the sighting of the 29th by searching for the moon on the 2nd or 3rd night in this manner. The people do not have to go out to search for the moon on the pretext that it was not sighted by the general masses because it is not conditional that the new month will not commence unless the moon is sighted by the general masses since this is in conflict with the authentic narration wherein Rasoolullah صلى الله عليه وسلم accepted the sighting of a single Bedouin and commenced Ramadhaan and on another occasion ordered that fasting should be terminated on the testimony by two Bedouins and declared the next day as Eid. This was all despite the fact that no one in the whole of Madinah had sighted the moon at all thus the sighting of Saudi Arabia cannot be rejected on the basis that it is not a sighting of the general masses.

11) By sighting the moon on the evening after the 29th day of the month the only way to confirm that the 1st of the new month is genuine by considering what has been explained in the books on Islamic law and besides that the notion that according to astronomy the 7th night must have a half moon and the 14th and 15th night must have a full moon in order for the 1st of the month to be considered as genuine *is not a condition of Shari'ah and is in fact an addition to Shari'ah and a sign of Qiyaamah (the last day).*

12) If the change in era and necessity causes a change in the Fatwaa then why did Allaamah Shaami رحمه الله undergo all that difficulty in his era when he wrote his book '*Tambeehul Ghaafileen wal Wasnaan 'Alaa Ahkaami Hilaali Ramadhaan'*' trying to prove the necessity to sight the moon physically? Why did he not simply adopt the calculations of astronomy?

If the change in era and necessity causes a change in the Fatwaa (as is being mentioned nowadays that there is a difference between the era of Rasoolullah صلى الله عليه وسلم and the current era thus we should take advantage of astronomy based calculations for establishing the sighting of the moon) then did they not experience the same needs in that era as we do. In fact the situation in previous times was much more delicate than nowadays as is evident from the great number of incidents that took place. Allaamah Shaami رحمه الله mentions in '*Minhatul Khaaliq 'Alaa Bahrir Raaq*' "In our era during 1225 AH the responsible officials announced the decision to commence Ramadhaan on the testimony of one witness who sighted the moon based on the opinion of Sahaawi.

That poor witness was then harassed by the people and was only saved when they received news from the surrounding areas that they had also sighted the moon on the same evening as he had sighted it and a large group of people testified to their local Qaadhi. These people had only stopped harassing this witness when his local Qaadhi received news of the testimony by that large group of people to their Qaadhi. I then later received news that this witness had taken an oath saying, 'In future I will never bear witness to having sighted the moon."

Allaamah Shaami رحمه الله lends support to the opinion of the Author of Bahrur Raaq by saying that nowadays the testimony of *one person* should be accepted when determining the start of Ramadhaan when a decisive decision cannot be reached especially in our city of Damascus because the moon is very rarely sighted here and I have personally experienced that we had to keep one compensatory fast for

the one that we would miss in the beginning of the month due to not being able to sight the moon.

From this incident we can imagine how delicate the situation became when it caused harm to the honour of the witness who testified to having sighted the moon that he even went to the extent of taking an oath never to testify again. Then in the words of Allaamah Shaami رحمه الله in Damascus they even had to keep a compensatory fast for having missed the first fast of Ramadhaan. *If due to necessity it is permissible to adopt the principles of astronomy in determining the sighting of the moon then it would have been very much easy for them in that era to overcome their difficulties but despite that they did not even consider such an option.*

(It is unfortunate that in this current era the mischief makers in Britain are engaged in the same malpractice as those in the era of Allaamah Shaami رحمه الله whereby they taunt those who testify to having sighted the moon wherever they see them whether it is in the Masjid or on the street and even on their doorsteps as though they have committed a grave sin by sighting the moon. It is highly unfortunate that these wretched people are making every effort to prevent these witnesses from coming forth to testify by this behaviour of theirs and refer to these witnesses in their writings using the Islamically unacceptable term of *'The trumped-up story by witnesses.'*

Is it not sufficient to them that Rasoolullah صلى الله عليه وسلم accepted the testimony of two Bedouins who were total strangers without the need to refer to calculations? By holding onto the astronomical calculations and rejecting the testimony of Muslims on the 29th day of the month where the

testimony is not in accordance with calculations we are rejecting the Prophetic principle.

The necessity of determining the correct date also existed at the time when those two unknown Bedouins came forward. That was the initial era of Islam and the when the non-Muslims would take false oaths to trouble the Muslims as well as adopt other means of deception as well. Would the Munafiqeen not attempt to disrupt the worship of Muslims by giving false testimony? However Rasoolullah صلى الله عليه وسلم taught his followers the very lesson of accepting the testimony of Muslims. If Rasoolullah صلى الله عليه وسلم wished he could have used the calculations used by the Jews of Madinah who used the Metonic tables and rejected testimonies where they conflicted with the calculations. No, he did not do this but chose the simple puritanical approach of relying on bare testimony. Does this not tell us that Islam is not just based on pure simple principles and is free from unnecessary burden? Allaah does not require us to seek meticulous precision but it is sufficient when a Muslim testifies to accept the word of an upright Muslim. This applies not only to moon sighting but also in other matters such as when partaking of a meal from others. Simply asking an upright Muslim whether or not the meat about to be consumed is Halal or not is sufficient. We are not required to investigate whether or not the meat is Haram unless there are very valid reasons.

Subsequently Allaamah Shaami رحمه الله wrote the book *'Tambeehul Ghaafileen wal Wasnaan 'Alaa Ahkaami Hilaali Ramadhaan'* in which he formulated the following sub-headings discussing facts that will stand until the Last day (Qiyaamah):

- i) The Shari'ah method of establishing the crescent of Ramadhaan.
- ii) The moon sighted during the day is unanimously not acceptable.
- iii) In this regard the opinion of astronomers is unanimously unacceptable.
- iv) With the exception of the Shaafi' Jurists all the other Ulama are unanimous on the fact that the difference in horizon between places is not considered. (*Refer to the above-mentioned book for further details.*)

The incident that prompted Allaamah Shaami رحمه الله to write this book was that a group of people came to the Chief Justice (Qaadhi) of Damascus on *Yowmush Shak* (the day holding the possibility of being the first of the next month or the last of the previous month) and testified that they had sighted the moon of Ramadhaan from an elevated place. That day was overcast so the Qaadhi took the necessary testimony from them according to Shari'ah and announced his decision of Ramadhaan having commenced and the people then kept their fast. However after a couple of days some people tried to establish this sighting as false thus they said:

A) A group of people claim to have seen the moon on the morning of the day upon whose sighting the Qaadhi based his decision whereas astronomers maintain a principle that it is not possible to sight the moon on the evening of the same day if the moon was seen in the morning.

