

# The Astronomical Calculations and Ramadan

## A Fiqhi Discourse

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The debate of the Moon sighting with the naked eyes versus the possibility of using mathematical calculation goes back to the first century of the Muslim era. In fact, this debate has taken multiple twists and turns in the Jewish community centuries before its systematic deliberations by the Muslim scholarship. Given its long history, many of the arguments presented by the proponents and opponents of both views have been almost standardized. The nature of this debate and the reasoning process among the Muslim scholars is a bit different from their counterparts' among the Jews, as the Muslims have two divinely inspired sources of law which are historically authenticated. The Islamic discourse regarding this debate has predominantly revolved around the verses of the Holy Qur'an and narrations of the Holy Prophet (peace be upon him). The classical Muslim jurisprudential discourse is heavily dependent upon the Qur'an and Sunnah. Consequently, most of the traditional arguments for and against these positions are quite standardized and recurring in the Islamic literature of *Tafsir*, *Ahadith*, *Fiqh* and *Fatawa*.

The main arguments of those who oppose use of calculations in confirming or negating the month of Ramadan, can be summarized in the following main points: <sup>1</sup>

1: The Qur'an (in view of this group) categorically requires physical Moon sighting (with the naked eye) to confirm the beginning and ending of the devotional Islamic months such as Ramadan and *Zil-Hajjah*. The act of "witnessing the month of Ramadan" stated in the Qur'an means actually sighting the new Moon of Ramadan with the human eye. The Qur'anic term for the Crescent Moon is *al-Hilal* which, they argue, literally means "the sighted Moon."

2: The Prophetic traditions, which reach to the level of infallibility, also require unconditional commitment to the physical sighting of the new Moon by the naked eyes (to begin and end the month of Ramadan). There are only two definitive methods of

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<sup>1</sup> See Maghraoui, Mukhtar "An Islamic Legal Analysis Of The Astronomical Determination Of The Beginning of Ramadan." Soon it will be posted on [www.zawiyah.net](http://www.zawiyah.net); also Hamza Yusuf, *Cesarean Moon Births, I & II*, posted on [www.zaytuna.org](http://www.zaytuna.org), 2006-2007. Shaikh Hamza's articles are now published in his new book "Caesarean Moon Births: Calculations, Moon Sighting, and the Prophetic Way, Zaytuna Institute, 2007

confirming or negating the Islamic months which are approved by the Prophetic injunctions. These are: the sighting by the naked eye or the completion of 30 days.

3: Muslim scholarship over the centuries has accepted these two categorical methods as normative in nature. The jurists have roundly rejected all efforts aimed at the utilization of mathematically computed astronomical calculations and vehemently opposed those Muslim scholars who employed calculations, including some known jurists, in part or in total. Some of these scholars such as Ibn al-Shikhir, Ibn Surayj and al-Subki were otherwise given tremendous respect and appreciation for their knowledge and piety. Rejection of the astronomical calculations has been an established norm in all the known schools of Islamic jurisprudence including the Ja'afari school of thought.

4: Deployment of the astronomical calculations has not been advocated or accepted by the majority of jurists. It has been accepted by a small minority based upon some misguided, or weak at the best, interpretations. Even this minority opinion does not permit bypassing the physical sighting altogether. They only allow the use of calculations in cases of obscurities such as clouds getting in the way.

5: Physical eye sighting of the crescent moon has been the universal Prophetic practice. The Jewish people were also required to follow the same method in determining their lunar months, and they were known to have followed this practice in history. Over time, they changed this divinely required Prophetic practice in an effort to synchronize their religious festivals and schedules with the solar civil calendars of secular authorities such as emperors. Now, following a calculated calendar for Islamic months is nothing short of imitating the Jews in their utter misguidance and pitfall.

6: Some contemporary scholars contend that the pre-Islamic Arabs as well as Muslims of the first generation were quite capable of employing astronomical calculations in determining their lunar months. Muslims emphatically rejected this method due to crystal clear Prophetic prohibitions regarding this matter. The science of astronomy in the past had reached its climax among the Muslim scholars due to their special interest in monitoring the motions of celestial bodies such as the Sun, Moon and other stars. Some of the known Muslim jurists such as Imam al-Qarrafi, Imam Ibn al-Arabi and many others were also astronomers of the high caliber who could establish precise calendars for lunation, recognize conjunctions, and predict possible sight ability of the new moon. In spite of that, these jurists did not resort to deployment of astronomical calculations in regards to Ramadan and other Islamic months. The science of observational astronomy had not developed much over the past centuries. Consequently, current dependence of the Fiqh Council upon the scientifically proven astronomical calculations to fix an Islamic calendar is not progression, but rather it is sheer backwardness.<sup>2</sup>

I would like to state from the onset that all of these vehemently propounded and popularly supported arguments do not stand ground against an in depth analysis. The Qur'an never required physical Moon sighting but asked for "witnessing the month". It is an agreed upon fact that the Qur'anic phrase "whoever witnessed the month" means

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<sup>2</sup> Hamza Yusuf in particular emphasized this point. See Ibid, I, 20

whoever is present in his residential place and gets to know about Ramadan's arrival through any kind of knowledge, including sighting but not confined to sighting. The Prophetic reports, in reality, require "certainty" vis-à-vis arrival and end of the month of Ramadan. The physical sighting of the new Moon was prescribed as a mean to achieve that certainty. Actual sighting has not been the objective of fasting. The Qura'nic phrase "*al-ahillah*", is the plural of "*al-hilal*." The word "*hilal*", in the Arabic language, denotes "beginning part of something like rain, announcement, cry of joy, raising out loud voices". *Al-hilal* has been culturally and metaphorically used to symbolize the new Moon of the first two to seven nights and then the last two nights of the month. There are conflicting reports about the actual Prophetic response when he (PBUH) first time looked at the new Moon. One Hadith states that the Prophet (PBUH) used to turn his face away from the new Moon and seek Allah's protection from its evils. The other popular report indicates that the Prophet (PBUH) would recite specific supplications at sighting the crescent Moon. The Hadith authorities such as Imams al-Bukhari and al-Muslim never reported any such supplications and, Imam Ibn Dawud clearly stated that both the above mentioned purported Prophetic reports were untrustworthy. The claims that, the method of completing thirty days in case of obscurities (*ikma'l*), is the only normative alternate (second to actual sighting), is also debatable.

There is no *Ijma'a* (consensus of the scholars of the Muslim Ummah) that using astronomical calculation in confirming or negating the month of Ramadan is illegal (*Haram*) especially in case of obscurities. There are several claims of such an *Ijma'a* in our *Fiqhi* literature but, it does not exist in reality. The debate about validity and non-validity of the mathematical calculations vis-à-vis Ramadan has been going on since the Successors times i.e., since the time of the first generation Muslims. The majority of the classical jurists have aggressively opposed use of mathematical calculations due to multiple reasons. There is a long list of possible valid reasons for which the classical juristic discourse has been so roundly against the use of calculations, especially in the matters concerning faith and *'Ibadah*. There are instances in our history when, in case of atmospheric obscurities, righteous people like Mutarrif bin Abdillah Ibn al-Shikhir, Imam Ibn Surayj (d. 306 AH), Ibn Qutaybah, Imam Taj al-Din al-Subki (d. 683- 756 AH) and others have actually deployed mathematical calculations either in confirming or negating the month of Ramadan. They were rebuked for such a progressive step by many of their colleagues and the later classical jurists, again for multiple reasons (as will be discussed later in this book).

The use of mathematically computed astronomical calculations, in matters of religion, has been dubbed as a Jewish innovation. The fact of the matter is that the fixed Jewish calendar is an intercalated calendar. The Jewish Rabbis exerted their efforts to synchronize their lunar calendar with the solar calendar for the purpose of celebrating their religious festivals during specific seasons of the year and, also to harmonize their holidays with the civil holidays. The pre-Qur'anic Arabs did the same. They used to intercalate extra days and an extra thirteenth month to their lunar calendar almost after every three years so as to force the dates of Hajj fall during specific seasons that were good for their traveling and business. This way the sacred time of Hajj got compromised and the Hajj was performed in those lunar months which actually were not the months of

Hajj. The Prophet (PBUH) insisted upon bringing the time back to its original form and stipulated that the new month be started with actual sighting of the crescent Moon and not with the arbitrarily intercalated mathematical calculations.

Ismail K. Poonawala, the author of article on “Ramadan” in Encarta, explains that: “In the pre-Islamic Arabic calendar, the month of Ramadan fell during the heat of summer. The word Ramadan means “scorcher” in Arabic. The early Arabic calendar, like the current Islamic calendar, was lunar. Because a lunar month has only 29 or 30 days, a year of 12 lunar months falls short of the 365 days in a solar calendar. In the pre-Islamic calendar, the lunar months kept their place in the seasons by the insertion of an extra month every two or three years. The Islamic calendar abolished this practice and fixed the Islamic year at 12 months totaling 354 days. As a result Ramadan occurs about 11 days earlier each year, and it rotates through the seasons in a cycle totaling about 33 years.”<sup>3</sup>

Therefore, implying scientifically developed precise astronomical calculations to confirm or negate the actual new Moon of the Islamic lunar months (hence the original sacred time) would not come under the rhetoric of Jewish imitation in the matters of Din. It does not change the sacred time of the established lunar months. In reality it helps us determine them with precision and certainty.

Finally, the science of astronomy has been developed tremendously over the past few centuries. The ancient Babylonian as well as Greek astronomy was based upon wrong understanding of our solar system. The Ptolemaic astronomical principles ruled the world since the 2<sup>nd</sup> century AD. “The Ptolemaic theory held that Earth is stationary and at the center of the universe; closest to Earth is the Moon, and beyond it, extending outward, are Mercury, Venus, and the Sun in a straight line, followed successively by Mars, Jupiter, Saturn, and the so-called fixed stars.”<sup>4</sup>

Muslims were good observers and few of them were proficient astronomers. They tried to fix many aspects of the faulty Ptolemaic astronomy. They did not fully succeed as the Ptolemaic Geo centric theory of the universe was founded on wrong footing in the first place. “Greek astronomy was transmitted eastward to the Syrians, the Hindus, and the Arabs. The Arabian astronomers compiled new star catalogs in the 9th and 10th centuries and subsequently developed tables of planetary motion. *Although the Arabs were good observers, they made few useful contributions to astronomical theories.* In the 13th century, Arabic translations of Ptolemy’s *Almagest* filtered into Western Europe, stimulating interest in astronomy. Initially, Europeans were content to make tables of planetary motions, based on Ptolemy’s system, or to write short popular digests of his theory. Later the German philosopher and mathematician Nicholas of Cusa and the Italian artist and scientist Leonardo da Vinci questioned the basic assumptions of the centrality and immobility of Earth.”

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<sup>3</sup> Poonawala, Ismail, “Ramadan”, Microsoft Encarta, Reference Library 2005, (1993-2004) Microsoft Corporation,

<sup>4</sup> Ibid

Fred Lawrence Whipple and Vera C. Rubin show that, “After the decline of classical Greek culture Arabian astronomers attempted to perfect the system by adding new epicycles to explain unpredicted variations in the motions and positions of the planets. These efforts failed, however, to resolve the many inconsistencies in the Ptolemaic system, which was finally superseded in the 16th century by the Copernican system.”<sup>5</sup>

The systematic explanation that the universe is solo centric and not geo centric is credited to the Polish astronomer Nicolaus Copernicus who, in 1543, explained the movement of the planets around the sun. “The Copernican system advanced the theories that the earth and the planets are all revolving in orbits around the sun, and that the earth is spinning on its north-south axis from west to east at the rate of one rotation per day. These two hypotheses superseded the Ptolemaic system, which had been the basis of astronomical theory until that time. Publication of the Copernican system stimulated the study of astronomy and mathematics and laid the basis for the discoveries of the German astronomer Johannes Kepler and the British astronomer Sir Isaac Newton.”<sup>6</sup>

I am not denying here the fact that the medieval Muslim centuries had witnessed flourishing of scientific development and progress in many fields including astronomy. Their astronomical discoveries were hampered due to several innate mistakes in the foundational principles of the Ptolemaic theory. The medieval scientists also lacked most of our modern day highly sophisticated technological instruments. These amazingly advanced tools such as high level telescopes, well equipped laboratories, NASA’s expeditions to the Moon surface (Space Exploration) and many other modern discoveries have helped astronomy to branch out into Gamma-Ray Astronomy; X-Ray Astronomy; Ultraviolet Astronomy; Infrared Astronomy; Radio Astronomy; Radar Astronomy and many other helpful areas. There are countless projects which have entirely focused upon the earth-moon relationship and moon’s movement in its orbit around the earth. For instance since 1957, the IGY (International Geophysical Year) project has been studying moon motions and positions with powerful Markowitz cameras at over twenty observatories around the globe. These astronomical calculations are erudite and precise. “These calculations are aided by precise observations of the moon's position with the Markowitz camera. Such moon-position cameras are being utilized for this work at 20 observatories around the world”<sup>7</sup>

## **The Cultural Milieu and its Fiqhi Relevance:**

Man is a social creature and cannot live in isolation. Man naturally reacts to his cultural milieu. The Muslim history has witnessed two competing tendencies over the centuries. I could say that this dispositional variety is a part of human nature and is also reflected in the early Companions thinking patterns. Imam Abu Abdillah al-Bukhari reports on the authority of Ibn ‘Umar that after the battle of Confederates, the Prophet (PBUH) commanded a group of Companions not to offer the ‘Asr prayer until they had reached the Banu Qurayzah area (a Jewish tribe in the outskirts of Madinah). A group of the

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<sup>5</sup> Ibid

<sup>6</sup> Encarta, Copernican System

<sup>7</sup> Encarta, Astronomy 195

Companions offered the ‘Asr prayer on the way thinking that the Prophet (PBUH) intended them to quickly reach the Banu Qurayzah area and did not want them to miss the ‘Asr prayer. The second group insisted to implement the Prophetic commandment in letter and did not offer the prayer until they had reached the Banu Qurayzah quarters. The Prophet (PBUH) understood the intention of both the groups and did not disapprove any of them. Here is al-Bukhari’s report:

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مُحَمَّدِ بْنِ أَسْمَاءَ قَالَ حَدَّثَنَا جُوَيْرِيَةُ عَنْ نَافِعٍ عَنْ ابْنِ عُمَرَ قَالَ قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَنَا لَمَّا رَجَعْنَا مِنَ الْأَحْزَابِ لَا يُصَلِّينَ أَحَدٌ الْعَصْرَ إِلَّا فِي بَنِي قُرَيْظَةَ فَأَدْرَكَ بَعْضُهُمُ الْعَصْرَ فِي الطَّرِيقِ فَقَالَ بَعْضُهُمْ لَا نُصَلِّي حَتَّى نَأْتِيَهَا وَقَالَ بَعْضُهُمْ بَلْ نُصَلِّي لَمْ يَرِدْ مِنَّا ذَلِكَ فَذَكَرَ لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَلَمْ يُعَنْفَ وَاحِدًا مِنْهُمْ<sup>8</sup>

Imam Muslim reports that the Prophetic commandment specified Zuhr prayer (not ‘Asr prayer as is indicated in the above Hadith from al-Bukhari).

وَحَدَّثَنِي عَبْدُ اللَّهِ بْنُ مُحَمَّدِ بْنِ أَسْمَاءَ الضَّبِّيُّ حَدَّثَنَا جُوَيْرِيَةُ بْنُ أَسْمَاءَ عَنْ نَافِعٍ عَنْ عَبْدِ اللَّهِ قَالَ نَادَى فِينَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ أَنْصَرَفَ عَنِ الْأَحْزَابِ أَنْ لَا يُصَلِّينَ أَحَدٌ الظُّهْرَ إِلَّا فِي بَنِي قُرَيْظَةَ فَتَخَوَّفَ نَاسٌ فَوَتَّ الْوَقْتَ فَصَلُّوا دُونَ بَنِي قُرَيْظَةَ وَقَالَ آخَرُونَ لَا نُصَلِّي إِلَّا حَيْثُ أَمَرْنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَإِنْ فَاتَنَا الْوَقْتُ قَالَ فَمَا عَنَّفَ وَاحِدًا مِنَ الْقَرِيقَيْنِ<sup>9</sup>

Throughout Islamic history, there have been genuinely expressed concerns about the possibility of watering down the pristine Islamic teachings in efforts to fit them in the changing realities of time. A group of scholars from all walks of life has been bent upon implementing the original intent of the lawgiver, as they understood it to be, in its pristine simplistic formulation. They tend to consider any thing out of that box as innovative and as aiming at compromising the true essence of Islam. This tendency is not confined to a specific Fiqhi school. It is an ideological movement that sincerely advocates preservation of the Prophetic Sunnah all the way to its letters. The second contending tendency struggles to implement the Islamic teachings in their pristine intended forms but, usually not to their letters. They look for some possible reasons behind these Prophetic traditions so as to be able to implement them in essence and, in letter whenever possible.

The first group insists that the specified reasons and the means must also be detailed by the lawgiver.

### **The Debate over the Prayer Timings and *Qiblah* Directions:**

The debate over the use of mathematical calculations in establishing times for the five daily prayers is a good example of these competing tendencies. The early authorities in most of the known Fiqhi schools fought against such a use of calculations (as absolutely against the established Sunnah that required looking at the shadow or the phenomenon of Sunrise and Sunset for the prayer times). For instance, Imam Zain al-Din Abd al-Rahman bin Ahmad famously known as Ibn Rajab al-Hanbali (736-795 AH; 1336-1393), rejected use of calculations vis-à-vis daily prayer timings.

<sup>8</sup> Al-Bukhari, Abu Abdillah Muhammad bin Ismail, Sahih al-Bukhari, [www.shamela.ws/](http://www.shamela.ws/), 3, 499

<sup>9</sup> Muslim, Abu al-Hasan Muslim bin al-Hajjaj al-Qushairy, [www.shamela.ws/](http://www.shamela.ws/), 9, 227

“فتبين أن ديننا لا يحتاج إلى حساب ولا كتاب ، كما يفعله أهل الكتاب من ضبط عباداتهم بمسير الشمس وحساباتها ، وأن ديننا في ميقات الصيام معلق بما يرى بالبصر وهو رؤية الهلال ، فإن غم أكملنا عدة الشهر ولم نحتاج إلى حساب. وإنما علق بالشمس مقدار النهار الذي يجب الصيام فيه ، وهو متعلق بأمر مشاهد بالبصر - أيضا - ، فأوله طلوع الفجر الثاني ، وهو مبدأ ظهور الشمس على وجه الأرض ، وآخره غروب الشمس. كما علق بمسير الشمس أوقات الصلاة ، فصلاة الفجر أول وقتها طلوع هذا الفجر ، وآخره طلوع الشمس ، وأول وقت الظهر زوال الشمس ، وآخره مصير ظل كل شيء مثله ، وهو أول وقت العصر ، وآخره اصفرار الشمس أو غروبها ، وهو أول وقت المغرب ، وآخره غروب الشفق ، وهو أول وقت العشاء ، وآخره نصف الليل أو ثلثه ، ويمتد وقت أهل الأعدار إلى طلوع الفجر ، فهذا كله غير محتاج إلى حساب ولا كتاب.”<sup>10</sup>

“Therefore, it proves that our religion does not need calculations or writing like the People of Book who synchronize their acts of worship to the solar movements and calculations. Our religion, in determining the fasting, is dependent upon things seen such as sighting the crescent Moon. We complete 30 days of the month in case of obscurities and do not need calculations. The obligated (length) day of fasting is also dependent upon the Sun. This is also connected with a seen phenomenon. It begins with the dawn... and ends with Sunset. Our religion has also connected the prayer timings with the Sun. The beginning of Fajr (morning) is connected with the dawn and its end with the Sunrise. The start of Zuhr (noon) prayer is with the meridian and it ends when the shadow equals the actual object... All this does not need either calculation or writing.”

The Shafa'ee stalwart Taqi al-Di'n Muhammad bin 'Ali Ibn Daqi'q al-'Aid also opposed the use of calculations in fixing prayer timings:

”وقال ابن دقيق العيد : الحساب لا يجوز الإعتماد عليه في الصلاة“<sup>11</sup>

The later jurists, such as Imam Ahmad bin Idri's bin Abd al-Rahman Shihab al-Din al-Qarrafi (685 AH; 1285 AD), in the Maliki school for instance, had to fight this tendency (of refuting calculation in fixing prayer timings) with tremendous vigor.<sup>12</sup> Actually al-Qarrafi's position, permitting the use of calculations in the daily prayer timings, was a big leap forward. His statements on the subject that permitted use of calculation in matters connected with daily prayers and not with Ramadan fasting, as Hamza Yusuf has observed,<sup>13</sup> should be understood in the context of his heated dialogue with the opponents of use of calculations in the matters of prayers.<sup>14</sup>

<sup>10</sup> Ibn Rajab al-Hanbali, Fath al-Ba'ari', 3, 142, (electronic copy, www.alwarraq.com); also see Maktab Tahqi'q Dar al-Haramayn, Maktabah al-Athariyyah, 1417 AH

<sup>11</sup> Ibn 'Aabidi'n, Muhammad Ami'n bin 'Umar, Radd al-Mukhtaar 'alaa al-Durr al-Mukhtaar,

[www.shamela.ws/](http://www.shamela.ws/), 7, 366

<sup>12</sup>

”الإنكسار الأول في أوقات الصلوات وذلك أنه جرت عادة المؤدنين وأرباب المواقيت بتفسير درج الفلك فإذا شاهدوا المنوسط من درج الفلك أو غيرها من درج الفلك الذي يقتضي أن درجة الشمس قربت من الأفق قربا يقتضي أن الفجر طلع أمرؤا بالناس بالصلوة والصوم مع أن الأفق يكون صاحبيا لا يخفى فيه طلوع الفجر لو طلع ، ومع ذلك فلا يجد الإنسان للفجر أثرا البته ، وهذا لا يجوز فإن الله تعالى إنما نصب سبب وجوب للصلوة ظهور الفجر فوق الأفق ، ولم يظهر فلا تجوز الصلاة حينئذ فإنه إيقاع للصلوة قبل وقتها وبدون سببها ، وكذلك القول في بعية إثبات أوقات الصلوات ( فإن قلت ) هذا جنوح منك إلى أنه لا بد من الرؤية ، وأنت قد فرقت بين البابين ، وميزت بين القاعدتين بالرؤية وندمها ، وقلت السبب في الأهلة الرؤية وفي أوقات الصلوات تحقيق الوقت دون رؤيته فحيث اشترطت الرؤية فقد أطلت ما ذكرته من الفرق . القرافي . أبو العباس أحمد بن إدريس عبد الرحمن شهاب الدين : أنوار البروق في أنواع الفروق : المكتبة الشاملة ، 4 ، 142

<sup>13</sup> Hamza Yusuf, Ibid, 2, 6

<sup>14</sup> Al-Qarrafi, Abu al-Abbaas Ahmad bin Idri's, Anwa'r al-Buru'q fi Anwa'ai al-Furu'q, shamela.ws/ , Ibid  
”قلت سؤال حسن ( والجواب عنه ) أي لم اشترط الرؤية في أوقات الصلوات لكني جعلت عدم اطلاع الحس على عدم الفجر دليلا على عدمه وأنه في نفسه لم يتحقق ؛ لأن الرؤية هي السبب ونظيره في الأهلة لو كانت السماء مضمجة والجمع غير وتم ير الهلال جعلت ذلك دليلا على عدم خلوص الهلال من شعاع

How many scholars presently maintain that using calculations in fixing the daily prayers' schedual is unnecessary and forbidden?

Likewise the early jurists argued that the direction of *Qiblah* was between the East and the West. Initially when some Muslim scholars endeavored to specify exact directions of the Qiblah with the help of mathematically computed astronomical calculations, they were scolded by the leading authorities in Hadith, Fiqh and other Islamic fields. The space here does not permit a detailed account of the evolution process that has occurred in many Fiqhi areas over th centuries. I will confine myself only to a few examples.

For instance, Imam Ibn Rajab al-Hanbali (736-795 AH; 1336-1393), aggressively opposed use of calculations to determine the direction of Qiblah. He, following the lead of Imam Ahmad bin Hanbal, categorically prohibited use of calculations in determining or confirming the direction of Qiblah.

وكذلك القبلة ، لا تحتاج إلى حساب ولا كتاب ، وإنما تعرف في المدينة وما سامتها من الشام والعراق وخراسان بما بين المشرق والمغرب.<sup>15</sup>

“The (direction) of al-Qiblah does not need either writing or calculation. The Qiblah is known by the city (location) and its comparison with Syria, ‘Iraq and Khurasan, given that it is between the East and the West.”

ونقل الأثرم ، عن أحمد ، أنه قيل له : قبلة أهل بغداد على الجدي ؟ فجعل ينكر أمر الجدي ، فقال : أيش الجدي ؟ ولكن على حديث عمر : ((ما بين المشرق والمغرب قبلة))<sup>16</sup>

“Al-Athram reported that someone said to Imam Ahmad that the (direction) of Qiblah from Baghdad was to the (direction) of the North Star. Ahmad, refuting this North Star issue, said, “what is (this) North Star”? (The Qiblah of Baghdad is not based upon the North Star) but upon the Hadith of ‘Umar, “The Qiblah is between the East and the West.”

Ibn Rajab, like countless other jurists, thought that demanding precision in the Qiblah direction and fixing precise prayer timings with the help of calculations was tantamount to degrading prayers of the first generation. The Prophetic Companions did neither use

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الشمس . وكذلك لو رأيت الظل عند الزوال مائل لجهة المغرب ، ولم أراه مائلا إلى جهة المشرق بل متوسطا بين الجهتين جعلت ذلك دليلا على عدم دخول الوقت وعدم السبب ففرق بين كون الحس سببا وبين كونه دالا على عدم السبب فأني في الفجر جعلته دليلا على عدم السبب لا أنني اشترطت الرؤية ، ولذلك أتى لم أستشكلك ذلك إلا والسماء موصحية والحس لا يجد شيئا من الفجر ، أما لو كان حسابهم يظهر معه الفجر مع الصحو طالعا من الأفق ويخفى مع الغيم لم أستشكلكه ، وقلت : إنما يخفى لأجل الغيم لا لأجل عدمه في نفسه لكن لما رأيت حسابهم في الصحو لا يظهر معه الفجر علمت أن حسابهم يقارن عدم السبب فإن الحس كما يدل على وجود الفجر يدل أيضا على عدمه باتساق الظلمة وعدم الضياء ، فهذا جواب هذا السؤال لا أنني سويت بين الأهل وأوقات الصلوات فتأمل ذلك”.

<sup>15</sup> Ibn Rajab al-Hanbali, *Fath al-Ba’ari*, 3, 142, (electronic copy, www. alwarraq.com); also see Maktab Tahqi’q Dar al-Haramayn, Maktabah al-Athariyyah, 1417 AH

<sup>16</sup> Ibid,



precise Qiblah directions from the far away conquered cities nor used calculations to determine the daily prayers' timings.

وهذا يفضي إلى تضليل سلف الأمة ، والطعن في صلاتهم .<sup>17</sup>

“This leads to (saying) that the worthy ancestors of the Ummah were misguided and also to slandering their prayers.”

Currently how many scholars would argue that implying astronomical calculations in determining the directions of *al-Qiblah* are tantamount to slandering the prayers of our noble ancestors?

### The Debate over Unity of Horizons or Variety of Horizons:

Moreover, the early Hanafi, Maliki, Hanbali and some Sha'fa'ee jurists strongly believed in the unity of horizons. They obligated fasting for the entire Ummah in case of actual sighting in any Muslim city or country. The earlier jurists went so far as claiming that such fasting was required by the Prophetic commandment itself.

ذَهَبَ الْحَنْفِيُّ وَالْمَالِكِيُّ وَالْحَنَابِلَةُ وَهُوَ قَوْلٌ عِنْدَ الشَّافِعِيِّ : إِلَى عَدَمِ اعْتِبَارِ اخْتِلَافِ الْمَطَالِعِ فِي إِثْبَاتِ شَهْرِ رَمَضَانَ ، فَإِذَا تَبَتَّ رُؤْيَا هَيْلَالِ رَمَضَانَ فِي بَلَدٍ لَزِمَ الصَّوْمُ جَمِيعَ الْمُسْلِمِينَ فِي جَمِيعِ الْبِلَادِ ، وَذَلِكَ لِقَوْلِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : { صُومُوا لِرُؤْيَايَ } وَهُوَ خُطَابٌ لِلأُمَّةِ كَافَّةً<sup>18</sup>”

“According to Hanafi, Maliki, Hanbali (and according to one report from the Shafa'ee school of thought), no consideration is given to the diversity of horizons in regards to confirming the month of Ramadan. The entire Muslim world is obligated to begin fasting if the new Moon is sighted anywhere in the world. This is in line with the Prophetic tradition “start fasting by seeing the new Moon.” The Hadith is addressed to the entire Muslim nation.”

Imam Ibn Qudamah al-Maqdasi reports the Hanbali school's take on the unity of horizons:

”وأجمع المسلمون على وجوب صوم شهر رمضان وقد ثبت أن هذا اليوم من شهر رمضان بشهادة الثقات فوجب صومه على جميع المسلمين ولأن شهر رمضان ما بين الهالين ... فيجب صيامه بالنص والإجماع ولأن البيعة العادلة شهدت بروية الهلال فيجب الصوم“<sup>19</sup>.

“Ramadan is an agreed upon obligation. It was proven by the trustworthy witnesses that the day was the month of Ramadan. Therefore, it became incumbent upon all the Muslims to fast. The month of Ramadan is between to crescent Moons. It must be fasted as is proven by the text and by the consensus because the trustworthy testifier testified sighting of the new Moon. Therefore fasting became obligatory.”

<sup>17</sup> Ibid, 3, 142

<sup>18</sup> Encyclopedia of Fiqh, (published by the Ministry of Religious Affairs and Aowqaaf) Kuwait, Vol: 23, P: 142  
اخْتِلَافِ الْمَطَالِعِ

<sup>19</sup> Ibn Qudamah, Abdullah bin Ahmad bin Muhammad, al-Mughni, www.shamela.ws/, 4, 324

Al-Qarrafi explains the Maliki and Hanbali positions:

«بِأَنَّ رُؤْيَةَ الْهَلَالِ بِمَكَانٍ قَرِيبًا كَانَ أَوْ بَعِيدًا إِذَا تَبَيَّنَتْ لَزِمَ النَّاسَ كُلَّهُمُ الصَّوْمُ , وَأَنَّ حُكْمَ مَنْ لَمْ يَرَهُ حُكْمَ مَنْ رَأَاهُ , وَلَوْ اخْتَلَفَتْ الْمَطَالِعُ نَصًّا قَالَ أَحْمَدُ الرَّوَالُ فِي الدُّنْيَا وَاحِدٌ بِقَوْلِهِ صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَسَلَّمَ { صَوْمُوا لِرُؤْيَيْتِهِ } وَهُوَ خُطَابٌ لِلنَّامَةِ كَافَّةً»<sup>20</sup>

“The Muslim world in its entirety is required to commence fasting by the report of sighting anywhere in the world whether the place of sighting is close or far from them. The ones who have not seen the new Moon come under the ruling of those who have seen it even if the horizons are different. Ahmad said that the noon (*zawal*) all over the world is same as the Prophetic commandment states: “start fasting by seeing it”. It is directed to the entire Muslim community.”

The known Hanafi jurist Uthman bin Ali al-Zayla’ee states:

وَإِذَا تَبَيَّنَتْ فِي مِصْرَ لَزِمَ سَائِرَ النَّاسِ فَيَلْزِمُ أَهْلَ الْمَشْرِقِ بِرُؤْيَا أَهْلِ الْمَغْرِبِ فِي ظَاهِرِ الْمَذْهَبِ<sup>21</sup>»

“The authorized position of the school is that sighting in one city is sighting for all. It will become incumbent upon the inhabitants of the Eastern hemisphere to confirm the month by sighting in the West.”

وَأَكْثَرُ الْمَشَايخِ عَلَى أَنَّهُ لَا يُعْتَبَرُ حَتَّى إِذَا صَامَ أَهْلُ بَلَدَةٍ ثَلَاثِينَ يَوْمًا وَأَهْلُ بَلَدَةٍ أُخْرَى تِسْعَةَ وَعِشْرِينَ يَوْمًا يَجِبُ عَلَيْهِمْ قِضَاءُ يَوْمٍ<sup>22</sup>

“The majority of (Hanafi) elders give no consideration to diversity of horizons so much so that they require making up for a day of fasting if people of one locality fasted for thirty days and the other locality for 29 days.”

Abu Muhammad Abdallah bin Abi Zaid al-Qayrawani, the renowned Maliki jurist, connects the fasting with sighting for all the Muslims.

وَصَوْمُ شَهْرِ رَمَضَانَ فَرِيضَةٌ يُصَامُ لِرُؤْيَا الْهَلَالِ وَيُفْطَرُ لِرُؤْيَيْتِهِ<sup>23</sup>

Imam al-Shawkani reports that Zaidi school of thought also maintained global sighting.

وَالَّذِي يَنْبَغِي اعْتِمَادُهُ هُوَ مَا ذَهَبَ إِلَيْهِ الْمَالِكِيَّةُ وَجَمَاعَةٌ مِنَ الزَّيْدِيَّةِ . وَاخْتَارَهُ الْمَهْدِيُّ مِنْهُمْ وَحَكَاهُ الْفَرَطِيُّ عَنْ شَيْوْخِهِ أَنَّهُ إِذَا رَأَاهُ أَهْلُ بَلَدٍ لَزِمَ أَهْلَ الْبِلَادِ كُلِّهَا<sup>24</sup>

<sup>20</sup> Al-Qarrafi, Ahmad bin Idrees, Anwar al-Buruq fi Anwa’a al-Furuq, A’lam al-Kutub, Vo: 1, P: 19

<sup>21</sup> Al-Zayla’ee, Uthman bin Ali, Tabyeen al-Haqaiq harh Kanz al-Daqaiq, dar al-Kitab al-Islami, Vol: 1, P:316, See also Radd al-Mukhtar, 2, 619,

<sup>22</sup> Al-Zala’ee, Tabyeen, 1, 321

<sup>23</sup> Abi Zaid al-Qayrawani, Abu Muhammad Abdallah bin Abi Zaid al-Nafri, al-Thamar al-Da’nee, Risalata Abi Zaid al-Qairawani, Dar al-Fikr, 1, 240

<sup>24</sup> Al-Shoka’ni, Muhammad bin Ali, Nayl al-Aowtaar, Dar al-Hadith, 4, 231

“The Maliki and Zaidi position should be accepted in this regard. Al-Mahdi and al-Qurtabi have also reported on the authority of their elders that sighting of one locality is the sighting of all the localities.”

These early jurists interpreted the Hadith “start fasting by sighting it and stop fasting by sighting it” as a universal command obligation Muslims all over the globe to fast Ramadan with trustworthy sighting in any locality. It is interesting to note that these jurists emphasized the point that the local sighting was a legal cause (*sabab shara'i*) for all Muslims to fast. For instance al-Qarrafi states the Maliki and Hanbali position:

“أَنَّ الْمَالِكِيَّةَ جَعَلُوا رُؤْيَا الْهِلَالِ فِي بَلَدٍ مِنَ الْبِلَادِ سَبَبًا لَوْجُوبِ الصَّوْمِ عَلَى جَمِيعِ أَقْطَارِ الْأَرْضِ وَوَأَفْتَهُمُ الْحَنَابِلَةُ رَحِمَهُمُ اللَّهُ عَلَى ذَلِكَ . وَقَالَتِ الشَّافِعِيَّةُ رَحِمَهُمُ اللَّهُ لِكُلِّ قَوْمٍ رُؤْيَاهُمْ وَأَتَّفَقَ الْجَمِيعُ عَلَى أَنَّ لِكُلِّ قَوْمٍ فَجْرَهُمْ وَزَوَالَهُمْ وَعَصْرَهُمْ وَمَغْرِبَهُمْ وَعِشَاءَهُمْ<sup>25</sup>”

“The Maliki’s made the local Moon sighting a legal cause for the entire globe to fast and the Hanbali’s (may Allah shower His mercy upon them) agreed to that. The Shafa’ee’s stated that each locality has its own local sighting. All of these scholars agreed that each locality has its own Fajr, Noon, Afternoon, Maghrib and ‘Isha timings.

In spite of such astronomic early positions, the later jurists roundly rejected the unity of horizon positions officially adopted by their schools.

Al-Qarrafi, another Maliki authority has proven with the help of astronomy that the horizons are different. He argued that the people of the Western hemisphere had more chances of sighting the new Moon even if the people in the East could not see it. The newly born Moon increases in age, and volume with the westward movement of Sun. The deflection of the light through the Moon becomes more and more with the gradual movement of the Moon from its conjunction point and with its age after the Sunset.

“وَبَيَّنَ الْقَرَّافِيُّ اخْتِلَافَ مَطَالِعِ الْهِلَالِ عِلْمِيًّا , وَذَكَرَ سَبَبًا مِنْ أَسْبَابِهِ مُكْتَفِيًّا بِهِ عَنْ الْبَيْهَقِيِّ الْمَذْكُورَةِ فِي عِلْمِ الْهَيْئَةِ : وَهُوَ أَنَّ الْبِلَادَ الْمَشْرِقِيَّةَ إِذَا كَانَ الْهِلَالُ فِيهَا فِي الشُّعَاعِ وَبَقِيَتْ الشَّمْسُ تَتَحَرَّكُ مَعَ الْقَمَرِ إِلَى الْجِهَةِ الْغَرْبِيَّةِ فَمَا تَصِلُ الشَّمْسُ إِلَى أَفْقِ الْمَغْرِبِ إِنَّمَا وَقَدْ خَرَجَ الْهِلَالُ عَنِ الشُّعَاعِ فَيَرَاهُ أَهْلُ الْمَغْرِبِ وَلَا يَرَاهُ أَهْلُ الْمَشْرِقِ<sup>26</sup>”

Al-Qarrafi also established that the timings of the daily prayers are different at different localities. It is also agreed upon that suppose if there were two brothers one living in the East and other living in the West. If the one living in the East died at noon time and the other living in the West also died in the noon time, the one in the West will inherit from the one who died in the East. Because the one in the East died earlier as the noon in the East takes place earlier than in the West.

إِذَا مَاتَ أَخَوَانِ عِنْدَ الزَّوَالِ أَحَدُهُمَا بِالْمَشْرِقِ وَالْآخَرُ بِالْمَغْرِبِ حَكِمَ بِأَسْبَقِيَّةِ مَوْتِ الْمَشْرِقِيِّ ; لِأَنَّ زَوَالَ الْمَشْرِقِ مُتَقَدِّمٌ عَلَى زَوَالِ الْمَغْرِبِ فَيَرِثُ الْمَغْرِبِيُّ الْمَشْرِقِيَّ<sup>27</sup>

<sup>25</sup> Al-Qarrafi, Ibid, 4, 142

<sup>26</sup> Ibid, 1, 17; Encyclopedica, 22, 36

<sup>27</sup> Ibid, Encyclopedica, 22, 36

Al-Qarrafi concludes:

“وإذا كان الهلال يختلف باختلاف الافاق وجب أن يكون لكل قوم رؤيتهم في الأهلة كما أن لكل قوم فجرهم وغير ذلك من أوقات الصلوات ، وهذا حق ظاهر وصواب متعين أما وجوب الصوم على جميع الأقاليم برؤية الهلال بفطر منها فبعيد عن القواعد ، والأدلة لم تقتض ذلك فاعلمه”<sup>28</sup>.

“If the crescent Moon differs with difference in horizons then it becomes incumbent that each locality must go with its own Moon (sighting). As each locality has its own prayer timings such as Fajr (prayer). This is a clearcut truth and an exactly righteous position. On the other hand, obligating global fasting with local Moon sighting is far from the (established Islamic) rules. One needs to know that the (Islamic) texts did not require such an obligation.”

Imam al-Nawawi, the known Shafa’ee authority, observes:

إذا رآوا الهلال في رمضان في بلد ولم يروه في غيره ، فإن تقارب البلدان فحكهما بلد واحد ويلزم أهل البلد الآخر الصوم بلا خلاف وإن تباعدا فوجهان مشهوران في الطريقتين ( أصحهما ) لا يجب الصوم على أهل البلد الآخر ، وبهذا قطع المصنف والشيخ أبو حامد والبندنجي وآخرون ، وصححه العبدري والرافعي والأكثرون . ( والثاني ) يجب وبه قال الصيمري وصححه القاضي أبو الطيب والدارمي وأبو علي السنجي وغيرهم<sup>29</sup>

“If the Moon was sighted in a locality and not seen in the others, then the sighting will be applicable to the close by areas only. There is not difference of opinion regarding this issue. The difference is only regarding the far away areas. There are two known opinions about this matter. The correct of the two opinions is that people are not obligated to go with the sighting of another locality. This is what al-Mussanif, Sheikh Abu Hamid, al-Bandaniji and others have categorically established. Many others like al-Abdari and al-Rafa’ee have verified the same. While others such as al-Sumairi, al-Qadi Abu al-Tayyib, al-Darimi and Abu Ali al-Sanji have ruled that the sighting of one locality applies to all.”

Al-Nawawi also reports that:

ونقل ابن المنذر عن عكرمة والقاسم وسالم وإسحاق بن راهويه أنه لا يلزم غير أهل بلد الرؤية<sup>30</sup>

“Ibn al-Munzir has narrated that A’ikrimah, al-Qasim, Salim and Ishaqa bin Rahwayh all agreed that sighting in one locality does not apply to the other localities.”

Among the Hanafi scholars authorities such as al-Zayla’ee and many others have argued for the local sighting.

وقيل يختلف باختلاف المطالع لأن السبب الشهر وانعقاده في حق قوم لرؤية لا يستلزم انعقاده في حق آخرين مع اختلاف المطالع وصار كما لو زالت أو غربت الشمس على قوم دون آخرين وجب على الأولين الظهر والمغرب دون أولئك<sup>31</sup>

<sup>28</sup> Al-Qarrafi, Ibid, 4, 143

<sup>29</sup> Al-Nawawi, Muhyiddin Abu Zakariyyah Yahya bin Sharaf, al-Majmu’a Sharh al-Muhazzab, Matba’ah al-Muniriyyah, 6,

<sup>30</sup> Ibid, 6, 282

<sup>31</sup> Al-Zayla’ee, Tabyeen, 1, 316

“Unlike the official position, some of the jurists have adopted the local sighting (instead of universal sighting) because the month (of Ramadan) is confirmed by sighting. The sighting in one locality cannot be applied upon the other areas with different horizons. It is just like the noon and Sunset timings. The Sunset timings in one locality would not require the Maghrib prayer at the other locality.”

Ibn A’abideen argues that the fact that horizons are different cannot be debated. He also talks about the difference in the noon and Sunset timings at different localities. Every second, with the westward movement of the Sun, there is morning for a new locality and evening for some others.