B) Another issue these people raised was that the Qaadhi who made this decision was no longer in the position to do so because he was appointed as the Qaadhi until the start of Ramadhhaan.

The fact of the matter is that the people had blown the issue way out of proportion and in the words of Allaamah Shaami رحمه الله the matter became so delicate that many people even became apostate (Murtadd) due to this incident. (*We Seek refuge with Allah!*) So as a lesson Allaamah Shaami رحمه الله compiled this booklet. We should study the research made by our Pious Scholarly Elders and take a look at the foresight had and then only speak according to the depth of our knowledge. In that era the matter became so delicate due to an attempt to adopt the opinion of the observatory and had they simply adopted the principles of Shari'ah on this matter there would not have been such an incident nor would any person have spoken ill about another. How many people must have verbally abused the Elderly Scholars to whom others were affiliated! How many people's dignity must have been tarnished!

Is it a light matter that so many people turned apostate (Murtadd)? One can determine for himself that the Research Scholars of Islam were such that they always tried to seek the easiest solution to matters facing the Muslim nation yet on this matter they had opposed the findings of astronomers whereas they could have adopted the principles of astronomy to overcome their difficulties. They did this because they knew that for the sake of the teachings of Allah and his Rasool صلى الله عليه وسلم we will have to sacrifice, not only, all our physical and mental abilities but even the opinion of the observatory and, in fact even the opinions of the entire creation without

any hesitation if the need be in order for us to be termed as true Muslims. On the occasion of sacrifice those who face it with reservations will remain out of the ambit of Faith and total submission thus by sacrificing one's mental abilities one will become a true intelligent person.

13) The view of Ibn Rushd is in favour and support of physically sighting the moon since he says that consensus has been achieved on physical observation whilst astronomy calculations have been rejected. The meaning of physical observation is the sighting of the moon by night and not during the day as is understood by all.

14) The conditions of Shari'ah for the acceptance of news on a sighting of the moon is that the witness must be a religiously upright Muslim and because the observatory officials are non-Believers the obligation of Fasting cannot be based on them. (If it is argued that some officials and astronomers are also Muslims then the response would be that if their opinions were acceptable then why would Rasoolullah ﷺ and the Pious Elders reject them?)

15) The most definite and firm matters are the teachings of Allah and his Rasool ﷺ (and laws are based on them).

16) Allaamah Ramli Kabeer رحمه الله was asked about the sighting of the moon at the time of conjunction between the Sun and Moon to which he replied that according to logic (based on the Greek philosophy) such a sighting is incorrect however according to the teachings of Allah and Rasoolullah ﷺ it is correct. (Raddul Muhtaar)

17) If someone testifies to a Mufti on the 29th that he has sighted the moon and the Mufti accepts his testimony then the Four Imaams of Jurisprudence as well as their followers and those with some religious insight will be with him and if he passes his ruling in accordance to the forecast of the observatory then a large group of hypocrites, disbelievers and polytheists will be in support of his ruling.

18) If there is any issue from the practices of the Hindus or polytheist Arab Bedouins that is blatantly false then that does not necessitate that such an aspect is also regarded as false by the Believers. There are many issues that are regarded as false by them yet according to Muslims such aspects are based on them being observed with certainty of sight. The ego of Imaan (Faith) is also a force!

The view of an astronomical calculator expert Shaikh Musa Bazi رحمه الله

The Shaikh who had a deep understanding of classical as well as modern Astronomy, with the grace of Allah.

He would say, no one in entire Indo-Pak sub-continent knows better Astronomy (classical and modern) than him.

After explaining the classical and modern astronomical calculation in relation to moon sighting in Saudi Arabia, he said :

It is possible to celebrate the Eid in Makkah 2 days prior to Pakistan. Rejecter of this fact will be regarded as lack of knowledge in the subject and less understanding of the relevant books. Claiming that, Saudis moon sighting is not based on Sharia, is clearly branding them as discarder of Quran and Sunnah. We cannot mistrust the Saudian pious Ulamas. Government may have common calendar, but Ulamas are not part of it. Remember in 1967 the Eid was observed in Makkah 2 days prior to Pakistan on Wednesday, while in Pakistan it was celebrated in Thursday and Friday.

(**Falakiyyate Jadidah** for Shaikh Moosa Bazi, Jameaah Ashrafiyyah Lahor, Pakistan)

Another Important Fatwaa by Mufti Zafeerud Deen, Daarul Uloom Deoband

Question:

Is the difference of horizon between places considered or not (in moon sighting issue)?

Answer:

There is no doubt in the fact that there is a difference in the horizon between places. **However, it will not be effective in the issue of moon-sighting.** The sighting of the moon is based on the texts of the Qur'aan and Sunnah only. The ruling of Imaam Abu Hanifah is that the difference in horizon between places will not be considered and this is the opinion that the majority of Jurists have adopted such that by them not considering the difference in horizon between the East and West the sighting of one place is made binding on the other place. This is the opinion of the Hambali and Maaliki Math-habs.

(Mufti Saahib then quotes the following text from Durrul Mukhtaar and Shaami.)

واختلاف المطالع غير معتبر على ظاهر المذهب وعليه اكثر المشايخ وعليه الفتوى (بحر عن الخلاصة) وإنما الخلاف من اعتبار اختلاف المطالع بمعنى هل يجب على كل قوم اعتبار مطلعهم ولا يلزم احدا العمل بمطلع غيره أم لا يعتبر اختلافها بل يجب العمل بالأسبق رؤية فظاهر الرواية الثانى وهو المعتمد عندنا وعند المالكية وعند الحنابلة لتعلق الخطاب عاما بمطلق الرؤية فى حديث صوموا لرؤية الخ (الدر المختار مع الشامى ج ص)

Translation: According to the Hanafi Math-hab there is no consideration given to the difference of horizon between places. This is the opinion of the majority of Senior Scholars and Fatwaa is given according to this ruling. Allaamah Shaami

رحمه الله says that there is no difference of opinion in the fact that there is a difference of horizon between places, however where the difference of opinion exists is whether the meaning will be that every place must consider their own horizon and no place will have to necessary follow the horizon of another place or whether the meaning is that the difference in horizon between places will not be considered and the sighting of the place that sees the moon first will be binding on other places as well. This second opinion is the ruling of the Hanafi Math-hab as well as the ruling of the Maaliki and Hambali Math-habs because the tense used in the Hadith which instructs that fasting should commence and end with the sighting of the moon is general.