اختلاف المطالع لا نزاع فيه بمعنى أنه قد يكون بين البلدتين بعد بحيث يطلع الهلال له ليلة كذا في إحدى البلدتين دون الأخرى وكذا مطلع الشمس ; لأن انفصال الهلال عن شعاع الشمس يختلف باختلاف الأقطار حتى إذا زالت الشمس في المشرق لا يلزم أن تزول في المغرب , وكذا طلوع الفجر وغروب الشمس بل كلما تحركت الشمس درجة فتلك طلوع فجر لقوم وطلوع شمس لآخرين وغروب لبعض وينصف ليل لغيرهم كما في الزيلعي<sup>32</sup>

Al-Zayla’ee prefers the local sighting due to the same reasons.

“والناشئة أن يُعتبر لأن كل قوم مخاطبون بما عندهم وانفصال الهلال عن شعاع الشمس يختلف باختلاف الأقطار كما أن دخول الوقت وخروجه يختلف باختلاف الأقطار<sup>33</sup>

He quotes the following incident to validate his point of view:

وروي أن أبا موسى الضريير الفقيه صاحب المختصر قديم الإسكندرية فسئل عن صعد على منارة الإسكندرية فيرى الشمس بزمان طويل بعدما غربت عندهم في البلد أيحل له أن يفطر فقال لا ويحل لأهل البلد لأن كل مخاطب بما عنده والدليل على اعتبار المطالع ما روي عن كريب<sup>34</sup>

“It is narrated that the jurist Abu Musa Al-Darir, the author of al-Mukhtasar, came to Alexandria. He was asked about a person who ascended the minaret and kept on looking at the Sun long after the Sun had set for the people on the ground. Was he allowed to break the fast? He answered, “no” while the people on the ground could break the fast, because everyone is required to follow his own situation. The report of Kurayb is the fundamental evidence of the local sighting.”

It is pertinent to note here that the Hadith of Kurayb is cited by both the groups to draw fundamentally opposite conclusions. Following is the Hadith of Kurayb reported by Imam Muslim:

وفي الصحيح عن كريب , { أن أم الفضل بعثته إلى معاوية بن أبي سفيان بالشام قال : فقدمت الشام فقضيت حاجتها , واستهل على هلال رمضان وأنا بالشام , فرأيت الهلال ليلة الجمعة , ثم قدمت المدينة في آخر الشهر , فسألني ابن عباس , ثم ذكر الهلال فقال : متى رأيته ؟ فقلت : ليلة الجمعة , فقال : أنت رأيته ؟ قلت : نعم , ورأه الناس وصاموا وصام معاوية قال : لكتنا رأينا ليلة السبت , فقلت له : أولًا تكتفي برؤية معاوية ؟ قال : لا ; هكذا أمرنا رسول الله صلى الله عليه وسلم {

Imam Muslim reports that “Umm al-Fadl sent Kurayb to Syria to Mu’awiyah to take care of something. He (Kurayb), said,” I was in Syria when the month of Ramadan was

<sup>32</sup> Ibn A’abideen, Radd al-Mukhtar, 2, 393

<sup>33</sup> Al-Nasafi, Abdallah bin Ahmad, Kanz al-Daqaiq, Dar al-Nashr, 17, Al-Zayla’ee, Tabyeen, 1, 321

<sup>34</sup> Al-Zayla’ee, Tabyeen, [www.shamela.ws](http://www.shamela.ws), 4, 78

confirmed. I saw the new Moon on Friday evening. I returned to Madinah by the end of the month. Discussing the new Moon Ibn Abbas asked me “when did you see the new Moon?” I replied, ”on Friday evening.” He asked me whether I had seen the Moon by myself and I answered in positive. I also told him that Mua’wiyah along with multitude of people saw it and confirmed the month accordingly. Ibn Abbas observed that they had actually seen it on Saturday evening. I inquired whether Mu’awiyah’s sighting was not adequate (for Ibn Abbas and the people of Madinah)? Ibn Abbas replied in negative and said, “this is what the Messenger of Allah had commanded us.”

The basic argument in this report is that sighting in Damascus is not accepted by Ibn Abbas as applicable to the people in Madinah as Azeem Abadi summarizes:

ووجه الاحتجاج به أن ابن عباس لم يعمل بروية أهل الشام وقال في آخر الحديث هكذا أمرنا، فدل ذلك على أنه قد حفظ من رسول الله صلى الله عليه وسلم أنه لا يلزم أهل بلد العمل بروية أهل بلد آخر<sup>35</sup>

“The argument is based upon the fact that Ibn Abbas did not act upon the sighting report from Syria. Ibn Abbas in conclusion said that this was what the Prophet (PBUH) had commanded us. This proves that the Prophet (PBUH) did not obligate Muslims to go by the sighting report of other localities and that was what Ibn Abbas had narrated from the Prophet.”

Ibn al-Arabi argues that this report validates the local sighting and that the horizons are different. The sighting in one area cannot be the sighting for all especially for the far away areas,

”وَاخْتَلَفَ فِي تَأْوِيلِ قَوْلِ ابْنِ عَبَّاسٍ هَذَا ، فَقِيلَ : رَدَّهُ ؛ لِأَنَّهُ خَبِرَ وَاحِدٍ ، وَقِيلَ : رَدَّهُ ؛ لِأَنَّ الْأَقْطَارَ مُخْتَلِفَةً فِي الْمَطَالِعِ ، وَهُوَ الصَّحِيحُ ؛ لِأَنَّ كُرْبِيًّا لَمْ يَشْهَدْ ، وَإِنَّمَا أُخْبِرَ عَنْ حُكْمٍ ثَبَتَ بِشَهَادَةٍ ؛ وَلَا خِلَافَ فِي أَنَّ الْحُكْمَ الثَّابِتَ بِالشَّهَادَةِ يُجْزَى فِيهِ خَبْرُ الْوَاحِدِ ؛ وَتَظْهِيرٌ مَا لَوْ ثَبَتَ أَنَّهُ أَهْلُ لَيْلَةِ الْجُمُعَةِ بِأَعْمَاتٍ ، وَأَهْلُ يَأْسُيْلِيَّةَ لَيْلَةِ السَّبْتِ ، فَيَكُونُ لِأَهْلِ كُلِّ بَلَدٍ رُؤْيُهُمْ ؛ لِأَنَّ سَهْيًا يُكْتَسَفُ مِنْ أَعْمَاتٍ وَلَا يُكْتَسَفُ مِنْ إِشْيِيلِيَّةَ ، وَهَذَا يَدُلُّ عَلَى اخْتِلَافِ الْمَطَالِعِ.”<sup>36</sup>

Al-Bayhaqi, on the other hand, contends this interpretation. He maintains that the above mentioned report of Kurayb does not vindicate the position that horizons are multiple. It is the other way around. It substantiates that the horizons are united.

“يَحْتَمِلُ أَنْ يَكُونَ ابْنُ عَبَّاسٍ إِذَا قَالَ ذَلِكَ لِأَنَّ كُرْبِيًّا بِهَذَا الْخَبَرِ ، وَجَعَلَ طَرِيقَهُ طَرِيقَ الشَّهَادَاتِ ، فَلَمْ يَقْبَلْ فِيهِ قَوْلَ الْوَاحِدِ ، وَيَحْتَمِلُ أَنْ يَكُونَ قَوْلُهُ : هَكَذَا أَمَرْنَا رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اعْتِبَارًا بِقَوْلِهِ عَلَيْهِ السَّلَامُ : { فَإِنْ غَمَّ عَلَيْكُمْ فَأَكْمَلُوا الْعِدَّةَ } ” ، وَيَكُونُ ذَلِكَ قَوْلُهُ ، لَا فَتَوَى مِنْ جِهَتِهِ ، أَخَذًا بِهَذَا الْخَبَرِ”<sup>37</sup>

“It is possible that Ibn Abbas rejected that because Kurayb was a single witness who witnessed the sighting. Ibn Abbas applied the rule of witnesses according to which the

<sup>35</sup> Al-Azeem Abadi Muhammad Shams al-Haq, A’own al-Ma’bud Sharh Abi Dawu’d, www.shamela.ws/, 6, 453

<sup>36</sup> Ibn al-Arabi, Qadi Abu Bakr Muhammad bin Abdillah, Ahka’m al-Qur’an, edited by Ali Muhammad al-Bayja’wi, Dar Ihya’a al-Turath al-Arabi, Beirut, First Ed., 1, 157

<sup>37</sup> Al-Zayla’ee, Jamal al-Din Abdallah bin Yusuf, Nasb al-Rayah fi Takhrij Ahadith al-Hidayah, Dar al-Hadith, 3, 40

witness of a single person is not accepted. It is also possible that by his statement “this is what the Messenger of Allah commanded us” Ibn Abbas meant what the Prophet (PBUH) had said elsewhere that “complete the term (30 days) if it is cloudy.” Then it would reflect the statement of the Prophet (PUBH) and not the verdict of Ibn Abbas himself.”

Ibn Qudama maintains that the report of Kurayb was rejected because the witness of one person is not adequate to confirm the month of Ramadan.

فأما حديث كريب فإما دل على أنهم لا يفطرون بقول كريب وحده<sup>38</sup>

Imam Showkani reiterates the same:

“وَأَعْلَمُ أَنَّ الْحُجَّةَ إِنَّمَا هِيَ فِي الْمَرْفُوعِ مِنْ رِوَايَةِ ابْنِ عَبَّاسٍ لِمَا فِي اجْتِهَادِهِ الَّذِي فَهِمَ عَنْهُ النَّاسُ وَالْمُشَارُ إِلَيْهِ بِقَوْلِهِ : " هَكَذَا أَمَرَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " هُوَ قَوْلُهُ : فَلَا تَزَالُ تَصُومُ حَتَّى تُكْمِلَ ثَلَاثِينَ , وَالْأَمْرُ الْكَائِنُ مِنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ هُوَ مَا أَخْرَجَهُ الشَّيْخَانُ وَغَيْرُهُمَا بِلِقَظٍ : { لَا تَصُومُوا حَتَّى تَرَوْا الْهَيْلَالَ , وَلَا تُفْطَرُوا حَتَّى تَرَوْهُ فَإِنْ غَمَّ عَلَيْكُمْ فَأَكْمِلُوا الْعِدَّةَ ثَلَاثِينَ } وَهَذَا لَا يَخْتَصُّ بِأَهْلِ نَاحِيَةٍ عَلَى جِهَةِ الْإِنْفِرَادِ بَلْ هُوَ خَطَابٌ لِكُلِّ مَنْ يَصْلُحُ لَهُ مِنَ الْمُسْلِمِينَ فَالِاسْتِدْلَالُ بِهِ عَلَى لُزُومِ رُؤْيَةِ أَهْلِ بَلَدٍ لِغَيْرِهِمْ مِنْ أَهْلِ الْبِلَادِ أَظْهَرَ مِنَ الْإِسْتِدْلَالِ بِهِ عَلَى عَدَمِ اللَّزُومِ لِأَنَّهُ إِذَا رَأَهُ أَهْلُ بَلَدٍ فَقَدْ رَأَهُ الْمُسْلِمُونَ فَيَلْزَمُ غَيْرَهُمْ مَا لَزَمَهُمْ.”<sup>39</sup>

“It should be known that the evidence in this report depends upon the fact that Ibn Abbas attributes the judgment to the Prophet and not to himself by saying “this is what the Prophet (PBUH) has commanded us”. The evidence does not lie in Ibn Abbas’s Ijtihad, as some people have mistakenly understood it, but in his reference to the other Prophetic report that says, “we will continue fasting until we complete 30 days.” This Prophetic tradition is reported by Bukhari and Muslim in the following words. “Do not start fasting until you see the new Moon and do not stop fasting until you see the new Moon. Complete counting thirty days if it is cloudy.” This commandment is not confined to one locality but is a generic address to all the eligible Muslims. There is stronger evidence in the report of Kurayb that the people should be obligated to observe fasting with the report of sighting from anywhere rather than arguing that it substantiates the local sighting. Because sighting of one locality is actually sighting of all the Muslims and the same rule will apply to all of them.”

Ibn Qudama also argues that this report substantiates universal sighting and not the local sighting.

“أن الحديث دل على صحة الوجه الآخر.”<sup>40</sup>

Now where is the truth and who is getting it? Both the learned groups of jurists are arguing varying and conflicting points based upon the same Prophetic Ahadith. The Prophet’s words and commandments cannot mislead jurists in the same school of thought who usually follow the same jurisprudential methodology of derivation. This fact can be reconciled only if we accept that each group of scholars is trying to understand and implement the Prophetic commandments to the best of their abilities and in accordance with their cultural milieu. The legal cause for fasting (global sighting) which was

<sup>38</sup> Ibn Qudama, al-Mughni, 4, 324

<sup>39</sup> Al-Shokani, Muhammad bin Ali, Nayl al-Aowtar, Dar al-Hadith, 4, 230-231

<sup>40</sup> Al-Mughni, 4, 324; see more details in my article on “Unity of Horizons or Variety of Horizons” posted on [www.fiqhcouncil.org](http://www.fiqhcouncil.org) and [www.isna.net](http://www.isna.net)

accepted by most of the righteous ancestors (*al-salaf*) was not accepted as the cause by the later jurists of the same schools. The use of calculations vis-à-vis Qiblah directions which were scolded as illegitimate by many leading Fiqhi authorities were accepted as absolutely legitimate by the posterity. Likewise, the deployment of mathematical calculations, which were dubbed as slandering the prayers of the Prophetic Companions by many early jurists, were welcomed by the later jurists. It seems that the early jurists interpreted these Prophetic Ahadith in accordance with their surrounding circumstances and also according to the scientific knowledge available to them. The later jurists did the same according to what was at their disposal from the geographical and scientific information. Therefor it is evident that these Prophetic Ahadith are definitely unequivocal in their historical authenticity but not in their interpretations. The Beloved Prophet (PBUH) in his divine wisdom used such Prophetic terms which allow a variety of interpretations for people of different times, localities and ages. This is the miracle of the Islamic texts that they are suitable for all times and all possible circumstances. Their selective interpretation and insistence upon a narrow implication would limit the infinit wisdom.

### **An Analysis of the Selective Insistence and the Issue of “*Ta’w’il*”:**

I am not accusing the early jurists that they did injustice to the Prophetic Ahadith by fixing their narrow interpretations. Their selective insistence was based upon a variety of external historical reasons. Our righteous ancestors were faced with a number of challenges. One of the leading challenges for the first and second generation Muslim scholarship was to encounter the extreme literalist and narrow approaches of Kharjites and Hashwiyyah on the one hand and metaphorical and allegorical approaches (*t’aw’il*) of Jahmiyyah and Mu’atazilah on the other hand. They also had to face the harsh realities of the Mu’atazilite’s speculative theological interpretations which reneered many of the Islamic texts to almost nil. The aforementioned magisterial Sunni personalities such as the four known Imams defended the spirit of the Qur’an and Sunnah to its letter in an effort to nip in the bud the possible evils of allegorical interpretations of the Islamic texts which had already played havoc to the texts of other faith groups such as Christianity and Judaism. The Biblical text was done extreme violence by the classical Jewish and Christian scholarship. The original Biblical text lost its meanings and integrity due to allegorization of its text.

### **Allegorical Interpretations and Christianity:**

For instance, the early Church Fathers were quite aware of the problem of incongruity and strangeness inherent in the texts of the Old and the New Testaments. For if someone, observes early Church Father Origen of Alexandria," points out to us the stories of Lot's daughters and their apparently unlawful intercourse with their father, or of Abraham's two wives, or of two sisters who married Jacob, or the two maidservants who increased the number of his sons, what else can we answer than that these are certain mysteries and types of spiritual matters, but that we do not know of what sort they are?"<sup>41</sup> Atheist Greek

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<sup>41</sup> Greer, Ibid, 180



scholars like Celsus, Porphyry and others did point out such immoralities prevalent in the Old Testament.<sup>42</sup> They pinpointed several such passages to argue about the human aspect of the Hebrew Bible. The Church Fathers, on the other hand, could not declare the Old Testament as man made and un-authoritative because they believed, as Origen observed, that "the sacred Scriptures were not composed by any human words but were written by the inspiration of the Holy Spirit and were also delivered and entrusted to us by the will of God the Father through His Only Begotten Son Jesus Christ."<sup>43</sup> So it was the normative Scripture which, as they viewed, Jesus followed and urged others to look as the key to understanding his person. To discard the Old Testament was tantamount to discarding the person of Jesus, an act which would have risked the entire faith; therefore, the Church Fathers retained normativeness of the Old Scriptures by appealing to "allegory" and "typology".

The school of Alexandria in the figures of two of its theologians and philosophers, Clement<sup>44</sup> (155-215 A.D) and Origen (185-254 A.D.), advocated this allegorical recourse which, later on, was adopted by other Fathers like Ambrose and Augustine. Origen saw many difficulties with the literal textual sense of the Scriptures.<sup>45</sup> He observed: "Now the reason those we have just mentioned have a false understanding of these matters is quite simply that they understand Scripture not according to their spiritual meaning but according to the sound of the letter."<sup>46</sup> According to contemporary Biblical authority R. E. Brown, "Many of the Church Fathers, e.g., Origen, thought that the literal sense was what the words said independently of the author's intent. Thus were Christ spoken of as "the lion of Judah," the literal sense for these Fathers would be that he was an animal. That is why some of them rejected the literal sense of Scripture."<sup>47</sup>

Origen argued that "all [Scripture] has a spiritual meaning but not all a bodily meaning."<sup>48</sup> He observed that certain Biblical passages do not make sense at all if not understood allegorically. "Now what man of intelligence will believe that the first, second, and third day, and evening and the morning existed without the sun, moon, and stars?" Therefore, Origen interpreted them thoroughly and allegorically. Modern Biblical authorities such as Bigg,<sup>49</sup> Wolfson,<sup>50</sup> and J. Danielou argue that Origen derived this method of interpretation from Philo of Alexandria, the Latinized, Platonist Jewish exegete. Bigg observes that "his rules of procedure, his playing with words and numbers and proper names, his boundless extravagance are learned, not from the New Testament, but through Philo from the puerile rabbinical schools."<sup>51</sup> Saint Augustine of Hippo, in the

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<sup>42</sup> Chadwick, H., *Early Christian Thought and the Classical Tradition*, OUP, NY, 1966, 25ff

<sup>43</sup> Greer, *Ibid*, 180

<sup>44</sup> John Ferguson, *Clement of Alexandria*, Twayne Publishers, Inc, NY, 1974, 73ff

<sup>45</sup> Raymond E. Brown, defines *sensus literalis* as "*The sense which the human author directly intended and which his words convey.*" see "The Literal Sense of Scripture," in *The Jerome Biblical Commentary*, ed. by Brown, Joseph Fitzmeyer and Jerome Murphy, Prentice-Hall, Englewood Cliffs, NJ, 1968, 606

<sup>46</sup> Greer, *Ibid*, 180

<sup>47</sup> Brown, *Ibid*, 607

<sup>48</sup> G. W. Butterworth, trans. *Origen on First Principles*, SPCK, London, 1936, IV, 3,5, p. 297

<sup>49</sup> Charles Bigg, *The Christian Platonists of Alexandria*, The 1886 Bampton Lectures, Clarendon Press, Oxford, 1968, 185

<sup>50</sup> H. A. Wolfson, *The Philosophy of the Church Fathers*, 3rd revised ed., HUP, Cambridge, Mass., 1970, 57-62

<sup>51</sup> *Ibid*, 185

name of having sound principles for interpretation, himself allegorized extensively. From 600 to 1200 A.D. allegory had a real hold upon the minds of medieval theologians. Brunner observes that "the rank growth of the allegorical method of Biblical exposition made it impossible to maintain the Bible text as normative, as compared with the ecclesiastical development of doctrine." By means of allegorical exposition the Scholastics, says Brunner, "prove", with the help of Scripture, all that they wish to prove."<sup>52</sup> The outcome was, as John Bright puts it, "a wholesale and uncontrolled allegorizing of Scripture, specifically the Old Testament. This did not confine itself to difficult or morally offensive passages, or to passages that tell of something that seems unnatural or improbable, or to places where Scripture contradicts, or seem to contradict, other Scripture; it extended itself almost everywhere. Scarcely a text but yielded hidden and unsuspected riches to the interpreter's ingenuity."<sup>53</sup>

This process of giving the Biblical text allegorical meanings led, as John Bright observes, to "the exotic jungle of fanciful interpretation."<sup>54</sup> This was the reason that the Christian Reformers like Martin Luther and John Calvin vehemently opposed allegorical interpretation of the Biblical text. Calvin called allegorical interpretations as an invention of the Devil, some thing "puerile" and "farfetched" meant to undermine the authority of Scripture.<sup>55</sup> These Reformers emphasized upon the literal meanings of the text. By emphasizing the plain historico-philological sense of the text Luther and Calvin emphasized the authority of the Scripture and dispensed with the Catholic "Traditions" with their accepted jungle of mystical meanings.<sup>56</sup>

### **Allegorical Interpretations and Some Muslim Sects:**

The above discussed third century neo-Platonistic ideology of allegorization of the text crept into Muslim circles by the end of the first Muslim century mainly due to the early efforts of people like Ja'ad bin Darham,<sup>57</sup> Jaham bin Safwan and Wa'sil bin 'Ataa, a renegade student of Hasan al-Basri. Wa'sil is thought to be the founder of the Muslim speculative theology embodied by the Mu'tazilites.

The debate about the absolute transcendence of Allah SWT and the protection of concept of *al-Tawhid* from dangers of partnership, anthropomorphism and corporealism was the leading force in the direction of metaphorical interpretations or *al-ta'w'il*. It was Jaham b. Safwan (d. 127/745) who treated the issue of divine attributes and names at length. He met Ja'ad at Kufa and followed his theology. Like Ja'ad, he emphasized the absolute transcendence of God by refuting all possibilities of anthropomorphism, and

<sup>52</sup> E. Brunner, *The Christian Doctrine of God*, Westminster, Philadelphia, 1974, ( Trans. by olive Wyon ), Brunner, 1, 108

<sup>53</sup> John Bright, *The Authority of the Old Testament*, Abingdon Press, N.Y., 1967, 80-81

<sup>54</sup> *Ibid*, 81

<sup>55</sup> Bright, *Ibid*, 82ff

<sup>56</sup> Shah, Zulfiqar A., "A Study of Anthropomorphism and Transcendence in the Bible and Qur'an: Scripture and God in the Judeo Christian and Islamic Tradition", submitted to the University of Wales, (Lampeter) in 1997; chapter 2

<sup>57</sup> See for details Ahmad b. Yahya al-Balawazari, *Ansa'b al-Ashra'f*, ed. by Hamidullah, Dar al-Ma'arif, Egypt, n.d., 2, 241; Ibn Kathir, *al-Bidayah wa al-Nihayah*, Matba'ah al-Sa'adah, Egypt, 1965/1384, 9, 350

metaphorically interpreted all the Qur'anic verses (*ta'wil*) that could lead to any doubt of anthropomorphism regarding God. Imam Abu al-Hasan al-Ash`ari reports, that Jaham even denied the Qur'anic terms such as “*shay*” that God is "a thing (*shay*), because that is similarity with other things."<sup>58</sup>

Due to the later influence of Ja`ad and Jaham's theological positions over Mu`atazilites and others, I. Madkur crowns them with the title of "the founders of philosophical theology in Islam."<sup>59</sup> M. S. Seale describes Jaham as the real founder of Mu`atazilah instead of Wasil b. `Ata.<sup>60</sup> The recognized founder of Mu`atazilah, Wasil b. `Ata, on the other hand, was a contemporary of Ja`ad and Jaham. Jaham's theology, argues Gibb, "left distinct traces on that of the Mu`atazilah; the doctrine of the created Kur'an which was later to become a fundamental Mu`atazilah thesis was probably formulated by Djahm and in the doctrine of the divine attributes there are coincidences on both sides which cannot be accidental. On the other hand, there are many serious differences which are probably practical and political in their nature. Djahm professed in the most extreme form the doctrine of predestination (*djabr*). All the actions of man are involuntary. Wasil maintained the opposite thesis of free will."<sup>61</sup>

Mu`atazilites influenced by this interpretive technique of *t'aw'il*, tried to allegorize many of the Qur'anic verses and Prophetic traditions. Their philosophy was strongly influenced by Neoplatonic Aristotelianism. They attempted to provide a philosophical basis for their speculative theology by metaphorically interpreting the Qur'anic text whenever the text was considered to be in conflict with intellect. In spite of the fact that some of the later Mu`atazilite scholars claimed that the conclusions of their philosophy and the Islamic Shari`ah were essentially harmonious, they nevertheless placed reason above revelation and especially above the prophetic insights and traditions. Consequently, they denied a good number of Prophetic reports.

It must be added that the Mu`atazilites, in the first place, utilized Greek logic and rationalism to support the Islamic revelation and dogmas and to convince non-Muslims of their vitality, but later on went to the extreme of giving priority to the reason (*al-`Aql*) over the revelation (*al-Wahy*), as Z. Jarrullah observes.<sup>62</sup> While the Qur'an, argues Andrew Rippin, "had its place in the discussions, it was not so much a source, when used by Mu`atazila, as a testimony to the veracity of the claims which they were making. The basic assumptions of the Greek philosophical system (as understood and transmitted through Christian scholars) was the fundamental element underlying the whole position; it was argued that reason, and not only traditional sources, could be used as a source of reliable knowledge for human beings."<sup>63</sup>

<sup>58</sup> Al-Asha`ri, Abu al-Hasan, *Maqala't al-Isla'miyyin wa Ikhtila'f al-Musalli'n*, ed. by M. `Abd al-Hamid, Al-Hikmah, Beirut, 1994/1415, 161

<sup>59</sup> Madkur, Ibrahim, *Fi al-Falsafah al-Isla'miyyah*, Dar al-Ma`arif, Cairo, 1976, 2

<sup>60</sup> M. S. Seale, *Muslim Theology, A Study of origins with reference to the Church Fathers*, Lugac and Co., London, 1964, 4

<sup>61</sup> Gibb, H.A.R., *Mohammedanism*, Oxford UP, London, 1972, 42

<sup>62</sup> See Ja`r Allah, Zahdi Hasan, *al-Mu`atazilah*, Cairo, 1947/1366, 33, 256; Watt, *Formative period*, 249-50; Macdonald, *Ibid*, 14

<sup>63</sup> Rippin, Andrew, *Muslims, Their Religious Beliefs and Practices*, Routledge, NY, 1990, 1, 6

This view of the role of the reason, Rippin further argues, "is significant in terms of the ultimate fate of the Mu`atazila, for it implied that the legal scholars of Islam had, in fact, no particular claim to sole possession of the right interpretation of all Muslim dogma."<sup>64</sup> In addition to that, Mu`atazila got militant once given the political authority during the times of Abbasid caliphs like Harun ar Rashid (fifth caliph (786-809 AD) of the Abbasid dynasty of Baghdād) and his son Abdullah al-Mamun (Mamun ar Rashid). F. M. Denny observes, that the Mu`atazilah "far from being liberal intellectuals who wanted to accommodate the world to vision of rationality and cooperation, were proponents of a strict and militants Islam which they sought to impose uniformly on their wayward coreligionists and to spread to the non-Muslims by means of propaganda."<sup>65</sup>

Finally, the Mu`atazila metaphorically interpreted all the verses of the Qur'an that ascribed to God, face, hands, eye etc., and also mandated such interpretations to the others.<sup>66</sup> Despite "their several disagreements on points of doctrinal details", observes I. Netton, "most of the Mu`atazilites were agreed on a non-literal mode of interpretation of much of the anthropomorphic data about God in the Qur'an." They interpreted the "face" in the verses "every thing will perish except the face of thy Lord" (55:27) as meaning the being of God Himself. His hand was interpreted as "favor or bounty"<sup>67</sup>, the eye as "knowledge", the settlement upon the Throne (*istiwa*) as "dominance", the coming down in the later part of the night as meaning the closeness of His "mercy".<sup>68</sup> Watt observes, that the Mu`atazilites dealt "with the anthropomorphisms by the method of *ta'wil* or 'metaphorical interpretation'. More precisely this meant that they claimed they were justified in interpreting single words in the Qur'anic text according to a secondary or metaphorical meaning found elsewhere in the Qur'an or in pre-Islamic poetry. Thus, in the phrase (38:75) about God 'creating with his hands' they said that hands meant 'grace' (*ni`ma*), and justified this by a usage roughly parallel to our colloquial phrase 'I'll give you a hand'. Similarly *wajh*, usually 'face', was said to mean 'essence'. Verses which spoke of God being seen in the world to come were interpreted in the light of other verses where 'see' did not mean physical sight. In some ways this method of interpretation is artificial; but at least it keeps thinkers at the 'grass roots' of religious experience and away from an abstract academic discussion of relations between attributes and essence."<sup>69</sup> They treated the Prophetic Ahadith with a lot more harsh treatment if they considered them not towing the logical interpretations. They denied many such Ahadith altogether, as Anawati demonstrates.<sup>70</sup>

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<sup>64</sup> Rippin, Ibid

<sup>65</sup> Denny, F., An Introduction to Islam, 2<sup>nd</sup> Edition, 1994, 18

<sup>66</sup> See Qadi A. al-Jabbar's emphasize upon the issue in his *al-Muhi't bi al-Takli'f*, Cairo, 1969, 1, 1099

<sup>67</sup> Netton, Ian R. Netton, Allah Transcendent, Routledge, London and NY, 1989, 4

<sup>68</sup> See a detailed discussion of these interpretations in J. M. S. Baljon, "Qur'anic Anthropomorphism" in Islamic Studies, Islamic Reaserach Institute, Islamabad, vol. 27, Summer 1988; also al-Ash`ari, al-Ibanah, 36-45; Qadi A. Jabbar, *Sharh Usul al-Khamsah*, ed. by `Abd al-Karim `Uthman, Maktabah Wahbah, Cairo, 1965, 227ff; Netton, Ibid,

<sup>69</sup> Watt, M., The Formative Period of Islamic Thought, UP, Edinburgh, 1973, 248

<sup>70</sup> Anawati, "Attributes of God", Encyclopedia of Religion, 514

In spite of their great contributions to the intellectual life of Islam and being "founders of the discipline of speculative or philosophical theology", the Mu`tazila went far from the spirit of Islamic revelation and hence from the outlook of the ordinary Muslim. "To insist on the bare unity of God", argues Watt, "was a tidy rational theory, but it did not do justice to the fullness of religious experience. The negative statements of Dirar and an-Nazzam are unsatisfactory to the ordinary worshipper..."<sup>71</sup> The Mu`atazilites reduced the vivid and living God of Muhammad, as Macdonald argues, to "a spirit, and a spirit, too, of the vaguest kind."<sup>72</sup> The Mu`atazilites, to Fazlur Rahman, "denuded God of all content and rendered Him unsatisfactory for religious consciousness."<sup>73</sup> They, observes I. Netton, "made God more unknowable rather than less, and dug a wider gulf between man and his Creator. A dry hermeneutic intellectualism restricted the former's mental image of his Deity..."<sup>74</sup> Such a concept, observes Watt, "leads to an abstract, bare and featureless conception of God, which robs the religious consciousness of much that is precious to it."<sup>75</sup> Or in the words of Gibb the Mu`atazilites turned Islamic concept of God into "a vast old monument, beneath which the element of personal religious experience seemed to be crushed out of existence. Fortunately for Islam, it was not to be so."<sup>76</sup>

### **Allegorical Interpretations and Muslim Philosophers:**

On the other hand, the philosophers and later on the Isma`ilites were those who, in the name of God's unity and transcendence, absolutely negated the attributes of God by allegorizing the Qur'anic and Prophetic texts. Philosophers like Abu Nasar al-Farabi (870/259 A.H.-950/339 A.H.),<sup>77</sup> Abu Ali Ibn Sina (979-1037),<sup>78</sup> and Abu 'l-Walid Muhammad b. Ahmad b. Muhammad b. Rushd (1126-98)<sup>79</sup> in essence stripped God of all the possible attributes ascribed to Him by the Qur'an by the same allegorical method of interpretation.<sup>80</sup>

The Isma`ilites<sup>81</sup> followed the philosophers in stripping God of all the attributes, and in ascribing all of the divine attributes to the First Intelligence, on the neo Platonistic

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<sup>71</sup> Watt, *Ibid*, 24

<sup>72</sup> Macdonald, D. B., *Muslim Theology, Jurisprudence and Constitutional theory*, Khayats, Beirut, 1965, 14

<sup>73</sup> Fazlur Rahman, *Islam*, U of Chicago Press, Chicago and London, 1979, 8

<sup>74</sup> Netton, *Ibid*

<sup>75</sup> Watt, M., "Early Discussions about the Qur'an", *Muslim World*, XL (1950), 3

<sup>76</sup> Gibb, *Modern Trends in Islam*, Otagon Books, NY, 1972, 19-2

<sup>77</sup> Al-Farabi, *Maba'di' Ara' Ahl al-Madinah al-Fadilah*, Leiden, 1890, 17-18; Richard Walzer has translated it into English. See *Al-Farabi on the Perfect State*, Clarendon, Oxford, 1985. See more details in *Farabi's Kitab al-Millah wa Nusus Ukhra*, ed. by Muhsin Mahdi, Dar al-Mashriq, Beirut, 1968; also *Abu Nasr al-Farabi, al-Thamarat al-Mardiyyah*, Leiden, 1895, 57f

<sup>78</sup> See A. J. Arberry, *Avicenna on Theology*, Hyperion Press, Westport, Connecticut, 1979, 25ff

<sup>79</sup> Ibn Rushd, *al-'Aql wa al-Ma'qu'l*, ed. M. Bouyges, Beirut 1938; *Fasl al-Maqa'l wa-Taqri'b ma Bayn al-Shari'ah wa al-Hikma min al-Ittisa'l*, ed. G. F. Hourani, Leiden 1959; see also `Abd al-Hali'm Mahmu'd, *al-Tafki'r al-Falsafi fi al-Isla'm*, Dar al-Ma`arif, Cairo, 1984

<sup>80</sup> See details of their philosophical positions in Nasr and Leaman, *History of Islamic Philosophy*, 1, 178-97; 231-51; 330-4

<sup>81</sup> See Azim Nanji, "Isma`ili Philosophy" in Nasr and Leaman, *Ibid*, 1, 144-5

model.<sup>82</sup> This First Intelligence rather than the God Himself seemed to be the true Deity because God of the Isma`ilites and the philosophers was the bare Reality and the absolute unknowable One. The God seemed to need the First Intelligence to create, sustain, protect, and love. In an effort to exalt God beyond all possible limitations and needs, the philosophers ended up binding Him too tight with their theory of emanation and hence with several of the limitations. I. Netton differentiates between the Mu`atazilite's deity and that of the Neoplatonic's deity of the philosophers in the following words: "The transcendent Deity of the Mu`atazilites, whose several Qur'anic attributes were metamorphosed by allegory, was not bound up with ideas of emanation, nor with hypostases such as the Universal Intellect (*al-`Aql al-Kulli*) and the Universal Soul (*al-Nafs al-Kulliyya*). But the unknowable God of medieval Neoplatonic Islam was. The end result was the development of a transcendental theology in Islam, with the Isma`ili sect as its political and spiritual apotheosis, which was far more complex than anything of which the Mu`atazila could have dreamed."<sup>83</sup>

### Allegorical Interpretations and the "Salaf":

It was these two early extremes i.e, the Mu`atazilite's somewhat abstract concept of God and a thorough allegorization of the Qur'anic and Prophetic texts, and al-Hashwiyyah's anthropomorphic concept of God and absolute literalization of the Islamic texts, to which the early Orthodox fathers or "*Salaf*" responded with their formula of "*bi la kayf*", i.e., understanding the Islamic texts and their words as it is without asking how of things. These early scholars often called as the "People of Tradition (*ahl al-Hadith*) or "*Salaf*" like Imam Abu Hanifah (d. 767),<sup>84</sup> Imam Malik (715-795), Imam Shaf'i (767-820), Ahmad b. Hanbal (d. 855),<sup>85</sup> followed the Qur'anic verses and the Prophetic *Ahadith* as they occurred without applying much reason either to criticize or to expand upon them, and accepted the Qur'anic statements just as they stood. These conservatives, observes M. Fakhry, "tended to repudiate the use of any deductive method."<sup>86</sup> They argued that the ambiguous Qur'anic verses must be understood in light of the clear Qur'anic verses. At the same time, they used and maintained the same phrases that have been implied by the Qur'an regarding God such as "*wajhillah*" the face of Allah, without looking further into how or what of them. That is what they referred to by their phrase "*bi la kayfa wa la tashbih*", without inquiring how and without anthropomorphism or comparison". E. Sell observes, that "The four leading theologians, Abu Hanifa, ash-Shaf'i, Ahmad ibn.

<sup>82</sup> See Hami'd al-Di'n al-Kirma'ni, *Rahat al-`Aql*, Dar al-Fikr al-`Arabi, Cairo, 1952, 46; also `Arif Tamir, *Khams Rasa'il Isma'iliyyah*, Dar al-Insa'f, Syria, 1956/1375; and Haqi'qat Ikhwa'n al-Safa' wa Khala'n al-Wafa', Catholic Press; `Adil al-`Awa, *Muntakhabat Isma'iliyya*, Matb`ah al-Jami`ah al-Suriyya, Damascus, 1957; Netton, *Ibid*, 203-9

<sup>83</sup> Netton, *Ibid*

<sup>84</sup> Nu'man Abu Hanifah, *al-Fiqh al-Akbar*, ed. by Mulla `Ali al-Qari, al-Babi, Cairo, 1955/1375. For English translation and commentary see A. J. Wensick, *The Muslim Creed*, Frank Cass & Comp. Ltd., London, 1965, 102-247. Some scholars like Watt attribute this book to some later (between 900-50 A.D.) Hanafi sources. See Watt, *Ibid*

<sup>85</sup> See Ahmad b. Hanbal, *al-Rad `ala al-Zanadiqah wa al-Jahmiyyah*, Maktabah al-Salafiyyah, Cairo, 1393 A.H. and ed. by `Abd al-Rahman `Umayrah, Dar al-Liwa, Riyadh, 198

<sup>86</sup> Majid Fakhry, *A History of Islamic Philosophy*, Columbia UP, NY, 1970, 3; also see Muhammad b. `Ali al-Shawkani, *al-Tuhaf fi Madhahib al-Salaf*, Matb`ah al-Imam, Cairo, n.d.,

Hanbal and Malik ibn Anas, taught that discussions on such subjects were unlawful. They believed in the Qur'an and in the traditions regarding Muhammad, and accepted these without disputing on such abstract questions."<sup>87</sup>

The mainstream scholarship stood in the face of this allegorization of the Islamic texts. Imam Ahmad bin Hanbal (780-855 AD; 241 AH) had to pay almost with his life to oppose this liberalization of the Islamic texts by some Mu'atazilites. He was severely tortured, imprisoned and humiliated by Abbaisd caliph Abdullah al-Mamu'n in 202 AH during the trail whether the Nobal Qur'an was created or eternal (and hence not created) known as "*khulqi al-Qur'an*" trial. He was accused of anthropomorphism, literalism and corporealism. Contrary to that, Imam Ahmad did not take an absolute literal approach regarding the Qur'anic and Prophetic texts. The stern and classical position of Ibn Hanbal against the anthropomorphic conception of God can be noticed from his strong opposition to any anthropomorphic description of the Qur'anic phrases which seemingly describe Allah SWT with human terms such as a person, with hands or face.

Abdul Karim al-Shahrastani has reported, that Ibn Hanbal said: "Whoever moved his hand while reading the Qur'an (xxxviii. 75), "I created with my hands," ought to have his hand cut off; and whosoever stretched forth his finger in repeating the saying of Muhammad, "The heart of the believer is between two fingers of the Merciful," deserved to have his fingers torn out."<sup>88</sup> M. Watt rightly observes, that "There were naive anthropomorphists among the Traditionists, but he (Ibn Hanbal) opposed these as vigorously as he opposed the Mu'tazilites; he insisted that the anthropomorphic expressions of the Qur'an are to be understood "without stating the precise manner of their existence" (*bi-la kayf*, literally "without how"). The strength of Ibn-Hanbal's feelings on the matter (related to preservation of the prestine letter as well as the spirit of the Islamic texts and his vehement opposition to metaphorical interpretations) may be gauged by the fact that he broke off relations with a follower who attempted to refute the Mu'tazilites by their own methods of argument."<sup>89</sup> This helps to show that, "the Hanbalites position was based on an awareness of the limitations of reason in this sphere, coupled with an understanding of the need to retain the concrete and "poetical" language of the Qur'an and the Traditions."<sup>90</sup> In the words of K. Armstrong, Imam Ibn Hanbal was not anthropomorphist but was "stressing the essential ineffability of the divine, which lay beyond the reach of all logic and conceptual analysis."<sup>91</sup>

One of the main reasons that the righteous ancestors refrained from allegorical and metaphorical interpretations (*al-ta'wi'l*) was, as al-Shahristani explains, that an interpretation is "an opinion... for we may sometimes interpret the verse in a way not intended by God, and thus we would fall into perversity."<sup>92</sup> Following the lead of early

<sup>87</sup> His article "God" (Muslim) in Encycloepadia of Religion and Ethics, (James Hastings), T. & T Clark Publishers, 30

<sup>88</sup> Al-Shahrastani, Abdul Karim, al-Milal wa al-Nihal, Cureton's ed., London, 1842, 76

<sup>89</sup> Watt, Islamic Philosophy and Theology, UP, Edinburgh, 1967, 8

<sup>90</sup> Watt, Ibid, 8

<sup>91</sup> Armstrong, History of God, 16

<sup>92</sup> Kazi and Flynn, Muslim Sects and Divisions, The Section on Muslim Sects in Kitab al-Milal wa al-Nihal by Shahrastani, trans by A. K. Kazi and J.G. Flynn, Kegan Paul International, London, 198 , 8

*Salaf*, Imams like Ibn Taymiyyah (d.728/1328) and Ibn al-Qayyim (1292-1350 AD) vehemently opposed metaphorical interpretations (*ta'wi'l*) of the Qur'anic and Prophetic texts. They emphasized the apparent and literal sense of the religious texts and tried to preserve the religious texts all the way to its letter. They maintained that the ambiguous Qur'anic verses are to be understood in light of the fixed rules of the Arabic language. The phrases like 'face of God' or 'hands of God' should be understood in accordance with their common, daily, linguistic usages. So, the term 'face of God' means face of God as we understand the meaning of the word 'face' in our daily usage without giving it a metaphorical interpretation. Such an understanding of these Qur'anic expressions, to this group of scholars, does not imply any comparison, corporeality, or anthropomorphism, as the level of these attributes in God is absolute while in the creation it is relative. God has already explained that none is like unto Him, but He is at the same time hearing and seeing. So if the acceptance of His attributes like hearing and seeing and many others, that are also shared by human beings, does not make Him similar to man, likewise acceptance of attributes like hand and face would not be anthropomorphic. They are also different from human hands and faces.<sup>93</sup> Therefore, when we say 'God has a face or hands', it must be qualified with the qualifier "*not like our face or hands*" and *without how*. This is the position of Ibn Qudamah (d.620/1223),<sup>94</sup> Ibn Taymiyyah (d. 728/1328),<sup>95</sup> and many other traditional scholars.

“قال الإمام الخطابي : مذهب السلف في الصفات إثباتها وإجراؤها على ظاهرها ونفي الكيفية والتشبيه عنها”<sup>96</sup>  
To Ibn Taymiyyah, any meaning other than the literal meanings of the Qur'anic phrases was alteration or *tahrif*; therefore, he categorically opposed '*al-ta'wil*', the method of metaphorical interpretation.

### Imam Ibn Taymiyyah and His Critics:

In spite of all efforts on the part of Imam Ibn Taymiyyah to avoid resemblance between God and the creatures, and his genuine belief that God is not a corporeal or anthropomorphic being, his insisting to maintain the literal meanings of the above discussed phrases may leave tinges of anthropomorphism in minds of the simple minded fanatics. If the terms, when used of God, do not denote the realities they denote in their usual set up, then there is no need to insist upon their literal sense. The language, to use Netton's term, "is ruptured."<sup>97</sup> Whether one calls it literalism or metaphorism, it is a rupture of the language. Therefore, Ibn Taymiyyah's such an insistence upon the commonly used literal meanings of the seemingly anthropomorphic Qur'anic expressions

<sup>93</sup> See details in Ibn Taymiyyah, *Majmu` Fatawa*, ed. by `Abd al-Rahman b. Muhammad b. Qasim, Maktabah al-Ma`arif, Ribat, n.d., vol. 5, 323f

<sup>94</sup> See his *Tahri`m al-Nazar fi Kutub ahl al-Kala`m*, trans. by George Makdisi, *Censure of Speculative Theology*, London, 1962; Nasr and Leaman (eds.), *Ibid*, 113-15

<sup>95</sup> See Ibn Taymiyyah, *Minh`aj al-Sunnah fi Naqdi Kala`m al-Shi`ah wa al-Qadariyyah*, Dar al-Fikr, Beirut; *Naqd al-Mantaq*, Matba`ah al-Sunnah al-Muhammadiyah, Cairo, 1st. ed., 1951; *Majmu` Fatawa*, ed. by `Abd al-Rahman b. Muhammad al-Najdi, 2nd ed., 1399 A.H.; *al-Risa`lah al-Tadummuriyyah*, al-Maktab al-Islami, Beirut; *Mawafaqah Sarih al-Ma`qul li Sahi`h al-Manqu`l*, Cairo, 1321 A.H.; *al-Rasa'il wa al-Masa'il*, ed. by Muhammad Rashid Rada, Cairo, 1921/1346 and *Kita'b al-Nubuwwa't*, al-Maktabah al-Salafiyyah, 1382 A.H

<sup>96</sup> Albani. M. Nasir al-Din, *Mukhtasar al-'Uluww*, [www.shamela.ws/](http://www.shamela.ws/), 1, 36

<sup>97</sup> Netton, *Allah Transcendent*, 32



gave birth to certain suspicions and stories about him. In explaining the report of God's descent in the later part of the night, he is reported to supposedly have said: "God comes down from heaven to earth, just as I am coming down now," and he came down one of the steps of the pulpit staircase."<sup>98</sup> The accusation is repeated all the way to our modern times as M. Zahid al-Kowthari and others maintain strong opposition to Shaikh al-Islam Ibn Taymiyyah. They argue that:

“أن ابن تيمية شيخ إسلام أهل التجسيم”<sup>99</sup>

“Ibn Taymiyyah is anthropomorphist’s Shaikh of Islam”

The same charges of corporealism are leveled against another Hanbalite, Abu `Amir al-Qarashi. He is reported to have supposedly pointed to his leg saying "it is exactly the same as this [leg]" when explaining the verse 42 of the Qur'anic chapter 68.<sup>100</sup> In view of such reports, Ali Sami al-Nashshar,<sup>101</sup> Ibrahi`m Madkur, and I. Goldziher (1850-1921)<sup>102</sup> accuse Ibn Taymiyyah of anthropomorphism and corporealism. Gibb and Kramers observe: "An inveterate anthropomorphist, Ibn Taymiyyah interpreted literally all the passages in the Kur'an and tradition referring to the Deity. He was so imbued with this belief that, according to Ibn Battuta, he said one day from the pulpit in the mosque of Damascus: "God comes down from heaven to earth, just as I am coming down now", and he came down one of the steps of the pulpit staircase."<sup>103</sup> As a result, Gibb counts Ibn Battuta, Ibn Hadjar al-Haitami, Taki al-Din al-Subki, and Abu Haiyan al-Zahiri among those who do not "agree on the orthodoxy of Ibn Taymiyyah."<sup>104</sup> Muhammad `Abduh, on the other hand, doubts the authenticity of the reports regarding Ibn Taymiyyah's anthropomorphism.<sup>105</sup> Raghیب al-Tabbakh, Muhammad Bahjah al-Baytar, and Muhammad Nasir al-Din al-Albani reject the above quoted reports as mere fabrications and absurdities.<sup>106</sup> Al-Albani states:

“وإن افتراءهم على شيخ الإسلام ابن تيمية أنه قال بعد أن روى قوله ( صلى الله عليه وسلم ) : ( ينزل الله إلى السماء الدنيا . . . ) كنزولي هذا معروف وقد بين بطلان هذه الفري شيخ في الإجازة الشيخ راغب الطباخ في بعض أعداد مجلة المجمع العلمي بدمشق ثم صديقنا العلامة الأستاذ الشيخ محمد بهجة البيطار في كتابه ( ترجمة شيخ الإسلام ابن تيمية )<sup>107</sup>

<sup>98</sup> A. J. Arberry, Revelation and Reason in Islam, George Allen & Unwin Ltd., London, 1965, 22; also al-Mayli, al-Suyu`f al-Hindiyyah li Qat`i 'A`naq al-Najdiyyah, 16

<sup>99</sup> Albani, Mukhtasar al-`Uluww, 1, 71

<sup>100</sup> See my Ph.D. thesis, chapter 4; The verse is as follows:

يَوْمَ يُكْتَفَىٰ عَنْ سَاقٍ وَيُدْعَوْنَ إِلَى السُّجُودِ فَلَا يَسْتَطِيعُونَ (42)

<sup>101</sup> Nashshar, `Ali Sami, Nash'at al-Tafkir al-Falsafi fi al-Islam, Dar al-M`arif, Cairo, 3rd. ed., 1965, 1, 64

<sup>102</sup> Goldziher, I., Introduction to Islamic Theology and Law, translated by B. Lewis and A. Hamori, Princeton UP, Limited Ed., 1981 ; Madkur, Ibid, 2, 34; George Makdisi, "Hanbalite Islam" in M. L. Swartz's Studies On Islam, 216-74 specially see pp 226, 253; also see J. Fueck, "The Role of Traditionalism in Islam" in Swartz, Ibid, 119

<sup>103</sup> Shorter Encyclopedia of Islam, 15

<sup>104</sup> Ibid, 15

<sup>105</sup> See his commentary on Ibn al-Jawzi's Daf`a Shubah al-Tashbih, 1

<sup>106</sup> See Shah, Ph. D. thesis, chapter 4; See details in M. Nasir al-Din al-Albani, Mukhtasar al-`Uluww li al-`Aliyy al-Ghaffar, supervised by Zahi`r al-Shawsh, al-Maktab al-Islami, end Ed., 1412, 7

<sup>107</sup> Albani, Mukhtasar, 1, 71

Albani and others defend Ibn Taymiyyah against all accusations of anthropomorphism and corporealism.<sup>108</sup> Gibb observes: "However, those who praise (Ibn Taymiyyah) are perhaps more numerous than his detractors..."<sup>109</sup>

It must be said that Ibn Taymiyyah, at least from his own writings, does not seem to be an anthropomorphist or corporealist. He ceaselessly emphasizes the dissimilarity between God's attributes and man's attributes, and denounces all sorts of resemblance between God and any of His creatures. He argues, that "the statement about God's attributes is just like the statement about His essence (*Dhat*). There is absolutely none like unto Him either in His essence, or attributes, or actions... The knowledge of God, His coming down, and establishing Himself over the Throne, all [of these attributes and actions] are in a fashion appropriate to His essence, as the attributes of a servant [man] are suitable to him and appropriate to his human essence.; therefore, if anybody asks how God descends, or establishes Himself, knows, talks, measures, or creates, he should be replied: 'how is He in His being [essence]?' If the answer to this question is that, 'I do not know how of His being', then you should say: 'I do not know how of His attributes. The knowledge of the how (*kayf*) of the attributes follows the knowledge of the how (*kayf*) of the one they are attributed to."<sup>110</sup> Ibn Taymiyyah further argues, that "the attributes of God are indeed different from and superior to the attributes of the creatures. Nobody knows the difference and the level of superiority except God Himself."<sup>111</sup> Even in explaining the reports of coming down of God in the later part of the night, he clearly pinpoints that His coming down does not consist of any movement or change of position that would make the Throne above God. God is far beyond such creaturely attributes or propositions.<sup>112</sup> He also argues that "God descends to the heaven of the earth without the Throne being devoid of Him."<sup>113</sup> In short, according to Ibn Taymiyyah, God is God and not a creature. There is nothing like unto Him. Ibn Taymiyyah literally accepts the reported attributes of God such as face, hand, coming down etc., but in a sense appropriate to His Exalted Majesty, the nature of which nobody knows. That is why many scholars have refuted accusations of anthropomorphism leveled against Ibn Taymiyyah and taken him as the competent religious authority and a model to be followed in matters of faith and religion. His students like Ibn al-Qayyam al-Jawziyyah (1292/1350) and scholars like al-Dhahabi, Ibn Qudamah, Ibn al-Wardi and `Ali al-Qari are just a few examples of such a tendency.<sup>114</sup> Ibn al-Qayyam, for instance, followed his teacher literally in regards to the above discussed expressions of the Qur'an and *Sunnah*.<sup>115</sup> Undoubtedly, observes Watt, "both by transmitting the works of the master and publicizing his ideas in a faultless style in his own works, he did much to spread and

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<sup>108</sup> Albani, *Ibid*, 71ff

<sup>109</sup> Gibb, *Ibid*, 15

<sup>110</sup> Ibn Taymiyyah, *Ibid*, 5, 33

<sup>111</sup> *Ibid*, 5, 34

<sup>112</sup> See Minhaj, *Ibid*; Mukhtasar al-`Uluww, 42; Majmu` Fatawa, 5, 478f

<sup>113</sup> Fatawa, *Ibid*, 5, 24

<sup>114</sup> See Gibb, *Ibid*; my Ph. D. thesis "chapter 4"

<sup>115</sup> See Ibn al-Qayyam, *Ijtima` al-Juyush al-Islamiyyah*, Matba`ah al-Qur'an wa al-Sunnah, Amar Tasar, India; al-Sawa`iq al-Mursalat `ala al-Jahmiyyah wa al-Mu`attalah, Matba`ah al-Imam, Cairo; *Flam al-Mawqi` ayn `an Rabb al-`Alamin*, Dar al-Ji'l

perpetuate the influence of Ibn-Taymiyya."<sup>116</sup> Many other Hanbalites did the same regarding Ibn Taymiyyah's teachings.

In spite of its close affinity with the Qur'anic phrases and conformity with Imam Ahmad bin Hanbal's position, the aforementioned literal approach of many Hanbalites, was severely criticized by other scholars such as later Asha'rites like Imam al-Razi, al-Shahristani and others. They dubbed it as literalism of *Hashwiyyah* in the garbs of "*bilkafa*".<sup>117</sup> Ibn Hazm al-Za'hiri declared this literal position to be "an opening to the road ending in anthropomorphism."<sup>118</sup> The same was said about the other Hanbalites such as `Ali b. `Ubaydullah al-Zaghu'ni, al-Qa'di Abu Ya'la, Abu `Amir al-Qarashi, who followed such a literal route regarding the Qur'anic poetical expressions.<sup>119</sup> The claimed modern Turkish Asha'ri scholar M. Zahid al-Kowthari<sup>120</sup> dubs this insistence upon literal meanings as full fledged Haswiyyah: <sup>121</sup>فقد قال فيهم بعد أن نبزهم بلقب الحشوية

Contrary to that, Ibn al-Jawzi al-Hanbali and Ibn `Aqil<sup>122</sup> vehemently opposed such a literalism and seemed to have inclined towards a sort of rationalism closer to that of the Ash'rites. They forbade discussions of ambiguous verses and encouraged to accept them without anthropomorphism or allegory.<sup>123</sup> Ibn al-Jawzi claimed to have written his treatise against those who "have fallen in the traps of anthropomorphism, but scorn its attribution to them. They claim to be from Sunnites but their statements are clear-cut anthropomorphisms."<sup>124</sup>

### The "Tafw'id" Paradigm and the "Salaf":

The second group of scholars argues that the "*Salaf's*" true position is not that of ascribing face or hands to God in their literal meanings *bila kayf*. The "*Salaf's*" true position is "*al-Tafwi'd*". The *Tafwi'd* means to accept the Qur'anic phrases without anthropomorphism, corporealism, or further inquiry into their meanings or realities, and to entrust the true knowledge of the same to God Himself. Al-Bayhaqi reports Sufyan b. `Uyaynah saying, "Whatever expressions God has employed in the Qur'an to describe His attributes, their elucidation (*tafsir*) is their reading. It is not permissible for anybody to

<sup>116</sup> Watt, M., Ibid, 16

<sup>117</sup> See Abu Bakr Taqi al-Din al-Husni, *Daf'u Shubah man Shabbaha wa Tamarrada wa Nasaba dhalik ila al-Imam Ahmad*, al-Halbi, Cairo, 1350 A.H., 16; See Abu Zahrah, *Ibn Taymiyyah*, 273; also see Abu al-Mu'in al-Nasafi, *Bahr al-Kala'm*, Cairo, 1922, 5; Ibn Rushd, *Mana'hij al-Adillah*, 171

<sup>118</sup> Ibn Hazm, Abu Muhammad `Ali b. Ahmad known as Ibn Hazam al-Zahiri, *al-Fasal fi al-Milal wa al-ahwa' wa al-nihal*, Maktabah al-Salam al-`Almiyyah, Cairo, n.d., 1, 166

<sup>119</sup> See Abu al-Falah Ibn al-`Aimad al-Hanbali, *Shadharat al-dhahab fi akhbar man dhahab*, Cairo, 1350 A.H., 4/ 7-8, 3, 306; Abu Zahrah, *Ibid*, 273;

<sup>120</sup> Kawthari, M. Zahid, *Muqaddimah Tabyin* published by Nashr al-Thaqafah al-Islamiyyah, 1949; also see *Maqalat al-Kawthari*, Matba'ah al-Anwar, Cairo

<sup>121</sup> Albani, *Mukhtasar al-'Uluww*, [www.shamela.ws/](http://www.shamela.ws/) 1, 14

<sup>122</sup> See Ibn `Aqil, *Kita'b al-Funu'n*, Beirut, 1970-1971, 1, 30f

<sup>123</sup> See Abu al-Faraj Jamal al-Din `Abd al-Rahman b. `Ali, *Dafa' Shubha al-Tashbih*, ed. by al-Kawthari, al-Maktabah al-Tawfiqiyyah, Cairo, n.d., 8; also his *Talbi's Ibli's*, al-Matba'ah al-Muniriyyah, Cairo, n.d

<sup>124</sup> *Ibid*

explain them either in the Arabic or in the Persian language."<sup>125</sup> Ibn Hanbal is also reported to have said, "We believe in these expressions and affirm them without how and without [further inquiry] into their meanings (*wa la kayf wa la ma`na*)." According to this understanding of the *Salaf*, the Qur'anic expressions such as 'God's hands' or 'face' do not carry the literal meanings like their counterparts in human beings. They mean face or hands, not organs but attributes or qualities of God; unlike our face or hands. No body knows the details or how of these divine qualities as no body knows the essence of God's being. According to this group, the *Salaf* acknowledged their sheer ignorance regarding the divine realms, entrusting the true knowledge of the meanings of these terms to God. Imam Fakhar al-Din al-Razi, Abd al-Karim al-Shahrastani, Abu Hamid al-Ghazali, `Abd al-Halim Mahmud and M. Zahid al-Kawthari are just a few examples among many others who interpret the standpoint of the *Salaf* in terms of *al-Tafwid*. Abu al-Hasan `Ali al-Ash`ari', (according to one dominant opinion about him), Abu Mansur al-Maturidi (d. 331 A.H.) and Abu Bakr Muhammad al-Baqillani's (d. 403 A.H.)<sup>126</sup> position regarding such Qur'anic expressions are quoted as examples of this line of the *Salaf's* approach.<sup>127</sup> For instance al-Razi observes, that the *Salaf's* attitude to these ambiguous Qur'anic expressions was to "accept them without their literal meanings and to entrust knowledge of their true meanings to God. Indulgence in their explanation (*tafsir*) is not permissible."<sup>128</sup>

“وأما جمهور الموحدين فلهم في لفظ اليد قولان : الأول : قول من يقول : القرآن لما دلّ على إثبات اليد لله تعالى أمنا به ، والعقل لما دلّ على أنه يمتنع أن تكون يد الله عبارة عن جسم مخصوص وعضو مركب من الأجزاء والأبعاض أمنا به ، فأما أن اليد ما هي وما حقيقتها فقد فوضنا معرفتها إلى الله تعالى ، وهذا هو طريقة السلف<sup>129</sup>”

<sup>125</sup> Al-Bayhaqi, Kitab al-Asma, ed. by M. Z. al-Kawthari, Dar al-Kutub al-`Ilmiyyah, Beirut, n.d., 39

<sup>126</sup> Abu Bakar Muhammad b. al-Tayyib al-Baqillani, Kitab al-Tamhid, ed. by Yusuf al-Yasu`i, al-Maktabah al-Sharqiyyah, Beirut, 1957, see chapter on *tawhid*, chapter on *al-ism wa al-musamma*; also see al-Insaf fi ma yajibu l-tiqaduh wa la yajuz al-Jahal bih, ed. by `Izzat al-Husayni, Damascus, 1950/1369

<sup>127</sup> See Abu al-Hasan `Ali al-Ash`ari, al-Ibanah `an Usul al-Diyanah, ed. by M. al-Khatib, al-Matba`ah al-Salafiyyah, Cairo also ed. by Fawqiyah H. Mahmud, Dar al-Ansar, Cairo, 1977; and Maqalat al-Islamiyyin wa Ikhtilaf al-Musallin, ed. by M. `Abd al-Hamid, Al-Hikmah, Beirut, 1994/1415; Kitab al-Lum`a, ed. by Father MaCarthy, Beirut, 1953 and Risalah fi Istihsan al-Khawd fi al-Kalam, Beirut, 1953, see for English translation The Theology of al-Ash`ari: The Arabic Texts of al-Ash`ari's "Kitab al-Luma" and "Risalat Istihsan al-Khawd fi `Ilm al-Kalam", with briefly annotated trans. by Richard J. maCarthy, Imprimerie Catholique, Beirut, 1953

<sup>128</sup> Al-Razi, Asas al-Taqdis, Tab`ah Muhyi al-Din al-Kurdi, 22 the same is published by Matba`ah Mustafa al-Babi, Cairo, 1935; al-Tafsir al-Kabir, Dar al-Fikr, Beirut, 1978; also see his l-tiqadat Firaq al-Muslimin wa al-Mushrikin, Maktabah al-Nahdah, Cairo, 1938/1356; Kitab al-Arba`in fi Usul al-Din, Haydar Abad, India, 1935M.

<sup>129</sup> Al-Razi, Tafseer, 6, 106; he further continues:

وأما المتكلمون فقالوا : اليد تذكر في اللغة على وجوه : أحدها : الجارحة وهو معلوم ، وثانيها : النعمة ، تقول : لفلان عندي يد أشكره عليها ، وثالثها : القوة قال تعالى { أُولَى الْأَيْدِي وَالْأَبْصَارِ } [ ص : 45 ] فسروه بذوي القوى والعقول ، وحكى سيويه أنهم قالوا : لا يد لك بهذا ، والمعنى سلب كمال القدرة ورابعها : الملك ، يقال : هذه الضيعة في يد فلان ، أي في ملكه . قال تعالى : { الَّذِي بِيَدِهِ عَقْدَةُ الْكَوْكَبِ } [ البقرة : 237 ] أي يملك ذلك ، وخامسها : شدة العناية والاختصاص . قال تعالى : { لِمَا خَلَقْتُ بِيَدِي } [ ص : 75 ] والمراد تخصيص آدم عليه السلام بهذا التشريف ، فإنه تعالى هو الخالق لجميع المخلوقات . ويقال : يدي لك رهن بالوفاء إذا ضمن له شيئاً .

إذا عرفت هذا فنقول : اليد في حق الله يمتنع أن تكون بمعنى الجارحة ، وأما سائر المعاني فكلها حاصلة

Through this discussion I have tried to prove that there are two equally acceptable tendencies among the genuine scholarship of Islam. The disposition of literalism, *tafwi'd*, metaphorical interpretation (*ta'w'il*) and selective insistence upon some specific meanings at the expense of other genuine meanings, all these tendencies have existed and been followed by some very learned Muslim scholars in the past. The debate over literal versus metaphorical meanings and implementation of the letter of the text versus the spirit of the text, as seen above, has been intrinsically a part of Islamic theology. The same debate, to some degree, was transferred to the Fiqhi discourse also. There were staunch proponents of both the trends among the jurists and at times, the debate turned ugly.

I have tried to make the point that the insistence upon the letter of the text by many of our righteous ancestors should be understood in relation to their cultural milieu and its thorny challenges. It was not an ideal solution and it was not followed by a variety of classical scholars for multiple reasons. At the same time this selective insistence upon some meanings of the text at the expense of other meanings had become a necessity for some jurists in their sincere efforts to counteract the dangers of liberalization of the Qur'anic and Hadith texts. The debate was a lot more relevant to the issues of '*Aqi'dah*, public good (*maslahah mursalah*) and long term consequences (*ma'ala't*) rather than simple Fiqhi issues such as Moon sighting. The conservative jurists wanted to ascertain that the pristine, simplistic and easy to implement formulation of Islamic Shari'ah was not compromised. They did not want the Law to become a prerogative of an educated elite but an easily accessible commodity to all the Muslims including the most unlettered among them. Moreover, this debate over literalism and metaphorical interpretations cannot be and should not be viewed in a vacuum. Their juristic edicts must be understood in light of their cultural milieu, their historical challenges and their personal Fiqhi dispositions. The "'Urf" norms and customs of their times seem to have played a major role in their particular interpretations of these Prophetic Ahadith especially in their understanding of the unity of horizons, prayer timings and Qiblah directions..

Imam al-Qarafi, after giving examples of many custom based rulings, observes:

وَعَلَى هَذَا الْقَانُونَ تُرَاعَى الْفَتَاوَى عَلَى طُولِ الْأَيَّامِ فَمَهْمَا تَجَدَّدَ فِي الْعُرْفِ اعْتَبَرَهُ وَمَهْمَا سَقَطَ أَسْقَطَهُ وَلَا تَجْمُدُ عَلَى الْمَسْطُورِ فِي الْكُتُبِ طَوْلَ عُمَرِكَ بَلْ إِذَا جَاءَكَ رَجُلٌ مِنْ غَيْرِ أَهْلِ إِقْلِيمِكَ يَسْتَفْتِيكَ لَا تَجْرِهِ عَلَى عُرْفِ بَلَدِكَ وَأَسْأَلُهُ عَنْ عُرْفِ بَلَدِهِ وَاجْرِهِ عَلَيْهِ وَأَفْتِهِ بِهِ دُونَ عُرْفِ بَلَدِكَ وَالْمُقَرَّرِ فِي كُتُبِكَ فَهَذَا هُوَ الْحَقُّ الْوَاضِحُ وَالْجَمُودُ عَلَى الْمُنْقُولَاتِ أَبَدًا ضَلَالٌ فِي الدِّينِ وَجَهْلٌ بِمَقَاصِدِ عُلَمَاءِ الْمُسْلِمِينَ وَالسَّلْفِ الْمَاضِينَ<sup>130</sup>

"Based upon this rule, Fatawa (religious edicts) must be reviewed with the passage of time. The changes in 'Urf (customs) should be reflected in fatawa (the renewed customs should be incorporated and the discarded customs should be dropped). Do not always get stuck with the fatawa written in the books (throughout your life). You should not answer a questioner based upon your customs if the questioner belonged to a different province. You should ask him about the norms of his area and give fatwa not based upon your customs and what is decided in the (Fiqhi) books but according to the questioner's customs. This is exactly the right way. It is an act of clear misguidance in religion to keep

<sup>130</sup> Al-Qarafi, *Anwa'r al-Buru'q*, 2, 229

sticking to (the fatawa) transmitted in the books as it reflects ignorance about the real intent of the Muslim scholarship and also intent of the past ancestors (*salaf*).”

It seems evident that the earlier jurists’ fatawa vis-à-vis calculations in regard to Qiblah direction, prayer timings and their insistence upon the unity of horizons were based upon their *Urfi* understandings of the Prophetic Ahadith to the best of their abilities. The later jurists could have not deduced altogether different rulings from the same Ahadith had these Ahadith been categorical in their previously understood meanings. No jurist can change the categorical meanings and implications of the Prophetic commandments. The fact that their earlier understandings were modified and at times absolutely changed, it leads us to the logical conclusion that the previous interpretations were ‘*Urfi* (based upon the existent customs and realities).

The contemporary Muslim scholarship can say the same thing about the later juristical discourse in regards to Moon sighting issue. We can deduce that the classical scholarship roundly rejected the use of astronomical calculations due to a variety of reasons mostly connected with their cultural milieu as well as their understandings of the particular Prophetic Ahadith, as will be seen later in this book. We have the equal right to review their particular *Urfi* interpretations in light of our cultural realities. This way we can make Islamic Fiqh relevant to our times as Imams like al-Qarrafi and others tried in their particular times. Imam al-Qarrafi went against an established “*shari sabab*” legal cause (established by Maliki, Hanbali and Hanafi schools) i.e., unity of horizons to require fasting of the month of Ramadan and established a new legal cause i.e. the variety of horizons. Likewise, we can review al-Qarrafi’s and other classical jurists’ established legal cause i.e., actual Moon sighting and replace it with a more authentic and precise method of employing astronomical calculations in determining the fasting of Ramadan. The idea of employing calculations will not be accepted by everyone in the beginning but, with the passage of time and with proper awareness, it will become a norm as did the Qiblah directions and daily prayer schedules.

In view of this discussion let us analyze the aforementioned major arguments.

### **The Holy Qur’an Never Required Physical Moon Sighting:**

The Noble Qur’an is the normative authority, but nowhere in the Qur’an does Allah SWT unequivocally require that the month of Ramadan must be determined by physical Moon sighting with the naked eye. The Qur’an is revealed in a clear, plain and very patent Arabic language. The linguistic meanings of most of the Qur’anic terms are out-and-out obvious. The two consecutive Qur’anic verses in *Surah al-Baqarah* about the month of Ramadan and the act of fasting are so absolutely blatant that the essential meanings, as well as the true essence of them, can not be missed if one were to just study the arrant linguistic meanings of the actual words implied by the Qur’an.

The Qur’an states that:

شَهْرُ رَمَضَانَ الَّذِي أُنزِلَ فِيهِ الْقُرْآنُ هُدًى لِّلنَّاسِ وَبَيِّنَاتٍ مِّنَ الْهُدَىٰ وَالْفُرْقَانِ فَمَن شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ وَلِتُكْمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَىٰ مَا هَدَاكُمْ وَلَعَلَّكُمْ تَشْكُرُونَ.

“Ramadan is the (month) in which was sent down the Qur-an, as a guide to mankind, also Clear (Signs) for guidance and judgment (between right and wrong). *So whosoever witnesses the month among you should fast in it (spend it in fasting)*, but if any one is ill, or on a journey, the prescribed period (should be made up) by days later. *Allah intends the ease for you; He does not want to put you to difficulties.* (He wants you) to complete the prescribed period, and to glorify Him in that He has guided you; and perchance ye shall be grateful.” (2:185)

The Qur’anic phrase “*So whosoever witnesses the month among you should fast in it*” requires the act of witnessing as a prelude and prerequisite for fasting the month of Ramadan. There is a consensus among the Qur’anic exegetes and grammarians that “*fa*” is “*fa yasumhu*”; meaning that the clause “then let him fast” is causative and not descriptive. For instance the famous exegete Shihab al-Din al-Alusi states:

«ولذا ذهب أكثر النحويين إلى أن الشهر مفعول به فالفاء للسببية أو للتعقيب لا للتفصيل»<sup>131</sup>

“That is why most of the philologists maintain that the month is the object. Therefore the “*fa*” is causative or appellative and not descriptive.”

It is crystal clear that the Qur’an establishes the “act of witnessing the month” and nothing else as the cause (*sabab*) of Ramadan’s fasting. Allah SWT has not left it to us to determine this process of witnessing. The meanings of “witnessing” are also ascertained and settled by the Qur’an itself.

The linguistic meanings of the word “*Shahida*” are “presence, knowledge and announcement (informing others).” In his *Maqaayees al-Lughah*, Ahmad bin Faris, the renowned philologist, states:

«شهد الشين والهاء والذال أصلٌ يدلُّ على حضور وعلم وإعلام، لا يخرج شيءٌ من فروعه عن الذي ذكرناه»<sup>132</sup>

“The original meanings of “*Shahida*” are confined only to three: Presence, knowledge and announcement. None of the word’s derivatives go beyond these three meanings, as we have mentioned.”

Linguistically, the Qur’anic phrase quoted above cannot go beyond the following three meanings:

1: “Whosoever was present in the month of Ramadan then let him fast (the month).”

<sup>131</sup> Al-Alusi, Ru’h al-Ma’ani fi Tafsi’r al-Qur’ab al-Azi’ m wa al-Sab’a al-Matha’ni’, (electronic copy [www.altafsir.com](http://www.altafsir.com)) 2, 129

<sup>132</sup> Ahmad bin Faris, Abu al-Hussyn al-Qazwini al-Razi, Miqya’s al-Lughah, ed. By Abd al-Salam Muhammad Harun, Itiha’d al-Kutta’b al-‘Arab, 1423-2000

2: “Whosoever had the knowledge of the month of Ramadan then let him fast (the month).”

3: “Whosoever received the knowledge about the month of Ramadan then let him fast the month.”

In no way or form can it be translated as “Whosoever physically sights the Moon of the month of Ramadan then let him fast it.” This would go against all the established rules of the Arabic language. That is why all the Qur’anic exegetes, without exception, have translated and understood the meaning of the phrase stating that: “Whosoever was present in (or knew of) the month of Ramadan then let him fast the month.”

### The Qur’anic Use of the term “*Shahida*”:

The Qur’an has used the same word “*shahida*” in all the above mentioned three meanings without resorting to any requirement for actual physical sighting. For instance the Qur’an states:

شَهِدَ اللَّهُ لَأَنَّهُ لَا إِلَهَ إِلَّا هُوَ وَالْمَلَائِكَةُ وَأُولُو الْعِلْمِ قَانِمًا بِالْقِسْطِ لَأَنَّهُ هُوَ الْعَزِيزُ الْحَكِيمُ

“There is no god but He: that is the witness of Allah, His angels, and those endued with knowledge, standing firm on justice. There is no god but He the Exalted in Power, the Wise.” (3: 18)

Neither Allah SWT nor the Angels witness with actual eyes. Imam Fakhar al-Din al-Razi explains that the witnessing act of Allah SWT and the angels mentioned in the above verse can render only two meanings: “the news that is bolstered with proof of knowledge” or “witnessing means demonstration and exposition” of Allah’s (SWT) Unity.

“أن تجعل الشهادة عبارة عن الإخبار المقرون بالعلم ”  
“فالمفهوم الإظهار والبيان”<sup>133</sup>

The witnessing of Allah SWT means that He “Explains or Knows”.

Jalal al-Din al-Suyuti explains the same implications of the Divine act of witnessing by using the following words:

شَهِدَ اللَّهُ { بَيَّنَّ لَخَلْقِهِ بِالذَّلِيلِ وَالْآيَاتِ }<sup>134</sup>

“*Shahida* here means that Allah SWT had explained to His creatures by the signs and arguments (that He is One).”

<sup>133</sup> Al-Razi, Fakar al-Din Abu Abdillah Muhammad, Tafsir al-Razi, ([www.altafsir.com](http://www.altafsir.com)), 4, 142

<sup>134</sup> Al-Suyuti, Jalal al-Din, Tafseer al-Jalalayn, Dar Ihya’ al-Turath al-Arabi



The Qur'an uses the same word denoting human faculties such as hearing and seeing. However, I am sure that these human faculties do not possess actual physical eyes in order to witness things.

حَتَّىٰ إِذَا مَا جَاءُوهَا شَهِدَ عَلَيْهِمْ سَمْعُهُمْ وَأَبْصَارُهُمْ وَجُلُودُهُمْ بِمَا كَانُوا يَعْمَلُونَ وَقَالُوا لَوْلَا جِئْنَا بِشَهِيدٍ عَلَيْنَا قَالُوا أَنْطَقْنَا اللَّهُ الَّذِي أَنْطَقَ كُلَّ شَيْءٍ وَهُوَ خَلَقَكُمْ أَوَّلَ مَرَّةٍ وَإِلَيْهِ تُرْجَعُونَ

“At length, when they reach the (Fire), their hearing, their sight, and their skins will bear witness against them, as to (all) their deeds. They will say to their skins: "Why bear ye witness against us?" They will say: "Allah hath given us speech, He Who giveth speech to everything: He created you for the first time, and unto Him were ye to return. (41:20-21)

In these verses the witness of “their hearing,” “their sight,” and “their skins” is explained through the word “*Shahida*”. No one can say that these faculties will witness with their eyes. Instead, this means that these faculties will explain or give knowledge of what the person had done in the worldly life.

The following verse uses the word *Shahida* for truth:

وَلَا يَمْلِكُ الَّذِينَ يَدْعُونَ مِنْ دُونِهِ الشَّفَاعَةَ إِلَّا مَنْ شَهِدَ بِالْحَقِّ وَهُمْ يَعْلَمُونَ

“And those whom they invoke besides Allah have no power of intercession; only he who bears witness to the Truth, and they know (him).”(43:86)

Here again the witness of truth cannot be explained with the naked eyes. The truth is not a physical entity where witnessing it would require sighting it. It clearly means standing by the truth or acknowledging it wholeheartedly.

The Qur'anic exegetes, with the light of the crystal clear Qur'anic and linguistic meanings, interpret the above quoted verse of *Surah al-Baqarah* to mean that “whosoever was present in the month of Ramadan and was not traveling or sick then he should fast the month of Ramadan.”

Imam Abu Abdallah al-Qurtubi reports that the famous Companions of the Prophet (PBUH) like Ali, Ibn Abbas, A'isha and others have maintained that the meanings of “*Shahida*” is to “be present” in the month of Ramadan.

فَقَالَ عَلِيُّ بْنُ أَبِي طَالِبٍ وَابْنُ عَبَّاسٍ وَسُوَيْدُ بْنُ غَفَلَةَ وَعَائِشَةُ أَرْبَعَةٌ مِنَ الصَّحَابَةِ وَأَبُو مِجْلَزٍ لَاحِقُ بْنُ حُمَيْدٍ وَعَبِيدَةُ السَّلْمَانِيَّةُ: مَنْ شَهِدَ أَيُّ مَنْ حَضَرَ دُخُولَ الشَّهْرِ وَكَانَ مُقِيمًا فِي أَوْلَاهُ فِي بَلَدِهِ وَأَهْلُهُ فَلْيَكْمَلْ صِيَامَهُ... وَمَنْ أَدْرَكَهُ حَاضِرًا فَلْيَصِمَهُ<sup>135</sup>

“Ali bin Abi Talib, Ibn Abbas, Suwayd bin Ghafalah and A'isha, four of the Companions, and Successors such as Abu Mijlaz, Lahi q bin Humayd and U'baydah al-Salmani have said, “*Shahida*” means whosoever was present when the month started and

<sup>135</sup> Al-Qurtubi, Abu Abdullah, Tafseer al-Qurtubi, Dar al-Kutub al-Imiyah , 2, 290

was resident in his city and among his family, let him complete his fasting... Whosoever was present in the month of Ramadan let him fast.”

Hafiz Ima'd al-Din Ibn Kathir says:

{ فَمَنْ شَهِدَ مِنْكُمْ الشَّهْرَ فَلْيَصُمْهُ } فَأَثَبَتِ اللَّهُ صِيَامَهُ عَلَى الْمَقِيمِ الصَّحِيحِ، وَرَخَّصَ فِيهِ لِلْمَرِيضِ وَالْمَسَافِرِ<sup>136</sup>

“By this verse Allah SWT obligated the resident and healthy to observe fasting while giving concession to the sick and traveling persons.”

Jalal al-Din al-Suyuti says *Shahida* means being “present”.

{ فَمَنْ شَهِدَ } حَضَرَ<sup>137</sup>

Imam al-Nasafi gives the same interpretation:

{ فَمَنْ شَهِدَ مِنْكُمْ الشَّهْرَ فَلْيَصُمْهُ } فَمَنْ كَانَ شَاهِداً أَيْ حَاضِراً مَقِيماً غَيْرَ مَسَافِرٍ فِي الشَّهْرِ فَلْيَصُمْ فِيهِ وَلَا يَفْطُرُ<sup>138</sup>

Imam al-Razi has the same meanings for the word “*Shahida*” as well. He categorically states that “*al-shuhu'd*” means “being present”.

{ شَهِدَ } أَيْ حَضَرَ وَالشُّهُودَ الْحُضُورَ<sup>139</sup>

There is no second opinion among the Qur'anic exegetes about the above phrase meaning whoever was present in the month of Ramadan and not sick or traveling should fast the month of Ramadan. Therefore there exists a consensus among the Qur'anic exegetes that the act of witnessing the month means nothing more than being present in the month . الشُّهُودَ الْحُضُورَ .

The same meanings of “presence” are conveyed also by the context in which this phrase occurs in the Qur'an. Immediately after this phrase the Qur'an commands, “Whosoever is sick or traveling should make up for the missed days.” Imam al-Alusi observes:

وَلَا يَحْسُنُ أَنْ يُقَالَ مَنْ عَلِمَ الْهَيْلَالَ فَلْيَصُمْ وَمَنْ كَانَ مَرِيضاً أَوْ عَلَى سَفَرٍ فَلْيَقْضِ لِدُخُولِ الْقِسْمِ الثَّانِي فِي الْأَوَّلِ وَالْعَاطْفِ التَّفْصِيلِي يَقْتَضِي الْمَغَايِرَةَ بَيْنَهُمَا... وَلِذَا ذَهَبَ أَكْثَرُ النُّحَوِيِّينَ إِلَى أَنَّ الشَّهْرَ مَفْعُولٌ بِهِ - فَالْفَاءُ - لِلْسَّبْبِيَّةِ أَوْ لِلتَّعْقِيبِ لَا لِلتَّفْصِيلِ.<sup>140</sup>

“Linguistically it is not appropriate to say, “whosoever knew (saw) the Moon let him fast and whosoever is sick or traveling let him make up for when the second category enters the first category (meaning when the sick or traveling knows the new Moon). The detailed conjunction “and” demands difference and variety... that is why majority of the grammarians view “*al-Shahr*” as the object and maintain that the word “*fa*” is causative meaning “as a result” or “consequently” (the person should fast) and is not descriptive.”

<sup>136</sup> Ibn Kathir, Imad al-Din Hafiz, Dar Ihya' al-Tura'th, 1, 360

<sup>137</sup> Al-Suyuti, Jala'l al-Din, Tafseer Jala'layn, Dar Ihya' al-Tura'th, 37

<sup>138</sup> Al-Nasafi, Abdilllah bin Ahmad, Tafseer al-Nasafi', Dar Ihya' al-Tura'th

<sup>139</sup> Al-Razi, Tafseer, 2, 250

<sup>140</sup> AL-ALUSI, IBID

Al-Alusi shows that linguistically the phrase cannot violate the two established meanings. It has to mean either presence in person or through knowledge. The meanings will not give a sense of actual sighting of the Moon whether we take the word “*al-Shahar*” as “*Mafa’ul fiyh*” or “*Maf’ul bih*”. It must mean presence either in person or through knowledge or announcement.

{ شَهِدَ } من الشهود والتركيب يدل على الحضور إما ذاتاً أو علماً، وقد قيل: بكل منهما هنا<sup>141</sup>

Al-Alusi concludes:

فمن حضر في الشهر ولم يكن مسافراً فليصم فيه أو من علم هلال الشهر وتيقن به فليصم<sup>142</sup>

“Whoever was resident during the month of (Ramadan) and not traveling or knew the start of the new Moon of the month with certainty should fast.”

Imam Al-Razi also explains that in either case the meaning will be presence and not witnessing the new Moon with human eyes.

ثم ههنا قولان: أحدهما: أن مفعول شهد محذوف لأن المعنى: فمن شهد منكم البلد أو بيته بمعنى لم يكن مسافراً وقوله: { الشَّهْرُ } انتصابه على الظرف وكذلك الهاء في قوله: { فليصمهُ } . والقول الثاني: مفعول { شَهِدَ } هو { الشَّهْرُ } والتقدير: من شاهد الشهر بعقله ومعرفته فليصمه وهو كما يقال: شهدت عصر فلان، وأدركت زمان فلان<sup>143</sup>

“There are two views (regarding this phrase). First is that the object of witnessing is omitted because the meaning is that “whoever witnessed his residence (city or house) and was not traveling (should observe fasting)”. ... The second view is that the object of witnessing is the month meaning “whoever witnessed (knew) the month through his knowledge and intellect should fast it.” It is just like saying phrases such as “I witnessed such and such person’s time period...”

It is a common practice among the Arabs to say that “I witnessed the Friday prayers” or “I witnessed Hajj.” That does not mean that the Friday prayers or Hajj are something physical and the person saw it with their own eyes. It clearly means that one was present at the Friday prayers or at the Hajj of such and such year.”

Al-Razi concludes that witnessing the month is achievable through two methods, i.e., the actual sighting of the Moon or hearing about it.

أن شهود الشهر بماذا يحصل؟ فنقول: إما بالرؤية وإما بالسمع<sup>144</sup>

“How is “*shuhud al-shahar*” “witnessing the month” accomplished? We say it is achieved either by physical sighting or by hearing.”