Another Question was also posed to Mufti Saahib

Question:

- a) Is it permissible to seek assistance of astronomy-based calculations to determine whether the moon will be visible to the naked eye on a particular evening?
- b) The opinion of some people is that if according to the calculations of astronomy a certain place falls within the band wherein sighting of the moon is not possible and despite this if testimony according to Shari'ah is received then will this testimony be accepted or will it be rejected on the alleged reason of them being in misconception?
- c) Is it permissible to seek assistance from the weather bureau to establish whether the sky will be clear or overcast in order to determine the possibility of the moon being visible?

Answer:

Rasoolullah صلى الله عليه وسلم instructed, that the start and end of Ramadhaan should be determined by sighting of the moon.

He said:

صوموا لرؤيته وافتروا لرؤيته فإن غم عليكم فأكملوا العدة ثلاثين

Begin and end your fasting with the sighting of the moon. If the sky is not clear then complete the month with 30 days. (Fathul Baari Vol.4/Pg.109)

Although the majority of people living in the era of Rasoolullah صلى الله عليه وسلم were illiterate it will be a clear sign of one's ignorance with regards to history for someone to say that there were no astronomers living in that era. Certain incidents and references prove that astronomers were present during the era of Rasoolullah صلى الله عليه وسلم and despite their presence Rasoolullah صلى الله عليه وسلم instructed his teachings such as:

إنا أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا و هكذا

We are an illiterate nation. We do not know how to write or count. A month will have either 29 or 30 days. (Fathul Baari Vol.4/Pg.109)

صوموا لرؤيته وافتروا لرؤيته فإن غم عليكم فأكملوا العدة ثلاثين

Begin and end your fasting with the sighting of the moon. If the sky is not clear then complete the month with 30 days. (Fathul Baari Vol.4/Pg.109)

This is a clear proof that in establishing the sighting of the moon it is conditional that it must be physically sighted and the calculations of astronomy will categorically ignored. There are definitely many aspects of wisdom in Rasoolullah صلى الله عليه وسلم instructing that physical observation of the moon must take place. One small piece of wisdom is that rather than the matters pertaining to the mutual interaction of the general masses as well as their acts of worship being based on the opinion of one individual or a handful of people it will be based on the general observation of masses so that instead of their conduct being regarded as blind following it will be based on sure knowledge.

قوله لا نكتب ولا نحسب قيل للعرب أميون لأن الكتابة كانت فيهم عزيزة , قال الله تعالى هو الذى بعث فى الأميين رسولا منهم ولا يرد على ذلك أنه كان فيهم من يكتب وبحسب لأن الكتابة فيهم كانت قليلة نادرة والمراد بالحساب هنا حساب النجوم ... فعلق الحكم بالصوم وغيره بالرؤية لرفع الحرج عنهم ... وظاهر السياق يشعر بنفى تعليق الحكم بالحساب اصلاحا ويوضحه قوله فى الحديث الماضى فإن غم عليكم فأكملوا العدة ثلاثين ولم يقل فاسئلوا أهل الحساب والحكمة فيه كون العدد عند الإغماء يستوى فيه المكلفون فيرتفع الإخلاف والنزاع عنهم (فتح البارى ج ص - عمدة القارى)

Translation: Rasoolullah J stated that we are a nation who do not write or count. Arabs were regarded as illiterate because reading and writing was very rare among them. Allah Ta'aala states in the Qur'aan that He is the being who sent to the illiterate people a Messenger from among them. An objection cannot be raised saying that there were a few among them who did know how to read and write because this was very rare among them and it also cannot be objected that some of them knew how to count because what is referred to in the Hadith is the counting and calculation of astronomy.... Rasoolullah صلى الله عليه وسلم instructed that the start and end of Fasting should be based on the physical sighting of the moon

in order to remove any associated inconvenience from them..... The context of the Hadith indicates that the calculations of astronomy are negated totally and this is explained in the previously mentioned Hadith which instructs that if the sky is not clear then complete the month with 30 days. Rasoolullah صلى الله عليه وسلم did not say that in such a case you should refer to the astronomers. The wisdom behind this is that in the case of the sky not being clear all those obliged to look for the moon will be equal and thus any difference of opinion or argument will be overcome. (*Fathul Baari Vol.2/Pg.109; Umdatul Qaari Vol.2/Pg.199*)

Rasoolullah صلى الله عليه وسلم very wisely taught his followers to base the start and end their fasting on the physical sighting of the moon regardless of whether the calculations of astronomy forecast the possibility of it being sighted or not. once the moon has been sighted according to this method outlined by Shari'ah then the start or end of fasting should take place and if the sighting of the moon is not established in this manner then without falling into the dispute of astronomy-based calculations simply complete them month with 30 days.

Thus the Jurists have declared that the opinions of the astronomers and experts within the weather bureau will not be acceptable at all with regards to the sighting of the moon and they have also rejected the opinion of those who determine the sighting of the moon by astronomy-based calculations and even reject such a testimony that is in conflict with such forecasts. The head of people in this list is Allaamah Subki رحمه الله. The ruling of the Jurists is as follows:

ولا عبرة بقول الموقتين ولو عدولا على مذهب الصحيح (الدر المختار ج ص)
أى فى وجوب الصوم على الناس بل فى المعراج لا يعتبر قولهم "بالاجماع" ولا

يجوز للمنجم أن يعمل بحساب نفسه وفي النهر فلا يلزم بقول الموقتين أنه أى الهلال يكون فى السماء ليلة كذا وإن كانوا عدولا فى الصحيح

The opinion of astronomers is not considered even though they are religiously upright according to the correct opinion of the Math-hab. (Durrul Mukhtaar Vol.2/Pg.100) Meaning that their opinion will not be considered with regards to the commencement of Fasting and in Al Mi'raaj it is mentioned that there is consensus on their opinion not being accepted and it is not permissible for them to adopt their own calculations and practice on them.

(After mentioning these proofs Mufti Saahib mentions his ruling as follows):

Thus the sighting of the moon will be based on a physical observation of it and in the event that it is not sighted the month should be completed with 30 days after which the following day will be the 1st of Ramadhaan or Shawwaal as applicable. With regards to the sighting of the moon the opinion of astronomers and the observatory will not be considered at all. If the moon is sighted in a region wherein it is declared to be impossible to sight the moon then upon receiving a testimony according to Shari'ah it will be ruled that the moon has been sighted.