<sup>141</sup> Al-Alusi, Ruh al-Ma’ani, Ibid

<sup>142</sup> Ibid

<sup>143</sup> Al-Razi, Ibid

<sup>144</sup> Ibid, 3, 103

### Some Wrong Interpretations of the Word “*Shahida*”:

The above discussion demonstrates the true meaning of the Qur’anic phrase “*shahida*” and its essence in the Qur’anic context. The verse is “decisive in its transmission and also unequivocal in its meaning,” and it does not render itself to be limited only to physical sighting with the naked eye, as some contemporary Muslims zealously advocate naked eye sighting to be the only etymology of the word “*shahida*”. For instance, Zaheer Uddin, Coordinator for Hilal Sighting Committee of North America, with the approval of “the great Ulema of the Shura of the Hilal Sighting Committee of N. A.” argues that “The first evidence we rely on is based on the Qur’an.” After quoting the Qur’anic verse (2:185) analyzed above, he continues with the following observations: “The critical term in this verse is “*faman shahida minkum as-shahara*”, which means to the effect “those from you who have witnessed the month”. This verse has also been suggested to mean “those who are present at their home”. The meaning is still pointed towards presence and witnessing the month.” He further contends that “The root meaning of the critical term “*shahida*” refers to a **witnessing which takes part in a physical form, as a form of proof**. Scholars of Arabic grammar agree on this by unanimous consensus. Ibn Abbas (r), who was the first man to collect Arabic words and elaborate its meaning, also clearly holds this view. Khalil, who used ibn Abbas’s collection to formulate the world’s first dictionary in any language (this of course being in Arabic), published this fact in his works, “*Ayn*”. Scholars who study grammar consider this work to be the most authoritative in understanding the depths of meaning of Arabic words. “*Shahada*” cannot happen in a simulated environment. It has to occur in a physical form as a form of proof. Of course, the result of “*shahida*”, i.e., the witnessing can be recorded, and this should not be misunderstood with the witnessing itself.”<sup>145</sup>

It is very unfortunate that sometimes we get carried away by our positions so much so that we end up making some very sweeping statements that are unwarranted and unsubstantiated by the actual texts. I have yet to see the above alluded statement of Ibn Abbas (May Allah be pleased with him) in any authentic Islamic source, for it does not exist the way it has been presented.<sup>146</sup> There is no reference to “*shahida*” as meaning “a witnessing which takes part in a physical form, as a form of proof” in Kahlil’s compilation called al-‘*Ayn* either. It is always good to quote the original texts to avoid any mishaps or misrepresentations. We are all humans with fallible knowledge and limited expertise. The original quotes can always guide the reader to the originally intended meanings.

### Imams Abu Bakr al-Jassaas and Abu Bakr al-‘Arabi’s Interpretations of “*Shahida*”:

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<sup>145</sup> Zaheer Uddin, A Refutation to ISNA/Fiqh Council’s Decision to Disregard the Qur’an and the Sunnah and to follow Astronomical Calculations for Beginning an Islamic Month, [www.hilalsighting.org](http://www.hilalsighting.org), Issued on Rajab 29, 1427; August 24, 2006

<sup>146</sup> Ibn Abbaas’s statement could have multiple interpretations

It is pertinent to mention here that Imams Abu Bakr Muhammad bin Abdillah Ibn al-Arabi (1076-1148 AD; 468-543 AH) and Abu Bakr al-Jassaas (917-980 AD; 305-370 AH) both have interpreted this particular Qur’anic phrase regarding “*shahida*” in light of the authentic Prophetic reports (which we will have opportunity to discuss in the later part of the book) to mean “sighting the new Moon.” I reiterate here that these classical jurists took such a staunch position against astronomical calculations based upon the historical facts prevalent at their times. Nobody blames them for that. They had tried to protect common Muslim’s *Aqidah* (belief) from dereliction as Qadi Abu Bakr ibn al-Arabi has stated, “As for the second reason, *it is not permissible to rely on astronomers and mathematicians, not because their findings are not true but because people’s beliefs must be protected from an association with celestial motions and future occurrences of conjunctions and separations. Indeed, that is a vast ocean should people be pulled into it.*”<sup>147</sup>

The aspired goal of our jurists had been to attain certainty in the matters connected with our acts of devotion as Abu Bakr al-Jassaas has rightly explained.

حَتَّى يَدْخُلَ فِي الْعِبَادَةِ بَيِّقِينَ , وَيَخْرُجَ عَنْهَا بَيِّقِينَ<sup>148</sup>

“This is in order that we enter our [time-dependent] acts of worship with *certainty and end them with certainty.*”<sup>149</sup> During their times the actual sighting of the new Moon or completion of 30 days were the only two methods at their disposal to ascertain the month and these scholars really held on to these methods for the purpose of certainty. It was not that the physical sighting was meant for itself; rather, it was definitely meant for the required certainty. It was a means to achieve the goal of certainty and not the goal in itself. Imam Ibn A’bd al-Barr al-Qurtubi has beautifully stated the point in a nutshell, as Shaikh Hamza has pointed out, “God says, “Whoever witnesses the month, let him fast” (2:185). He means, and God knows best, “**Whoever among you knows, with a knowledge that is certain, that the month has indeed begun must fast it.**” And knowledge that is certain is [based on] either a clear and widespread sound sighting or the completion of thirty days of the previous month.”<sup>150</sup> I also believe that the classical scholars would have reacted very differently had the science of astronomy and scientifically sanctioned astronomical calculations reached the precision they have reached in our modern times.

With due respect to the scholarship of Imam Abu Bakr al-Jassaas and Imam Ibn al-Arabi, both the Imams in their respective magisterial enterprises are trying to deduce possible Islamic rules (*ahka’m*) from the Qur’anic text based upon their knowledge, their Fiqhi dispositions as well as culture. In no way or form can their interpretations be granted the divine authority which the text of the Noble Qur’an enjoys. In addition to that, both the Imams had never claimed that their understanding and interpretation of the word “*shahid*” as meaning “*seeing the new Moon*” is the only etymology of the original sense of the word. Both of them have clearly stated that the word “*shahid*” in the Ramadan verse, in light of the Prophetic reports, is *carried to mean* “sighting the new Moon.” They

<sup>147</sup> Quoted from Hamza Yusuf, *Ibid*, Part I, P: 17-18. Note: italics are added for emphasize.

<sup>148</sup> Al-Jassaas, Abu Bakr, *Ahka’m al-Qur’an*, Dar al-Fikr, 1, 117

<sup>149</sup> Hamzah Yusuf, I, P: 15; here Hamza’s translation is being adopted to emphasize the point

<sup>150</sup> Hamza, *Ibid*, I, 15

never claimed that “actually sighting the new Moon with the naked eye” is the definitively original (linguistic) meaning of the word “*shahida*”.

Ibn al-Arabi states:

المَسْأَلَةُ الثَّالِثَةُ : قَوْلُهُ تَعَالَى : { فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ } : مَحْمُولٌ عَلَى الْعَادَةِ بِمُشَاهَدَةِ الشَّهْرِ , وَهِيَ رُؤْيَا الْهَيْلَالِ<sup>151</sup>

“The third inquiry regarding the Divine statement “whoever witnesses the month, then let him fast” is that (this phrase) is usually (customarily) carried (to mean) witnessing the month which is sighting the new Moon.”

I was a little taken aback at Hamza Yusuf’s translation of Ibn al-Arabi’s above statement in the following verbiage:

“The next point is God’s word in the verse, “So whoever witnesses the month, let him fast” (2:185). This is normally understood to mean, “*see it with one’s eyes*”—in other words, sighting the crescent moon.”<sup>152</sup>

I hope and pray that this is an unintended oversight on the part of Hamza Yusuf given his expertise in the classical Arabic language. It is quite challenging to translate Ibn al-Arabi’s rendition “مَحْمُولٌ عَلَى الْعَادَةِ بِمُشَاهَدَةِ الشَّهْرِ” to “... is normally understood to mean, “*see it with one’s eyes.*” There is no commanding clause in Ibn al-Arabi’s very descriptive sentence, as Hamza knows very well.

Abu Bakr ibn `Ali al-Razi al-Jassaas does equate actual sighting with “witnessing the month” of Ramadan. He states that fact in the chapter describing the “Mode of Witnessing the Month” بَابُ كَيْفِيَّةِ شُهُودِ الشَّهْرِ and not in the actual meanings of the Qur’anic verse. He like, Ibn al-Arabi, interprets that phrase to mean “actual sighting” based upon the prevailing understanding of the above mentioned verse and the Prophetic reports on the subject (during their times) and in no way as the original linguistic meanings of that phrase or the Qur’anic verse.<sup>153</sup> Following is the actual quote from Abu Bakr al-Jassaas:

<sup>151</sup> Ibn al-Arabi Abu Bakr Muhammad bin Abdillah, Ahka’am al-Qur’an, (electronic copy [www.al-islam.com](http://www.al-islam.com)) P: 117

<sup>152</sup> Hamza Yusuf, Ibid, Part I, P: 15. Note: Italics are added

<sup>153</sup> Shaikh Faisal Mowlawi has also observed this fact. It must be mentioned here that I had taken the present position on calculations and Ramadan last year and had written the initial article on the subject in 2006. Most parts of my present book were already compiled and published on the internet when I had received a copy of Shaikh Faisal Mowlawi’s unfinished article presented to the Fiqh Council of Europe. I am using some quotes from this unpublished and unfinished article to substantiate my positions with the personal permission of Shaikh Mowlawi.

Shaikh Mowlawi states:

لكن من الواضح أن الحصص يحاول هنا تفسير شهود الشهر بأحاديث الرؤية، هذه المحاولة تتعارض مع تفسير المفسرين الآخرين بأن شهود الشهر يعني حضوره، وهو تفسير يؤيده الحصص نفسه الذي استدلل بهذه الآية الكريمة (فمن شهد منكم الشهر فليصمه) على النهي عن صيام يوم الشك من رمضان، بحجة (أن الشاك غير شاهد للشهر، إذ هو غير عالم به، فغير جائز له أن يصومه عن رمضان)<sup>153</sup>، والعلم بالشهر أوسع من حضور الشهر كما هو ظاهر، لأنَّ الحضور يستلزم العلم، أمَّا العلم فقد لا يستلزم الحضور. “الشيخ فيصل مولوي: “السبب الشرعي لوجوب صيام رمضان هل هو دخول الشهر أم رؤية الهلال”

قَوْلُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : " صُومُوا لِرُؤْيَيْهِ " مُوَافِقٌ لِقَوْلِهِ تَعَالَى : { يَسْأَلُونَكَ عَنِ الْهَيْلَةِ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ } وَاتَّفَقَ الْمُسْلِمُونَ عَلَى مَعْنَى الْآيَةِ وَالْخَبَرِ فِي اعْتِبَارِ رُؤْيِيهِ الْهَيْلَالِ فِي إِجَابِ صَوْمِ رَمَضَانَ ، فَدَلَّ ذَلِكَ عَلَى أَنَّ رُؤْيِيَهُ الْهَيْلَالِ هِيَ شَهْرُ الشَّهْرِ<sup>154</sup>

“The statement of the Prophet (PBUH) “Fast by sighting it” is in line with the Qur’anic verse that says,” they ask you about the new moons. Say: they are timings for people and for Hajj.” The Muslims have agreed that the verse and the Hadith mean considering sighting of the crescent Moon in obligating the fasting of Ramadan. It leads to (the fact) that sighting the new Moon is witnessing the month.”

This statement of al-Jassaas could be misleading if understood out of its original context. It must be understood in relation to his overall understanding of the Qur’anic phrase “whoever witnesses the month, then let him fast it.” His linguistic understanding of the phrase and its implications are absolutely identical with the above detailed exegetical positions. He also confines the original meanings of “*shahida*” to “residence, knowledge and *taklif* i.e., commissioning fasting through announcement.” He states:

وقوله تعالى : { فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ } يَعْتَوْرُهُ مَعَانٍ ، مِنْهَا : مَنْ كَانَ شَاهِدًا يَعْنِي مُقِيمًا غَيْرَ مُسَافِرٍ<sup>155</sup>

“The Divine statement “Whoever witnesses the month, let him fast” lends itself to a number of meanings. One of them is that “whoever witnesses means that he is resident and not traveling.” He clearly maintains that شَهْرُ الشَّهْرِ “witnessing the month” is the residence in presence فِي الْحَضَرِ وَالْبِقَامَةِ and knowing about the coming of the month:

وَقَدْ أُرِيدَ بِشَهْرِ الشَّهْرِ الْعِلْمُ بِهِ<sup>156</sup>

He further maintains that “*shahada al-shahra*” means “whoever knew the month”.

وَيَحْتَمِلُ قَوْلُهُ : { فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ } أَنْ يَكُونَ بِمَعْنَى شَاهِدِ الشَّهْرِ أَيَّ عِلْمِهِ ، وَيَحْتَمِلُ قَوْلُهُ : { فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ } فَمَنْ شَهِدَهُ بِالتَّكْلِيفِ ؛ لِأَنَّ الْمَجْنُونِ ، وَمَنْ لَيْسَ مِنْ أَهْلِ التَّكْلِيفِ فِي حُكْمٍ مَنْ لَيْسَ بِمَوْجُودٍ فِي انْتِفَاءِ لُزُومِ الْفَرْضِ عَنْهُ ، فَاطْلُقَ اسْمُ شَهْرِ الشَّهْرِ عَلَيْهِمْ ، وَأَرَادَ بِهِ التَّكْلِيفَ ،<sup>157</sup>

“It is possible to render this Divine statement as meaning, “knowing the month or knowing it while in the state of *al-taklif* (where it is obligatory for him to fast. A traveler or sick or an insane person is not in a state of *al-taklif*)... He, (Allah SWT) here, applies the phrase “witnessing the month” upon them, but in essence meant the *taklif* itself.”

وَالْحَاكِمُ الْمُسْتَفَادَةُ مِنْ قَوْلِهِ : { فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ } الْإِزَامُ صَوْمِ الشَّهْرِ مَنْ كَانَ مِنْهُمْ شَاهِدًا لَهُ ، وَشَهْرُ الشَّهْرِ يُنْقَسِمُ إِلَى أَنْحَاءٍ ثَلَاثَةٍ : الْعِلْمُ بِهِ ، مِنْ قَوْلِهِمْ : شَاهَدْتُ كَذَا وَكَذَا ؛ وَالْبِقَامَةُ فِي الْحَضَرِ ، مِنْ قَوْلِكَ : مُقِيمٌ وَمُسَافِرٌ وَشَاهِدٌ وَغَائِبٌ ؛ وَأَنْ يَكُونَ مِنْ أَهْلِ التَّكْلِيفِ عَلَى مَا بَيَّنَّا .<sup>158</sup>

<sup>154</sup> Al-Jassaas, Abu Bakr bin Ali al-Razi, Ahkam al-Qur’an, Dar al-Fikr, Vol: 1, P: 279

<sup>155</sup> Ibid, 1, 456

<sup>156</sup> Ibid, 2, 47

<sup>157</sup> Ibid, 1, 456

<sup>158</sup> Ibid, 1, 496

“Following is the ruling deduced from the Divine statement “Whoever witnesses the month, let him fast”. It obligates the one who witnesses the month among them to observe fasting. The “witnessing of the month” is divided into three areas. (1) Knowledge of it (the month) as they say “I witnessed such and such” (meaning knew such and such). (2) The residence in presence as is said “resident and traveling, present and absent.” (3) And as we have already explained that the person must be of those people who are commissioned to fast.”

It is pertinent to mention here that al-Jassaas will be wrong even if he insisted upon equating the act of witnessing the month to only the actual sighting of the Moon. Shaikh Faisal Mowlawi states that:

“نخلص من ذلك أنّ شهود الشهر عند اللغويين وجمهور المفسرين يعني حضوره: أمّا قول الجصاص بأنّ (رؤية الهلال هي شهود الشهر) فغير مسلّم، لأنّ رؤية الهلال تحدد بداية الشهر لا أكثر، وهي أمر يتعلّق بالحلال وبالشهر، أمّا الشهود فهو أمر يتعلّق بالإنسان المكلف ومتى يجب عليه الصيام.<sup>159</sup>”

Mowlawi further observes that the true meanings of the Qur’anic verse categorically indicate that the legal binding cause of Ramadan is coming of the month and not the sighting of the month of Ramadan.

“وإذا كان شهود الشهر يعني حضوره، فإنّ مقتضى ذلك أنّ السبب الشرعي لوجوب صيام رمضان حسب الآية الكريمة هو (دخول الشهر)، وهو سبب الموضوعي الذي يتعلّق بالمسلمين جميعاً. أمّا الشروط المطلوبة من كل منهم حتّى يجب عليه الصيام، فهي أن يكون مقيماً غير مسافر، سليماً غير مريض، عاقلاً غير مجنون، بالغاً غير صغير، (طاهرة غير حائض إذا كانت امرأة).<sup>160</sup>”

Imam Ibn al-Arabi maintains the same position as al-Jassaas’s aforementioned take on the subject. They both explain the mode of witnessing the month as leading to physical sighting of the new Moon based upon the arguments external to the wordings of the Qur’anic phrase itself and, that is in light of the supporting evidence from Ahadith, as it will be discussed later.

I categorically deny the assertions that the Qur’anic text unequivocally requires the act of actual Moon sighting to obligate the fasting of the month of Ramadan. The Qur’an actually requires presence in the month, knowledge of the month, commissioned status of a Muslim during this month and announcement of the month as the prelude to fasting. Actual Moon sighting or “*Ikma’l*” have been the two established modes of attaining certainty to witness the month of Ramadan. They are means and not the alternates or replacements for witnessing the month. It will be disastrous to confine the Qur’anic command of witnessing the month to just the physical Moon sighting. It will mean that only those who would sight the new Moon of Ramadan with physical naked eyes would be obligated to fast the month of Ramadan. Those who did not see the Moon would be exempt from fasting as the cause of fasting had not been realized in their case. Moreover, travelers; sick Muslims, including the chronically ill; children; pregnant and nursing

<sup>159</sup> Faisal Mowlawi, Ibid, 24

<sup>160</sup> Mowlawi, Ibid, 24



women; and all other Muslims, male and female, who would actually sight the new Moon would be obligated to fast the month of Ramadan because, in view of actually translating “witnessing” into “sighting,” it would mean the cause (*sabab*) had already occurred in their case. No jurist can ever require such a burdensome demand of sick, traveling and other Muslims who are given concession by Allah SWT Himself. The legal injunctions regarding such cases are crystal clear and accept no other interpretation or any compromise. Consequently, we conclude that the Qur’an requires presence, knowledge of the month and the commissioned status of a Muslim as the cause (*sabab*) of Ramadan fasting and not the actual physical sighting. This fact is obvious from all the linguistic and grammatical derivations of the term “*Shahida*” and all the pursuant philological implications.

Imam Abu al-‘Abbaas, Shihab al-Din al-Qarrafi, the stalwart of Maliki school, summarizes a discussion about the meanings of the word “*shahida*” in the following quote:

وَأَمَّا قَوْلُهُ تَعَالَى { فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ } فَلَا دَلَالَةَ فِيهِ عَلَى هَذَا الْمَطْلُوبِ قَالَ أَبُو عَلِيٍّ ؛ لِأَنَّ شَهْدَ لَهَا ثَلَاثُ مَعَانٍ شَهِدَ بِمَعْنَى حَضَرَ وَمِنَهُ شَهِدْنَا صَلَاةَ الْعِيدِ ، وَشَهِدَ بَدْرًا ، وَشَهِدَ بِمَعْنَى أَخْبَرَ وَمِنَهُ شَهِدَ عِنْدَ الْحَاكِمِ أَيْ أَخْبَرَهُ بِمَا يَعْلَمُهُ ، وَشَهِدَ بِمَعْنَى عَلِمَ وَمِنَهُ قَوْلُهُ تَعَالَى { وَاللَّهُ عَلَى كُلِّ شَيْءٍ شَهِيدٌ } أَيْ عَلِيمٌ وَهُوَ فِي الْآيَةِ بِمَعْنَى حَضَرَ قَالَ وَتَقْدِيرُ الْآيَةِ فَمَنْ حَضَرَ مِنْكُمُ الْمِصْرَ فِي الشَّهْرِ فَلْيَصُمْهُ أَيْ حَاضِرًا مُقِيمًا احْتِرَازًا مِنَ الْمُسَافِرِ فَإِنَّهُ لَا يَلْزَمُهُ الصَّوْمُ ، وَإِذَا كَانَ شَهِدَ بِمَعْنَى حَضَرَ لَا بِمَعْنَى شَاهَدَ وَرَأَى لَمْ يَكُنْ فِيهِ دَلَالَةٌ عَلَى اعْتِبَارِ الرَّوْيَةِ وَلَا عَلَى اعْتِبَارِ الْحِسَابِ أَيْضًا فَإِنَّ الْحُضُورَ فِي الشَّهْرِ أَعْمٌ مِنْ كَوْنِهِ تَبَتَّ بِالرَّوْيَةِ أَوْ بِالْحِسَابِ<sup>161</sup>

“There is no proof for that [Physical Moon sighting or mathematical calculations] in the Divine statement “whoever witnesses the month, then let him fast.” Abu ‘Ali stated that “*shahida*” consists of three meanings: (1) he witnessed meaning he was present as is said, “we witnessed the Eid prayer” and (such and such) witnessed (the Battle) of Badr; (2) It means “he was informed” as it is said that “he witnessed in front of the judge (ruler)” when he informed the ruler about what he knew”. (3) It means “he knew or had knowledge”. The verse that says “And Allah witnesses everything” means that He SWT possesses knowledge of everything. (The word) *Shahid* in the Qur’anic verse (2;185) means “whoever was present.” He (Abu Ali) maintained that the meaning of the verse was “whoever was present in the city (of residency) during the month (of Ramadan) then let him fast. It means whoever was present in residence and not traveling because the traveler is not obligated to fast. Therefore, if the meaning of the word “*shahida*” was to be “present” and not the act of “witnessing by the actual sighting” then it proves that there is no consideration given to actual sighting (of the new Moon) nor to calculation in this verse. The presence in the month covers a lot more than what could be confined only to actual sighting or calculation.”

It is unfortunate that at times we try to impose our sincerely held but error prone positions, and very often culturally bound dispositions, upon the text of the Qur’an. There are times when, in all honesty, we commit violence against the writ of Allah SWT by not

<sup>161</sup> Abu al-‘Abbaas, Shihab al-Din Muhammad bin Idris, al-Qarrafi, Anwaar al-Buru’q fi Anwa’a al-Furu’q, 4, 139-140

letting it speak to us. We venture to arbitrarily inflict our reading and understanding of the issue upon the unambiguous and self explanatory Qur'anic texts and then, perhaps with all sincerity, present it with the divine propriety. The issue at hand is a good example of how we Muslims, at times, intrude the Divine text by compelling the Qur'an to say what we think is right and should have been said. It should be the other way around. May Allah SWT help us all. We are told by Ibn Abi Maleeka:

وعن ابن أبي مليكة قال: سئل أبو بكر الصديق رضي الله عنه عن تفسير حرف من القرآن فقال: أي سماء تُظِلُّني ، وأي أرض تُقَلِّني وأين أذهب وكيف أصنع إذا قلت في حرف من كتاب الله بغير ما أراد تبارك وتعالى<sup>162</sup> .

“Ibn Abi Maleeka narrates that Abu Bakr (May Allah be pleased with him) was once asked about interpretation of a word in the Qur'an. He replied, “Which heaven will cover me and which earth will carry me and where will I go and what will I do if I end up saying a word in (explaining) the Qur'an which Allah SWT had not intended (for that Qur'anic word).

Surprisingly enough it was not a very complicated word which was inquired of Abu Bakr (May Allah be pleased with him).

سئل أبو بكر الصديق رضي الله عنه عن تفسير الفاكهة والأب فقال: أي سماء تُظِلُّني ، وأي أرض تُقَلِّني إذا قلت: في كتاب الله ما لا أعلم<sup>163</sup>

He was asked about the meanings of some simple words such as “the fruit” and “the father” existent in *Surah al-A'basa*. He was not sure about the exact meanings of those terms in that specific context and was afraid and hesitant to give an interpretation which may have not reflected the absolutely intended meanings of Allah SWT for those words. This is Abu Bakr and these are the simple words. What about us and our finite expertise? May Allah SWT protect us all from anything not worthy of His approval and May He forgive our shortcomings both known and unknown!

### Meanings of the Word “*Al-Hilal*” in the Arabic Language:

The definition of “*hilal*” as a new Moon of the first two or three nights of the month is based upon customary or cultural meanings and not upon the original linguistic roots of the word *hilal*. The linguistic meanings or etymology of the word “*hilal*” is not intrinsically bound to the light or physical sighting. It is connected with the phenomenon of “announcement” “raising the voice” or “the beginning portion” of something. The first light of the new Moon, when people see it and talk about it, is also called “*hilal*.” Muhammad bin Ya'qub al-Fayrozabadi, the renowned philologist informs us that the male snake, spearhead, a small amount of water, a feeble camel, the dust, a handsome young man, the paved stones, the first gush of rain, all are called “*hilal*” in Arabic language.<sup>164</sup>

<sup>162</sup> Al-Qurtubi, Tafsser, 1, 1

<sup>163</sup> Ibid, 19, 22

<sup>164</sup> See Ibn Manzur, Lisan al-'Arab, Dar Ihya al-Turath al-Islami 11, 701

*Al-hilal* is the white spotlight of the new Moon seen by the people in the beginning of the new month. It is said that the new moon is called *hilal* for the first two nights of the month and then it is called *qamar*. It is also said that the new moon is called *hilal* for the first three nights only. It is also said that the new Moon is called *hilal* until it is a quarter Moon. It is also said that it is called *hilal* until its glitter stands out brightly against the darkness of the night; this cannot happen until the seventh night. The Moon of the last two nights (26 and 27) of the month is also called “*al-hilal*”. Here is what Al-Fayrozabadi says about the noun “*al-hilal*.”

الهلالُ غُرَّةُ القَمَرِ أو اللَّيْلَتَيْنِ أو إلى ثلاثٍ أو إلى سبع، ولِلْيَلَتَيْنِ من آخر الشهر، ستٌ وعشرينَ وسبعَ وعشرينَ، وفي غير ذلك قَمَرٌ، والماءُ القليلُ، والسنانُ، والحَيَّةُ، أو الذَّكْرُ منها، وسلخُها، والجَمَلُ المَهْزُولُ ... والعُبارُ، ... والغلامُ الجميلُ، ... والحِجَارَةُ المَرْصُوفَةُ... والدَّفْعَةُ من المَطَرِ ج أهْلَةٌ وأهاليلٌ<sup>165</sup>

Originally the word “*hilal*” is derived from the Arabic root “*hallala*.” Jamal al-Din Ibn Manzur, the authoritative source on the Arabic lexicon, elaborates on the meanings of that root in the following words:

هَلَل

: هَلَّ السحابُ بالمطر وهَلَّ المطرُ هَلًّا وَاثَهَلَ بالمطر ائْهالاً واستَهَلَ : وهو شِدَّةُ انصبابه. وفي حديث الاستسقاء: فألفَ اللهُ السحابَ وهَلَّتْنا . قال ابن الأثير: جاء في رواية لمسلم، يقال: هَلَّ السحابُ إذا أمطرَ بشِدَّةٍ، والهلالُ الدفْعَةُ منه، وقيل: هو أوَّلُ ما يصيبك منه، والجمع أهْلَةٌ على القياس، وأهاليل نادرة. وَاثَهَلَ المطرُ ائْهالاً : سَالَ بشِدَّةٍ، واستَهَلَّتْ السماءُ في أوَّلِ المطرِ، والاسم الهلالُ. وقال غيره: هَلَّ السحابُ إذا قطرَ قطراً له صوتٌ<sup>166</sup>

“The cloud poured down rain...the (verb) means pouring forth of rain... The cloud gushes forth when it rains with intensity and *al-hilal* is the (first) burst (or the gush) from it. (It is also said that *al-hilal* is the first gush) i.e., “what you receive from that rain.” Based upon the analogy its plural form is “*ahillah*” and very rarely it is pluralized as “*ahaali'l*.”... The others say that, “the cloud “*halla*” when the rain comes down with drops full of noise (that rain is also called “*hilal*.”)

The Arabic root of the word “*hilal*” mainly consists of the following two basic meanings: to shout or to raise one’s voice and to begin. Ibn Manzur explains that very well when he says:

انْهَلَّتْ السماءُ إذا صبَّتْ، واستَهَلَّتْ إذا ارتفع صوتٌ وقعها، وكانَ اسْتِهلالُ الصبْيِ منه. وفي حديث النابغة الجعدي قال: فَنَيْفٌ على المائةِ وكانَ فاهُ البردِ المَنْهَلِ ؛ كلُّ شيءٍ انصبَّ فقد ائْهَلَ ، يقال: انْهَلَ السَّماءُ بالمطرِ ينْهَلُ ائْهالاً وهو شِدَّةُ انصبابه. قال: ويقال هَلَّ السماءُ بالمطرِ هَلًّا، ويقال للمطرِ هَلَّلٌ وأهْلُول . والهَلَّلُ : أوَّلُ المطرِ. يقال: استَهَلَّتْ السماءُ وذلك في أوَّلِ مطرها. ويقال: هو صوتٌ وَقَعَهُ. واستَهَلَ الصبْيُ بالبكاء: رفع صوتَه وصاح عند الولادة. وكلُّ شيءٍ ارتفع صوتُه فقد اسْتَهَلَ. وإِهْلالٌ بالحج: رفع الصوتِ بالتَّلْبِيَةِ. وكلُّ متكلمٍ رفع صوتَه أو خفضَه فقد أهَلَ واستَهَلَ وفي الحديث: الصبْيُ إذا وُلِدَ لم يورث ولم يرث حتى يَسْتَهَلَ صارخاً. وفي حديث الجنين: كيف نَدِي مَنْ لا أكلَ ولا شَرِبَ ولا اسْتَهَلَ<sup>167</sup>

When the sky rains riotously, when the person talks noisily, when a baby cries boisterously, when the pilgrim raises his voice with Talbiyah, all these acts are described

<sup>165</sup> Muhammad bin Ya’qub al-Fayrozabadi, Qamus al-Muhit, Muassat al-Risalah, 3, 183

<sup>166</sup> Ibn Manzur, Lisan al-‘Arab, Dar Ihya al-Turath al-Islami,

<sup>167</sup> Ibid

with the same root verb “*halla*”. “*Ihlal*” is nothing but “raising of the voice” as all the Qur’anic exegetes, Hadith interpreters, grammarians and philologists unanimously maintain. These linguistic usages of the word “*halla*” and “*ahlaal*” meaning “raising of the voice” coincide with the exact use of the word in many Qur’anic verses and Prophetic *Ahadith* as Ibn Manzur elaborates.

وأصله رَفَعُ الصَّوْتِ. وَأَهْلَ الرَّجُلِ وَاسْتَهْلَّ إِذَا رَفَعَ صَوْتَهُ. وَأَهْلَ الْمُعْتَمِرِ إِذَا رَفَعَ صَوْتَهُ بِالتَّلْبِيَةِ، وَتَكَرَّرَ فِي الْحَدِيثِ ذِكْرُ الْإِهْلَالِ، وَهُوَ رَفَعُ الصَّوْتِ بِالتَّلْبِيَةِ. أَهْلَ الْمُحْرَمِ بِالْحَجِّ يُهْلُ إِهْلَالًا إِذَا لَبَّى وَرَفَعَ صَوْتَهُ. وَالْمُهْلُ ، بَضْمِ الْمِيمِ: مَوْضِعُ الْإِهْلَالِ ، وَهُوَ الْمِيقَاتُ الَّذِي يُحْرَمُونَ مِنْهُ، وَيَقَعُ عَلَى الزَّمَانِ وَالْمَصْدَرِ. اللَّيْثُ: الْمُحْرَمُ يُهْلُ بِالْإِحْرَامِ إِذَا أَوْجَبَ الْحُرْمَ عَلَى نَفْسِهِ؛ تَقُولُ: أَهْلُ بَحْجَةٍ أَوْ بَعْمَرَةٍ فِي مَعْنَى أَحْرَمَ بِهَا، وَإِنَّمَا قِيلَ لِلْإِحْرَامِ إِهْلَالٌ لِرَفَعِ الْمُحْرَمِ صَوْتَهُ بِالتَّلْبِيَةِ. وَالْإِهْلَالُ : التَّلْبِيَةُ، وَأَصْلُ الْإِهْلَالِ رَفَعُ الصَّوْتِ. وَكُلُّ رَافِعٍ صَوْتَهُ فَهُوَ مُهْلٌ،<sup>168</sup>

Here, Ibn Manzur, shows that the origin of the word “*Hilal*” is from “raising the voice”. The same verb is used to define a person who raises his voice with *al-talbiyah* (the chanting of the specific *takbeerat* after putting on one’s *ihram* for Hajj or Umrah). Everything that is noisy can be called “*Muhill*”.

### **The *Hilal* is Called *Hilal* Because People Announce Its Sighting:**

Ibn Manzur, after a lengthy discussion of the various usages of the root word, concludes that the origin of the word “*hilal*” is from “raising the voice” and not from actual sighting. Ibn Manzur puts the point in the nutshell:

قال أبو العباس: وسمي الهلال هلالاً لأن الناس يرفعون أصواتهم بالإخبار عنه.<sup>169</sup>

“Abu al-Abbas said that the *Hilal* (new Moon) is named *Hilal* because the people raise their voices to inform each other about it (the new Moon). “

Abu Hayyan Muhammad bin Yusuf al-Andlusi (654-745 AH; 1256-1344 AD), the famous Qur’anic exegete, discussing the root of the word *hilal*, maintains:

وسمي هلالاً لارتفاع الأصوات عند رؤيته من قولهم: استهل الصبي، والإهلال بالحج، وهو رفع الصوت بالتلبية، أو من رفع الصوت بالتهليل عند رؤيته<sup>170</sup>

“The (new Moon) was called *hilal* due to people raising their voices at seeing it. It is derived from their expressions such as “the baby cried”. *The Ihlal* for Hajj means raising the voice with *al-Talbiyah*. It is (also called *hilal* because they) say out loud “God is Great” at sighting the new Moon.”

The phrase<sup>171</sup> “وأصله رفع الصوت” “the origin of the word *hilal* is from raising the voice”, is so recurring in the books of Tafsir, explanations of the books of Hadith and all the

<sup>168</sup> Ibid

<sup>169</sup> Ibid

<sup>170</sup> Abu Hayyan, Tafsir al-Bahr al-Muhit, Dar al-Fikr, Ayah 189

<sup>171</sup> Al-Johari, Al-Sihaah fi al-Lughah, ([www.alwarraq.com](http://www.alwarraq.com)) 2, 254

known dictionaries of the Arabic language that it is not hard to deduce the fact that the origin of the word *hilal* is from people raising their voices and informing each other about the beginning of the new month and not from the spotlight of the new Moon. The people during pre-modern times had no way of knowing the Moon at the beginning of the new month or the end of the month, and they did not have a way of informing people about the start or end of the month except through actually sighting of the new Moon. Consequently, the act of sighting the new Moon became correlated with the original linguistic meanings of the word and the new Moon of one to seven nights and then the last two nights of each month was called “*al-hilal*.” The *hilal* at this early stage is still a “Qamar” and in the Arabic language it is absolutely fine to call it “Qamar” as the Arabs used to say “*ahall al-Qamar*” “The Moon “Qamar,” appeared. The renowned philologist, al-Layth, in fact argues that the Moon of the first or second night must not be referred to as “*ahalla al-hilal*” but “*ahalla al-qamar*.” Al-Layth contends that:

قال: والهِلالُ غرَّةُ القمرِ حين يُهَيَّئُهُ الناسُ في أولِ الشهرِ. تقول: أهلَّ القمَرَ. ولا يقالُ أهلَّ الهِلالَ.<sup>172</sup>

Of course, others such al-Azhari have disagreed with this rendition of al-Layth.

Jaarullah al-Zamakhshari, the authority on the language as well as Tafsir, differentiates between the active and passive use of the root verb of *hilal*. In the passive sense it means “they raised their voices at seeing the new Moon” and in the active sense it means “the new Moon appeared; i.e. it was seen.”

وأهلُّوا الهِلالَ واستهلَّوه: رفعوا أصواتهم عند رؤيته، وأهلَّ الهِلالَ واستهلَّ إذا أبصر. وأهلَّ الصبيَّ واستهلَّ إذا رفع صوته بالبكاء. وانهلَّت السماء بالمطر واستهلَّت وهو صوت المطر. وتهلَّل السحاب بالبرق: تلالاً.<sup>173</sup>

I am not denying that the act of seeing the new Moon and the involvement of human beings in sighting it are part of the meaning of “*al-hilal*.” I am arguing that they are the secondary meanings which culturally became popular due to the pre-modern Arabs dependence upon the physical sighting of the new Moon to begin and end their months. The original meanings leading to announcement and talking about something loudly are the essence of why the *hilal* was called *al-hilal*. Abu al-Thanaa Shihab al-Din al-Alusi puts this point in a nutshell while explaining the Qur’anic verse “they ask you about the new Moons”.

والأهلة جمع هلال واشتقاقه من استهل الصبي إذا بكى وصاح حين يولد ومنه أهل القوم بالحج إذا رفعوا أصواتهم بالتلبية ، وسمي به القمر في ليلتين من أول الشهر ، أو في ثلاث أو حتى يحجر وتحجيره أن

<sup>172</sup> Al-Azhari, Tahzib al-Lughah, [www.alwarraq.com](http://www.alwarraq.com), 2, 225; Ibn Manzur, Ibid, 11, 701; Taj al-‘Arus, 1, 7591

<sup>173</sup> Abu al-Qasim, Mahmud bin Umr, Jarrallah al-Zamakhshari , Asaas al-Balaghah, [www.alwarraq.com](http://www.alwarraq.com), 2, 4

يستدير بخط دقيق وإليه ذهب الأصمعي أو حتى يبهر ضوءه سواد الليل ، وغيا ذلك بعضهم بسبع ليال  
وسمي بذلك لأنه حين يرى يهل الناس بذكره أو بالتكبير؛ ولهذا يقال : أهل واستهل ولا يقال هل،<sup>174</sup>

“*Al-ahillah* are plural of *hilal*. The word is derived from the crying and screaming of the new born baby at its birth. From this root the “*ihlal of Hajj*” took its name and that happens when the people start saying the *Talbiyah* out loudly. The Moon of the first two, three... seven nights of the month was given this name also. The Moon was named so because people, when it is seen, rejoice by talking about it or by chanting *al-Takbir*, (*Allahu Akbar*: God is Great). That is why it is called “*ahalla wa istahall*” and not “*halla*” (meaning it appeared).”

That is why the month itself is also referred to as “*al-hilal*,”<sup>175</sup> “الهِلَالُ هُوَ الشَّهْرُ بَعَيْنِهِ”<sup>175</sup> “the month itself is “*al-hilal*.”

The crux of the matter is that the original root meanings of the word “*al-hilal*” are intrinsically bound to “raising the voice,” “informing about something publicly,” “talking about something loudly,” etc. The new Moon got its name from that, metaphorically, when it was sighted and talked about. These culturally bound metaphorical meanings received popularity due to the pre-Arabs sheer dependence upon the new Moon light to determine the beginning and end of their lunar months. Sighting the new Moon with the physical naked eye was the only mode that achieved certainty. Gradually, the metaphorical meanings of the term *al-hilal* took over the original root meanings of “announcement,” “expression of joy,” and “raising the voices.”

### Putting the Cart before the Horse:

Hamza Yusuf, on the other hand, after a good discussion of the subject, surprisingly draws the exact opposite of what is maintained by the overwhelming majority of the Qur’anic exegetical works and Arabic lexicon. He concludes that “It appeared” (*halla*) or “It was seen” (*uhilla*) both entail witnessing, which means its birth is not an active event but involves, in this case, witnessing. “The moon was born” (*uhilla*) literally means, “It was seen.”<sup>176</sup> He quotes Imam al-Raghib al-Asfahaani saying that, “(*ihall*) can also refer to the cry one makes upon sighting the crescent, which was later used metaphorically to refer to a baby’s cry upon being born (*ihlal al-saby*).”<sup>177</sup>

It is pertinent to note here that Imam al-Raghib is perhaps the only exegete and linguist who interpreted the “sighting of the Moon” as the original meanings of the term “*al-hilal*” while making the announcement or raising the voices part of it as the secondary meaning. The predominant majority of exegetes and linguists maintain the absolute opposite of that; i.e. the announcement and commemoration part being the original meanings of the term “*al-hilal*” and the sighting part as secondary and metaphorical. This

<sup>174</sup> Al-Alusi, *Ruh al-Ma’ani*, 2, 142

<sup>175</sup> Al-Misbaah al-Munir fi Ghari’b al-Sharh al-Kabi’r, [www.al-islam.com](http://www.al-islam.com), , 10, 169

<sup>176</sup> Hamza, Part I, 12

<sup>177</sup> Hamza, *Ibid*, 12

understanding goes very well with other derivatives of the root verb. For instance, the serpent is not something beautiful to look at. People do not await the appearance of a snake. But when it is seen everybody runs and the news gets across pretty soon. The serpent is also called “*al-hilal*”.

Shaikh Hamza’s selective insistence upon the secondary and metaphorical sense of the term “*al-hilal*” as the primary meaning and, basing a significant Qur’anic ruling on that choosy understanding is amazing. He himself quotes *Lisan al-‘Arab* compiled by Ibn Manzur stating that, “*the hilal got its name from the cry of joy that those who saw it uttered upon seeing it.*”<sup>178</sup> Then he chooses to draw a conclusion that is altogether contrary to Ibn Manzur’s understanding. Ibn Manzur, representing the overwhelming majority, categorically states that the *hilal* got its name from the “*cry of joy*” that the people expressed out loudly at seeing the new Moon and not from the act of “*seeing*” the new Moon or the light of the new Moon itself. Therefore, Hamza’s conclusion that, “Clearly, according to the above evidence, the crescent moon is something that is *seen*. It is a physical phenomenon that upon seeing it people tend “to cry for joy,” which is another accepted meaning of *ahalla/yuhillu*”<sup>179</sup> is misplaced. It is like putting the cart before the horse.

It is also worthy of notice that Shaikh Hamza’s translation of al-Khalil’s statement in “*al-Ayn*” is also reflective of his selective understanding of the term “*hilal*” and not necessarily reflective of the original intent of al-Khalil bin Ahmad, a very scientifically minded and precision oriented philologist.

Al-Khalil writes:

هَلَّ السَّحَابُ بِالْمَطَرِ هَلًّا، وَأَنْهَلَ بِالْمَرِّ انْهَالًا، وَهُوَ شِدَّةُ أَنْصَابِهِ، وَيَتَهَلَّلُ السَّحَابُ بِبَرَقِهِ أَي: يَتَلَأَلُ. وَيَتَهَلَّلُ الرَّجُلُ فَرَحًا. قَالَ:

تَرَاهُ إِذَا مَا جَنَّتْهُ مُتَهَلِّلًا ... كَأَنَّكَ تُعْطِيهِ الَّذِي أَنْتَ سَأَلْتَهُ<sup>180</sup>

“(Halla) The cloud poured down with rain “*hallan*” a real spurt... meaning intensity of its gush; and the cloud gleamed with its lightening: meaning it shined or flashed; and the man beamed with joy as (the poet said): “You see him rejoicing (delighted with happiness) when you come to him asking as if you are (actually) at the giving end of what you actually are asking of him.” (Meaning the person alluded to is extremely generous and rejoices giving).