وفى فتاوى الشهاب الرملى الكبير الشافعى سئل عن قول السبكي لو شهدت البينة برؤية الهلال ليلة الثلاثين من الشهر وقال الحساب بعدم امكان الرؤية تلك الليلة عمل بقول الحساب لأن الحساب قطعى والشهادة ظنية الخ فاجاب بأن المعمول فى المسائل الثلاثة ما شهدت به البينة لأن الشهادة نزلها الشارع منزلة اليقين وما قاله السبكي مردود ووجه ما قلناه أن الشارع لم يعتمد الحساب بل الغاء بالكلية بقول نحن أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا (رد المحتار)

Allaamah Shihaab Ar-Ramli Ash-Shaafi' رحمه الله writes in his Fataawaa that he was asked about the opinion of Allaamah Subki رحمه الله in which he says that if the moon is sighted on the 30th night of the month (evening after the 29th day) and witnesses testify to this but the astronomers say that it is not possible to sight the moon on that particular night then the opinion of the astronomers will be adopted because their calculations are definite whereas the sighting that was observed is not. In response to this Allaamah Shihaab رحمه الله writes that the testimony given according to Shari'ah will be applicable because Shari'ah has granted testimony the status of certainty and the opinion of Allaamah Subki رحمه الله will be rejected because Rasoolullah صلى الله عليه وسلم did not rely on and accept the opinion of astronomers but had rather declared them futile efforts by stating that we are an illiterate nation who do not write or count. The month will comprise of either 29 or 30 days. (*Shaami Vol.2 Pg.92*) (*Excerpt from Monthly magazine of Mazaahirul Uloom Saharanpur – Rajab/Shab'baan 1419 AH*)

Mufti Misbaahud Deen Qaasmi

Faculty of Religious Sciences Aligarh Muslim University India

(Difference in horizon between places and astronomy-based forecasts)

The actual reason for Shari'ah having stipulated physical observation as the only determining factor for moon-sighting is that due to it being 'easy and natural' as is apparent from the Hadith that refers to the Muslim nation as illiterate. Together with being the reason for the ruling on moon-sighting it is also the wisdom behind this ruling because the easy and natural method of determining time for the general masses is only by use of the natural calendar of the sky and this is, in essence, the objective of the Verse in the Qur'aan

that states that the new-moons are signs to mark fixed periods for mankind. In a similar manner all the indications found in the Hadith which instructs that the start and end of fasting must be based on the sighting of the moon point out that it is necessary for all those who are addressed with the obligation of fasting to seek to physically observe the moon and not to calculate its presence or visibility.

Haafith Ibn Hajr رحمه الله says that the Hadith instructs that in the event of the moon not being sighted the month must be completed with 30 days. The Hadith does not instruct that the astronomers should be consulted. The wisdom behind this is that in the case of the sky being overcast it will be easy for everyone to complete the month with 30 days and approach the next month without creating any differences between the people.

Ibn Battaal رحمه الله says that the Hadith has abrogated the principles of astronomy thus determining the start of a month with certainty is based on physically sighting the moon.

Ibn Aabideen رحمه الله writes that Rasoolullah J did not depend on the calculations of astronomy but rather rejected them totally. He based the obligation of fasting on the physical sighting of the moon not on an indication of the moon being present or not. Thus the question of astronomy-based calculations does not even arise regardless of how accurate or definite they are.

It has been made clear earlier that the physical sighting of the moon was not adopted because the Muslims in that era were illiterate due to which reasoning can be applied that since the Muslims today are no longer as illiterate as they were in that

era thus astronomy-based calculations can be adopted. The Hadith that refers to the Muslims as illiterate simply expresses the situation to the Jews of that time that just as you claim that Muslims are illiterate the fact of the matter is true that we do not know how to write or count thus we adopt the simple, natural method of physically sighting the moon. This has nothing to do with the ability to acquire science and technology as some people try to imply. All the Jurists understood the meaning of the Hadith under discussion to be this and they were compelled to understand it in this manner due to the multitude authentic narrations of Ahaadith and Verses of the Qur'aan.

Mulla Ali Qaari رحمه الله says that being illiterate refers to the Arab nation to whom Rasoolullah صلى الله عليه وسلم was sent and the generations that followed were subject to the same title and ruling that applied to the first generation. The objective of the statement made Rasoolullah صلى الله عليه وسلم was that it is not from our practices to adopt the calculations and forecasts of the astronomers but our practice is rather based on the physical sighting of the moon. Thus we sometimes sight the moon after 29 days and sometimes complete the month with 30 days. Allaamah 'Ainy رحمه الله states that the objective of Shari'ah was to save the Muslim nation from the difficulties of astronomy and their forecasts regardless of whether experts in the faculty of astronomy are born later. The apparent meaning of the Hadith under discussion is that the calculations and forecasts of astronomy are not considered at all.

Shihaabud Deen Ramli رحمه الله says that by this Hadith Shari'ah has totally rejected the opinion of astronomy and dismissed it as totally useless.

Shah Waliullah Dehlawi رحمه الله writes that the rulings of Shari'ah are based on apparent issues and not on the intricacies or calculations of any faculty and Shari'ah has rather instructed that no attention should be paid to such forecasts and calculations as has been established by the Hadith which states that we are an illiterate nation.

It should also be noted that whenever there is any mention of some other method of determining the sighting of the moon then it necessarily refers to astronomy since determining the moon in the sky is done by either physical observation or astronomy-based calculations only. Thus when Rasoolullah صلى الله عليه وسلم stated that we do not calculate but rather adopt physical sighting of the moon he used these two in comparison to one another. The primary reason for prohibiting the use of forecasts and calculations was not because the Muslim nation does not know how calculate, or cannot learn to do so or should not do so but it is rather to achieve natural ease in the matter which can only be achieved by physical sighting of the moon whereas forecasts are in total conflict to this reason. Without doubt the objective is to determine the rise of the moon but the only way to determine this with natural ease is by physically observing it.

In this manner physically seeing the moon is the means and objective as well. Thus if the moon is not physically sighted then there is no crescent in the sky and neither has it risen. It is just as the fact that without the crescent rising it is not possible to physically sight it and in the same manner without physically seeing the crescent it is not possible that it has risen because the crescent refers to that moon which is sighted on the 1st of the month.

Astronomy-based theoretical calculations are not considered when fixing times and periods:

The reality of the matter is that with regards to the stipulation of months the definite calculations of astronomy are not considered and such aspects are only permitted for use in Shari'ah when in a dire situation and for the duration of the crisis. If this is to be broadened a little it will be phrased by saying that when physically sighting the moon is possible then the basis will be the physical sighting and forecasts or calculations will not be permissible. Whenever it is not possible to adopt physical sighting of the moon as is the case when the sky is overcast but there is some natural alternative then too it will not be permissible to adopt astronomy-based calculations or forecasts. This prohibition is to shut the door on abuse because if permission is granted for the adoption of calculations of forecasts in this case then it will be conveniently extended to the other instances as well. If it is allowed to use such calculations as a guide then it will eventually result in abandoning the natural method of physically sighting the moon. That is why astronomy-based calculations as well any other science or faculty cannot be categorically permitted under any circumstance. It is for this reason that from the renowned Ulama of past and present have always very strongly opposed the adoption of such forecasts and calculations and every Aalim with deep foresight will agree that this concept will remain forever as it is in conformance to the dictates of Shari'ah and affects our ego as well.

Rasoolullah ﷺ was an unlettered Prophet who was sent to an illiterate nation regarding which the Qur'aan bears testimony and it is also a fact of history. This became a

spiritual complex as well as a mental disease for the People of the Scriptures (*Ahlul Kitaab*), especially the Jews 'who refused to take an unlettered Prophet as their guide. They regarded Prophethood as their tribal and racial right and referred to the Muslims and their Prophet صلى الله عليه وسلم as unlettered and illiterate in a derogative manner. However this title together with being a reality became a cause of honour as well.' Even after receiving the Qur'aan Muhammad صلى الله عليه وسلم and his followers remained unlettered as Rasoolullah صلى الله عليه وسلم stated that we are an unlettered nation. This phrase became a cause of honour for us and the very phrase that was meant to be verbal abuse became a source of pride for us and despite other nations becoming our students we maintain the title of being unlettered.

This title cannot be taken away from us since it concerns the ego of the Muslim nation. The Hadith regarding us being unlettered actually explains the background to the title we received and in that Hadith Rasoolullah صلى الله عليه وسلم had to outline a guiding principle regarding the sighting of the moon by stating that we are a nation who are not acquainted with writing and counting and do not wish to unnecessarily take the difficulty of calculations on our heads. The natural and easy method of sighting the moon is sufficient for us. The background of this Hadith clearly refers to the Jews who used to prepare their calendar using astronomy-based calculations and this was also without physically seeing the moon but rather by basing the commencement of a month on the hypothetical birth of the new moon. Even though this was a manifestation of their difficult religious ideology they regarded it as a sign of their intelligence and because the Muslims did not have such a calendar they referred to them as unlettered in a derogative manner. The best answer to this

taunt is the Hadith of Rasoolullah صلى الله عليه وسلم wherein he stated that we should oppose the Jews.

Well-Known Expert Astronomers of the Past

Abu Rayhaan Al Berouni: A famous Muslim Philosopher and expert astronomer who was a contemporary to Shihabud Deen Ghawri and also lived in India for a long period of time. He was regarded as an unmatched authority in his field. In his book 'Al-Aatharul Baaqiyah 'Anil Quroonil Khaaliyah' he mentions the consensus of the experts in astronomy regarding the results of observations done using observatory instruments as non-definite. He writes:

إن علماء الهيئة مجموعون على أن المقادير المفروضة في أواخر أعمال رؤية الهلال هي أبعاد لم يوقف عليها إلا بالتجربة... الخ (الآثار الباقية عن القرون الخالية ص ١٩٨)

The Experts in the field of astronomy are unanimous on the fact that the hypothetical calculations are such that they can only be determined by experiment and because the conditions at places from where observations takes place differ the eyes will also see objects in different sizes. The situation regarding the atmosphere is such that anyone whoever ponders over it will realise that they cannot issue a definite prediction (both) on whether the moon will be visible or not. (Al-Aatharul Baaqiyah 'Anil Quroonil Khaaliyah Pg.198)

Shamsud Deen Muhammad Bin Ali Khwajah:

With reference to this great astronomer it is mentioned in Kashfuth Thunoon that his experience of forty years has revealed that determining the moon by the use of astronomy-based calculations is such that no reliable, correct and definite

prediction can be made regarding the sighting of the moon.
(*Kashfuth Thunoon Vol.2/Pg.969*)

Moe'tazeli, Khawarji Fitnah

As soon as the month of Muharram 14329H began Shukat Awdah of ICOP, along with some others who were quoting him and other 'web users' unleashed falsified propaganda against the moon-sighting in Saudi Arabia under the heading "Thul Hijjah 1428AH has 31 days!", in an attempt to show disunity and discord amongst the UK Muslim Community. To support their allegations they quoted the Saudi News Agency stating that it says that the 21st Thul Hijjah is on Friday and Saturday.

The fact of the matter was and still is, that in line with the practise in other countries where an annual fixed calendar is used, the Saudis have contrary to the international pattern set their own annual Islamic calendar with fixed dates called the "Ummul Quraa" calendar. And rather than use the present day internationally used English Gregorian calendar, which evolved from Roman and Christian times, the Saudis use this Ummul Quraa calendar as their annual calendar for administrative purposes for their governmental and public offices protecting the distinctness of the Islamic identity and its magnificence and oneness as an example for other Muslim countries.

Consequently one will finding the Saudi Press, Media, Newspapers, Offices and in the public domain the use of this fixed Ummul Quraa calendar for administrative purposes just as we use the fixed English Gregorian calendar here in UK.

However in Saudi Arabia during the months of ceremony and worship from Sha'baan through the Thul Hijjah, and for the remaining Islamic months it is the Majlisul Qadhaa Al-A'la (Supreme Court), the Saudi Supreme Court that declares a decision according to the Shari'ah and announces it at a governmental level in the official Media and Press, although not announcing it in the press in other months.

Turning to the lies that have been presented by the web users", those whose sole aim is to create fitnah and discord in the Muslim community, that 31 days of Thul Hijjah were made in Saudi Arabia, these are baseless inherently! Consider this, can one really suppose that no one in the land where the two Holy Masjids are located (The Haramain–Shareefain), in Saudi Arabia, are aware that the Islamic month has a minimum of 29 days and a maximum of 30 days, such that they made 31 days of Thul Hijjah?

In reality because the general public were unaware of this use of the dual system for dating in Saudi Arabia, the monthly Islamic moon-sighting for the Islamic months officially announced by the Supreme Court and the administrative Ummul Quraa calendar prepared annual for offices etc. those who aspired to cause confusion and uproar in the Muslim Community found the Devil showing them an open path.