He continues on:

وَالِاسْتِهْلَالُ: الصَّوْتُ. وَكُلُّ مُتَهَلِّلٍ رَافِعِ الصَّوْتِ أَوْ خَافِضِهِ فَهُوَ مُهَلٌّ وَمُسْتَهَلٌّ. وَأَنْشَدَ:  
وَأَلْفَيْتُ الْخَصُومَ فَهَمَّ لَدَيْهِ ... مُبْرِشِمَةً أَهْلُوا يَنْظُرُونَا  
وَالِهَلَالُ: الْحَيَّةُ الذُّكْرُ.<sup>181</sup>

“And “*al-istihlal*” is the voice. Every “*mutahallil*” whether he makes loud noise or lowers down the voice is called “*muhill and mustahill*” It has been chanted: “And I found the enemy (absolutely defeated) nailed down by him, beginning to look at us (hysterically as

<sup>178</sup> Ibid, 12, *italics are added.*

<sup>179</sup> Ibid, 12

<sup>180</sup> Al-Khalil, Bin Ahmad, al- ‘Ayn, [www.alwarraq.com](http://www.alwarraq.com), 1, 245

<sup>181</sup> Ibid, 1, 246

if they were affixed or tacked in the earth.) And “*al-hilal*” is the male snake.” (*Here the meanings of voice, beginning and fear are emphasized*).

In the backdrop of al-Khalil’s multifaceted understanding of the term “*al-hilal*,” let us now look at what he says about the new Moon.

والهلالُ: غُرَّةُ القَمَرِ حينَ يُهَيَّئُهُ النَّاسُ فِي غُرَّةِ الشَّهْرِ. يُقَالُ: أَهَلَّ الهَلَالُ وَلَا يُقَالُ: هَلَّ<sup>182</sup>

“And “*al-hilal*” is the first day (beginning) of the Moon (blaze, white spot, the finest part of the Moon) when people rejoice it (talk about it, see it) in the beginning of the month. It is said, “*uhilla al-hilal*” and not “*halla*.”

What I am trying to say is that al-Khalil’s statement is not categorical in confining the meanings of *al-hilal* to mere physical sighting of the new Moon. A thorough study of his treatment of the term manifestly proves that to him the verb “*halla-yahullu*” is covering a number of meanings such as rejoicing, announcing or raising of voices, beginning, shining, gleaming and pouring down with intensity. Therefore, Hamza’s translation of his above quoted statement to “*when people actually see the crescent at the outset of the month*” is seemingly a selective insistence upon some meanings of the verb at the expense of other meanings.

Shaikh Hamza writes: “In determining the crescent moon, an important question arises: what exactly does “crescent” (*hilal*) mean in the classical Arabic language? Furthermore, does our modern understanding of this word differ from the Arab understanding of the seventh century? The earliest and one of the most authoritative lexicons in the Islamic tradition is that of the linguist, al-Khalīl b. Ahmad, of Oman. His book, *al-‘Ayn*, is the first scientific lexicon in human history. In it, he defines the word “crescent” (*hilal*) as, “The first light of the moon, when people actually see the crescent at the outset of a month.... It is said, ‘The crescent was seen’ (*uhilla l-hilal*) and not ‘The crescent appeared’ (*halla l-hilal*).”<sup>183</sup>

### **Imam Ibn Taymiyyah and the Meanings of *Hilal*:**

Imam Abu al-Abba’s Taqi al-Din Ahmad Ibn Taymiyyah (1263-1328 AD; 661-728 AH) makes the point clear to us when he says:

وَدَلِّكَ أَنَّ الهَلَالَ أَمْرٌ مَشْهُودٌ مَرَبِّيٌّ بِالْأَبْصَارِ . وَمِنْ أَصَحِّ المَعْلُومَاتِ مَا شُوهِدَ بِالْأَبْصَارِ وَلِهَذَا سَمَّوْهُ هَلَالًا ؛ لِأَنَّ هَذِهِ المَادَّةَ تَدُلُّ عَلَى الظُّهُورِ وَالبَيَانِ : إِمَّا سَمْعًا وَإِمَّا بَصْرًا كَمَا يُقَالُ : أَهَلَّ بِالعُمْرَةِ وَأَهَلَّ بِالدَّبِيحَةِ لِغَيْرِ اللّهِ إِذَا رَفَعَ صَوْتَهُ وَيُقَالُ لَوْ قَع المَطَرُ الهَلْلُ . وَيُقَالُ : اسْتَهَلَّ الجَنِينُ إِذَا خَرَجَ صَارِحًا . وَيُقَالُ : تَهَلَّلَ وَجْهُهُ إِذَا اسْتَنَارَ وَأَضَاءَ . وَقِيلَ : إِنَّ أَصْلَهُ رَفَعَ الصَّوْتِ . ثُمَّ لَمَّا كَانُوا يَرْفَعُونَ أَصْوَاتَهُمْ عِنْدَ رُؤْيَيْهِ سَمَّوْهُ هَلَالًا.<sup>184</sup>

<sup>182</sup> Ibid, 1, 246

<sup>183</sup> Hamza, Ibid, 12

<sup>184</sup> Ibn Taymiyyah, Abu al-Abba’s Taqi al-Din Ahmad, *Majmu’a Fatawa Ibn Taymiyyah*, [www.islam.com](http://www.islam.com) 6, 69; see also ; *Fatawa al-Kubra’*, Dar al-Kutub al-‘Ilmiyyah,



(It is called *hilal*) because “the new Moon is a matter witnessed and sighted by the eyes. As the information obtained through eyes is the most accurate, that is why (the new sighted Moon) is called a “*hilal*”. Because its root word leads to appearance (conspicuousness) and announcement (manifestation) either through listening or through sighting as it is said: “*ahalla*” for Umrah and “*ahalla*” with the slaughtered animal (raised one’s voice to chant the name of other than Allah at the time of slaughter) meaning that (he) raised his voice. Pouring rain is called *al-halall* and when the new born baby comes out crying it is referred to as “*istahalla*”. It is said: his face “*tahallala*” when the face gleams and glitters. It is said that the origin of this (root) is raising the voice and as the people used to raise their voices at sighting the new Moon, they called (the new Moon) a *hilal*.”

Imam Abu Ja’afar Muhammad bin Jari’r al-Tabari (224-310 AH; 839-923 AD) also states that “*ihlal*” is “announcement”:

والاهلال: رفع الصوت، يقال: أهل بكذا، أي رفع صوته.<sup>185</sup>

Imam Abu al-Fadal Shiha’b al-Din Ahmad bin Ali Ibn Hajar al-Asqalaani (1372-1448; 773-852 AH), the legendary authority on Hadith, categorically maintains that the new Moon was called “*al-hilal*” because the people used to raise their voices (announce their sighting) at sighting the new Moon.

قال الطبري: البهلال هنا رفع الصوت بالتلبيح وكل رفع صوته بشيء فهو مهل به، وأما أهل القوم البهلال فأرى أنه من هذا لأنهم كانوا يرفعون أصواتهم عند رؤيته<sup>186</sup>

It should be clear by now that the original meanings of the word “*Hilal*” are connected with raising the voices, rejoicing out loudly, beginning portion of something, etc. and not with glittering or shining of the new Moon. The new Moon was then called “*Hilal*” because it was the first certain sign of the new month and because, when it appeared, people raised their voices to inform others about arrival of the new month. The interpretation of the new Moon being sighted as opposed to being announced were based upon the customary use (*’Urf*) of the Arabs and this “*’Urfi*” meaning gradually took over the original linguistic meaning of the term “*al-hilal*”.<sup>187</sup> There was no accurate method available to the pre-modern Arabs except sighting the new Moon with the naked eyes, as Ibn Taymiyyah has mentioned in a quote above. That is why they defined the new Moon as something seen rather than known. Moreover, the above mentioned phenomenon happened only during the first few days of the new month; therefore, the new Moon was called “*Hilal*”. Had the name *Hilal* been given to the new Moon due to its light or glitter then the full Moon had more rights to be called *Hilal* than the Crescent, because it shines more than the Crescent, contains more light and is seen by more people. The Moon towards the end of the month, the last two

<sup>185</sup> Al-Tabari, Abu Ja’afar Muhammad bin Jari’r, Ja’mi’a al-Baya’n fi Ta’wi’l al-Qur’an, Tafseer al-Tabari, Moassasat al-Risa’lah, 2000-1420, 2, 224

<sup>186</sup> Ibn Hajar, Abu al-Fadal Shiha’b al-Din Ahmad bin Ali, Fath al-Baari, [www.alwarraq.com](http://www.alwarraq.com), 5, 193

<sup>187</sup> Shaikh Maghraoui states: “*Hilal* **traditionally** referred to a crescent that is at least one or nights old...”; Here the word “traditionally is important to notice.

Ibid, 7

nights, was historically and presently called “*al-hilal*” because the Arabs used to talk about the end of the month and arrival of a new month. Actual physical sighting was just a means to ascertain the start and end of a lunar month.

Linguistically, the astronomically calculated new Moon (even without light) could be, in principle, called “*Hilal*” if the beginning (arrival) of the new Moon could be certainly manifested through the precise astronomical calculations and announced so that people can raise their voices about its arrival and talk about it. Such a definition will cover almost all original aspects and attendant corollaries of the root word “*halla*”. Undoubtedly, the pre-modern Arabs used physical eye sighting of the new Moon as the most certain technique and mode of knowing about the start and end of a new month, as Ibn Taymiyyah beautifully stated, and that is the reason they called it *hilal*. I am not claiming here that Imam Ibn Taymiyyah accepted use of astronomical calculations regarding this matter. It will be discussed later that he categorically rejected such a use. He like many classical jurists argued that the calculations were not precise enough to be employed in such an important devotional matter and that calculations were the product of astrologers and future tellers, a profession in direct conflict with the pristine ‘*aqidah* or the Islamic belief system. I am stating here that the cultural meanings of *al-hilal* as something only seen are “*Urfi*” meanings which, in time, became so customary that people started equating it with the original linguistic meanings. Now, if we can have the same certainty through the astronomical calculations and announce arrival of the new month and new Moon, we can possibly call it “*hilal*.”

### Meanings of *al-Urf*:

‘Urf is defined as "recurring practices which are acceptable to people of innate sound nature.”

العرف هو : الشيء المعروف المألوف المستحسن الذي تتلقاه العقول السليمة بالقبول

There are known jurists who maintain that Allah SWT has commanded us to accept “*Urf*” customs of people as long as those customs do not contradict an established Islamic “*nass*” such as present day customs like alcoholism for instance. They substantiate their position with the following Qur’anic verse:

خُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ وَأَعْرِضْ عَنِ الْجَاهِلِينَ (الأعراف:99)

“(O Prophet (PBUH): Hold on to forgiveness, command what is known (good, customary) and ignore the ignorant”. (al-Anfaal:199)

{ خُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ } : إِنَّ مَعْنَى الْعُرْفِ : كُلُّ مَا عَرَفْتَهُ النَّفْسُ مِمَّا لَا تَرُدُّهُ الشَّرِيعَةَ ، قَالَ ابْنُ ظَفَرٍ فِي الْيَتْبُوعِ " الْعُرْفُ " مَا عَرَفَهُ الْعُقَلَاءُ بِأَنَّهُ حَسَنٌ<sup>188</sup>

<sup>188</sup> See Ibn al-Najjar, Taqi al-Din, Sharh al-Kokab al-Muni'r, [www.shamela.ws/](http://www.shamela.ws/), 3, 40

Abu Muhammad Abd al-Haq bin Gha'lib, Ibn 'Atiyyah (d542 AH),<sup>189</sup> the renowned Qur'anic exegete, elaborates the verse stating that "certainly *"al-'urf"* here means what people got accustomed to from among the things which are not rejected by the *Shari'ah*." Ibn Zafar, in *al-Yanbu'a*, states that *"al-'urf"* is "what the thoughtful people consider to be good."

The Prophet (PBUH) accepted and incorporated numerous customs of *al-Jahiliyyah* such as *Diyah* (indemnity for bodily injury or blood money) of 100 camels, *Qasamah* (making the male members of a clan responsible for blood money), fire at *Muzdalifah* to guide the pilgrims (*Hujjaj*) proceeding from *'Arafah*, etc. Even some of the Qur'anic verses and rulings gave great weight to some local customs while promulgating some social rules. For instance the Qur'an requires the slaves and teens (who have not reached the age of puberty) to seek permission before entering a house at three consecutive times. These are before dawn prayer, the mid noon nap time when *"you take off your cloths"* and after the night *"Isha"* prayer.

{يا أيها الذين آمنوا ليستأذنكم الذين ملكت أيمانكم والذين لم يبلغوا الحلم منكم ثلاث مرات من قبل صلاة الفجر وحين تضعون ثيابكم من الظهيرة ومن بعد صلاة العشاء ثلاث عورات لكم ليس عليكم ولا عليهم جناح بعدهن طوافون عليكم بعضكم على بعض كذلك يبين الله لكم الآيات والله عليم حكيم} (24:58)

"O ye who believe! Let your slaves, and those of you who have not come to puberty, ask leave of you at three times (before they come into your presence): Before the prayer of dawn, and when ye lay aside your raiment for the heat of noon, and after the prayer of night. Three times of privacy for you. It is no sin for them or for you at other times, when some of you go round attendant upon others (if they come into your presence without leave). Thus Allah maketh clear the revelations for you. Allah is Knower, Wise."

The Qur'an promulgated this social rule based upon a custom of the Arab/Muslim community of *Madinah*. The ruling on *"taking the clothes off time at mid noon"* will change with the change in people's custom or *"'Urf"*.

There is an established *Fiqhi* rule that a jurist must try to look at the reasoning behind a ruling and not just the literal sense of it. The rule could have been based upon custom *"'urf"*.<sup>190</sup> الوَصْفُ الْمُعْتَلُّ بِهِ قَدْ يَكُونُ عَرْفِيًّا .

There is another known *Fiqhi* rule which explains that if a ruling in a given subject is based upon *'Urf* or customary use then that ruling will change with the change in that *'Urf* or custom. Of course the rulings founded upon the *categorically unequivocal Islamic texts* such as the Qur'an and the Sunnah will not change even if the customs are in conflict with them as explained earlier.

<sup>189</sup> Ibn 'Atiyyah, Abu Muhammad Abd al-Haq bin Gha'lib, al-Muharrar al-Waj'iz, www.shamela.ws/

<sup>190</sup> Sharh al-Kokab, www. Shamela.ws/, 3, 41

إِنَّ الْأَحْكَامَ الَّتِي تَتَّعِيرُ بِتَغْيِيرِ الْأَزْمَانِ هِيَ الْأَحْكَامُ الْمُسْتَنْدَةُ عَلَى الْعُرْفِ وَالْعَادَةِ ؛ لِأَنَّهُ بِتَغْيِيرِ الْأَزْمَانِ تَتَّعِيرُ  
 اِحْتِيَاجَاتُ النَّاسِ ، وَبِنَاءً عَلَى هَذَا التَّغْيِيرِ يَتَبَدَّلُ أَيْضًا الْعُرْفُ وَالْعَادَةُ وَيَتَّعِيرُ الْعُرْفُ وَالْعَادَةُ تَتَّعِيرُ الْأَحْكَامَ ... ،  
 بِخِلَافِ الْأَحْكَامِ الْمُسْتَنْدَةِ عَلَى الْأَدِلَّةِ الشَّرْعِيَّةِ الَّتِي لَمْ تُبْنِ عَلَى الْعُرْفِ وَالْعَادَةِ فَإِنَّهَا لَا تَتَّعِيرُ<sup>191</sup>

“The rulings/injunctions that change with the change of times are those that are based on custom (Urf). Because with time change, people’s needs also change and, based on these changes the customs (Urf) change too. As a result the rulings change. Contrary to that, text based Islamic rulings that are not originally based upon custom (Urf) do not change.”

It is pertinent to note here that Imam Abu Yu’suf, the celebrated student of Imam Abu Hanifah and the fundamental authority in the Hanafi School of Fiqh, maintains that if there happens to be a conflict between the established text and the customs of people then it is fundamentally essential to look at whether or not the original text was based upon customs and norms of the people in the past. The existing customs of the people will be preferred over the established text (*nass*) in case the text was based upon an old custom or norm.

عَلَى أَنْ الْإِمَامَ أَبَا يُوسُفَ يَقُولُ : إِذَا تَعَارَضَ النَّصُّ وَالْعُرْفُ يُنْظَرُ فِيمَا إِذَا كَانَ النَّصُّ مَبْنِيًّا عَلَى الْعُرْفِ  
 وَالْعَادَةِ أَمْ لَا ؟ فَإِذَا كَانَ النَّصُّ مَبْنِيًّا عَلَى الْعُرْفِ وَالْعَادَةِ تُرْجَحُ الْعَادَةُ وَيُتْرَكُ النَّصُّ .<sup>192</sup>

Imam Abu-Yusuf states that: “If there is a conflict between the text and the custom (Urf), it should be looked whether the text is based on the customs (Urf) or not? If the text is based upon customs (Urf), then the custom (Urf) is preferred and the text is abandoned.”

I will conclude this part of the discussion with noting that Allah SWT never implied a word in the Qur’an which will essentially require Muslims to physically sight the new Moon of Ramadan or Zi al-Hajjah in order to observe fasting of Ramadan or perform the act of Hajj. Had it been so crucial of an ‘*Ibadah* to see the new Moon with the naked eye, He SWT could have used categorical terms such as “whoever sights the new Moon of Ramadan and Zi al-Hajjah” in obligating these devotional duties and then afterwards could have given exceptions to the sick and traveling for instance. He did not do so. Instead, He SWT used phrase like ‘whoever witnesses the month’, which means whoever knows the month of Ramadan and is healthy and resident, in order to leave the door open for the seen or heard news and other possible future interpretations. The Qur’an is the eternal Word of God verbatim. It is the miracle of the Qur’anic text that it responds to peoples of all times. The above mentioned Qur’anic phrase permitted the pre-modern Muslims to deploy the most certain method of witnessing the month of Ramadan (i.e. Moon sighting) and the phrase is also flexible enough to resolve our current uncertainties and confusions if the physical sighting becomes challenging; the resulting turmoil can be fixed through scientifically proven astronomical calculations based upon the “meticulously calculated” stages of

<sup>191</sup> Afindi, Ali Hayder Khawaja, Durar al-Hukka’ m Sharh Majallah al-Ahka’ m, www. Shamela.ws/, 1, 70

<sup>192</sup> Durar al-Hukka’ m, Ibid

the Moon. The ultimate goal is certainty about the month and not the physical sighting of the month.

The Prophet (PBUH) did command Muslims to start and end the month of Ramadan by actual Moon sighting, in view of the existent constraints during his times. In the final analysis it becomes evident that the actual sighting is not the only mechanism which the Prophet (PBUH) deployed to confirm or negate Ramadan. He gave us the alternative of completing 30 days of Ramadan or Sha'aban in case of natural obscurities such as the clouds. He never required us to look for the new Moon on the 30<sup>th</sup> day of Sha'aban or Ramadan because the new month would certainly start after the 30<sup>th</sup> day. That proves that certainty, not the actual sighting, is the pre-requisite for observing the month of Ramadan. In depth discussions of the Prophetic narrations on the subject will prove that the Prophet (PBUH) only required us to actually sight the new Moon if we were to start Ramadan after the 29<sup>th</sup> day of Sha'aban or if we were to start the month of Shawwal after fasting just 29 days of Ramadan, as will be seen later in the book. As the physical Moon sighting was the only method rendering certainty at that time, he (PBUH) required Moon sighting on the 29<sup>th</sup> day of the month. He also added another clause to his Prophetic commandment, and that is: "we are unlettered people; we neither write nor calculate." That Prophetic clause pinpointed the actual reason for requiring the Moon sighting.

During his time, the Jews have fully adopted the innovation of using mathematical calculations or intercalations to synchronize their lunar calendar with the solar calendar. The pre-Islamic Arabs followed the Jewish innovations of adding days to lunar months and an extra 13<sup>th</sup> month to the lunar year of the actual 12 months. That caused Hajj and other sacred performances to occur not on their own Divinely prescribed times, but at the times suited to pre-Islamic Arab's (businesses) financial and political needs. That is why the Prophet (PBUH) insisted on bringing the time back to its original form and connected the months back to the arrival of the new Moons, and thus negating the arbitrary intercalations and the calculations connected with that.

The Qur'an addresses this issue intercalation in the following verses.

إن عدة الشهور عند الله اثنا عشر شهرا في كتاب الله يوم خلق السماوات والأرض منها أربعة حرم ذلك الدين القيم فلا تظلموا فيهن أنفسكم وقاتلوا المشركين كافة كما يقاتلونكم كافة واعلموا أن الله مع المتقين إنما النسب زيادة في الكفر يضل به الذين كفروا يحلونه عاما ويحرمونه عاما ليواطئوا عدة ما حرم الله فيحلوا ما حرم الله زين لهم سوء أعمالهم والله لا يهدي القوم الكافرين

"Behold, the number of months, in the sight of God, is twelve months, [laid down] in God's decree on the day when He created the heavens and the earth; [and] out of these, four are sacred: this is the ever true law of God. Do not, then, sin against yourselves with regards to these [months]... The intercalation [of months] is but one more instance of [their] refusal to acknowledge the truth- [a mean] by which those who are bent on denying the truth are led astray. They declare this [intercalation] to be permissible in one year and forbidden in [another] year, in order to conform [outwardly] to the number of

months which God has hollowed: and thus they make allowable what God has forbidden. Goodly seems unto them the evil of their own doings, since God does not grace with His guidance people who refuse to acknowledge the truth.” (9:36-37)

These verses refer to the arbitrary intercalation of the polytheists of Arabia in the lunar months and the lunar years, as most exegetes have definitively reported.<sup>193</sup> Imam Abu Abd-Allah Fakhr al-Din Muhammad bin ‘Umar, al-Razi elaborates this point when he says:

إن القوم علموا أنهم لو رتبوا حسابهم على السنة القمرية ، فإنه يقع حجهم تارة في الصيف وتارة في الشتاء ، وكان يشق عليهم الأسفار ولم ينتفعوا بها في المراكبات والتجارات ، لأن سائر الناس من سائر البلاد ما كانوا يحضرون إلا في الأوقات اللائقة الموافقة ، فعلموا أن بناء الأمر على رعاية السنة القمرية يخل بمصالح الدنيا ، فتركوا ذلك واعتبروا السنة الشمسية ، ولما كانت السنة الشمسية زائدة على السنة القمرية بمقدار معين ، احتاجوا إلى الكبيسة وحصل لهم بسبب تلك الكبيسة أمران : أحدهما : أنهم كانوا يجعلون بعض السنين ثلاثة عشر شهراً بسبب اجتماع تلك الزيادات . والثاني : أنه كان ينتقل الحج من بعض الشهور القمرية إلى غيره ، فكان الحج يقع في بعض السنين في ذي الحجة وبعده في المحرم وبعده في صفر<sup>194</sup>

“The (pre-Islamic Arabs) people knew that following the lunar year would cause the Hajj to fall sometimes during the summer and others during winter. It was hard for them to travel and this (moving of Hajj between seasons) was not financially profitable...Consequently they replaced the lunar year with a solar year. They had to use intercalation because the (days in a) solar year were more than (the days in a) lunar year. This intercalation resulted into two things. Firstly, they had to add a 13<sup>th</sup> month due to (synchronization) with the extra days of the solar year. Secondly, the Hajj had to revolve between various lunar months. The Hajj would fall some years in the actual month of Zi al-Hajja and other years in the month of al-Muharram or Safar.”

That was the reason that Allah SWT admonished them and declared their acts of moving Hajj from the sacred months to other non sacred months as tantamount to *Kufr* or disbelief, as Imam al-Razi explains:

فلهذا السبب عاب الله عليهم وجعله سبباً لزيادة كفرهم ، وإنما كان ذلك سبباً لزيادة الكفر ، لأن الله تعالى أمرهم بإيقاع الحج في الأشهر الحرم ، ثم إنهم بسبب هذه الكبيسة أوقعوه في غير هذه الأشهر<sup>195</sup>

The Arabs of *al-Ja'hiliyyah*, used to postpone, name, and re-name the months in accordance with their political, economic, and military situations. They did not possess any scientific calculation ascertaining the exact timings of the Moonrise, Moonset, Sunrise and Sunset. There is no proof whatsoever that the Jewish community of *Madinah* had such developed and precise mathematical calculations. We will note later on, in the section on the history and development of the Jewish calendar, that the Jewish calculations were based upon a fixed average lunar month and not upon the astronomical calculations of actual Moon births. Tracy R. Rich makes this point clear to us in a nutshell: “Note that the calculated *molad* does not necessarily correspond precisely to the

<sup>193</sup> See for details al-Tabari, Tafseer; al-Alusi, Tafseer etc.

<sup>194</sup> Abu Abd-Allah Fakhr al-Din al-Razi, Tafsir al-al-Kabi'r, (Tafseer al-Razi), [www.shamela.ws/](http://www.shamela.ws/), 8, 20

<sup>195</sup> Al-Razi, Ibid, 8, 21

astronomical new moon. The length of time from one astronomical new moon to the next varies somewhat because of the eccentric orbits of the Earth and Moon; however, the *moladot* of Rabbi Hillel's calendar are set using a fixed average length of time: 29 days, 12 hours, and 793 parts (or in Hebrew, *chalakim*). The amount of time is commonly written in an abbreviated form: 29d 12h 793p.”<sup>196</sup> That was the main reason that the Noble Qur’an and the Beloved Prophet (PBUH) rejected this very approach to the lunar months. The Qur’an categorically discarded such intercalations and brought the time back to its original form. The Prophet (PBUH) openly emphasized this fact in his Last Sermon when he said, “Today, certainly the time has returned to its original form as God had created it to be at the times of creation of the heavens and the earth.” Al-Razi states that by doing so the Prophet (PBUH) brought the sacred months back to their original timings.

« ألا إن الزمان قد استدار كهيئته يوم خلق السموات والأرض السنة اثنا عشر شهراً » وأراد أن الأشهر الحرم رجعت إلى مواضعها<sup>197</sup>

All the Prophetic *Ahadith* that stress the actual Moon sighting for confirming or negating the month of Ramadan must be understood in this background. The Prophetic insistence upon the actual Moon sighting with both positive and negative clauses was geared towards bringing the sacred months back to their original timings and not allowing them to be revolved all around the year, merely for ulterior motives, with the help of arbitrary intercalations. That is what he refers to in his Prophetic statement: “we are unlettered people; we neither write nor calculate.” Here, the reference clearly is to the above discussed arbitrary intercalations and not to the scientifically produced precise astronomical calculations of modern times. The Qur’anic argument actually supports the precise astronomical calculations by stating that Allah SWT has fixed stages of the Moon so that people can exactly know their accurately precise years and calculations.

### **The Mawa’qi’t Argument:**

The following Qur’anic verse, is frequently quoted to prove that the Qur’an demands actual moon sighting to confirm the lunar months. This verse is also refuting the arbitrary intercalations and has not much to do with the subject of Moon sighting or astronomical calculations. The Qur’an states:

يَسْأَلُونَكَ عَنِ الْأَهْلِ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ وَلَيْسَ الْبِرُّ بِأَنْ تَأْتُوا الْبُيُوتَ مِنْ ظُهُورِهَا وَلَكِنَّ الْبِرَّ مَنِ اتَّقَى وَأْتُوا الْبُيُوتَ مِنْ أَبْوَابِهَا وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ

“They ask you about the (*ahillah*) new Moons; say they are appointed times for the people and for Hajj. It is not the righteousness to enter the houses from backdoors but the righteousness consists of *Taqwa*. So enter the houses through their doors and fear Allah so that you may attain felicity.” (2:189)

<sup>196</sup> Tracy R. Rich, The Jewish Calendar: A Closer Look, www.webmaster@JewFAQ.org

<sup>197</sup> Ibid, 8, 21

In the above verse, the Qur'an is scolding the polytheists for their misplaced priorities. They used to enter and exit their houses through a hole in the back of the house or tent or through a ladder after putting on the Hajj garments called "*Ihra'm*." Allah SWT rebukes them for worrying so much about the elements which are externals to Hajj at the expense of the true timings and essence of the Hajj institution.

Hamza Yusuf recognizes this very context of the revelation by quoting Imam al-Qurtubi, and here is his own translation of the Imam's statement: "Hajj is specifically mentioned in this verse [as opposed to Ramadan] because it is among the devotional months; the knowledge of its commencement is essential, and [determining it using] intercalation is not permissible, as doing so displaces it from its proper time. *This is in opposition to what the Arabs considered acceptable at the time, as their practice was to perform hajj based upon calculation ('adad) and alteration of the months. Thus, God nullified their words and deeds.*"<sup>198</sup> Hamza also realizes that this Divine commandment came "in preparation for the final prohibition on determining the hajj based upon intercalation and not sighting, as the pre-Islamic Arabs sometimes predetermined hajj, so they did not need to look for the moon during the hajj season."<sup>199</sup>

Therefore, we conclude that the above quoted verse prohibits only the arbitrarily forced intercalations. We also reiterate the fact that the actual Moon sighting with the naked eye was the only assured and definite way to know about the new month in those times. This is why the Prophet (PBUH) commanded Muslims to confirm or negate the new months by actual sighting or completing 30 days instead of following the innovative intercalations meant to synchronize the lunar year with the solar year for the sole purpose of financial and other worldly gains. He (PBUH) wanted to ascertain that Ramadan was observed during its actual sacred time and not in other months such as Rajab or Shawwal for instance. The actual Moon sighting was a means to certainty and not a goal in itself. If the same level of certainty can be attained through a method such as our modern day precise astronomical calculations, and this method does not compromise the true timings of the months of Ramadan and Zi al-Hajjah, as did the pre-Islamic polytheists, then adopting such a method of certainty will not be illegal. We will have the opportunity to return to this point with much more details.

## **Moon Sighting Supplications Are Based Upon Weak Reports**

It is argued that multiple supplications to be recited at sighting the new Moon are reported in some of the Hadith books. The existence of such supplications and the Prophetic recommendation that they be recited at seeing the crescent moon is used as an argument suggesting (or actually demanding) the necessity of physical Moon sighting.

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<sup>198</sup> Hamza, Ibid, I, 14

<sup>199</sup> Ibid, I, 14



It is true that a number of Hadith sources narrate different formulas for the Moon sighting supplications. Imam al-Bukhari and Imam al-Muslim did not consider these reports worthy of their attention mainly due to severe authenticity problem with these reports. Imam Abu Dawud has narrated two conflicting reports about this issue. One report describes that the Prophet (PBUH), at the first glance, would turn his face away from the new Moon. The other states that he (PBUH) used to recite some form of supplication. In conclusion of his narrations on the subject, Abu Dawud categorically affirms that there is no authentic report from the Prophet (PBUH) on this subject. Following are the two conflicting reports narrated by Abu Dawud:

حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ حَدَّثَنَا أَبَانُ حَدَّثَنَا قَتَادَةُ أَنَّهُ بَلَغَهُ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا رَأَى الْهَيْلَالَ قَالَ هَيْلَالٌ خَيْرٌ وَرُشْدٌ هَيْلَالٌ خَيْرٌ وَرُشْدٌ هَيْلَالٌ خَيْرٌ وَرُشْدٌ أَمِنْتُ بِالَّذِي خَلَقَكَ ثَلَاثَ مَرَّاتٍ ثُمَّ يَقُولُ الْحَمْدُ لِلَّهِ الَّذِي ذَهَبَ بِشَهْرٍ كَذَا وَجَاءَ بِشَهْرٍ كَذَا<sup>200</sup>

Imam Ahmad bin Hanbal narrates the following:

حدثنا عبد الله حدثني أبي ثنا أبو عامر ثنا سليمان بن سفيان المدائني حدثني بلال بن يحيى بن طلحة بن عبيد الله عن أبيه عن جده : « أن النبي صلى الله عليه وسلم كان إذا رأى الهلال قال : اللهم أهله علينا باليمن والإيمان والسلامة والإسلام ربي وربك الله »<sup>201</sup>

“Upon seeing the crescent moon, the Prophet S would say: “O God, cause this new moon to come upon us in safety and sound faith, security and submission.” “My Lord and your Lord is Allah.”

This Hadith is also narrated by *Tirmizi*, *Ibn Habban* and others.

Abu Dawud also narrates that the Prophet (PBUH) used to turn his face away at sighting the new Moon.

حدثنا مُحَمَّدُ بْنُ الْعَلَاءِ أَنَّ زَيْدَ بْنَ حَبَّابٍ أَخْبَرَهُمْ عَنْ أَبِي هَيْلَالٍ عَنْ قَتَادَةَ ، : « أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا رَأَى الْهَيْلَالَ صَرَفَ وَجْهَهُ عَنْهُ »<sup>202</sup>

“Qitadah reports that the Prophet (PBUH) would turn away his face at sighting the new Moon.”

Abu Dawud himself concludes the chapter on “What a Person should Say at Seeing the new Moon” by observing that none of the Ahadith narrated in this chapter are authentic.

قال أبو داود: لَيْسَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي هَذَا الْبَابِ حَدِيثٌ مُسْتَدٌّ صَحِيحٌ<sup>203</sup>

Ibn al-Arabi, commenting on this issue of supplications at the time of new Moon, shows the contradictory nature of these reports:

<sup>200</sup> Abu Dawud, Sunan Abu Dawud, [www.shamela.ws/](http://www.shamela.ws/), 13, 286

<sup>201</sup> Ibn Hanbal, Abu Abdillah Ahmad bin Muhammad bin Hanbal, Musnad Ahmad, [www.shamela.ws/](http://www.shamela.ws/), 3, 332,

<sup>202</sup> Abu Dawud, 13, 287

<sup>203</sup> Abu Dawud, 13, 436

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مَا إِنَّهُ رَوَى أَبُو دَاوُدَ وَعَازِرُهُ عَنْ قَتَادَةَ بَلَاغًا عَنِ النَّبِيِّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - حَدِيثَيْنِ مُتَعَارِضَيْنِ: أَحَدُهُمَا: {إِنَّ النَّبِيَّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - كَانَ إِذَا رَأَى الْهَيْلَالَ أَعْرَضَ عَنْهُ}. الثَّانِي: {أَنَّهُ كَانَ إِذَا رَأَهُ قَالَ: هَلَالٌ خَيْرٌ وَرُشْدٌ، أَمِنْتُ بِأَلَدِي خَلْقَكَ ثَلَاثَ مَرَّاتٍ ثُمَّ يَقُولُ: الْحَمْدُ لِلَّهِ الَّذِي ذَهَبَ بِشَهْرٍ كَذَا وَجَاءَ بِشَهْرٍ كَذَا}. قَالَ الْقَاضِي: وَلَقَدْ لُكِّتَهُ فَمَا وَجَدْتِ لَهُ طَعْمًا. وَقَدْ أَخْبَرَنَا الْمُبَارَكُ بْنُ عَبْدِ الْجَبَّارِ، أَخْبَرَنَا ابْنُ زَوْجِ الْحَرَّةِ أَتْبَانَا النَّجِيُّ، أَتْبَانَا ابْنُ مَحْبُوبٍ، أَتْبَانَا ابْنُ سَوْرَةَ، أَتْبَانَا مُحَمَّدُ بْنُ بَشَّارٍ، أَتْبَانَا أَبُو عَامِرٍ الْعَقَدِيُّ، أَتْبَانَا سُلَيْمَانُ بْنُ سَفْيَانَ الْمَدَنِيُّ، أَتْبَانَا بِلَالُ بْنُ يَحْيَى بْنِ طَلْحَةَ بْنِ عُبَيْدِ اللَّهِ عَنْ أَبِيهِ عَنْ جَدِّهِ طَلْحَةَ بْنِ عُبَيْدِ اللَّهِ {إِنَّ النَّبِيَّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - كَانَ إِذَا رَأَى الْهَيْلَالَ قَالَ: اللَّهُمَّ أَهْلُهُ عَلَيْنَا بِالْيَمَنِ}. قَالَ ابْنُ سَوْرَةَ: حَسَنٌ غَرِيبٌ<sup>204</sup> وَالْإِيمَانُ وَالسَّلَامَةُ وَالْإِسْلَامُ}. قَالَ ابْنُ سَوْرَةَ: حَسَنٌ غَرِيبٌ<sup>204</sup>

Even al-Tirmizi, after narrating the Hadith on these supplications, states that this is a good but strange Hadith.

رواه الترمذي وقال هذا حديث حسن غريب<sup>205</sup>

It is a well known principle in Hadith Sciences that a weak Hadith is accepted in matters of virtues (*fada'il*) and not in stipulating rules. That is why these supplications which are originally based upon weak Ahadith have a wide circulation among Muslims.

I do not doubt that reciting these supplications at the time of sighting a new Moon is rewarding. On the other hand, these weak Ahadith are not qualified enough to prove that actual Moon sighting is a prerequisite to fasting the month of Ramadan. This reward can be achieved at any time one sees the new Moon. Anyway, not everyone is able to see the new Moon on the first day anyway. This supplication can be recited even if a person sees the new Moon on the second or third day or anytime within the first seven days, as the metaphorically oriented, linguistic meanings of the word “*al-hilal*” denote. The issue of reciting this supplication is in no way or form connected with the proof that the month of Ramadan is solely dependent upon sighting the new Moon. Moreover, this supplication is recommended for all the months and is not specified to the month of Ramadan. The Prophet (PBUH) is reported to have said that a Muslim should recite it whenever he sees the new Moon. Many people do not go out to sight the new Moon for most of the other Islamic months. Thus, should we forget those months because people have not sighted the new Moon at each beginning and have not recited the supplication for the new Moon? That reward is granted and the Sunnah is fulfilled whenever a person recites the supplication at first sight of the new Moon whether on the first day or the second day. It does not prove that actual sighting is the precondition for the *I'badaha* of fasting.

## The Sunnah in Reality Requires “Certainty”: The Legal Cause is “Coming of Ramadan”:

It is traditionally argued that actual sighting of the new Moon is a prelude to fasting. Physical sighting is the legal (Islamic) cause (*sabab*) and Ramadan cannot be determined

<sup>204</sup> Ibn al-Arabi, Muhammad bin Abdilllah Abu Bakr, Ahka'm al-Qur'an, [www.al-islam.com](http://www.al-islam.com), 1, 159

<sup>205</sup> See more details in Mulla Ali Qari, Mirqat al-Mafatih,, Dar al-Fikr, 5, 282

except through fulfilling this cause i.e., actual sighting. It is also argued that the Prophetic reports established only two methods to confirm or negate the month of Ramadan. These methods consist in confirming the month either through sighting the crescent Moon or through completing thirty days (*ikma'l*). The question arises whether the actual Moon sighting is a precondition for starting the month on the 29<sup>th</sup> day of Sha'abaa only or it is also a requirement on the 30<sup>th</sup> day of the month?

It is an agreed upon fact that actual sighting is not required to confirm Ramadan on the 30<sup>th</sup> day of the month of Sha'abaa. In fact many Muslim countries announce Ramadan in advance to be the next Islamic day (31 day of the month) if the new Moon was not sighted on the 29<sup>th</sup> day of the month. Nobody is asked to look for the actual Moon on the 30<sup>th</sup> day except that it is recommended as a Sunnah and, not as an obligation. The fact of the matter is that this entire debate vis-à-vis actual Moon sighting as a prerequisite to fasting or breaking the fast, is related only to the 29<sup>th</sup> day of the month. Consequently, the actual sighting could be a legal reason for starting fasting of Ramadan only after the 29<sup>th</sup> day of the month and not after the 30<sup>th</sup> day of the month, as the cause and the effect go hand in hand. The Prophetic Ahadith requiring completing thirty days of the month would come into effect only if it were cloudy. These Prophetic reports do not ask Muslims not to see the new Moon on the 30<sup>th</sup> day of the month *if it was not cloudy*. Now, if the actual Moon sighting was the sole legal cause of starting or ending the month of Ramadan, then this cause (*sabab*) would have been required not only on the 29<sup>th</sup> day but also on the 30<sup>th</sup> day of the month. Once we know that sighting as a cause is not required on the 30<sup>th</sup> day, we can conclude that, it is not the actual sighting but the certainty about arrival of the month of Ramadan, which is a precondition to fasting the month. It can also be surmised that the Prophetic traditions (both positive and negative clauses) that require actual Moon sighting are also concerned primarily with starting or ending the month on the 29<sup>th</sup> day of the lunar month. Had they been connected with the fasting after the 30<sup>th</sup> day of Sha'abaa, then sighting the new Moon would have been required even on the 30<sup>th</sup> day's evening. Many of us seem to over step this fact.

Shaikh Maghraoui argues that the negative clause in the Ahadith “do not fast until you see the new Moon” is categorical in demanding that sighting and only sighting is the mean to ascertain the beginning of the month.<sup>206</sup>

Why the Prophet (PBUH) would insist upon requiring the actual Moon sighting (as the condition for fasting) only on the 29<sup>th</sup> day's evening and not on the 30<sup>th</sup> day's evening? It is an interestingly important fact to ponder upon. Had the physical sighting of the Moon intrinsically been obligatory to start or end the month of Ramadan, it would have been required both on the 29<sup>th</sup> as well as 30<sup>th</sup> day of the month. A binding legal cause (*sabab*) cannot be established as a prerequisite objective only for one day of the month and not for the other day. The cause and effect go hand in hand in all situations, as Imam Abu Isha'q al-Sha'tibi has stated.

ما أثبت سبباً، فهو سبب أبداً لا يرتفع...<sup>207</sup>

<sup>206</sup> Ibid, 8

<sup>207</sup> Sha'tibi, Abu Isha'q, al-Muwa'faqa't, Dar al-Kutub al-'Ilmiyyah, 1, 54

“The established (legal) cause always remains the cause and never changes”.

On the other hand, if we establish the objective of certainty about arrival of the new month as the real reason for the Prophetic insistence upon the physical Moon sighting on the 29<sup>th</sup> day, we can fully understand why he did not require the physical Moon sighting on the 30<sup>th</sup> day's evening (to confirm the fasting of Ramadan). It is also exceedingly important to understand this specific Prophetic insistence, upon actual Moon sighting, in the background of the real challenges and confusions caused by the arbitrary intercalations and, also in light of Ummah's unlettered status.