There is no doubt as mentioned above that for daily use in offices and daily life, the pre-set Ummul Quraa calendar is widely used in Saudi Arabia and this is the normal practise. However for months of ritual worship like Ramadhaan, the two Eids and Hajj instead of using the annual Ummul Quraa calendar, the Islamic Calendar is used.

On the 29th night of the Islamic month an attempt is made to sight the moon with the naked eye according to the prophetic method and if the moon is not sighted then 30 days are completed and then new month is begun the next day and an official announcement is made.

It is for this reason that the media and some newspapers write this officially announced date instead of the administrative Ummul Quraa date, which was picked up by the troublemakers showing that Friday 28th December 2007 was stated as 19th Thul Hijjah 1428AH as well.

As we know the 19th of Thul Hijjah 1428AH on Friday was the official Islamic date, and the 19th of Thul Hijjah 1428AH on Saturday was the administrative date. Similarly the month of Thul Qa'dah 1428AH had 30 days according to administrative calendar and 29 days according to the Islamic calendar, whilst Thul Hijjah 1428AH had 30 days in the administrative calendar and 30 days in the Islamic Calendar.

The conspirators cunningly exploited this difference in the governmentally announced date and the administrative fixed date calendar to announce 31 days of Thul Hijjah 1428AH causing friction and turmoil amongst the Muslim community and doubts in the mind of those who returned from Hajj.

In conclusion it's important to remember that naturally the dating in the daily administrative calendar and the official Islamic calendar does not and will not run parallel. We note that the Thul Qa'dah 1428AH had 29 official days whereas in the administrative Ummul Quraa calendar Thul Qa'dah 1428AH had 30 days. Those who fool around with the Deen have taken the opportunity to mix up the two calendars,

alleging that Thul Hijjah 1428AH had 31 days, and have tried to mislead and create disunity in the Muslim community in the UK notwithstanding the mockery they have made of the prophetic Sunnah of Rasoolullah صلى الله عليه وسلم the Two Holy Masjids and the good scholars of that region. *We seek refuge with Allah from that!* May Allah Ta'aala guide us! This is a great cause of concern and worry.

Note: *This article was published in the "Monthly Moon Sighting Newsletter" In the month of Safar 1429AH by The Central Moon Sighting Committee of Great Britain.*

Moon Sighting by unconditional Islamic way of Prophet (SAW) or Conditioned theoretical practice of Halel II: The Jewish way?

Allah Ta'aala guided us by the Prophet صلى الله عليه وسلم to determine the first date of the month by sighting the moon on the evening of 29th day, without being conditionally subject to astronomic rules. The un-Islamic conditional date for the first moon is fixed by the theoretical new moon conjunction and the possibility of sighting it with based on different criteria for calculation.

The theory "A speculative or conjectural view or idea, a set of hypotheses related by logical or mathematical arguments to explain and predict a wide variety of connected phenomena in general terms: the theory of relativity.) Pp12587 Collins Millennium Edition 1998.

It is with regret that some have now sought to do the same with moon sighting by elucidating the use of theories first established as far back as 431 BC (by Meton) and later

developed by Judaism by Great Rabai Halel 2nd of 358CE and even later in the Christian world.

The use of scientific theories for establishing Islamic dates goes to the central theme of the present day struggle to remain faithful to the spirit and practice of Prophet صلى الله عليه وسلم which Hadith shows is the simple use of the naked human eye. This was clearly demonstrated by him when he refused to follow the moon-sighting theories in use and extremely prevalent in the Jewish community of Madinah at that time.

It is particularly difficult to observe the Islamic new-moon due to poor weather conditions in Britain whereby overcast conditions prevail. This unique problem resulted in renowned Islamic scholars issuing Fatwaa (religious decree) allowing Muslims to follow moon sighting news from other parts of the world to establish the Islamic date. (Fatawaa by Hazrat Moulana Ashraf Ali Thaanwi رحمه الله / Hazrat Moulana Rashid Ahmed Ludhyanwi رحمه الله / Hazrat Mufti Mohammed Shafee رحمه الله and others).

It is however still possible to sight the moon even when theoretically it is not open to naked eye visibility. Islamic unconditioned first moon sighting like in Saudi Arabia generally comes a day before the theoretically conditioned evening of the 29th day as announced by the Royal Greenwich Observatory. This theory determines when the actual (Islamic Imkaane Ru'yat - Possibility of Moon sighting - unconditional) 29th day expires and when moon can be seen with the naked eye generally if weather is clear.

Over the past 20 years, the prevalence of naked-eye moon-sightings in contradiction to this and other scientific theories, by Muslim witnesses on the unconditional evening of the 29th day and also by achieving successive early sightings by Muslim

and Non-Muslim scientists such as Prof. Sultan, Jim Stamm, Dr. Martin and Dr. Joachim Schulte with his Observatory team at Germany, has led to the weakening of generalized theories predicting the beginning of an Islamic month.

Indeed the theoretical practice of only attempting to see the moon after the time allowed by the Prophetic Islamic (unconditioned Imkaane Ru'yat) 29th day has expired is ill-advised and highly spurious. In practice by following this theory, the moon will be clearly seen by anyone on a clear day and will result in the distortion of the Islamic date. Indeed during the time of the Prophet صلى الله عليه وسلم he had to order the abrupt breaking of the fast on the 30th day which he had been keeping after the Muslim community including Prophet صلى الله عليه وسلم in Madinah failed to sight the moon but was later-on claimed to have been sighted by only two unknown persons and on one occasion only a single unknown person claimed to have sighted the moon for Ramadhaan late during the night and Prophet صلى الله عليه وسلم excepted his testimony. (*Nasaai, Ibn Maajah, Daarimi, Musnad Ahmed and Abu Dawood*)

Indeed the failure or difficulty of viewing the moon on the 29th day is a true phenomenon as shown above and can in no way point to anything other than fact. Allah Ta'aala says: "They ask thee concerning new-moons. Say: They are but signs to mark periods of time (in the affairs of men), and for pilgrimage" (*Al-Qur'aan 2-189*).

The reason of revelation was: Two companions of the Prophet صلى الله عليه وسلم Hazrat Mu'aadh bin Jabal d and Tha'labah bin Ghanam d asked him a question posed to them by the Jews of Madinah who had schemed to test the knowledge of Rasoolullah صلى الله عليه وسلم as to why the moon changes shapes and gradually disappears and then reappears.

The Jewish practice was to use theoretical calculations for the sighting of the new-moon as had been practiced centuries before the Prophet صلى الله عليه وسلم since 358CE. In reply Allah Ta'aala revealed the above Verses of the Qur'aan. Allah Ta'aala did not respond to their original questions in this Verse, but replied alternatively and because of that, the aspect of the moon referred to by the Jews is irrelevant and this knowledge has no basis in Islam. Therefore the Prophet صلى الله عليه وسلم the Sahaabah and the Khulafaa E Raashideen رضي الله عنهم never asked the Jews regarding their new-moon theoretical knowledge pertaining to Moon-sighting. The Prophet صلى الله عليه وسلم had categorically declined to prove any Moon sighting using the criteria of the Jewish Moon-sighting calculation method and the Prophet صلى الله عليه وسلم never gauged the testimony of the witnesses using the criteria of the Jews. The final Prophet صلى الله عليه وسلم said: "You will indeed follow the ways of those before you, hand-span for hand-span, and arms-length for arms-length. Even if they enter into a lizard's hole, you will follow them...". The companions then questioned "Is it the Jews and the Christians?" He replied, "Who else!" (Bukhari/Muslim). As Allah confirmed the statement of the Prophet صلى الله عليه وسلم in the following Verse of the Qur'aan. *"O you, who believe, do not take certain Jews and Christians as allies; these are allies of one another. Those among you who ally themselves with these belong with them. Allah does not guide the transgressors."* (Qur'aan 5:51)

In another Hadith narrated by Ibn Umar رضي الله عنهما the Prophet J is reported to have said: 'He is not one of us who imitates other than us. Do not imitate the Jews or Christians. Whoever imitates them is one of them.' (Tirmidhi, Abu Dawood and Ahmad) We pray to Allah Ta'aala that He guides us all and keeps us on the Siraat-al-Mustaqeem (the straight path) Ameen!

Note: This article was published in the "Monthly Moon Sighting Newsletter" in the month of Jumaadath Thaani 1429AH by The Central Moon-sighting Committee of Great Britain.

Mufti Mahmood Gangohi رحمه الله

Moon sighting in Saudi Arabia and Hajj Fatawa

Mahmooodiyah, Darululoom Deoband, India

Question:

This year, 1395 AH, the 29th of Dhul Qa'dah was on Thursday and the 1st of Dhul Hijjah was on Friday. According to this calculation the day of Arafah (9 Dhul Hijjah) was on Saturday on which day the Wuqoof at Arafah took place. Was this correct? Was the sacrifice of animals that took place at Mina on the 10th also correct and were the Hujjaaj absolved of their obligation and will they be entitled to a reward? If this Haj was not done then because it was two days early then will this be regarded as interference in the religion by the Saudi Government?

Answer:

As far as I am informed the Saudi Government is very particular with the sighting of the moon especially with regards to Haj. Wherever the sighting is observed a testimony is immediately taken in court and effort is made to have all the Judges in every area available who then engage in a thorough verification of the testimony after which they make a decision which is then communicated and announced. The Ulama deliver sermons and the necessary preparations are made at Mina, Muzdalifah and Arafat.

This essential obligation is accorded its due importance. The Wuqoof at Arafah takes place on the 9th of Dhul Hijjah and the Hujjaaj begin returning from there after sunset. They proceed to Muzdalifah and perform Maghrib, Esha (in Esha time) and Fajr (as soon as its time sets in on the 10th morning). They then proceed to Mina where they pelt the Shaytaan, slaughter their sacrificial animal and shave the hair on their head after which they perform Tawaaf Ziyaarah. The slaughter of animals

continues for three days. This is the common system and if the sighting at one's local area is different to the sighting in Saudi Arabia it will be incorrect to regard the Haj and Sacrifice of animals by the Hujjaaj as not valid and it is also incorrect to regard the difference in date with one's local area as interference in the religion by Saudi Authorities. (*Al Mahmood Monthly, October 2008 Pg.43 – Ref: Mufti Me'raajud Deen*)

Islam and Science, Moulana Shah Ashraf Ali

Thaanwi رحمه الله

Science has no bearing on the proof and authenticity of Islam! Despite this fact being a reality there are open discussions take place to prove that the Qur'aan is a book on science. The enemies of Islam use self-evident facts to determine the authenticity and strength of certain Islamic beliefs which they present to the Muslims and thus create doubts in their minds regarding Islam and the Messenger صلى الله عليه وسلم. However a Muslim declares his faith (Imaan) on the tenets of Islam without giving any consideration to the ideologies of science.

This is the expectation of Islam. The fact that some people recognise the truth and authenticity of Islam through certain scientific study is beside the point since Islam does not demand that. Just as we readily accept the opinion of a doctor the same is expected of us in Islam. We should accept the teachings of Rasoolullah J with all its details and not just proclaim our belief in it verbally but blindly accept it as true in our hearts even if others regard it as irrational to the extent that if some experiment or research proves such teachings to be apparently faulty the demands of Islam and Imaan will be that we still maintain our firm belief in the teachings of the Qur'aan and Rasoolullah صلى الله عليه وسلم.

Moulana Thaanwi رحمه الله writes the following, 'They ask you (O Muhammad صلى الله عليه وسلم) about the new moons. Say: These are signs to mark fixed periods of time for mankind and for the pilgrimage.' (*Suratul Baqarah Verse 189*).

The Sahaabah رضى الله عنهم once asked Rasoolullah صلى الله عليه وسلم regarding the reason behind the phases of the moon. It was upon this query that the above-mentioned Verse was revealed in which a reason is not given but rather the wisdom behind it expressed. It holds a worldly benefit for the people in that they can gauge the time for their necessary work and business and it also holds a religious benefit in that the people can determine the time for Haj etc. In expressing the wisdom rather than explaining the reason for the phases of the moon there is an indication that seeking the reason is futile and they should rather seek the wisdom. Haafith Sheraazi رحمه الله comments saying, 'Speak about the love and yearning for Allah and avoid trying to discover the secrets of the time since no one in the past has managed to solve the puzzle with logic and no one will do so in future.' (*Albaab li Ulil Albaag supplement to discourses on Hudoob wa Quyyood Pg.251 by Moulana Thaanwi رحمه الله*)