Shaikh Rashi'd Rida has observed this fact in the following statement that the Lawgiver has asked for sighting the Moon as a mean to know the sacred timings, fixed for acts of worship, such as Ramadan and, not to worship this act of sighting in itself. The Prophet (PBUH) has connected both the methods (sighting and completion) with the reason that the Ummah is unlettered. The objective of his prophethood has been to bring the Ummah out of its unlettered status and not to push it more into illiteracy.

العلم بهذه الأوقات، وليس التعبد بروية الهلال... وما ذكره صلى الله عليه وسلم من نوط إثبات الشهر بروية الهلال أو اكمال العدة بشرطه، قد علله بكون الأمة في عهده كانت أمية، ومن مقاصد بعثته إخراجها من الأمية لا إبقاؤها فيها...<sup>208</sup>

### The Ahadith about Moon Sighting:

In view of the above observations, let us now turn to the original texts of the above mentioned Prophetic injunctions. There are multiple authentic Prophetic reports (*Ahadith*) that clearly command Muslims to start and end the month of Ramadan by sighting the new Moon. They must be understood in light of the discussion we just had, that the Prophet (PBUH) emphasized upon the actual sighting in an effort to bring the time and lunar months back to their original time and form. These months were fixed by the pre-Islamic Arabs with the help of artificial intercalations so as to harmonize them with their solar calendar solely for their ulterior motives. The Prophet (PBUH) commands:

حَدَّثَنَا آدَمُ حَدَّثَنَا شُعْبَةُ حَدَّثَنَا مُحَمَّدُ بْنُ زِيَادٍ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - أَوْ قَالَ: قَالَ أَبُو الْقَاسِمِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - «صُومُوا لِرُؤْيَيْهِ وَأَفْطِرُوا لِرُؤْيَيْهِ، فَإِنْ غَبِيَ عَلَيْكُمْ فَأَكْمَلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ».<sup>209</sup>

The Prophet (PBUH) said, “Fast with sighting it (Moon) and break the fast with sighting it. Complete 30 days of Sha’aban if it is cloudy.”

وَحَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَعَاذٍ حَدَّثَنَا أَبِي. حَدَّثَنَا شُعْبَةُ عَنْ مُحَمَّدِ بْنِ زِيَادٍ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ ، رَضِيَ اللَّهُ عَنْهُ يَقُولُ: قَالَ رَسُولُ اللَّهِ «صُومُوا لِرُؤْيَيْهِ وَأَفْطِرُوا لِرُؤْيَيْهِ. فَإِنْ غَمِيَ عَلَيْكُمْ الشَّهْرُ فَعُدُّوا ثَلَاثِينَ».<sup>210</sup>

<sup>208</sup> Rashi'd Rida, Tafsir al-Mana'ir, 2, 186

<sup>209</sup> Al-Bukhari, Abu Abdillah Muhammad, Sahih al-Bukhari, www. shamela.ws

<sup>210</sup> Muslim, Abu al-Hasan Muslim bin al-Hajja' j, Sahih al-Muslim, www. shamela.ws/

The Prophet (PBUH) said, “Fast with sighting it (Moon) and break the fast with sighting it. Count 30 days if the month is concealed from you (being cloudy).”

There are other narrations which use negative formula to emphasize the same point:

حدثنا عبدُ اللهِ بنُ مسْلمة عن مالكٍ عن نافعٍ عن عبدِ اللهِ بنِ عمرٍ رضيَ اللهُ عنهما: «أنَّ رسولَ اللهِ صلى اللهُ عليه وسلم ذكَّرَ رمضانَ فقال: لا تصوموا حتى تروا الهلالَ، ولا تُفطروا حتى تروهُ، فإن غمَّ عليكم فاقدروا له».<sup>211</sup>

“The Prophet (PBUH) mentioned Ramadan and said,” Do not fast until you see the Moon and do not break the fast until you see it. Estimate about it in case it is cloudy.”

Imam Ahmad also reports the same:

حدثنا عبدُ اللهِ ، حدثني أبي ، حدثنا عبد الرحمن ، حدثنا مالك ، عن نافع ، عن ابن عمر ، عن النبي صلى اللهُ عليه وسلم قال: «لا تصوموا حتى تروا الهلالَ، ولا تفطروا حتى تروهُ، فإن غمَّ عليكم فاقدروا له»<sup>212</sup>

“Do not fast until you see the Moon and do not break the fast until you see it. Estimate about it in case it is cloudy.”

### **The Problem:**

Hamza Yusuf, discussing the nature of the problem, observes the following:

“The Islamic calendar is lunar. Lunar calendars follow the phases of the moon, beginning with the crescent moon and ending with the conjunction of the moon and the sun in their respective perceived movements around the earth. The time of one lunation or complete cycle of the moon in a lunar month is approximately 29.5 days. This must be averaged because the moon does not travel at a constant speed nor does it travel in a perfect circle but in an elliptical orbit around the earth. The moon’s monthly cycle around the earth varies between 29.2 days and 29.8 days, which means that throughout the year there will be approximately six months in which there are twenty-nine days, and six months in which there are thirty days. The total number of days in a lunar year is approximately 354, which is eleven days shorter than the average solar year. *This results in the lunar year progressing through the fixed solar year rather than beginning and ending at the same time as the solar. In order to make the lunar years consistent with the solar, many pre-Islamic societies intercalated or added days to the lunar months. This enabled them to follow a lunar calendar without having it depart from the fixed seasons of the solar calendar. This was and remains the practice of the Jewish community, which intercalates a thirteenth month every three years in order to align the lunar calendar with the solar. The pre-Islamic Arabs used a lunar calendar but both calculated and intercalated their calendars when suitable for their needs. Their general practice however was to rely on a physical sighting of the crescent.*”<sup>213</sup>

<sup>211</sup> Al-Bukhari

<sup>212</sup> Musnad Ahmad

<sup>213</sup> Hamza, Ibid, Part I, 3; italics are added

He further observes that, “The Islamic lunar calendar is not to be tampered with, as the Prophet... (PBUH) prohibited intercalation in his farewell address to his community during the final pilgrimage. Islam condemns intercalation, regarding it as a rejection of the natural order inherent in the perfection of the lunar calendar that God has provided humanity for measuring their time. ***For this reason, in a number of hadith that achieve the status of infallible (mutawatir) and thus on par with the legislative authority of any verse in the Qur’an, the Prophet s commanded Muslims to base their month on the physical sighting of the new moon and stipulated that if not seen on the twenty-ninth completed day of the previous month on a clear evening, or if clouds or other atmospheric barriers hindered visibility, then to complete thirty days of the previous month and begin the new month the following sunset, which would mean on the thirty-first day following the previous sighting or a calculation of thirty days.***”<sup>214</sup>

Accordingly, it is significant to note the following:

**First**, the Prophetic Ahadith clearly asks for actual sighting of the new moon as a means of certainty and not as a precondition for the `ibadah (act of worship) of fasting. It is true that sighting was required by the Prophet (peace and blessings be upon him) as it was the only authentic method available during his time to confirm the presence of the new moon, the sign of the new month's commencement. That is what the Prophet (peace and blessings be upon him) said: **"We are unlettered people. We neither write nor calculate."**

The month sometimes consists of 29 days and sometimes of 30. The `ibadat are connected with the time, which in Islamic understanding is connected with the moon and not with the sun, as the Islamic calendar is lunar, not solar. The Shari`ah does not want us to start fasting when the month of Ramadan has not even begun, nor to lose a day of Ramadan by celebrating the `Eid on the last day of Ramadan. That is why the Prophet (peace and blessings be upon him) advised us not to start or finish the month of Ramadan a day or two ahead of time. He wanted us to start and end Ramadan with certainty that the new moon is there.

حدثنا أبو الأحوص عن سَمَاكِ بْنِ حَرْبٍ عَنْ عِكْرَمَةَ بْنِ عَبَّاسٍ ، قَالَ: قَالَ رَسُولُ اللَّهِ «لَا تَصُومُوا قَبْلَ رَمَضَانَ، صُومُوا لِرُؤْيَيْهِ وَأَفْطِرُوا لِرُؤْيَيْهِ، فَإِنْ حَالَتْ دُونَهُ غَيَابَةٌ فَأَكْمِلُوا ثَلَاثِينَ يَوْمًا»<sup>215</sup>

“Qutaibah narrated from Abu Al-Ahwas, from Simak ibn Harb, who reported that `Abdullah ibn `Abbas said: The Prophet (peace and blessings be upon him) said, **"Do not fast immediately before Ramadan. Start the fast with sighting the new moon and break your fast with sighting it. If the sky is overcast, then complete thirty days."**

حدثنا عبد الله بن سعيد ثنا إسماعيل بن عليّة ، ثنا حاتم بن أبي صغيرة ، عن سماك بن حرب ، قال: أصبحت في يومٍ قد أشكل عليّ من شعبان أو من شهر رمضان، فأصبحت صائماً فأتيت عكرمة فإذا هو يأكل خبزاً ويقلأ، فقال: هلم إلى الغداء فقلت: إني صائمٌ فقال: أفسم بالله لتفطرن، فلما رأيته حلف ولا يستتني تقدمت فعدت وإنما تسحرت

<sup>214</sup> Hamza, Ibid, 3; italics and underlining added for emphasis

<sup>215</sup> Al-Tirmizi, Abu l'sa' Muhammad, Sunan al-Tirmizi, www.shamela.ws/

قَبِيلَ ذَلِكَ ثُمَّ قُلْتُ هَاتِ الْآنَ مَا عِنْدَكَ فَقَالَ: حَدَّثَنَا ابْنُ عَبَّاسٍ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «صُومُوا لِرُؤْيَيْهِ وَأَفْطَرُوا لِرُؤْيَيْهِ، فَإِنْ حَالَ بَيْنَكُمْ وَبَيْنَهُ سَحَابٌ فَكَمَلُوا الْعِدَّةَ ثَلَاثِينَ، وَلَا تَسْتَقْبَلُوا الشَّهْرَ اسْتِقْبَالًا».<sup>216</sup>

“Simak ibn Harb reported: I woke up one day while being confused whether the day was (the last) day of Sha`ban or (the first of) Ramadan, so I started the day as fasting. Then I went to `Ikrimah and I saw him eating bread and herbs, so he said, come and have lunch with me, so I told him I was fasting, thereupon he said, "I swear by Allah that you break your fast." When I saw him swearing without making any exception, I went forward and asked him about his proof. He said, "Ibn `Abbas reported that the Prophet (peace and blessings be upon him) said, '**Fast by sighting it (the new moon), and break your fast by sighting it. And complete thirty days if it is cloudy, and do not immediately fast before the month (of Ramadan) starts.**'"

حَدَّثَنَا مُحَمَّدُ بْنُ الصَّبَّاحِ الْبِرَّازُ أَخْبَرَنَا جَرِيرُ بْنُ عَبْدِ الْحَمِيدِ الضَّبِّيُّ عَنْ مَنْصُورِ بْنِ الْمُعْتَمِرِ عَنْ رَبِيعِ بْنِ حِرَاشٍ عَنْ حَدِيثِهِ ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «لَا تُقَدِّمُوا الشَّهْرَ حَتَّى تَرَوْا الْهَلَالَ أَوْ تُكْمِلُوا الْعِدَّةَ ثُمَّ صُومُوا حَتَّى تَرَوْا الْهَلَالَ أَوْ تُكْمِلُوا الْعِدَّةَ» . قَالَ أَبُو دَاوُدَ: «رَوَاهُ سَفِيَانٌ وَغَيْرُهُ عَنْ مَنْصُورِ بْنِ رَبِيعٍ عَنْ رَجُلٍ مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمْ يُسَمَّ حَدِيثُهُ»<sup>217</sup>

On the authority of Hudhayfah, who reported that the Prophet (peace and blessings be upon him) said, "**Do not fast a day or two before Ramadan until you see the new moon or complete thirty days (of Sha`ban). Then fast until you see the moon (of Shawwal) or complete thirty days.**" Abu Dawud adds: This hadith has been narrated by Sufyan and others on the authority of Mansur, who reported it from Rabi`i from a Companion of the Prophet (peace and blessings be upon him) who was did not name Hudhayfah.

Actual sighting of the new moon was the only mechanism at that time for the Muslims to attain that certainty. That is why the Prophet (peace and blessings be upon him) greatly emphasized the sighting of the new moon: not because sighting is the objective of fasting or in any way a goal of the *`ibadah*, but because it was a means to ascertain the presence of the new moon, which is the objective of *`ibadah*. Now, when that objective can be achieved through a more authentic and precise method — that is, astronomical calculations — then replacing actual sighting, which is a probable mean of certainty, with a more accurate method that is based on categorical certainty will not constitute any deviation from the Prophetic commandment or objectives of Islamic Shari`ah, but complement them.

**Second**, if the actual sighting were such an objective or a prerequisite without which fasting could not be started, then it would have been required even on the 30th of Sha`ban. Nobody goes out to see the new moon on the 30th of Sha`ban or on the 30th of Ramadan. No jurists have ever required such a sighting because the sighting was prescribed for certainty of the beginning or end of the month, and not for the sake of sighting itself. Once, that certainty is achieved by completing 30 days, (as the Islamic month cannot go beyond 30 days), sighting is no more required and the new month is

<sup>216</sup> Al-Darimi, Abu Muhammad Abdilllah bin Abd al-Rahman, Sunan al-Darimi, www.shamela.ws/

<sup>217</sup> Ibid

confirmed. Everybody knows that the new moon must be above the horizon by the 30th of Sha`ban and nobody worries about seeing it. If seeing the new moon were a precondition for fasting, then fasting and sighting would go hand in hand, but we see that it is not. Therefore, sighting is not the prerequisite for fasting but is a means to achieve certainty that the new moon is above the horizon.

**Third**, if it is said that sighting is not required on the 30th of Sha`ban because the Prophet (peace and blessings be upon him) said "**complete thirty days if it is cloudy**," I would argue that this Prophetic statement commands us to complete 30 days if it is cloudy. It does not say "do not see the new moon on the 30th of Sha`ban if it was not cloudy on the 29th of Sha`ban." Suppose it was not cloudy on the 29th of Sha`ban and the new moon was not seen that evening; then would not the hadith have required Muslims to see it on the 30th of Sha`ban had it been a precondition for fasting? The clause "**if it is cloudy**" covers only when it is cloudy but does not cover when it is not cloudy. Had the sighting been intrinsic to fasting, then it would have been required even on the 30th, especially when the new moon was not seen, not because some obscurities hampered its sighting, but because it was not above the horizon. But if we agree that sighting is not the precondition for fasting, but certainty is, then one can understand why sighting is required on the 29th of Sha`ban and not on the 30th of Sha`ban.

**Fourth**, sighting is not a prerequisite for fasting, even on the 29th of Sha`ban. Had it been a precondition, then no Muslim would be allowed to start the month of Ramadan except by sighting the new moon on the 29th of Sha`ban. Ibn `Umar, along with `A'ishah and Asma' bint Abi Bakr (may Allah be pleased with them), used to start fasting the next day if it was cloudy on the 29th of Sha`ban and the new moon was obscured, the details of which will follow later. They would not fast that day as a supererogatory day of fasting but as a mandatory day of Ramadan.

That was the case with many of the Tabi`in (Successors; the generation after the Prophet) and a whole school of fiqh is based upon this opinion. Imam Ahmad, following the actions of these Companions of the Prophet (peace be upon him), adopted this position and the entire Hanbali school follows this position. It becomes important when we know that Ibn `Umar is the original narrator of many of the hadiths found in all the authentic sources of hadiths that require sighting as a means of fasting as well as requiring not to fast until one sees the moon. For instance, he reports:

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ عَنْ مَالِكٍ عَنْ نَافِعٍ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ عَنْهُمَا: «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَكَرَ رَمَضَانَ فَقَالَ: لَا تَصُومُوا حَتَّى تَرَوْا الْهَلَالَ، وَلَا تُفْطِرُوا حَتَّى تَرَوْهُ، فَإِنْ غَمَّ عَلَيْكُمْ فَأَقْدُرُوا لَهُ»<sup>218</sup>

“The Prophet (PBUH) mentioned Ramadan and said,” Do not fast until you see the Moon and do not break the fast until you see it. Estimate about it in case it is cloudy.” (Bukhari)

حَدَّثَنَا عَبْدُ اللَّهِ ، حَدَّثَنِي أَبِي ، حَدَّثَنَا عَبْدُ الرَّحْمَنِ ، حَدَّثَنَا مَالِكٌ ، عَنْ نَافِعٍ ، عَنْ ابْنِ عَمْرٍو ، عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: «لَا تَصُومُوا حَتَّى تَرَوْا الْهَلَالَ، وَلَا تَفْطِرُوا حَتَّى تَرَوْهُ، فَإِنْ غَمَّ عَلَيْكُمْ فَأَقْدُرُوا لَهُ»<sup>219</sup>

<sup>218</sup> Al-Bukhari

<sup>219</sup> Musnad Ahmad



“The Prophet (peace and blessings be upon him) mentioned Ramadan and said, "**Do not fast until you see the moon and do not break the fast until you see it. Estimate about it in case it is cloudy**"

### Abdullah Ibn `Umar's Practice:

As we see, Ibn `Umar (may Allah be pleased with him) would start the month of Ramadan by just counting the days of Sha`ban and without actually sighting the new moon if it was cloudy on the 29th of Sha`ban. This act of Ibn `Umar, the original narrator of the Prophetic reports that ask for the actual sighting to confirm or negate the month of Ramadan, explains the true meanings of those hadiths and repudiates the second most important argument of the majority that there is a cause and effect relationship between the actual sighting and the act of fasting. Logically speaking, sighting in itself cannot be the sole reason for prescribing the month of Ramadan or the act of fasting. It must be a means to achieve the goal of certainty. The following points must be kept in mind while discussing this matter.

It is a known fact among the Jurists that sighting in itself is not a condition for the month of Ramadan as Muhammad bin Ali Ibn Daqiq al-`Aid, the renowned Shafae authority, states that:

وَلَيْسَ حَقِيقَةُ الرُّؤْيَا بِشَرْطٍ مِنَ اللُّزُومِ ; لِأَنَّ البَاتِّقَاقَ عَلَى أَنَّ المَحْبُوسَ فِي المَطْمُورَةِ إِذَا عَلِمَ بِإِكْمَالِ العِدَّةِ , أَوْ بِالاجْتِهَادِ بِالأَمَارَاتِ : أَنَّ اليَوْمَ مِنْ رَمَضَانَ , وَجَبَ عَلَيْهِ الصَّوْمُ وَإِنْ لَمْ يَرِ الهَيْلَالَ . وَكَمَا أَخْبَرَهُ مَنْ رَأَاهُ<sup>220</sup>

“The actual sighting is not a condition for requirement (of fasting the month of Ramadan). There is agreement (among the Jurists) that if someone was imprisoned in the basement and knew, either through completing 30 days or through diligence (estimation) by following the signs, that the month of Ramadan has started, then he is required to start fasting even if he has neither sighted the Moon by himself nor was informed by the one who actually sighted it.”

Interestingly, Shaikh Hamza translates the above quote from Ibn Daqiq`q al-`Aid in the following words:

“The reason for this is that the actual physical sighting *is not what is legally binding*, given that it is agreed upon that if someone was confined in a cell and knew by calculation that the [month] had run its course or by attempting to understand the signs that the day was indeed from Ramadan, then it would be incumbent upon him to fast, even if he did not see the crescent and no one informed him that it had been seen.”<sup>221</sup>

Hamza indirectly criticizes me for supposed misunderstanding of Ibn Daqiq`q’s original intent from the quote. Hamza writes:

<sup>220</sup> Ibn Daqiq al-A`id, Ihkam al-Ahkam Sharh A`umdat al-Ahkam, Matba`ah al-Sunnah al-Muhammadiyah, Vol: 2, P: 8

<sup>221</sup> Hamza, Ibid, Part II, 5; underlining is mine.

“Sadly, in the papers I examined that used this quote to support calculation, the first half of his quote was omitted, so that his actual position was entirely misrepresented. One paper stated that the imam did not consider sighting to be a condition, when what he is saying is that *physical sighting is not legally binding in the case of one who cannot see the moon*, which is why he uses as an example the man in the cell who has no access to sighting the moon nor to news of anyone who did! In such circumstances, the imam says one can resort to calculating or *ijtihad*.”<sup>222</sup>

I am a little confused at Hamza’s translation of Ibn Daqi’q’s following statement to: “The reason for this is that the actual physical sighting is not what is legally binding.”

”وَلَيْسَ حَقِيقَةُ الرُّؤْيَا بِشَرْطٍ مِنَ الزُّرُومِ”

Ibn Daqiq’s words are clear that “the actual sighting is not the condition to requiring (fasting).” It supports the Qur’anic and Hadith understanding of the fact that even those who actually do not sight the new Moon by themselves and are informed by others (through news for instance) about the arrival of Ramadan should fast, given they are from among the commissioned category (*ahl al-taklif*) and not from the exceptional categories such as sick, travelers, pregnant or nursing mothers etc. As a matter of fact, requiring the actual sighting of the new Moon as a precondition to obligation will exclude from fasting all those who did not sight the Moon in actuality. There is a consensus among Muslims of all times that such is not the case. This is perhaps what Ibn Daqi’q is stating in the above quoted text. His example of a prisoner in the basement or cell explains the intent of this specific sentence in a long quote. Had it been required by the Shari’ah that the actual physical sighting is the only condition for starting or ending the month of Ramadan, then the person in a cell, who has no access to the outside world and no means of being informed about arrival of Ramadan, would not be required to fast. This is against the consensus that commissions such a person to fast based on personal calculations and due diligence through the possible signs.

In consideration of this fact, I find Hamza’s statement bewildering when he writes: “One paper stated that the imam did not consider sighting to be a condition, when what he is saying is that *physical sighting is not legally binding in the case of one who cannot see the moon...*” How could physical sighting be legally binding when one cannot even see the Moon?

Furthermore, I have categorically stated in my above referred paper that Ibn Daqi’q opposes use of mathematical calculations in determining Ramadan and Eid al-Fitr on the 29<sup>th</sup> day of Sha’abaa or Ramadan except in case of obscurities.<sup>223</sup> He, like many other jurists, maintains that there are two legal causes (*sabab shar’iee*) in obligating the fasting. First is actual sighting and second is completion. He differs with others in asserting that the mathematical calculations are a valid source of confirming the month of Ramadan in case of obscurities on the 29<sup>th</sup> day of Sh’abaa. This is a legal cause for dependence upon the calculations. After quoting the famous Successor (*Tabi’ae*) Mutirrif bin Abdillah Ibn

<sup>222</sup> Ibid, II, 5

<sup>223</sup> Here is the text of the quote: وَهَكَذَا وَقَالَ ابْنُ دَقِيقٍ الْعَيْدُ الْحِسَابُ لَا يَجُوزُ الْبَاعْتِمَادُ عَلَيْهِ فِي الصِّيَامِ أَنْ الشَّارِعَ لَمْ يَعْتَمِدِ الْحِسَابَ بَلْ أَلْغَاهُ بِالْكَلِمَةِ بِقَوْلِهِ نَحْنُ أُمَّةٌ أَمِّيَّةٌ لَا نَكْتُبُ وَلَا نَحْسِبُ الشَّهْرَ هَكَذَا

al-Shikheer and many established Shafi'ae juristic authorities as advocating use of calculations in confirming the month, Ibn Daqi'q states his take on the subject in the following words:

وَالَّذِي أَقُولُ بِهِ : إِنَّ الْحِسَابَ لَا يَجُوزُ أَنْ يُعْتَمَدَ عَلَيْهِ فِي الصَّوْمِ , لِمُفَارَقَةِ الْقَمَرِ لِلشَّمْسِ , عَلَى مَا يَرَاهُ الْمُتَجَمُّونَ , مِنْ تَقَدُّمِ الشَّهْرِ بِالْحِسَابِ عَلَى الشَّهْرِ بِالرُّؤْيَةِ بِيَوْمٍ أَوْ يَوْمَيْنِ . فَإِنَّ ذَلِكَ إِحْدَاثٌ لِسَبَبٍ لَمْ يُشْرَعْهُ اللَّهُ تَعَالَى .<sup>224</sup>

“My opinion in this matter is that the astrological calculations based upon the separation of the Moon from the Sun, cannot be depended upon in fasting because they push forward the month a day or two before the actual sighting. This is introducing a cause (*sabab*) that Allah SWT has not prescribed.”

Ibn Daqi'iq, on the other hand, considers clouds or any other obscurity hampering the actual sighting as a legal Islamic cause (*sabab shari'ae*) to determine fasting by calculations. Following is the actual text:

وَأَمَّا إِذَا دَلَّ الْحِسَابُ عَلَى أَنَّ الْهَيْلَالَ قَدْ طَلَعَ مِنَ الْهَلَاقِ عَلَى وَجْهِ يَرَى , لَوْ لَمْ يَجُودِ الْمَاعِ - كَالغَيْمِ مِثْلًا فَهَذَا يَفْتَضِي الْوَجُوبَ , لِوُجُودِ السَّبَبِ الشَّرْعِيِّ . وَلَيْسَ حَقِيقَةُ الرُّؤْيَةِ بِشَرْطٍ مِنَ اللُّزُومِ ; لِأَنَّ الْإِتِّفَاقَ عَلَى أَنَّ الْمَحْبُوسَ فِي الْمَطْمُورَةِ إِذَا عَلِمَ بِإِكْمَالِ الْعِدَّةِ , أَوْ بِالِاجْتِهَادِ بِالْأَمَارَاتِ : أَنَّ الْيَوْمَ مِنْ رَمَضَانَ , وَجَبَ عَلَيْهِ الصَّوْمُ وَإِنْ لَمْ يَرَ الْهَيْلَالَ .<sup>225</sup> وَلَمْ أَخْبِرْهُ مِنْ رَأَاهُ .

“If the calculations show that the new Moon is born in the horizon so much so that it can be seen had it not been due to obscurities such as clouds, then, this makes it obligatory to fast due to presence of a legal Islamic cause. And the actual sighting is not a pre requisite to the fasting. There is agreement (among the Jurists) that if someone was imprisoned in the basement and knew, either through completing 30 days or through diligence by following the signs, that the month of Ramadan has started, then he is required to observe fasting even if he had neither sighted the Moon by himself nor had been informed by the one who actually sighted it.”

There is a possibility that the Imam intended to state that the actual sighting in case of obscurities is not a condition for obligation. On the other hand, his choice of the given example points more to the fact that the actual sighting is not the sole condition for obligation. The actual sighting is a mean to the goal of witnessing the month and the Qur'anic meanings of the phrase “witnessing the month” have already been elaborated in the previous section. This is a fact conspicuously noticed by many leading jurists other than Ibn Daqi'iq.

### **The Moon Sighting is not Legally Required:**

For instance, the famous classical Hanafi jurist Sa'ad al-Din Mas'ud bin U'mar al-Taftazani describes a consensus about the fact that the actual sighting of the crescent Moon is just a mean and not the objective in itself.

<sup>224</sup> Ibn Daqi'iq al-'Aid, Ibid

<sup>225</sup> Ahkam , Vol: 2, P: 8

أَنَّ قَوْلَهُ تَعَالَى { فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ } مَعْنَاهُ شَهِدَ الشَّهْرَ فَالشُّهُودُ عِلَّةٌ وَأَيْضًا قَوْلُهُ عَلَيْهِ الصَّلَاةُ وَالسَّلَامُ {صُومُوا لِرُؤْيَيْهِ} يَدُلُّ عَلَى ذَلِكَ إِذْ لَيْسَ الْمُرَادُ حَقِيقَةَ الرُّؤْيَا إِجْمَاعًا بَلْ مَا يَثْبُتُ بِهَا وَهُوَ شُهُودُ الشَّهْرِ<sup>226</sup>

“The meanings of the Quranic verse “whosoever witnesses the month” means (person) witnessing the month (being present in the month). Consequently, witnessing the month is a cause “illah” (of fasting) and the Prophetic statement “fast sighting it” proves that. All the Muslim jurists agree that the actual sighting is not meant (here meaning it is not the objective) but (the objective is) what the sighting proves and that is the witnessing (coming of) the month.”

The contemporary jurist Dr. Mustafa al-Zarqa puts the point in a nutshell:

وما دام من البيدهات أن رؤية الهلال الجديد ليست في ذاتها عبادة في الإسلام، وإنما هي وسيلة لمعرفة الوقت، وكانت الوسيلة الوحيدة الممكنة في أمة أمية لا تكتب ولا تحسب، وكانت أميتها هي العلة في الأمر بالاعتماد على العين الباصرة، وذلك بنص الحديث النبوي مصدر الحكم<sup>227</sup>

“It is an established fact that sighting the new Moon in itself is not an act of Islamic worship “*Ibadah*. It is just a mean to know the time. It was the only way available to a nation which knew not how to write or calculate. Its unlettered status was the sole reason for it to be dependent upon the naked eye. This is precisely what the text of the Hadith, which is the original source of this ruling (fast by sighting), states.”

In conclusion we can summarize this part of our discussion by observing that the actual sighting through the naked human eye was prescribed by the Prophet (PBUH) as it was the only method available to the Muslims of that time to confirm with certainty the beginning or ending of the month. The reason given by the Prophet (PBUH) for such a need was the unlettered status of the *Ummah* of that time.

## Multiple Connotations of the Verb “Ra’a”:

Moreover, the verb “*Ra’a Yar’a*” or “seeing or sighting” is usually used in the above quoted Ahadith in the sense of the actual act of physical sighting but linguistically the verb is not confined to it.

Shaikh Maghraoui, on the other hand states that: “the word seeing (*ru`yah*) in the second text must be interpreted in its literal (*haqiqi*) sense in accordance with the basic rule in legal hermeneutics: a word must be taken in its literal and not metaphorical (*majazi*) meaning unless it is impossible to understand it literally and there is a circumstantial reason (*qarinah*) for assigning it a metaphorical meaning. *It is not impossible to understand ru`yah to mean seeing. The physical sighting of the moon was always the practical understanding of the word ru`yah.*”<sup>228</sup>

<sup>226</sup> Al-Taftazani, Mas’ud bin U’mar, Sharh al-Talwi’h ‘ala al-Towdi’h, Maktabah Sabeeh, Egypt, 1, 401

<sup>227</sup> Mustafa al-Zarqa, Fatawa Mustafa al-Zarqa, Ed. By Majd Ahmad Makki, Dar al-Qalam, 2<sup>nd</sup> Ed., 1422-2001, 163-64

<sup>228</sup> Maghraoui, Ibid, 7; italics are added

The verb *Ra'a- Yar'a* has been used in a number of other instances in the Qur'an as well as in the Ahadith where the meanings cannot denote actual sighting but pondering or certainty. The verb seeing along with its many derivatives has occurred in the Qur'an 328 times. In a number of these verses the Qur'an has used the verb "seeing" in the context of pondering or ascertaining without resorting to sighting by human eyes. For instance verses 2:242 and 2:46 use the verb which is not in the actual sighting context but in the sense of pondering.

ألم تر إلى الذين خرجوا من ديارهم وهم ألوف حذر الموت فقال لهم الله موتوا ثم أحياهم إن الله لذو فضل على الناس ولكن أكثر الناس لا يشكرون (243)

Didst thou not turn thy vision to those who abandoned their homes, though they were thousands (in number), for fear of death? Allah said to them: "Die": then He restored them to life. For, Allah is full of bounty to mankind, but most of them are ungrateful. (2:243)

ألم تر إلى الملا من بني إسرائيل من بعد موسى إذ قالوا لنبي لهم ابعت لنا ملكا نقاتل في سبيل الله (2:246)

Last thou not turned thy vision to the Chiefs of the Children of Israel after (the time of) Moses? They said to a Prophet (that was) among them: "Appoint for us a king, so that we may fight in the cause of Allah." (2:246)

Same can be understood from the other verses such as 2:258, 3:23, 4:44, 4:49, 4:60, 96:9, 96:13, 107:1 and many more.

Furthermore, the Prophet (PBUH), in his numerous authentic narrations, has implied the same verb "seeing" with the above mentioned connotations of "knowing" in relation to the act of fasting in Ramadan. In the following agreed upon Hadith in which the Prophet (PBUH) deploys the verb "seeing" for the night, the actual sighting of the night does not seem to be a goal. It is the specification of timings or the certainty about it that matters the most.

حدثنا مُسَدَّدٌ حَدَّثَنَا عَبْدُ الْوَاحِدِ حَدَّثَنَا الشَّيْبَانِيُّ قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ أَبِي أَوْفَى رَضِيَ اللَّهُ عَنْهُ قَالَ: «سِرْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَهُوَ صَائِمٌ، فَلَمَّا غَرَبَتِ الشَّمْسُ قَالَ: انزِلْ فَاجِدْ لَنَا، قَالَ: يَا رَسُولَ اللَّهِ لَوْ أَمْسَيْتَ؟ قَالَ: انزِلْ فَاجِدْ لَنَا، قَالَ: يَا رَسُولَ اللَّهِ إِنَّ عَلَيْكَ نَهَارًا، قَالَ: انزِلْ فَاجِدْ لَنَا، فَتَنَزَّلَ فَجَدَّحَ، ثُمَّ قَالَ: «إِذَا رَأَيْتُمُ اللَّيْلَ أَقْبَلَ مِنْ هَاهُنَا فَقَدْ أَفْطَرَ الصَّائِمُ»، وَأَشَارَ بِإِصْبَعِهِ قِبَلَ الْمَشْرِقِ.

"We traveled with the Prophet (PBUH) while he was fasting. At the Sunset he (PBUH) said, "Get down and mix the drink for us". He was told what if we wait for the night! He said, "Prepare the drink". He was told that the daylight still seems to be there. He again asked for the drink which was prepared for him. Then he (PBUH) said, "when you see the night approaching from there (and he pointed towards the East), the fasting person should break the fast."

Imam al-Muslim clearly reports that this travel occurred during the month of Ramadan:

و حَدَّثَنَا يَحْيَى بْنُ يَحْيَى أَخْبَرَنَا هُشَيْمٌ عَنْ أَبِي إِسْحَاقَ الشَّيْبَانِيِّ عَنْ عَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى رَضِيَ اللَّهُ عَنْهُ قَالَ قَالَ كُنَّا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي سَفَرٍ فِي شَهْرِ رَمَضَانَ فَلَمَّا غَابَتِ الشَّمْسُ قَالَ يَا فُلَانُ أَنْزِلْ فَاجِدْ لَنَا قَالَ يَا رَسُولَ اللَّهِ إِنَّ عَلَيْكَ نَهَارًا قَالَ أَنْزِلْ فَاجِدْ لَنَا قَالَ فَتَزَلَّ فَجَدَّحَ فَاتَّاهُ بِهِ فَشَرِبَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ثُمَّ قَالَ بِيَدِهِ إِذَا غَابَتِ الشَّمْسُ مِنْ هَاهُنَا وَجَاءَ اللَّيْلُ مِنْ هَاهُنَا فَقَدْ أَفْطَرَ الصَّائِمُ<sup>229</sup>

In these Ahadith the word “*Raa’ytum*” is used by the Prophet (PBUH) in connection with breaking the fast of the month of Ramadan. He said, “If you see the night coming from the East”. If we were to take his words literally then we will have to go out every evening to actually see the night coming from the East to break our fast. Presently nobody goes out in the evening to see the night coming from the East to break the fast. Presently, Muslims all over the world just follow the astronomically calculated watches to know the timings of *Iftar*. At the time of the Prophet (PBUH) Muslims did not have many choices. That is why they adopted the most certain method of looking towards the direction of East and seeing the night approaching as a sign of sunset. That was the most certain method available at hand. Currently the method has changed and no jurist has any problem with using watches instead of the physical sighting of the night as the Prophet (PBUH) commanded. The same is the situation with the *Suhur or Imsak* timings. The Qur’an says:

وَكُلُوا وَاشْرَبُوا حَتَّى يَتَبَيَّنَ لَكُمُ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ مِنَ الْفَجْرِ ثُمَّ أَتَمُوا الصِّيَامَ إِلَى اللَّيْلِ... (البقرة)

“And eat and drink until the white thread of dawn appears to you distinct from its black thread; then complete your fast till the night appears”. Presently we do not follow this text literally but in spirit by following the watches and calculated timings.

Furthermore, the Muslim Ummah in the past many centuries had followed the shadow of poles to determine the timings for the *Zuhr* and *‘Asr* prayers. The Prophet (PBUH) himself advised Muslims to follow the shadow regarding the prayer timings. Currently we use the astronomically guided watches to offer the prayers. I am not divulging into the argument here that the prayers timings are connected with the solar system while the month of Ramadan is connected with the lunar system and sighting of the new Moon. My argument here is that the authentic texts of the Qur’an and Sunnah requiring differentiation between the white thread and the black thread at dawn for starting the day of fasting or the Prophetic text indicating seeing of the night approaching from the East are currently being implemented in the spirit but not in the letter. This is because following these specific commandments in letter and not in spirit has never been the real objective of Islamic Law. The objective of Islamic Law was to ascertain that the goal of time certainty prescribed by Allah SWT and his Prophet (PBUH) is fulfilled. For example, the Law made sure that the Sun had set and the night had approached before anybody breaks the fast. Regarding *Imsak* it was required to ascertain that the dawn is there. In the Prophetic times the same objective of time certainty was achieved through the means available to them. The same objectives are currently achieved through the astronomically calculated time instruments such as watches and the entire Ummah has no problem agreeing upon their use in the matters of *Deen*. These significant matters are in turn connected with the obligatory acts of fasting and praying. The objectives of the Law are constants while the means are variable. The means vary and diverge in accordance

<sup>229</sup> Al-Muslim, 5, 395

with the circumstances. This is the true spirit of Islamic Law that it flexibly fluctuates in matters connected with some means so that Islamic Shari'ah can always relate to and keep up with the modern developments and progress.

### **Means versus Goals in the Islamic Law: Discussion of the Constants and Variables**

Some contemporary Muslims argue that the Islamic Law has also fixed the means to achieve Islamic goals. For instance *Halal*, or lawful earning, is a mean to achieve the goal of feeding one's family. A Muslim is not permitted to adopt an unlawful means such as stealing or robbery to achieve the above mentioned goal. Likewise the objective of fatherhood or generational continuity cannot be achieved by unlawful means of adultery or fornication.

Abdur Rahman Aejaz, for instance, aggressively contends: "Shouldn't all the three parts of this equation (be) as important as each other:

Means \_ Methods \_ Achieve Goals

If the goal is to feed the family, then the means and methods employed by the father is highly important...If (a) man wants to achieve fatherhood, are (not) the means and methods important i.e. its due process! Should we accept your new paradigm (that) achievement of fatherhood is important, then (the) method (itself).<sup>230</sup>

The issue of feeding the family by unlawful means such as stealing or cheating is *Haram* because Allah SWT has clearly prohibited adopting such means in many verses of the Qur'an and through the Prophetic narrations. There is no alternative given and no compromise permitted regarding this issue except in case of a dire necessity like fear of death. Likewise fatherhood through unlawful means is prohibited by the Qur'an also. The Qur'anic dictum is "Do not even come closer to adultery". That is why any such means will be prohibited as such because they are made unlawful in themselves. The case with actual sighting as a means to start or end the month of Ramadan is quite different. The Qur'an prescribed "witnessing the month" as the cause for fasting. This Qur'anic cause can be understood in light of the Prophetic reports as demanding either actual moon sighting or completing thirty days in case of obscurities on the 29<sup>th</sup> day's evening. The Hadith about "estimation" in case of cloudy weather clearly states another alternative as a means to determine Ramadan. No requirement for sighting the new Moon on the evening of the 30<sup>th</sup> day gives another authentic means to confirm or negate Ramadan. It is easy to discern from these facts that the Prophet (PBUH) did not fix the means categorically into one means i.e., sighting the new Moon. Instead, he gave us alternates to achieve the aspired goal of certainty.

There are different kinds of variable means mentioned in the Qur'an such as the following verse of Surah al-Anfal:

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<sup>230</sup> Abdur Rahman Aejaz, Axing of Methodology, P: 4, [imammohammed@yahoo.com](mailto:imammohammed@yahoo.com); some words are inserted to complete the sentences and clarify the manings.

وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ وَعَآخِرِينَ مِنْ دُونِهِمْ لَا تَعْلَمُونَهُمُ اللَّهُ يَعْلَمُهُمْ وَمَا تُنْفِقُوا مِنْ شَيْءٍ فِي سَبِيلِ اللَّهِ يُوَفَّ إِلَيْكُمْ وَأَنْتُمْ لَا تُظْلَمُونَ

“Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into (the hearts of) the enemies, of Allah and your enemies, and others besides, whom ye may not know, but whom Allah doth know. Whatever ye shall spend in the Cause of Allah, shall be repaid unto you, and ye shall not be treated unjustly.” (8:60)

Here Allah SWT clearly mentions the horses as one of the means to strike fear in the hearts of the enemy. The Prophet (PBUH) in the following Hadith explicitly asks for the use of arrows as a means of achieving military might needed for self defense and victory.

حدثنا أبو كريب، قال: ثنا سعيد بن شرحبيل، قال: ثنا ابن لهيعة، عن يزيد بن أبي حبيب، وعبد الكريم بن الحرث، عن أبي علي الهمداني، أنه سمع عقبة بن عامر على المنبر يقول: قال الله: وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ أَلَا وَإِنِّي سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ عَلَى الْمَنبَرِ «قَالَ اللَّهُ: وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ أَلَا أَنَّ الْقُوَّةَ الرَّمِيَّ أَلَا إِنَّ الْقُوَّةَ الرَّمِيَّ» ثلاثاً<sup>231</sup>

“The Prophet (PBUH) said, “Certainly the might is consisting of archery; certainly the might is archery.”

‘Ikrimah, the famous first century Qur’anic exegetical authority, maintains that this verse clearly requires Muslims to acquire fortresses and female horses as the mean of this aspired might.

حدثنا ابن وكيع، قال: ثنا أبي، عن سفيان، عن شعبة بن دينار، عن عكرمة، في قوله: وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ قَالَ: الْحِصُونُ. وَمِنْ رِبَاطِ الْخَيْلِ قَالَ: الْإِنَاثُ<sup>232</sup>

In modern warfare Muslims will look stupid and would not be able to stand against an hour of modern military firepower if they were to follow the above mentioned Qur’anic and Prophetic means of might against the enemies of Islam. These specified means were good to achieve the aspired goal during those previous ages but would not be appropriate for the modern day warfare. Therefore adopting the new means of military might such as tanks, missiles and combat air crafts to achieve the desired goal of might for justice and defense will not be *Haram* but obligatory to adopt given the modern realities on the ground. Here the goals are constant but the means are variable. Would anyone insist upon using the arrows and horses in the modern day battlefield because Allah SWT and His Prophet both have fixed the means by which to achieve these goals and that fixation is done through the authentic Qur’anic and Prophetic texts?