Moulana Thaanwi رحمه الله mentions further that it is a great act of oppression that science is not applied to the laws of worldly rulers but is used to gauge the law of Allah. From this it is established that subjects like geography etc are not the objective of a believer, however if they are mentioned it will be only incidentally or for some necessity and on the basis of 'necessities being confined to their need' such a subject will only be discussed to the extent that is relevant. Thus the subject of science is such that it discovers and reveals that everything is a creation and a created object demands that there be a creator for it. when this much is achieved then there is no need to go further and determine what the reality of the matter relating to the creation is since it is sufficient to

have brief knowledge about it. It is rather dangerous to regard the knowledge of intricacies as necessary. It is apparent that facts are based on either a proof or something self-evident. A fact that is based on a proof eventually becomes self-evident. If this explanation is understood then it should be noted that the Qur'aan is a source of guidance for the general people as well as the pious (God-fearing). (*Dharaoratul Ilm bid Deen supplement to discourse on Deen wa Dunya Pg.248*)

I wish to draw the attention of those educated in secular studies to one mistake and that the virtues mentioned by Shari'ah regarding knowledge are not applicable to the study of science and economics but rather only to the study of Islamic rulings which are confined to the Qur'aan, Hadith and Fiqh. Whenever the word *Ilm* is used in a general context in the Ahaadith or other texts of Shari'ah it still applies in its restricted and confined meaning only. It should not be understood to encompass the study of science on the pretext of its generality. This is similar to the common understanding that people have when they advise that someone to learn something. Their advise is expressed in a general sense but definitely does not imply that one should learn to clean toilets because that is not the commonly implied meaning and no one will even understand it in that sense.

Thus in a similar manner the virtues mentioned in the Qur'aan and Hadith with regards to knowledge do not encompass the study of science etc. which in essence is ignorance in comparison to the implied knowledge of religious law. In the Qur'aan Allah makes mention of the Jews with the words that 'they knew' which indicates that they were learned and at the end of the Verse Allah states 'If only they knew' which negates them having knowledge. The negation of knowledge means that they did not practice on what they learnt. Thus it is established that in Shari'ah the virtues mentioned for Ilm

are for such knowledge which leads to practice. So what effect does science have on actions and deeds of Shari'ah for it to be included in the general ambit of the virtue declared by Shari'ah?

Another proof of this claim is the Hadith wherein Rasoolullah صلى الله عليه وسلم stated that 'the Prophets did not leave behind Dirhams and Dinaars (*wealth*) to be inherited but they rather left behind Ilm (*knowledge*).' It is absolutely apparent that in Shari'ah the meaning of Ilm (*knowledge*) is not the knowledge of Dirhams and Dinaars (*wealth*) whereas Allah had granted some of the Prophets the knowledge of those means by which livelihood is earned but they did not regard that as knowledge and neither did they pass it down in inheritance, like Dawood عليه السلام who was taught how to make armour and steel was made as soft as wax for him. ('Uloomul 'Ibaad min 'Uloomir Rashaad supplement to discourse on Huqooq wa Faraaidh Pg.143)

Moulana then mentions further, 'Nowadays there are many enemies of the Qur'aan who portray themselves as friends of the Qur'aan and they attempt to allude to scientific issues from the Qur'aan. This is a great deception on their part. They proudly proclaim that what the Europeans and scientists are discovering today has been mentioned in the Qur'aan 1300 years ago through the medium of Rasoolullah J, however the reality of the matter is that the word of Allah does is not in need of such a favour. It should be noted that there are many types of enmity in Islam and the Ulama are not unaware of the claim of being compelled to hold on to the research on these matters as well as the Qur'aan.

وصلى الله على النبي الكريم وعلى آله وصحبه اجمعين ومن تبعه إلى يوم الدين

Moulvi Ya'qub Ahmad Miftahi

Secretary:

**Hizbul Ulama UK and Central Moon sighting Committee of Britain
Jumaada Al Thaani 1429 AH**

Moon sighting and the Sunnah of Rasoolullah ﷺ

It was the Sunnah practice of Rasoolullah ﷺ that he would emphasise that the Sahaabah should look for the moon of Sha'baan so that the month of Ramadhaan would be determined with certainty and in a similar manner Rasoolullah ﷺ would be particular with searching for the moon of Shawwaal and Dhul Hijjah. However there was not as much attention accorded to the sighting of the moon for the other months of the year. It is for this reason that practicing on the Sunnah the Saudi Government lays a lot of emphasis on searching for the moon of the months from Sha'baan to Dhul Hijjah. The Supreme Court instructs all the Judges to be particular with searching for the moon so that upon a testimony being received an appropriate decision can be made.

Just as the common Muslims in the Indo-Pak subcontinent as well as some people in Britain look for the moon on their own and according to their observation the month has either 29 or 30 days, in a similar manner people in Saudi Arabia look for the moon on their own and depending on the sighting the month has 29 or 30 days. However, since this exercise in other countries is not conducted by the Government thus the Supreme Court does not make the formal announcement.

The Society of Muslim Scholar in UK (*Hizbul Ulama UK*) and Central Moon Sighting Committee of Great Britain was established in 1403H/1984CE by Ulama-e-Deen of Britain. Since then both organisations are working towards clarifying and helping Muslims in issues such as Masail of Ibadat (rules of worship), Salat and fasting times, supporting and alleviating the day to day problems of Muslims whilst practising their religion.

Hizbul Ulama UK played a vital leadership role in exposing the blasphemy of *Mardood* Salman Rushdie in his book *Satanic Verses*. Subsequently, Hizbul Ulama UK raised awareness amongst Muslims to protest and demonstrate against the *Satanic Verses*. In direct consequences of the *Satanic Verses*, the author of this book was one of five person delegation of the UK Action Committee on Islamic Affairs, which attended and submitted a resolution dossier against the *Satanic Verses* in the 18th Organisation of Islamic Countries (OIC) Foreign Ministers conference in 1989, Riyadh Kingdom of Saudi Arabia.

Reader Can see more on our web site www.hizbululama.org.uk about [moon](#) sighting and Salat Time in our Books:

*The Author's other books are, **Shar'i Moon Sighting, Salat Times & Astronomical Fact (3Chapters)**, Fajr & Isha Times and Twilight / Salat Times & Qiblah Guide for Towns and Cities in the United Kingdom, The Astronomical calculation for Shar'ea Moon sighting & Salat Times (The Fatawa BY Deobandi Bareilvi Muftiyan), in English , Sharea Thuboot Hilal aur Namazon ke awquat (urdoo- fatawa by Bareilvi Muftian), Bartanyah main Isha ka sahih waqt, (Urdu) and, Aalamat-e-Mazahib aur music ka falsafa (Urdu and Gujurati), Shar'i Thuboot -e-Hilal ,newmoon theory aur Daruuloom Karachi ka Fatwa (Urdu) and others.*

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