### **Astronomical Calculations a Mean to Attain Certainty:**

Likewise the scientifically approved absolutely precise astronomical calculations are a mean to achieve the aspired goal of certainty. The Prophetic tradition did not ask for its

<sup>231</sup> Tafseer al-Tabari, 10, 21

<sup>232</sup> Ibid



use in clear terms due to the above discussed several reasons such as the Jewish and polytheistic act of fixing calendars by arbitrary intercalations, the unlettered status of the majority of his disciples, the element of dire hardship in computing the astronomical calculations and the very flimsy nature of the science of astronomy at that time. The seemingly most significant reason which could also be deduced from the authentic Prophetic reports was the unlettered status of the overwhelming majority of the Ummah at that time. The same has been the case with the majority of the posterity of the Ummah. The majority of the classical scholars were absolutely right in rejecting the calculations as an authentic means to determine Ramadan because these calculations were inaccurate and mostly computed by immature astrologists and magicians. In contrast, the astronomical calculations in our times are no more the work of unripe magicians or deceptive fortune-tellers. Presently, calculations are worked out by authentic scientists and astronomers who base their knowledge on scientific observations and facts. The margin or possibility of error in these calculations is almost close to zero. These arguments of inaccuracy and magic against the calculations were rejected by the Muslim jurists even in classical times. What about 21<sup>st</sup> century America where the science of astronomy has reached its climax? Shaikh Abdillah bin Bayyah observes:

“ففي هذا الزمان تطور هذا العلم تطوراً كبيراً، بحيث كما يقول البعض: إن الأبرة إذا ارسلت في الجو يمكن الاهتداء اليها، فكيف القمر الذي يكون قد ولد أو خرج من الاقتران، وخرج من شعاع الشمس<sup>233</sup>”

“The science of (astronomy) has tremendously progressed in our times. Some even say that it (astronomy) can guide us to a needle thrown in the space. What about the Moon which is born or has moved out of conjunction and from the rays of Sun.”

The famous classical Hanafi jurist Zian al-Din bin Ibrahim Ibn Nujaim had argued this precision of the calculations since long times. Ibn Nujaim stated:

نَقَلَ فِي الْإِمْدَادِ عَنِ شَرْحِ الْمَنْظُومَةِ لِابْنِ الشَّحْنَةِ أَنَّ الْمُرَادَ بِالْكَاهِنِ وَالْعَرَّافِ فِي الْحَدِيثِ مَنْ يُخْبِرُ بِالْغَيْبِ أَوْ يَدَّعِي مَعْرِفَتَهُ فَمَا كَانَ هَذَا سَبِيلَهُ لَأَنْ يَجُوزَ ، وَيَكُونُ تَصْدِيقَهُ كُفْرًا أَمَّا أَمْرُ الْأَهْلِ فَلَيْسَ مِنْ هَذَا الْقَبِيلِ بَلْ مُعْتَمِدُهُمْ فِيهِ الْحِسَابُ الْقَطْعِيُّ فَلَيْسَ مِنَ الْإِخْبَارِ عَنِ الْغَيْبِ أَوْ دَعْوَى مَعْرِفَتِهِ فِي شَيْءٍ أَلَا تَرَى إِلَى قَوْلِهِ تَعَالَى { وَقَدَرَهُ مَنَازِلَ لِتَعْلَمُوا عَدَدَ السِّنِينَ وَالْحِسَابَ }<sup>234</sup>.

“Ibn al-Shikhnah says that the magician and astrologist mentioned in the Hadith are the ones who tells about the unseen or claims knowledge of the future. The statement of such a person will not be accepted and approving such claims will constitute an act of disbelief. But calculations of the moons have nothing to do with that. They are based upon precise calculations and are not fortune telling or things connected with the unseen. Do not you see what Allah SWT says in the Qur’an, “He prescribed for (the Moon) computed stages so that you can learn about the numbers of years and the calculation.”

<sup>233</sup> Shaikh Bin Bayyah, www. Binbayyah.net, section on “Fatawa”; this is not say that Shaikh Bin Bayyah endorses calculations for confirmation of Ramadan. In this fatwa he seems to be maintaining use of calculations in proving or reaffirming the sighting.

<sup>234</sup> Ibn Nujaim, Zain al-Din bin Ibrahim, al-Bahr al-Raiq Sharh Kanz al-Daqa’iq, Dar al-Kitab al-Islami Vol: 2, P: 284

Taqi al-Din Ali bin Abd al-Kafi al-Subki (683-756 AH), discussing the above quoted Hadith puts the point in the nutshell:

وَلَا يَتَّقِدُ أَنَّ الشَّرْعَ أَبْطَلَ الْعَمَلَ بِمَا يَقُولُهُ الْحِسَابُ مُطْلَقًا فَلَمْ يَأْتِ ذَلِكَ , وَكَيْفَ وَالْحِسَابُ مَعْمُولٌ بِهِ فِي الْفَرَائِضِ وَغَيْرِهَا , وَقَدْ ذُكِرَ فِي الْحَدِيثِ الْكِتَابَةُ وَالْحِسَابُ , وَلَيْسَتْ الْكِتَابَةُ مَنُهَيًّا عَنْهَا فَكَذَلِكَ الْحِسَابُ<sup>235</sup>

“It cannot be that the Shari’ah has categorically prohibited usage of astronomical calculations. That is not the case. How could it be while the calculations are being used in the obligatory as well as other matters (of Din). The oft quoted Hadith mentions writing and calculations. When writing is not forbidden how could astronomical calculations be (forbideen)!”

In regards to the hardship argument it must be noted that presently we are living in times where the entire world has become like a small village. In this age of communication, news gets all over the world within seconds. Therefore, the argument of hardship leveled by al-Nawawi and others loses its ground. In reality, it is the other way around as Dr. al-Qardawi rightly contends.<sup>236</sup> Muslims all over the globe and especially in the West suffer a great deal of hardships due to uncertainties connected with actual sighting. Some of them wait till midnight just to start their Tarawih prayers or decide about their Eid prayers. There are many hardships for the working class as well as for the Muslim students. Therefore, dependence upon the method of actual sighting rather than the astronomical calculations is the source of hardships in our times.

It is also a historical fact that astronomical calculations and their usage in the matters of *Din* and *Ibadat* is nothing new. It has been used for quite some time in determining the timings for five daily prayers, for Suhur and Iftar timings, and also for the Qiblah directions. The Jurists since the old times have not only accepted them without any problem but required Muslims to learn about them.

قَسَمَ الْفُقَهَاءُ عِلْمَ النُّجُومِ إِلَى قِسْمَيْنِ : الْأَوَّلُ : حِسَابِيٌّ : وَهُوَ تَحْدِيدُ أَوَائِلِ الشُّهُورِ بِحِسَابِ سَيْرِ النُّجُومِ . وَيُسَمَّى مَنْ يُمَارِسُ ذَلِكَ الْمُنَجِّمَ بِالْحِسَابِ . وَلَا خِلَافَ بَيْنَ الْفُقَهَاءِ فِي جَوَازِ مُمَارَسَةِ التَّنَجِيمِ بِهَذَا الْمَعْنَى , وَتَعَلَّمَ مَا يُعْرَفُ بِمَوَاقِيتِ الصَّلَاةِ وَالْقِبْلَةِ , بَلْ ذَهَبَ جَمُوهُورُهُمْ إِلَى أَنَّ ذَلِكَ فَرَضٌ كِفَايَةٌ . وَجَاءَ فِي حَاشِيَةِ ابْنِ عَابِدِينَ : وَالْحِسَابِيُّ حَقٌّ , وَقَدْ نَطَقَ بِهِ الْكِتَابُ فِي قَوْلِ الْحَقِّ تَبَارَكَ وَتَعَالَى : { الشَّمْسُ وَالْقَمَرُ بِحُسْبَانٍ } . وَأَجَازَ الْفُقَهَاءُ الْإِعْتِمَادَ عَلَيْهِ فِي دُخُولِ أَوْقَاتِ الصَّلَاةِ وَتَحْدِيدِ جِهَةِ الْقِبْلَةِ وَقَالُوا : إِنَّ حِسَابَ الْأَهْلَةِ , وَالْحُسُوفِ وَالْكَسُوفِ قَطْعِيٌّ , فَالَّذِي سَبَّحَانَهُ وَتَعَالَى أَجْرَى حَرَكَاتِ النُّفَالِكِ وَأَنْتِقَالَاتِ الْكُوكِبِ عَلَى نِظَامٍ وَاحِدٍ دَائِمٍ , وَكَذَلِكَ الْفُصُولُ الْأَرْبَعَةُ . وَالْعَوَائِدُ إِذَا اسْتَمَرَّتْ أَفَادَتْ الْقَطْعَ , فَيُنْبَغِي الْإِعْتِمَادُ عَلَيْهِ فِي أَوْقَاتِ الصَّلَاةِ وَتَحْوِهَا , وَفِي جِهَةِ الْقِبْلَةِ<sup>237</sup>

“The jurists have categorized the knowledge of stars into two categories. First is the calculation of celestial bodies and their movements to determine beginning of the months. The one who practices this kind of astronomy, is called the astronomer. There is no disagreement among the jurists that such an exercise is permitted. It is allowed to learn such a science in an effort to know the prayers timings and the directions of the Qiblah. Actually, the majority of the jurists (Jamhur) are of the opinion that such knowledge is

<sup>235</sup> Al-Subki, Taqi al-Din, Fatawa al-Subki, Dar al-Ma’arif, Vol: 1, P: 211

<sup>236</sup> Al-Qaradawi, Yusuf, Fatawa Mua’sarah, Dar al-Qalam, Vol: 2, P: 212-217

<sup>237</sup> Ibid, Vol: 14, P: 53

obligatory to be sought by a number of Muslims at all times. Ibn A'bideen in his Hashiyah says that “astronomical calculations are Islamically approved”. That is what the Qur’an precisely says, “the Sun and the Moon follow meticulous calculations.” The jurists have allowed the dependence on calculations in relation to the timings of the daily prayers as well as directions of the Qiblah. The astronomical calculations connected with the new moons, lunar and solar eclipses are absolutely correct. Almighty God has fixed a system for the celestial bodies and they always follow that system to the full extent. The same case applies to the four seasons. The aspects of nature that are continuously repeating themselves are categorical in nature. Therefore, they should be relied upon in the matters of prayer timings as well as Qiblah directions.”

And Ahmad bin Muhammad al-Hamwi, the known Hanafi jurist, has stated the same in the old times:

وَأَمَّا مُجَرَّدُ الْحِسَابِ مِثْلُ ظُهُورِ الْهِلَالِ فِي الْيَوْمِ الْفُلَانِيِّ وَوُقُوعِ الْخُسُوفِ اللَّيْلَةِ الْفُلَانِيَّةِ فَإِنَّهَا أُمُورٌ حِسَابِيَّةٌ مَنِيَّةٌ عَلَى أَرْصَادٍ وَأَقِيعَةٍ فَلَا تَدْخُلُ فِي نَهْيِ النَّبِيِّ صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَسَلَّمَ , وَيُؤَيِّدُهُ مَا يُجَوِّزُونَهُ مِنْ تَعْلِيمِ قَدْرٍ مَا تُعَلِّمُ بِهِ مَوَاقِيتُ الصَّلَاةِ وَالْقِبْلَةَ<sup>238</sup>

“The calculations related to the new moons and eclipses are based upon actual realities and experiments. They do not come under the category of prohibited acts by the Prophet (PBUH). This argument is substantiated by the fact that the Jurists have allowed knowledge of calculations when it comes to knowing the timings of daily prayers and directions of Qiblah.”

How could it be that the knowledge of astronomical calculations is declared by jurists as obligatory (*Fard Kifa'iyah*), used in the obligatory prayers and then dubbed as totally un-Islamic in regards to the fasting of Ramadan. That is why Mustafa al-Zarqa is amazed that a good number of present day conservative jurists are very adamant about not accepting the astronomical calculations in confirming or negating the month of Ramadan, while they are using the same calculations in acts of worship that are far more important in significance as well as frequency, such as the daily prayers. The classical jurists were correct in their stance of being against these calculations during their times. The science in their times had not reached the levels of authenticity and certainty that we presently enjoy. They could have not based important acts of worship such as the fasting of the month of Ramadan upon the calculations which were not hundred percent precise. Are we going to drag their opposition to the calculations to the times where the reason for which they adopted such a view is no longer existent? The cause and effect always go hand in hand. If the cause is no longer present, then effect must cease to exist also.<sup>239</sup>

### Hamza Yusuf and Astronomy:

Hamza Yusuf argues that the science of astronomy was absolutely developed during the early Muslim centuries and that “the early Muslims were masters of observational astronomy and far superior in their observations than modern astronomers, who do

<sup>238</sup> Al-Hamwi, Ahmad bin Muhammad, Ghamz A'uun al-Basa'ir, Dar al-Kutb al-A'ilmiiyah, Vol: 2, P: 66

<sup>239</sup> Al-Zarqa, Fatawa, 157-159

almost all of their work in theoretical abstractions and mathematics, and are largely uninterested in actual physical observation of objects and events that are discernable to the unaided naked-eye, especially since the ancients have completed that work, and there is little left to be explored.”<sup>240</sup> He also argues that “Many modern Muslims, even those highly educated, believe there has been great advancement in observational astronomy. The telescope has undeniably enabled modern man to penetrate the heavens in unimaginable ways, and to understand elliptical cycles of the moons and planets as well as the development of calculus. However, naked-eye astronomy has changed very little. In fact, the reality remains that the observed motion of the sun, moon, planets, and stars is far less understood to the common man as well as most astronomers than to pre-modern people...”<sup>241</sup>

Hamza quotes Imam al-Qarrafi as a scholar of astronomy, and the one who actually believed that astronomy was decisive.<sup>242</sup>

I do not deny the fact that the Muslims scientists played a major role in developing many medieval sciences. On the other hand, it is also a proven fact that the medieval astronomy itself was based upon some wrong principles such as “*Geo-centrism*” instead of “*Solo-centrism*”.

Here is what Imam al-Qarrafi does state:

وَأَمَّا الْأَهْلَةُ فَقَالَ الْفُقَهَاءُ رَحِمَهُمُ اللَّهُ تَعَالَى حِسَابُ تَسْيِيرِ الْكَوَاكِبِ عَلَى خُرُوجِ الْهَيْلَالِ مِنَ الشُّعَاعِ مِنْ جِهَةِ عِلْمِ الْهَيْئَةِ وَإِنْ كَانَ قَطْعِيًّا مُنْضَبِّطًا بِسَبَبِ أَنَّ اللَّهَ تَعَالَى أَجْرَى عَادَتَهُ بِأَنَّ حَرَكَاتِ الْأَقْلَاقِ وَانْتِقَالَاتِ الْكَوَاكِبِ السَّبْعَةِ السَّيَّارَةِ الَّتِي أَشَارَ إِلَيْهَا بَعْضُهُمْ بِقَوْلِهِ : زُحَلٌ شَرَى مَرِيخُهُ مِنْ شَمْسِيهِ فَتَزَاهَرَتْ لِغَطَارِدِ الْأَقْمَارِ عَلَى نِظَامٍ وَاحِدٍ طُولَ الدَّهْرِ بِتَقْدِيرِ الْعَزِيزِ الْعَلِيمِ قَالَ اللَّهُ تَعَالَى { وَالْقَمَرَ قَدَرْنَا مِنْ مَنَازِلٍ حَتَّىٰ عَادَ كَالْعُرْجُونِ الْقَدِيمِ } .<sup>243</sup>

The Imam does state that the astronomical calculations vis-à-vis conjunctions are precise and decisive. At the same time, he mentions names of the then known seven planets i.e., Saturn, Jupiter, Mars, Sun, Venus, Mercury and Moon. This is sufficient to refute the claims that the observational astronomy was far superior in the early Muslim generations than the modern astronomy while we presently know that “Nine major planets are currently known. They are commonly divided into two groups: the inner planets (Mercury, Venus, Earth, and Mars) and the outer planets (Jupiter, Saturn, Uranus, and Neptune). The inner planets are small and are composed primarily of rock and iron. The outer planets are much larger and consist mainly of hydrogen, helium, and ice. Pluto does not belong to either group, and there is an ongoing debate as to whether Pluto should be categorized as a major planet.”<sup>244</sup> In addition to that there are many satellites; the asteroids, comets and interplanetary dust and gas which are also moving around the Sun. Imam al-Qarrafi’s clarification that there are only seven moving planets tells the whole story.

<sup>240</sup> Hamza, Ibid, Part I, 19

<sup>241</sup> Hamza, Ibid, I, 20

<sup>242</sup> Hamza, II, 6

<sup>243</sup> Al-Qarrafi, Ibid

<sup>244</sup> Encarta, Solar System

The true context of what Hamza Yusuf has quoted from “*al-Furu’q*” of al-Qarrafi<sup>245</sup> is that, in these statements, the Imam is responding to those who had blamed him of inconsistency.<sup>246</sup> The opponents contended that sighting the movement of the Sun vis-à-vis daily prayers was as obligatory as sighting the Moon for the obligation of Ramadan. The authentic Prophetic Ahadith require sighting in both the cases. How come Imam al-Qarrafi differentiated between the two required sighting, (i.e., he allowed calculations in prayer times instead of sighting the Sun motions, while denying deployment of the same calculations in regards to Ramadan). The Imam answered them back stating that the mandatory legal cause in confirming the prayer timing was to attain certainty about the arrival of that prayer’s actual timings. It was perfectly fine to achieve that certainty by any means other than the actual sighting of the Sun motions. On the other hand, sighting of the new Moon was required as a legal cause vis-à-vis Ramadan. The Imam states:

( فَإِنْ قُلْتَ ) هَذَا جُنُوحٌ مِنْكَ إِلَى أَنَّهُ لَا بُدَّ مِنَ الرُّوْيَةِ ، وَأَنْتَ قَدْ فَرَّقْتَ بَيْنَ الْبَائِنِ ، وَمَيَّزْتَ بَيْنَ الْقَاعِدَتَيْنِ بِالرُّوْيَةِ وَعَدَمِهَا ، وَقُلْتَ السَّبَبُ فِي الْأَهْلَةِ الرُّوْيَةُ وَفِي أَوْقَاتِ الصَّلَوَاتِ تَحْقِيقُ الْوَقْتِ دُونَ رُؤْيَتِهِ فَحَيْثُ اشْتَرَطْتَ الرُّوْيَةَ فَقَدْ أَبْطَلْتَ مَا ذَكَرْتَهُ مِنَ الْفُرُقِ .  
 قُلْتَ سُؤَالَ حَسَنٍ ( وَالْجَوَابُ عَنْهُ ) أَنِّي لَمْ اشْتَرِطْ الرُّوْيَةَ فِي أَوْقَاتِ الصَّلَوَاتِ لِكُنِّي جَعَلْتُ عَدَمَ إِطْلَاعِ الْحِسِّ عَلَى عَدَمِ الْفَجْرِ دَلِيلًا عَلَى عَدَمِهِ وَأَنَّهُ فِي نَفْسِهِ لَمْ يَتَحَقَّقْ ؛ لِأَنَّ الرُّوْيَةَ هِيَ السَّبَبُ وَنَظِيرُهُ فِي الْأَهْلَةِ لَوْ كَانَتْ السَّمَاءُ مُصْحِيَةً وَالْجَمْعُ ثَيْرٌ وَلَمْ يَرِ الْهَيْلَالُ جَعَلْتُ ذَلِكَ دَلِيلًا عَلَى عَدَمِ خُلُوصِ الْهَيْلَالِ مِنْ شُعَاعِ الشَّمْسِ<sup>247</sup>

The Imam seems to be stating here that the actual Moon sighting is the legal cause to start the month of Ramadan on the 29<sup>th</sup> day’s evening of the month of Sha’abaa. It is impossible to prove that the Lawgiver has ever required sighting the new Moon on the 30<sup>th</sup> day of the month. No legal requirement for the actual sighting of Moon can be made

<sup>245</sup> Hamza Yusuf, *Cesarean Moon Births, Part II, 6*

<sup>246</sup> *Ibid*, 4, 144-45

( الْفُرُقُ الثَّانِي وَالْمَاءَةُ بَيْنَ قَاعِدَةِ أَوْقَاتِ الصَّلَوَاتِ يَجُوزُ إِثْبَاتُهَا بِالْحِسَابِ وَالْأَلَاتِ وَكُلُّ مَا دَلَّ عَلَيْهَا وَبَيْنَ قَاعِدَةِ الْأَهْلَةِ فِي الرَّمَضَانَ لَا يَجُوزُ إِثْبَاتُهَا بِالْحِسَابِ ) ، وَذَلِكَ أَنَّ اللَّهَ تَعَالَى تَصَبَّ زَوَالَ الشَّمْسِ سَبَبًا لَوْحُوبِ الظُّهْرِ وَبَقِيَّةِ الْأَوْقَاتِ سَبَبًا لَوْحُوبِ بَقِيَّةِ الصَّلَوَاتِ كَمَا يَشْهَدُ لِذَلِكَ أَذَلَّةُ الْكِتَابِ وَالسُّنَّةِ مِنْهَا قَوْلُهُ تَعَالَى { أَمِ الصَّلَاةَ لِلذُّكْرِ الشَّمْسِ } أَي لَأَجَلِهِ وَمِنْهَا قَوْلُهُ تَعَالَى { فَسُبْحَانَ اللَّهِ حِينَ تُمْسُونَ وَحِينَ تُصْبِحُونَ وَكَانَ الْحَمْدُ فِي السَّمَاوَاتِ وَالْأَرْضِ وَعَشِيًّا وَحِينَ تُظْهِرُونَ } قَالَ الْمُفَسِّرُونَ هَذَا خَيْرٌ مَعْنَاهُ الْأَمْرُ بِالصَّلَوَاتِ الْخَمْسِ فِي هَذِهِ الْأَوْقَاتِ حِينَ تُمْسُونَ الْمَغْرِبَ وَالْعِشَاءَ وَحِينَ تُصْبِحُونَ الصُّبْحَ وَعَشِيًّا الْعَصْرَ وَحِينَ تُظْهِرُونَ الظُّهْرَ ، وَالصَّلَاةَ تُسَمَّى سُبْحَةً وَمِنْهُ سُبْحَةُ الضُّحَى أَي صَلَاتُهَا فَلِأَنَّهُ أَمْرٌ بِإِقْبَاعِ هَذِهِ الصَّلَوَاتِ فِي هَذِهِ الْأَوْقَاتِ ، فَمَنْ عَلِمَ السَّبَبَ بِأَيِّ طَرِيقٍ كَانَ لِرِيمِهِ حُكْمُهُ فَلِذَلِكَ أُعْتَبِرَ الْحِسَابُ الْمُمَيِّدَ لِلْقَطْعِ فِي أَوْقَاتِ الصَّلَوَاتِ .

وَأَمَّا الْأَهْلَةُ فَقَالَ الْفُقَهَاءُ رَحِمَهُمُ اللَّهُ تَعَالَى حِسَابُ تَسْيِيرِ الْكَوَاكِبِ عَلَى خُرُوجِ الْهَيْلَالِ مِنَ الشُّعَاعِ مِنْ جِهَةِ عِلْمِ الْهَيْئَةِ وَإِنْ كَانَ قَطْعًا مُنْضَبَطًا بِسَبَبِ أَنَّ اللَّهَ تَعَالَى أَجْرَى عَادَتَهُ بِأَنَّ حَرَكَاتِ الْأَقْلَاكِ وَالْإِنْقِلَابَاتِ الْكَوَاكِبِ السَّبْعَةِ السَّبَّارَةِ الَّتِي أَشَارَ إِلَيْهَا بَعْضُهُمْ بِقَوْلِهِ : زُحَلٌ شَرِيٌّ مَرِيحٌ مِنْ شَمْسِهِ فَتَزَاهَرَتْ لِعَطَارِدِ الْأَقْمَارِ عَلَى نِظَامٍ وَاحِدٍ طُولَ الدَّهْرِ يَنْتَقِدِرُ الْعَزِيزُ الْعَلِيمُ قَالَ اللَّهُ تَعَالَى { وَالْقَمَرَ قَدَرْنَا مَنَازِلَ حَتَّىٰ عَادَ كَالْعُرْجُونِ الْقَدِيمِ } .

وَقَالَ تَعَالَى { الشَّمْسُ وَالْقَمَرُ بِحُسْبَانٍ } أَي هُمَا ذُو حِسَابٍ فَلَا يَنْخَرِمُ ذَلِكَ أَبَدًا كَمَا لَا

يَنْخَرِمُ حِسَابُ الْفُصُولِ الْأَرْبَعَةِ الَّتِي هِيَ الصَّبْفُ وَالشِّتَاءُ وَالرَّبِيعُ وَالْخَرِيفُ ، وَالْعَوَائِدُ إِذَا اسْتَمَرَّتْ أَفَادَتْ الْقَطْعَ كَمَا إِذَا رَأَيْتَا شَيْخًا نَجْرَمَ بِأَنَّهُ لَمْ يُؤَلِّدْ كَذَلِكَ بَلْ طِفْلًا لِأَجْلِ عَادَةِ اللَّهِ تَعَالَى وَإِنْ حَوَّزَ الْعَقْلُ وَلَادَهُ كَذَلِكَ إِلَّا أَنَّهُ يُعْتَمَدُ فِي خُرُوجِ الْأَهْلَةِ مِنَ الشُّعَاعِ عَلَى حُصُولِ الْقَطْعِ بِالْحِسَابِ كَمَا أُعْتِمِدَ عَلَيْهِ فِي أَوْقَاتِ الصَّلَوَاتِ ؛ لِأَنَّهُ لَا غَايَةَ بَعْدَ حُصُولِ الْقَطْعِ بِسَبَبِ أَنَّ صَاحِبَ الشَّرْحِ لَمْ يَنْصِبْ خُرُوجَ الْأَهْلَةِ مِنَ الشُّعَاعِ سَبَبًا لِلصَّوْمِ كَمَا تَصَبَّ أَوْقَاتِ الصَّلَوَاتِ سَبَبًا لَوْحُوبِهَا تَصَبَّ رُؤْيَةُ الْهَيْلَالِ خَارِجًا مِنْ شُعَاعِ الشَّمْسِ أَوْ إِكْمَالِ الْعِدَّةِ ثَلَاثِينَ وَلَمْ يَتَّعِزْ لَخُرُوجِ الْهَيْلَالِ عَنِ الشُّعَاعِ فَقَدْ قَالَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ { صُومُوا لِرُؤْيَتِهِ وَأَفْطَرُوا لِرُؤْيَتِهِ } وَلَمْ يَقُلْ لَخُرُوجِهِ عَنِ شُعَاعِ الشَّمْسِ كَمَا قَالَ تَعَالَى { أَمِ الصَّلَاةَ لِلذُّكْرِ الشَّمْسِ } ثُمَّ قَالَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَإِنْ عَمَّ عَلَيْكُمْ أَي حَقَّقَتْ عَلَيْكُمْ رُؤْيَتَهُ فَأَقْدَرُوا لَهُ وَفِي رِوَايَةٍ { فَأَكْمَلُوا الْعِدَّةَ ثَلَاثِينَ } .

<sup>247</sup> Al-Qarrafi, *Anwa'ar al-Buruq fi Anwa'a al-Furuq*, 4, 140-41

on a cloudy day also. Therefore sighting may be accepted as a legally binding cause for starting fast after the 29<sup>th</sup> day of Sha'abaa (as will be discussed in details later on in this book). Because the cause and the effect always go hand in hand and that is not the case with Moon sighting and the act of fasting. Imam al-Sha'tibi has stated:

248 ما أثبت سبباً، فهو سبب أبداً لا يرتفع...

“The established (legal) cause always remains the cause and never changes”.

## Defining the Islamic Legal Cause:

The modern Jurist Abd al-Karim Zaydan defines the legal cause (*al-sabab al-shara'i*) as follows:

249 “ما جعله الشارع معرّفًا لحكم شرعي، بحيث يوجد هذا الحكم عند وجوده و ينعدم عند عدمه”.

“The cause is what the Lawgiver has established to define the legal ruling in such a way that this specific ruling exists with its existence and disappears with its absence.”

How could Moon sighting be the sole binding legal cause of fasting if the month of fasting can be started either by sighting or by completion or by mere estimation? It seems that many jurists, who have insisted upon the actual Moon sighting as the sole legal cause for fasting, have confused between *al-hukm al-takli'fi* and *al-hukm al-wada'i*. *Al-hukm al-takli'fi*, in Islamic Jurisprudence, denotes a divinely commissioned ruling that requires the Muslims to either act upon a demand or refrain from it, or gives a choice between doing an act and not doing it. This kind of *hukm* includes almost all the categories like mandatory, recommended, permitted, disliked and impermissible (*haram*) acts.

250 “وهو ما يقتضي طلب الفعل، أو الكف عنه، أو التخيير بين فعله وتركه، وهو يشمل الوجوب والإستحباب والإباحة والكرهية والتحریم، ومن أمثلة ذلك وجوب الصلاة”.

On the other hand, the positional or positivistic divine commandment (*al-hukm al-wadai'*) is situational in nature. It identifies the cause, condition or the reason for prohibition of a ruling or a specific thing. It is just a description of a specific ruling and not a demand from the Lawgiver to perform or abandon a thing. For instance noon is a cause to perform the Zuhr prayer, committing an act of theft results in a capital punishment. If there is no theft there is no punishment. The lawgiver does not require stealing by that *hukm wadi'*.

<sup>248</sup> Sha'tibi, al-Muwa'faqa't, Dar al-Kutub al-'Ilmiyyah, 1, 54.

<sup>249</sup> Abd al-Kari'm Zayda'n, al-Waji'z fi Usul al-Fiqh, Dar al-Tozi'a' wa al-Nashr al-Isla'miyyah, Cairo, First Ed., 1414-1993, 55

<sup>250</sup> Zaydan Ibid, 26; also see Shaikh Faisal Mowlawi, “*al-sabab al-sharai' li wujub siyam Ramadan: Hal huwa dukhu'l al-shahar am ro'yat al-hilal*”, an unfinished paper presented to the European Fiqh Council in May of 2007, page 8

“الحكم الشرعي الوضعي: وهو ما يقتضي جعل شيء سبباً لشيء، أو شرطاً له، أو مانعاً منه، وهو بالتالي ليس فيه أي طلب من المكلف بفعل أو ترك، بل هو بيان من الشارع مثل: اعتبار زوال الشمس سبباً لوجوب الصلاة، أو اعتبار السرقة سبباً لوجوب الحد<sup>251</sup>.”

Therefore, the *hukm al-taklifi* is “fasting the month of Ramadan” and *hukm al-wadi*’ is “witnessing the month of Ramadan”. The actual Moon sighting in the past was just a mean to determine this act of witnessing and not the objective or *sabab* in itself. As seen earlier the established legal causes do not change and are constants.

Imam Yahya bin Sharaf al-Nawawi states that fasting of Ramadan is connected with the timings (entrance, coming of) Ramadan.

“ولا يجب صوم رمضان إلا بدخوله ويعلم دخوله بروية...<sup>252</sup>.”

“The fasting of Ramadan does not become obligatory until the month (Ramadan) arrives and the arrival is known through sighting the new Moon.”

Imam Ibn A’bd al-Barr has beautifully stated the point in a nutshell, “God says, “Whoever witnesses the month, let him fast” (2:185). He means, and God knows best, “**Whoever among you knows, with a knowledge that is certain, that the month has indeed begun must fast it.**” And knowledge that is certain is [based on] either a clear and widespread sound sighting or the completion of thirty days of the previous month.”<sup>253</sup>

Shaikh Faisal Mowlawi, a renowned contemporary jurist, deduces from these classical quotes the logical conclusion that the coming of Ramadan obligates the act of fasting. The act of witnessing the month ascertains that coming of Ramadan. Therefore the act of witnessing the month is the real *sabab* and not the sighting because the “witnessing” takes place with sighting and without sighting, as Imam Fakhar al-Din al-Razi categorically states:

أن شهود الشهر بماذا يحصل؟ فنقول: إما بالرؤية وإما بالسمع<sup>254</sup>

“How is “*shahud al-shahar*” “witnessing the month” accomplished? We say it is achieved either by physical sighting or by hearing.”

Consequently, sighting is just one of the means (*was’ilah*) to determine this arrival of the month of Ramadan and not the legal cause (*sabab*) for fasting. Shaikh Mowlawi differentiates between a *Sabab* (cause) and an ‘*Illah* (condition) and concludes that:

“ومعنى ذلك أن دخول رمضان هو سبب وجوب الصيام، وأن رؤية الهلال هي وسيلة العلم بدخوله.”<sup>255</sup>

“It means that the coming of the month of Ramadan is the cause of Ramadan fasting and that the Moon sighting is a mean to know that coming (of Ramadan).”<sup>256</sup>

<sup>251</sup> Ibid, 26-27; Mowlawi, Ibid

<sup>252</sup> Al-Nawawi, al-Majmu’a Sharh al-Muhazzab, [www.shamela.ws/](http://www.shamela.ws/), 6, 270

<sup>253</sup> Cited from Hamza, Ibid, I, 15

<sup>254</sup> Al-Razi, Fakar al-Din Abu Abdillah Muhammad, Tafsir al-Razi, ([www.altafsir.com](http://www.altafsir.com)), 3, 103

<sup>255</sup> Ibid, 18

<sup>256</sup> See detail about *Sabab* and ‘*Illah* on Faisal Mowlawi, Ibid, 8ff

Further more, it is quite challenging to describe the Moon sighting as the legal cause of fasting (*al-sabab al-sharai'*) and then explain the fact that why the Lawgiver specified it as a cause only for the twenty ninth day of the month and not for the thirtieth day or why the Lawgiver gave the choices between sighting, completion or estimation. On the other hand, if we confirm the objective of certainty about arrival of the new month as the real reason for the Prophetic insistence upon the physical Moon sighting on the 29<sup>th</sup> day, we can fully understand why he did not require the physical Moon sighting on the 30<sup>th</sup> day's evening (to confirm the fasting of Ramadan). It is also exceedingly important to understand this specific Prophetic insistence, upon actual Moon sighting, in the background of the real challenges and confusions caused by the arbitrary intercalations and, also in light of the *Ummah's* unlettered status.

Shaikhs Rashi'd Rida, Mustafa al-Zarqa, Ahmad Shakir and many others have highlighted this fact that the Lawgiver has asked for sighting the Moon as a mean to know the fixed sacred timings, such as Ramadan and, not to worship this act of sighting in itself. The Prophet (PBUH) has connected both the methods (sighting and completion) with the reason that the *Ummah* is unlettered. The objective of his Prophet-hood has been to bring the *Ummah* out of its unlettered status and not to push it more into illiteracy.

Moreover, there is no 'Ijma'a (agreement) between the jurists that the actual Moon sighting is the only cause of obligating the month of Ramadan although many of the classical jurists have emphasized upon sighting as the legal cause of confirming Ramadan. The real cause that the Qur'an categorically states is "witnessing the month". That witnessing is possible through actual sighting as well as through other means of knowledge about Ramadan. Many jurists have stated this fact. For instance Imam Muhammad Abu Zahrah states the cause of fasting is the month of Ramadan.

(الشهر هو إمامة على وجوب الصوم)<sup>257</sup>.

Shaikh Abdillah bin al-Jady'a states the cause of fasting is coming of the month of Ramadan.

(دخول الشهر لوجوب صوم رمضان)<sup>258</sup> أخذاً من قوله تعالى (فمن شهد منكم الشهر فليصمه...)<sup>259</sup>.

Dr. Abd al-Kari'm Zayda'n also states that the legal cause for fasting is the coming of the month.

أمثلة السبب الشرعي (دلوك الشمس لوجوب الصلاة، وشهر رمضان لوجوب الصيام)<sup>260</sup>.

That is why it is important that we understand al-Qarrafi's statements about Moon sighting as the sole legal cause for fasting and also Sun sighting vis-à-vis prayer timings

<sup>257</sup> Abu Zahrah, *Usu'l al-Fiqh*, 56

<sup>258</sup> Abdillah al-Jady'a, *Taysi'r Usu'l al-Fiqh*, 54

<sup>259</sup> - سورة البقرة: 185.

<sup>260</sup> Abd al-Kari'm Zayda'n, *al-Waji'z fi Usu'l al-Fiqh*, Dar al-Tozi'a' wa al-Nashr al-Islamiyyah, Cairo, First Ed., 1414-1993, 55



in light of the dialogue which the Imam was engaged in against his opponents. It can not be denied that Imam al-Qarrafi like many other classical jurists maintained that the actual Moon sighting was the legal cause for fasting the month of Ramadan. What is being denied here is that the Imam's verdict on this issue is relative to his milieu and not absolute that it must be applied in all times to come. As seen above, the Imam himself disagreed with the established authorities of almost all the four schools of Islamic Fiqh by negating unity of horizons and affirming variety of horizons. The unity of horizons was declared by the early jurists as the legal binding cause for the month of Ramadan. The modern jurists are following the foot step of Imam al-Qarrafi in disagreeing with him that the actual sighting constitutes the sole legal cause for fasting. The sole legal cause for fasting is witnessing the month and sighting is just one of the means to achieve that cause.

We should keep this point in mind while analyzing all the classical juristical positions on the Moon sighting issue.

## **A Brief Historical Exposition of the Classical Debate on Moon Sighting and Calculations:**

Undoubtedly, with very few exceptions, the classical Muslim scholars have required physical Moon sighting as a precondition to confirm or negate the month of Ramadan. Their take on the mathematical calculations has been quite negative. Concerning Ramadan, they roundly rejected deployment of mathematical calculations in all forms and shapes. The classical scholarship contravened the use of astronomical calculations not only in confirming or negating the month of Ramadan, but also in confirming or negating that the new Moon was ever sighted. A detailed scrutiny of their discourse on the subject will show that in actuality the classical jurists flouted all methods involving calculation for any aspect of Ramadan as well as declared them to be utterly illegal. Their staunch opposition to the imprecise astrologically computed calculations makes a lot of sense when understood in light of the above discussion vis-à-vis intercalations, astrology, fortunetelling, imprecision, hardships and many such matters which directly involve faith and dogma.

It is also important to consider their cultural and political milieu while discussing their take on the Moon sighting issue. Many classical scholars, such as Imam Ibn Taymiyyah, were passionately engaged in confronting extreme allegorists such as the followers of the Isma'ili' sect, philosophers like Neo Platonists, and anti-traditionalist liberals such as Mu'atazilites. These so called "liberals" tempted to intellectualize the Islamic faith and its texts at the expense of its original context, meanings, and intents. Resultantly, the traditionalists responded vigorously against such allegorization of the Islamic texts by not allowing any rupture between the actual texts and what they have agreed upon to be the literal meanings. Many times, this so very often claimed *Ijma'a* (consensus) existed only among jurists of a given *Fiqhi* school, an ideological movement or even in the mind of a jurist himself without any reality on the ground or within his own thinking world. For

instance, Imam Ibn Taymiyyah (1263-1328 AD; 661-728 AH) and Imam Ibn al-Qayyim (1292-1350) vehemently insisted upon some quite literal understandings of the descriptive Qur'anic phrases such as the "hand of Allah," "face of Allah," "eyes of Allah," "chair and thrown of Allah", as has been discussed in earlier pages. They adamantly persisted that the linguistically proven literal meanings of the words hand, face, eyes etc. were the originally intended meanings of the Qur'an and Sunnah as long as any comparison between Allah SWT's hands, eyes, and face with His creatures is avoided. Both the Imams' selective insistence upon the meanings of "hand" as denoting the "actual hand" (as long as Allah SWT's hand is distinctively understood as different from the human hands and without "*kaif*" or asking how it looks), and their opposition to other possible metaphorical connotations of the phrase hand such as "support, protection, etc." is a good example that can elaborate the point in discussion. Imam Ibn Taymiyyah, in his sincere effort to avoid allegorization of the text, insisted upon the literal sense over the metaphorical sense of the Islamic texts. Imam Ibn Taymiyyah did not shy away from inflicting the fatwa of "*kufir*" upon the Mu'atazilites and indirectly also upon the later Ash'arites, including such celebrated spiritual authorities as Imam al-Ghazali and many other stalwarts in the fields of Tafisr, Hadith, and Fiqh.

This literally prone conservative ideological movement expressed extreme concerns regarding any interpretation of the Qur'an or the Sunnah that will not include the original linguistic as well as cultural meanings. They enforced the exact Prophetic action as well as actions and interpretations of the first generation Muslims to be the sole intended Sunnah and the true explanation of some of the ambiguous Qur'anic texts. This group of ideologues was quite aware of the havics which the tendency of intellectuaziation or liberalization of the sacred text could play to the original intent of the sacred text. They have quoted this fact in their writings giving ample examples such as the role played by Philo of Alexandria in Jewish understanding of the Hebrew Bible and his concept of Logos as the first emanated "Intellect."<sup>261</sup> Ibn Taymiyyah also knew what role this concept of Logos had played later on in the Christian theological thought. The Philo's concept of Logos was borrowed by the early Church Fathers<sup>262</sup> and incorporated into a fullfledged incarnational theology i.e., incarnation of God in the person of the historical Jesus of Nazareth so much so that the historical Jesus got absolutely lost. Paul Furnish, in his famous book, "Jesus According to Paul" beautifully explains that "Paul focuses his attention neither on the teachings of Jesus nor on Jesus' Palestinian ministry. His attention is focused, rather, on Jesus the crucified Messiah and the risen Lord."<sup>263</sup> John Hick observes that "Paul fits Jesus into his own theology without little regard to the historical figure."<sup>264</sup> It was this tendency of allegorical interpretation of the sacred text which enable St. Augustine of Hippo to categorize the scriptural meanings into literal (appearant), allegorical, spiritual and mystical meanings. The text of the New Testament was

<sup>261</sup> See W.B. Smith, *The Birth of the Gospel: A Study of the Origin and Purport of the Primitive Allegory of the Jews*, Philosophical Library, NY, 1957

<sup>262</sup> See Stephen Neil, *The Interpretation of the New Testament 1861-1961*, Oxford UP, N.Y., 1966,

<sup>263</sup> Furnish, V. Paul, *Jesus According to Paul*, CUP, 1993, 40; also see H. Anderson, *Jesus and Christian Origins*, Oxford UP, NY, 1964; E.P. Sanders, *The Historical Figure of Jesus*, Penguin, 1993

<sup>264</sup> Hich, John, *The Metaphor of God Incarnate*, SCM Press, London, 1993, 31

terrorized in the name of finding spiritual and mystical meanings so much so that the original text lost its content.

Keeping in view this comparative development of the concept of allegorical interpretations in Christianity and Judaism, Imam Ibn Taymiyyah and many other traditionalists, struggled to preserve the original intent as well as the original form of the Islamic text by emphasizing the literal meanings of Qur'anic terms as hand, face, eyes of Allah SWT.<sup>265</sup>

Imam Abu Hamid al-Ghazali (1058-1111 AD), al-Razi and other theologians considered it inappropriate to describe the hand, eyes, and face of Allah SWT as mentioned in the Quran to outline Allah SWT's physical form. Instead, they interpreted the hand of Allah SWT as denoting His power, dominance, and support; it is similar to the connotation of the word in the commonly used phrase "I will give you a hand." This does not mean "I will cut my hand and give it to you." It means that "I will lend you support." This is an established metaphorical use of the term "hand" which has been linguistically and culturally approved, as has been discussed earlier. They refuted the literal meanings of these Qur'anic phrases and many of these jurists/theologians maintained the principle of assigning the true understandings of the phrases to the knowledge of Allah SWT (*al-tafw'id*). Imam al-Ghazali and others considered insistence upon the literal meanings of these words to be sheer anthropomorphism, while Imam Ibn Taymiyyah considered the metaphorical interpretations (*t'aw'il*) of the phrases as tantamount to disbelief (*kufr*).<sup>266</sup>

The traditionalist scholars had to fight many battles on multiple fronts to preserve, what they believed to be, the precise nature of the Islamic texts. They were convinced that the degeneration of the Ummah into petty factions and separate states, as well as its loss of political might was linked directly to the Ummah's departure from the sublime Sunnah of the Prophet (PBUH). A good example was the utter destruction of the Muslims at the hands of the Mongols. Imam Ibn Taymiyyah had the opportunity to witness this period of political and social degradation. What these scholars struggled for was nothing short of implementing the pristine faith and restoring the last Sunan (traditions) of the Beloved Prophet (PBUH), to the best of their understanding.

On the other hand, many academicians, theologians, jurists, and Muslim scholars all the way to our modern times have blamed them for some very narrow and extreme interpretations of the Islamic texts, as already seen in the case of Shaikh M. Zahid al-Kowthari. Among the contemporary academicians, Abdul Aziz Schedina goes as far as blaming this (the process of selective insistence upon some meanings of the Islamic texts at the expense of the other accepted meanings and then claiming divine propriety for these human interpretations to the exclusion of others) as responsible for Islamic

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<sup>265</sup> Reader interested in historical development of "Jesus Doctrine" is referred to my Ph. D. Dissertation, "A Study of Anthropomorphism and Transcendence in the Bible and Qur'an: Scripture and God in the Judeo-Christian and Islamic Tradition", chapter 3, submitted to the University of Wales (Lampeter) in 1997.

<sup>266</sup> See my above mentioned Ph. D. Thesis "Chapter 4" for details

fundamentalism and all other acts of Muslim violence in the world.<sup>267</sup> Khaled Abul Fadl extensively writes about the possible dangers of such a selective process of explaining the sacred Islamic texts.<sup>268</sup> I will not go as far as to blame these traditional insistences on the letter of the Qur'an and Sunnah (and to use that literal process at the expense of the spirit of these texts) as responsible for the modern political problems such as terrorism. I fully recognize the sincerity of scholarship of the past and of the present that go into these genuine struggles of preserving the Sunnah in its pristine form. However, I would like to state that many times this selective insistence upon some meanings of the Islamic terms over other genuinely accepted meanings, ends up challenging the spirit as well the wholistic meanings of the Qur'anic as well Prophetic texts. It goes beyond the established objectives (*maqasid*) of the Islamic law and ends up causing countless hardships for many sincere Muslims. The Qur'anic principle of "ease" (*taysir*) is meant to make people's lives easy as long as the pristine spirit of the Islamic Law is not violated and that is exactly what Allah SWT demands of us in the verse about Ramadan in *Surah al-Baqarah*. Let us revisit the translation of this Qur'anic verse one more time:

"Ramadan is the (month) in which was sent down the Qur'an, as a guide to mankind, also Clear (Signs) for guidance and judgment (between right and wrong). *So whosoever witnesses the month among you should fast in it (spend it in fasting)*, but if any one is ill, or on a journey, the prescribed period (should be made up) by days later. *Allah intends the ease for you; He does not want to put you to difficulties.* (He wants you) to complete the prescribed period, and to glorify Him in that He has guided you; and perchance ye shall be grateful." (2:185)

The following portion of the Qur'anic verse can specifically be helpful in our situation.

*"Allah intends the ease for you; He does not want to put you to difficulties.* (He wants you) **to complete the prescribed period**, and to glorify Him in that He has guided you..."

In light of this, let us have a cursory look at the classical positions vis-à-vis the debate on calculations and Moon sighting. I will like to state from the outset that the debate over determining the Islamic month with Moon sighting or mathematical calculations is far old and seems to have preceded all the known four Imams of Islamic Fiqh. Mutarrif bin Abdillah Ibn al-Shikhi'r was the first person to have reportedly utilized calculations in determining Ramadan in case it was cloudy on the 29<sup>th</sup> day of Sha'abaa. Ibn al-Shikhi'r was a *"taba'i"* (Successor). The first known Imam Abu Hanifa (699-767 AD; 80-150 AH) died in 150 AH. By the time of Imam Malik bin Anas (93-179 AH; 712-759 AD), the debate over calculations seemed to have developed into a full fledged Fiqhi discussion. Imam Malik took a position against Imam Mutarrif's position on the use of calculations

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<sup>267</sup> Abou El Fadl, Khaled, ["Speaking, Killing and Loving in God's Name," The Hedgehog Review, Spring 2004;](#) <http://www.scholarofthehouse.org>; Khaled Abou El Fadl, "The Rules of Killing at War: An Inquiry into Classical Sources," *The Muslim World* 89 (1999).

<sup>268</sup> Schedina, Abdulaziz, "Warfare: The Use and Abuse of Jihad in the Muslim World" <http://www.uga.edu/islam/jihad>; see also the web site <http://www.islamiclearning.org/>

concerning any aspect of Ramadan or fasting. Imam Malik is also purportedly the first proponent of the argument that the Hadith of “*ikma’l*” is descriptive of the Hadith on “calculation,” as will be seen shortly in the following pages.

It seems that the issue of “*ikma’l*” was not yet developed during the era of the *sahabah* like Ibn ‘Umar and others who fasted on the thirtieth day of Sha’abaa even if it was cloudy on the twenty ninth day of the month. The known disciples of the Prophet (PBUH) like Caliphs Abu Bakr and ‘Umar and family members of the Prophet like ‘A’isha and Asma’a (the daughters of Abu Bakr), would have never intentionally violated the Prophetic ruling on completing thirty days in case of obscurities on the twenty ninth day of Sha’abaa. They fasted the 30<sup>th</sup> day if the horizon was obscured on the 29<sup>th</sup> day. Ibn ‘Umar, the original narrator of the Prophetic Hadith requiring physical Moon sighting and completion in case of cloudy weather, himself seems to have not followed both of these Prophetic patterns in certain situations. He would ask for actual sighting of the new Moon on the 29<sup>th</sup> day of Sha’abaa and fast the next day if it was seen. He would fast after the 30<sup>th</sup> day of Sha’abaa if the Moon was not sighted on the 29<sup>th</sup> day. He would also fast the next day if the new Moon was not sighted on the evening of the 29<sup>th</sup> day due to obscurities. In this case Ibn ‘Umar would fast without actually sighting the new Moon and without completing thirty days of Sha’abaa. Abu Muhammad Ibn Hazam al-Zahiri and many others have conspicuously highlighted this act of Ibn ‘Umar and its conflicting implications to the reported Ahadith. We will have the opportunity to discuss this topic in details when dealing with the weakness of the “*ikma’l*” argument. Here I just want to make the point that there seems to be two divergent opinions circulating among the *Sahabah*. Ibn Abbas, Abu Hurayrah, Ammaar bin Yasir (May Allah SWT be Pleased with them) and others agreed that 30 days must be completed if the new Moon was not actually sighted on the 29<sup>th</sup> day of Sha’abaa because of obscurities, while others such as Ibn ‘Umar held the opinion that a Muslim should fast the next day if the new Moon was not seen due to obscurities.

Many traditional scholars such as Imam Ahmad bin Hanbal maintained that a Muslim is required to fast the 30<sup>th</sup> day of the month (of Sha’abaa) if people did not go out to sight the Moon on the 29<sup>th</sup> day’s evening or the claim of sighting was made by untrustworthy individuals whose witness was not accepted by the Muslim ruler. To Imam Ahmad, such a day is denoted as the day of “doubt.” The 30<sup>th</sup> day’s fasting is declared by Imam Ahmad as a mandatory day of Ramadan if the new Moon was not seen due to obscurities on the 29<sup>th</sup> day of Sha’abaa.

عَنْ أَحْمَدَ أَنَّهُ خَصَّ يَوْمَ الشَّكِّ بِمَا إِذَا تَقَاعَدَ النَّاسُ عَنْ رُؤْيَةِ الْهَيْلَالِ أَوْ شَهِدَ بِرُؤْيَيْهِ مَنْ لَا يَقْبَلُ الْحَاكِمُ شَهَادَتَهُ ، فَأَمَّا إِذَا حَالَ دُونَ مَنظَرِهِ شَيْءٌ فَلَا يُسَمَّى شَكًّا<sup>269</sup>

Had it been that the Prophetic commandment “complete thirty days if it is cloudy” was categorically decisive and legally mandating (*wajib*), then none of the Companions of the Prophet (PBUH) such as ‘Umar and Ibn ‘Umar and prominent Successors such as Mutarrif, Mujaahid, Taau’s and Imams like Ahmad bin Hanbal would have fasted in case

<sup>269</sup> Ibn Hajar, Fath, 6, 147

of obscurity on the 29<sup>th</sup> day of Sha'aban and that is in exact opposition to that Prophetic commandment of completing thirty days. Ibn Qudamah describes this point in a nutshell.

وَقَدْ فَسَّرَهُ ابْنُ عُمَرَ بِفِعْلِهِ , وَهُوَ رَأَوِيهِ , وَأَعْلَمُ بِمَعْنَاهُ , فَيَجِبُ الرَّجُوعُ إِلَى تَفْسِيرِهِ<sup>270</sup>

“Ibn ‘Umar explained the (Hadith of sighting and estimation) with his own action. It is (important in the sense that) he is its (original) narrator and the most knowledgeable about its (true) meanings. Therefore, it is obligatory to turn to his explanation (for the above mentioned Hadith).”

These two divergent opinions, Imam Malik’s insistence upon completion in case of cloudy weather as the explanatory Hadith and Imam Ahmad’s opinion insisting upon fasting the next day in case of obscurities as the explanatory Hadith, converged against the use of mathematically computed astrological calculations because the astrologists claimed having access to the unseen world such as stars and their calculations and assertions were not accurate. The dogmatic implications of the above mentioned astrological assertion were disastrous for common people’s faith and *‘aqi’dah*. Moreover, these imprecise calculations were also not commonly accessible to the majority of Muslims. Therefore, the majority of the classical jurists stood up against these inaccurate calculations and banned its use in any way or form to determine or negate the month of Ramadan. Successors like Mutarrif bin Abdillah and jurists like Ibn Suraij took an exceptional stand and permitted use of calculations in case of obscurities or for the calculator himself. These individuals maintained that the Prophetic commandment requiring completion of thirty days was actually addressed for the common people and the commandment asking for “estimation or calculation” geared towards educated folks.

وَعَنْ مُطَرِّفٍ أَيْضًا أَنَّ الْعَارِفَ بِالْحِسَابِ يَعْمَلُ بِهِ فِي نَفْسِهِ . أَمَّا ابْنُ سُرَيْجٍ فَاعْتَبَرَ قَوْلَهُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : { فَاذْكُرُوا لَهُ } : خِطَابًا لِمَنْ خَصَّهُ اللَّهُ تَعَالَى بِعِلْمِ الْحِسَابِ.<sup>271</sup>

The implications of Imam Mutarrif and Ibn Suraij’s maintained positions were far reaching. They were rebuked by the majority of the classical jurists.

Later on Imam Taj al-Din al-Subki (1327-1370 AD; 727-771 AH), another stalwart of the Sha’fa’ee school of Fiqh, took another step ahead. He not only accepted use of precise calculations as an authentic Islamic source to determine the month of Ramadan (in case of obscurities), he also denied witnesses who claimed sighting the new Moon in case the calculations proved the otherwise. Imam al-Subki allowed use of calculations to negate claimed actual sighting. It was a big step forward and, the classical majority categorically scolded him for that. The classical books of almost all the Fiqhi schools are redundantly filled with the polemics against Imam al-Subki’s for taking such a progressive position on the use of calculations (i.e., his dependence upon astronomical calculations to negate the testimony for actual sighting if the calculations proved that the new Moon was not in the horizon.)

<sup>270</sup> Ibn Qudamah, Abdillah bin Ahmad, al-Mughni, [www.shamela.ws/](http://www.shamela.ws/), 3, 7

<sup>271</sup> Ibid, P: 32

Imam al-Subki expressed his pain and frustration in the following beautiful words:

قَدْ يَحْصُلُ لِبَعْضِ الْأَعْمَارِ وَالْجُهَالِ تَوَقُّفٌ فِيمَا قُلْنَاهُ وَيَسْتَكْرِرُ الرَّجُوعَ إِلَى الْحِسَابِ جُمْلَةً وَتَفْصِيلًا وَيَجْمُدُ عَلَى أَنْ كُلَّ مَا شَهِدَ بِهِ شَاهِدَانِ يَثْبُتُ ، وَمَنْ كَانَ كَذَلِكَ لَا خِطَابَ مَعَهُ وَنَحْنُ إِنَّمَا نَتَكَلَّمُ مَعَ مَنْ لَهُ أُذُنَى تَبْصُرُ وَالْجَاهِلُ لَا كَلَامَ مَعَهُ<sup>272</sup>

“Some recklessly ignorant (person) may be hesitant to accept what we have stated. He might see it abhorrent to resort to calculations in part or in toto, and may be stuck with the idea that whatever is witnessed by two persons is proven. No conversation can take place with such a rigid person. We are talking to the ones who at least enjoy the basic logic. We cannot talk to the ignorant ones.”

Dr. Yusuf al-Qaradawi wonders what would be the take of Imam al-Subki on the Moon sighting issue had he lived in our modern times with all these scientific developments in the field of astronomy!

فكيف لو عاش السبكي إلى عصرنا هذا ورأى من تقدم علم الفلك ... كما أشرنا؟<sup>273</sup>

In 1939 the famous *Muhaddith* (authority on Hadith) Shaikh Ahmad M. Shakir had the courage to take another step forward. He maintained that the modern day astronomical calculations were certain enough to ascertain the arrival and end of the month of Ramadan without necessarily resorting to the physical Moon sighting. He, with his entire life span service to Hadith literature and great deal of depth in Hadith Sciences, concluded that confirming the month of Ramadan based upon the birth of new Moon was the position which was the closest to the Prophetic Ahadith.

ولقد أرى قولى هذا أعدل الأقوال، وأقربها إلى الفقه السليم، و إلى الفهم الصحيح للأحاديث الواردة فى هذا الباب<sup>274</sup>.

“I consider my position (statement) as the most equitable (righteous) of (all) the positions. This position is the closest to sound understanding and to the true meanings of all the Ahadith narrated vis-à-vis this subject (calculation and Moon sighting). “

Ahmad Shakir was rebuked also for taking such a position!

The Fiqh Council of North America in the year 2006, following Ahmad Shakir’s lead, decided to accept the astronomical calculations in confirming the Islamic months and, also to establish a predetermined calendar based upon them. The European Fiqh Council adopted Ahmad Shakir’s position in May of 2007. Both the Councils are being reprimanded as following the Sunnah of the Jews and, abandoning the Sunnah of the Beloved Prophet (PBUH). So continues the saga.

<sup>272</sup> Ibid, 217

<sup>273</sup> Al-Qardawi, Yusuf, Fatawa Mua’sarah, Dar al-Qalam, Vol: 2, 222

<sup>274</sup> Ahmad Muhammad Shakir, Awa’il al-Shuhu’r al-‘Arabiyyah, Maktaba Ibn Taymiyyah

## The Classical Muslim Scholarship and the Actual Moon Sighting as the Cause of Ramadan:

In view of this brief historical exposition of the debate on Moon sighting let us now turn to the classical texts themselves.

The Hanafi jurist Abu Bakr al-Jassaas (917-980 AD; 305-370 AH) states:

قال أبو بكر : قولُ رسولِ الله صلى الله عليه وسلم : " صُومُوا لِرُؤْيَيْهِ " مُوَافِقٌ لِقَوْلِهِ تَعَالَى : { يَسْأَلُونَكَ عَنِ الْهَيْلَةِ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ } وَاتَّفَقَ الْمُسْلِمُونَ عَلَى مَعْنَى الْآيَةِ وَالْخَبَرِ فِي اعْتِبَارِ رُؤْيَةِ الْهَيْلَةِ فِي إِجَابِ صَوْمِ رَمَضَانَ , فَدَلَّ ذَلِكَ عَلَى أَنَّ رُؤْيَةَ الْهَيْلَةِ هِيَ شَهَادَةُ الشَّهْرِ<sup>275</sup>

Abu Bakr (al-Jassass) said, “ the statement of the Prophet (PBUH) “Fast by sighting it” is in line with the Qur’anic verse that says,” they ask you about the new moons. Say: they are timings for people and for Hajj.” The Muslims have a consensus that the verse and the Hadith means considering sighting of the crescent Moon in obligating the fasting of Ramadan. It leads to (the fact) that the sighting of the new Moon is what is termed as witnessing the month.”

He concludes that actual sighting is the only method prescribed by the Prophet (PBUH) to confirm the month of Ramadan. If it cannot be determined by actual sighting on the 29<sup>th</sup> due to unfavorable conditions such as cloudy weather, then completing 30 days of Sh’aban is required and that is the original rule. Al-Jassaas states:

وقوله صلى الله عليه وسلم { صُومُوا لِرُؤْيَيْهِ وَأَفْطَرُوا لِرُؤْيَيْهِ , فَإِنْ غَمَّ عَلَيْكُمْ فَعُدُّوا ثَلَاثِينَ } هُوَ أَصْلٌ فِي اعْتِبَارِ الشَّهْرِ ثَلَاثِينَ , إِلَّا أَنْ يَرَى قَبْلَ ذَلِكَ الْهَيْلَةَ , فَإِنْ كَلَّ شَهْرٌ غَمَّ عَلَيْنَا هَيْلًا فَعَلَيْنَا أَنْ نَعُدَّهُ ثَلَاثِينَ . هَذَا فِي سَائِرِ الشُّهُورِ الَّتِي يَتَعَلَّقُ بِهَا الْأَحْكَامُ , وَإِنَّمَا يَصِيرُ إِلَى أَقَلِّ مِنْ ثَلَاثِينَ بِرُؤْيَةِ الْهَيْلَةِ<sup>276</sup>

“In light of the Prophetic Hadith, the original rule is that the month is consisting of 30 days except that if the new Moon is sighted before that. We must count 30 days for every month we are at a loss to see the Moon due to cloudy weather. This rule applies to all the months connected with Islamic rituals. Only the actual sighting of the new Moon will make the month lesser than 30 days.”

He also claims that there is a consensus among all the Muslim Jurists not to accept astronomical calculations in confirming or negating the month of Ramadan.

فَالْقَائِلُ بِاعْتِبَارِ مَنَازِلِ الْقَمَرِ وَحِسَابِ الْمُنْجَمِينَ خَارِجٌ عَنِ حُكْمِ الشَّرِيعَةِ . وَكَيْسَ هَذَا الْقَوْلُ مِمَّا يَسُوغُ الْجَاهِلِيَّةَ فِيهِ , لِذَلَالَةِ الْكِتَابِ وَنَصِّ السُّنَّةِ وَإِجْمَاعِ الْفُقَهَاءِ بِخِلَافِهِ<sup>277</sup>

<sup>275</sup> Al-Jassass, Abu Bakr bin Ali al-Razi, Ahkam al-Qur’an, Dar al-Fikr, Vol: 1, P: 279

<sup>276</sup> Ibid, P: 280

<sup>277</sup> Ibid, P:280



“The one who believes in stages of the Moon and calculations of the astrologists is out of Sharia’ah. This is not the area of Ijtihad as the Qur’an, the Sunnah and the consensus of the Jurists are absolutely against it.”

Imam Badr al-Din al-‘Ayni summarizes the classical juristic majority’s opinion by the following strong words:

لا يصح اعتقاد رمضان إلا بروية فاشية أو شهادة عادلة، أو إكمال شعبان ثلاثين يوماً، وعلى هذا مذهب جمهور فقهاء الأمصار بالحجاز والعراق والشام والمغرب، منهم مالك والشافعي والأوزاعي والثوري وأبو حنيفة وأصحابه وعامة أهل الحديث<sup>278</sup>

“The Ramadan can be based only on a public (spread out) sighting (of the new Moon) or a trustworthy witnessing or completing 30 days of Sha’baan. The majority of the jurists in (major) cities of al-Hijaz, al-Iraq, al-Shaam and al-Maghrib maintain that. They include Malik, al-Shafa’ee, al-Aowza’ee, al-Thowri, Abu Hanifah and his disciples and, most of the Ahl al-Hadith.”

The reason for starting the months with actual sighting, according to al-Jassas, is to begin the acts of worship with certainty and, not base them upon mere probabilities.

وَهَذَا قَوْلُ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : { صُومُوا لِرُؤْيَيْهِ وَأَفْطَرُوا لِرُؤْيَيْهِ ، فَإِنْ غَمَّ عَلَيْكُمْ فَأَكْمَلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ } . ففرضَ عَلَيْنَا عِنْدَ غَمَّةِ الْهَيْلَالِ إِكْمَالَ عِدَّةِ شَعْبَانَ ثَلَاثِينَ يَوْمًا ، وَإِكْمَالَ عِدَّةِ رَمَضَانَ ثَلَاثِينَ يَوْمًا عِنْدَ غَمَّةِ هَيْلَالِ شَوَّالٍ ، حَتَّى يَدْخُلَ فِي الْعِبَادَةِ بَيِّقِينَ ، وَيَخْرُجَ عَنْهَا بَيِّقِينَ . وَكَذَلِكَ ثَبَتَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مُصْرَحًا بِهِ أَنَّهُ قَالَ : { لَا تَصُومُوا حَتَّى تَرَوْا الْهَيْلَالَ ، وَلَا تُفْطَرُوا حَتَّى تَرَوْهُ } . وَقَدْ رَوَى التِّرْمِذِيُّ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ : { أَحْصُوا هَيْلَالَ شَعْبَانَ لِرَمَضَانَ }<sup>279</sup>

“This is what the Prophet (PBUH) says, “Begin fasting by sighting it and stop fasting by sighting it. If it is cloudy then complete counting thirty days of Sha’aban.” He (PBUH) has obligated us to count thirty days of Sha’aban when it is cloudy and also count 30 days of Ramadan in case it is cloudy (on the 29<sup>th</sup> of Ramadan) before starting the month of Shawwal. It is required so that we can start the acts of worship based upon certainty and stop the acts of worship based upon certainty. This is what the Prophet (PBUH) has manifestly commanded by another authentic saying, “Do not fast until you see the new Moon and do not break the fast until you see the new Moon.” And al-Tirmizi has narrated on the authority of Abu Hurayrah that the Prophet (PBUH) said, “Count the Moon of Sha’aban to determine Ramadan.”

Al-Jassas represents the view of the majority of the classical jurists. The official position of the Hanafi, Maliki, Shafa’ee and Hanbali schools of thought is that astronomical calculations are not the authentic way of determining the Islamic months. These months must be confirmed either by actual sighting or by completion. In the following pages we will see how these classical scholars argue in favor of this established position.

Ahmad bin Muhammad Al-Hamawi, another famous Hanafi jurist, states:

<sup>278</sup> Al-A’yni, Badar al-Din, U’mdat al-Qari, Dar al-Fikr, 10, 265

<sup>279</sup> Ibid, P: 117

الشَّرْطُ عِنْدَنَا فِي وُجُوبِ الصَّوْمِ وَالْإِفْطَارِ رُؤْيَا الْهَيْلَالِ وَلَا يُؤْخَذُ بِقَوْلِ الْمُتَجَمِّينَ . وَفِي التَّهْذِيبِ عَلَى مَذْهَبِ الشَّافِعِيِّ رَحِمَهُ اللَّهُ : لَا يَجُوزُ تَقْلِيدُ الْمُتَجَمِّمِ فِي حِسَابِهِ لَأَنَّ فِي الصَّوْمِ وَلَا فِي الْإِفْطَارِ<sup>280</sup>

“For us, the condition for the fast and breaking the fast is sighting of the Crescent and, calculation of the astrologists cannot be followed in this matter. In al-Tahzib, according to Shafa’ee school, it is also stated that astrological calculations cannot be trusted neither in the beginning nor in ending the month of fasting (Ramadan).”

Muhammad bin Abdallah Al-Kharshi presents the Maliki position in the following words:

الصَّوْمَ يَثْبُتُ بِمَا تَقَدَّمَ لَا بِقَوْلِ مُتَجَمِّمٍ فَلَا يَثْبُتُ بِهِ لَأَنَّ فِي حَقِّ غَيْرِهِ وَلَا فِي حَقِّهِ هُوَ ; لِأَنَّ صَاحِبَ الشَّرْعِ حَصَرَ الثَّبُوتَ فِي : الرُّؤْيَا , أَوْ الشَّهَادَةِ , أَوْ إِكْمَالِ الْعَدَدِ فَلَمْ يُخْبِرْ بِزِيَادَةِ عَلَى ذَلِكَ فَإِذَا قَالَ الْمُتَجَمِّمُ مَثَلًا : الشَّهْرُ نَاقِصٌ أَوْ زَائِدٌ لَمْ يَلْتَفِتْ إِلَى قَوْلِهِ , وَلَا إِلَى حِسَابِهِ , وَقَعَ فِي الْقَلْبِ صِدْقُهُ أَمْ لَا<sup>281</sup>

“The fasting cannot be observed by following statement of an astrologist. Neither the astrologist nor any one else can fast based upon that, because the Prophet (PBUH) has confined the fasting solely to the sighting of the witnesses or completing the 30 days. No other method is prescribed. Therefore, no attention should be paid to the statement/calculations of the astrologist regarding the month whether one believes in the preciseness of his calculations or not.”

Muhammad bin Ahmad Al-Dasuqi (Maliki) elaborates the same by the following words:

لِأَنَّ الشَّرْعَ أَنَاطَ الْحُكْمَ بِالرُّؤْيَا أَوْ بِإِكْمَالِ الثَّلَاثِينَ فَقَالَ عَلَيْهِ الصَّلَاةُ وَالسَّلَامُ { الشَّهْرُ تِسْعَةٌ وَعِشْرُونَ فَلَا تَصُومُوا حَتَّى تَرَوْا الْهَيْلَالَ وَلَا تَفْطَرُوا حَتَّى تَرَوْهُ فَإِنْ عَمَّ عَلَيْكُمْ فَأَقْدَرُوا لَهُ { وَفِي رِوَايَةٍ { فَأَكْمَلُوا عِدَّةَ شَعْبَانَ { , وَهِيَ مُفَسَّرَةٌ لِمَا قَبْلَهَا قَالَ مَالِكٌ إِذَا تَوَالَى الْعَيْمُ شَهْرًا يُكْمَلُونَ عِدَّةَ الْجَمِيعِ حَتَّى يَظْهَرَ خِلَافُهُ اتِّبَاعًا لِلْحَدِيثِ وَيَقْضُونَ إِنْ تَبَيَّنَ لَهُمْ مَا هُمْ عَلَيْهِ<sup>282</sup>

Al-Dasuqi adds that Imam Malik is of the opinion that 30 days should be completed for all the months when it is cloudy and possibility of sighting the Moon is non-existent.

Imam Malik himself has been reported to have said that if an Imam does not follow the sighting methodology but prefers the calculations, such an Imam is not to be obeyed or followed in daily prayers.

وَقَدْ رَوَى ابْنُ نَافِعٍ عَنْ مَالِكٍ فِي الْمَرْنَبَةِ فِي الْإِمَامِ لَا يَصُومُ لِرُؤْيَا الْهَيْلَالِ وَلَا يَفْطِرُ لِرُؤْيَايِهِ , وَإِنَّمَا يَصُومُ وَيَفْطِرُ عَلَى الْحِسَابِ أَنَّهُ لَا يُقْتَدَى بِهِ وَلَا يُتَّبَعُ<sup>283</sup>

Qadi Abu al-Walid argues that one should make up for the days one has fasted based upon the calculations and not upon sighting or completion.

<sup>280</sup> Al-Hamwi, Ahmad bin Muhammad, Ghamz A’uun al-Basa’ir, Dar al-Kutb al-A’ilmiyyah, Vol: 2, P: 66

<sup>281</sup> Al-Kharshi, Muhammad bin Abdallah, Sharh Mukhtasar Khalil li-al-Kharshi, Dar al-Fikr, Vol: 2, P: 237

<sup>282</sup> Al-Dasuqi, Muhammad bin Ahmad bin A’rfah, Hashiyat al-Dasuqi a’la al-Sharh al-Kabir, Dar Ihy’a al-Kutub al-A’rabiyyah, Vol: 1, P: 509

<sup>283</sup> Al-Baji, Salman bin Khalif, al-Muntaqa Sharh al-Muatta, Dar al-Kitab al-Islami, Vol:2, P: 38

قال القاضي أبو الوليد رضي الله عنه فإن فعل ذلك أحد فالذي عندي أنه لا يعتد بما صام منه على الحساب ويرجع إلى الرؤية وأكمال العدد فإن اقتضى ذلك قضاء شيء من صومه قضاة<sup>284</sup>

## The Muslim Ummah is Unlettered:

The Prophet (PBUH) said:

حَدَّثَنَا آدَمُ حَدَّثَنَا شُعْبَةُ حَدَّثَنَا الْأَسْوَدُ بْنُ قَيْسٍ حَدَّثَنَا سَعِيدُ بْنُ عَمْرٍو أَنَّهُ سَمِعَ ابْنَ عَمَرَ رَضِيَ اللَّهُ عَنْهُمَا عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ إِنَّا أُمَّةٌ أُمِّيَّةٌ لَا نَكْتُبُ وَلَا نَحْسِبُ الشَّهْرَ هَكَذَا وَهَكَذَا يَعْنِي مَرَّةً تِسْعَةً وَعِشْرِينَ وَمَرَّةً ثَلَاثِينَ<sup>285</sup>

“We are an unlettered people; we neither write nor calculate. The month is like that and like that, meaning sometimes 29 days and others 30 days”.

Al-Muslim reports that the Prophet (PBUH), while describing the month, folded his thumb the third time:

قَالَ سَمِعْتُ سَعِيدَ بْنَ عَمْرٍو بْنَ سَعِيدٍ أَنَّهُ سَمِعَ ابْنَ عَمَرَ رَضِيَ اللَّهُ عَنْهُمَا يُحَدِّثُ عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِنَّا أُمَّةٌ أُمِّيَّةٌ لَا نَكْتُبُ وَلَا نَحْسِبُ الشَّهْرَ هَكَذَا وَهَكَذَا وَهَكَذَا وَعَقْدَ الْبَابِهَا فِي الثَّلَاثَةِ وَالشَّهْرُ هَكَذَا وَهَكَذَا يَعْنِي تَمَامَ ثَلَاثِينَ<sup>286</sup>

Based upon the above reports, Imam Shihab al-Din bin Ahmad al-Ramli, the known Shafi jurist, argues that:

أَنَّ الشَّارِعَ لَمْ يَعْتَمِدِ الْحِسَابَ بَلْ أَلْغَاهُ بِالْكَلْبَةِ بِقَوْلِهِ نَحْنُ أُمَّةٌ أُمِّيَّةٌ لَا نَكْتُبُ وَلَا نَحْسِبُ الشَّهْرَ هَكَذَا وَهَكَذَا وَقَالَ ابْنُ دَقِيقِ الْعَيْدِ الْحِسَابُ لَا يَجُوزُ الْإِعْتِمَادُ عَلَيْهِ فِي الصِّيَامِ<sup>287</sup>

“The Prophet (PBUH) did not depend upon calculations at all but absolutely negated it by his statement that “we are an unlettered nation, we neither write nor calculate... Ibn Daqiq al-Eid stated that calculations cannot be the source of confirming the fasting (of Ramadan).”

Imam Yahya bin Sharaf Al-Nawawi in *Al-Majmu* also quotes the above mentioned Hadith and gives almost the same reasons for rejection of calculations:

وَمَنْ قَالَ بِحِسَابِ الْمَنَازِلِ فَقَوْلُهُ مَرْدُودٌ بِقَوْلِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الصَّحِيحَيْنِ { إِنَّا أُمَّةٌ أُمِّيَّةٌ لَا نَحْسِبُ وَلَا نَكْتُبُ الشَّهْرَ هَكَذَا , وَهَكَذَا } الْحَدِيثُ قَالُوا : وَلِأَنَّ النَّاسَ لَوْ كَلَّفُوا بِذَلِكَ ضَاقَ عَلَيْهِمْ ; لِأَنَّهُ لَا يَعْرِفُ الْحِسَابَ إِلَّا أَفْرَادٌ مِنَ النَّاسِ فِي الْبُلْدَانِ الْكِبَارِ , فَالصَّوَابُ مَا قَالَهُ الْجُمْهُورُ , وَمَا سِوَاهُ فَاسِدٌ مَرْدُودٌ بِصَرَاحِ الْأَحَادِيثِ<sup>288</sup>

He adds that “it will cause people hardship if they were required to follow the calculations as they are known only to a few people living mostly in big cities. Therefore,

<sup>284</sup> Ibid, P: 38

<sup>285</sup> Bukhari, 6, 487

<sup>286</sup> Muslim, 5, 351

<sup>287</sup> Al-Ramli, Shihabuddin Ahmad bin Ahmad, Fatawa, al-Maktabah al-Islamiyyah, Vol: 2, P: 59

<sup>288</sup> Al-Nawawi, Yahya bib Sharaf, al-Majmu'a Sharh al-Muhazhab, Matba'ah al-Muniriyyah, Vol: 6, P: 276

the majority position is the right position and whatever else is there is rejected by the authentic sayings of the Prophet (PBUH).”

Ibn Hajar explains meanings of the Hadith “we neither write nor calculate” in the following words:

وقوله: (لا نكتب ولا نحسب) تفسير لكونهم كذلك، وقيل للعرب أميون لأن الكتابة كانت فيهم عزيزة، قال الله تعالى (هو الذي بعث في الأميين رسولا منهم) ولا يرد على ذلك أنه كان فيهم من يكتب ويحسب لأن الكتابة كانت فيهم قليلة نادرة، والمراد بالحساب هنا حساب النجوم وتسييرها، ولم يكونوا يعرفون من ذلك أيضا إلا النزر اليسير، فعلق الحكم بالصوم وغيره بالرؤية لرفع الحرج عنهم في معاناة حساب التسيير واستمر الحكم في الصوم ولو حدث بعدهم من يعرف ذلك، بل ظاهر السياق يشعر بنفي تعليق الحكم بالحساب أصلا، ويوضحه قوله في الحديث الماضي ” فإن غم عليكم فأكملوا العدة ثلاثين ” ولم يقل فسلوا أهل الحساب، والحكمة فيه كون العدد عند الإغناء يستوي فيه المكلفون فيرتفع الاختلاف والنزاع عنهم<sup>289</sup>

“The Hadith is a description of how they actually were (a reflection of their reality that they were unlettered). The Arabs were called illiterate because writing skills were very rare among them. Allah SWT has said,” It is He Who has sent among the unlettered a messenger from among themselves.” This fact can not be refuted by (the claim) that among them there were some (individuals) who could write and calculate. The reason is that the writing (skills) were very rare among them. And *al-hisab* here refers to calculation of the stars (celestial bodies) and their motion (in their orbits). They also did not know from it (meaning calculations) except a very negligible amount (portion). Consequently, he (the Prophet PBUH) connected the ruling on fasting and other things with the sighting so as to hoist (lift up) hardship from them having to suffer (struggle) with calculating celestial (stars) motions. This ruling would continue even if later on someone (some Muslims) knew that (how to calculate). But the apparent context (of the Hadith) gives a sense not to connect the ruling with calculations in the first place and this is explained by his (Prophet PBUH) statement in the previously discussed Hadith: “complete counting thirty if it is cloudy” and he did not say “ask the astronomers”. The wisdom behind this is that counting thirty (days) is easy for all people (all those who are commissioned to fast). Therefore, it will save people from argumentation and discard.”

### **A Little Awkward Interpretation of Ibn Hajar’s Quote:**

Hamza Yusuf translates the above statement of Ibn Hajar in a little different way. What Follows is Hamza’s rendition:

“Indeed, Ibn Hajar and others understood the hadith “We are an unlettered community—we neither read nor calculate” to mean something entirely different. They did not interpret the Prophet’s preface as an operative cause but rather as a descriptive statement, an important and necessary distinction in jurisprudence. Ibn Hajar provides the following explanation of the hadith:

“Calculate,” here, refers to astronomy and to the orbits of the planets *because only a handful of them knew such things at that time*. Thus the Prophet (PBUH) has made the

<sup>289</sup> Ibn Hajar, *Fath al-Ba’ri*, 4, 623

legal obligation of fasting contingent upon actual sighting in order to remove any burdens from his community, i.e., of having to struggle with computations of celestial orbits. This ruling continues even should later people be able to do that. **Indeed, the apparent meaning of the hadith** rejects any association of calculation with the legal ruling.... **Nowhere** did he say, “If it is obscured then ask the people of calculation.”<sup>290</sup>

Hamza goes on to conclude that “Ibn Hajar recognizes that only a small number of people **knew much about astronomy at the time**, which is not dissimilar to our current situation, given the vast numbers of illiterate Muslims alive today. But there were, **indeed, among the first generation of Muslims some who knew how to calculate astronomical phenomena given that some were capable of producing an intercalated lunisolar calendar**. Moreover, Ibn Hajar understood that the ruling was a permanent one and not, as some have said, one that is contingent upon the innumeracy of his community, and thus falsely concluded that if some people learned such things later, they could switch to determining their months by calculation.”

Some sentences of Imam Ibn Hajar in the above translation are manipulated. This is seemingly done to co-opt them to some specific implications far external to Ibn Hajar own intent. For example the sentence: *” ولم يكونوا يعرفون من ذلك أيضا إلا النزر اليسير ”* is translated to *“because only a handful of them knew such things at that time.”* This specific sentence is in presented in italics to emphasize that *“only a small number of people knew much about astronomy at the time, which is not dissimilar to our current situation, given the vast numbers of illiterate Muslims alive today. But there were, indeed, among the first generation of Muslims some who knew how to calculate astronomical phenomena given that some were capable of producing an intercalated lunisolar calendar.”*

Frankly, the above translation of this sentence is faulty and the drawn conclusions are erotically fanciful. I have yet to see a proof in the books of Hadith, Seerah and Islamic history that any of the Beloved Prophet’s disciples knew much about the mathematical calculations (used in intercalating the lunar calendar to synchronize it with the lunar calendar) in general and the astronomical calculations in particular. Imam al-Sha’tibi confirms that the science of astronomy was not among the sciences of the Arabs.

<sup>291</sup> لأن ذلك لم يكن من معهود العرب ولا من علومها

<sup>290</sup> Hamza, Ibid, II, 7

<sup>291</sup> Al-Muwa’faqa’t; that does not mean that al-Sha’tibi permitted use of calculations. He refuted them because of their imprecision and as requiring hardship for the unlettered Ummah. Here is what the Imam says:

وأما العمليات: فمن مراعاة الأمية فيها أن وقع تكليفهم بالجلال في الأعمال والتقريبات في الأمور، بحيث يدركها الجمهور؛ كما عرف أوقات الصلوات بالأمور المشاهدة لهم، كتعريفها بالظلال، وطلوع الفجر والشمس، وغروبها وغروب الشفق. وكذلك في الصيام في قوله تعالى: {حَتَّىٰ يَبْيُنِّتَ لَكُمُ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ} [سورة البقرة: 781] ولما كان فيهم من حمل العبارة على حقيقتها نزل: {مِنَ الْفَجْرِ} [سورة البقرة: 781]. وفي الحديث: «إذا أقبل الليل من ههنا، وأدبر النهار من ههنا، وغربت الشمس، فقد أظفر الصائم» وقال: «نحن أمة أمية لا نحسب ولا نكتب، الشَّهْرُ هكذا وهكذا» وقال: «لا نُصومُوا حتى نَرُوا الهلال، ولا نُفطروا حتى نَرُوه، فإن غمَّ عليكم فأكملوا العِدَّةَ ثلاثين» ولم يطالبنا بحساب مسير الشمس مع القمر في المنازل؛ لأن ذلك لم يكن من معهود العرب ولا من علومها، ولدقة الأمر فيه، وصعوبة الطريق إليه. وأجرى لنا غلبة الظن في الأحكام مجرى اليقين، وعذر الجاهل فرجع عنه الإثم، وعفا عن الخطأ، إلى غير ذلك من الأمور المشتركة للجمهور، فلا يصح الخروج عما حدَّ في الشريعة، ولا تطلب ما وراء هذه الغاية؛ فإنها مظنة الضلال، ومزلة الأقدام

It is true that the pre-Qur'anic Arabs used an intercalated calendar for Hajj and other purposes. There is no proof that any of the *Saha'bah* (Prophet's followers) had been involved in this process of intercalation. The Prophetic description that "we are an unlettered people" supports this historical fact. It is very much possible that the Arabs of *Jahiliyyah* sought help from their Jewish friends in fixing their calendars. There is ample historical evidence for their close affinity with the Jews of Madinah, and some other places, which actually continued even after the Prophet's migration to Madinah. Furthermore, the process of fixing the calendar by intercalations did not need much sophistication in the astronomical calculations. The average length of the lunar month had been known to the Greeks and Babylonians centuries before the Arabs. The Jewish Rabbis deployed that basic astronomical knowledge to multiply and add the extra days so that the lunar year could tow the line of a solar year. The process needed mathematical calculations and not much of the astronomical calculations.

Ibn Hajar here categorically denies that astronomy was quite developed during the time of *Sahabah* (May Allah be Pleased with them) and also that only few of them knew much about it. He is emphatic about the fact that like writing skills, the knowledge of astronomy was negligible among the first generation of Muslims.

There is another flaw in the above translation of Ibn Hajar's text. Ibn Hajar states:

بل ظاهر السياق يشعر بنفي تعليق الحكم بالحساب أصلاً، ويوضحه قوله في الحديث الماضي " فإن غم عليكم فأكملوا العدة ثلاثين " ولم يقل فسلوا أهل الحساب

"But the apparent context (of the Hadith) gives a sense not to connect the ruling with calculations in the first place and this is explained by his (Prophet PBUH) statement in the previously discussed Hadith: "complete counting thirty if it is cloudy" and he did not say "ask the astronomers".

Hamza Yusuf's rendition of Ibn Hajar's phrase: بل ظاهر السياق يشعر into "indeed the apparent meaning of the Hadith" is also a little off. There is a big difference between بل ظاهر السياق "but the apparent context" and saying "indeed the apparent meaning..." I am not claiming here that Ibn Hajar approved of astronomical calculations to confirm the month of Ramadan. He did not do so. Again, the possible reasons for his disapproval are also discernable from his own statement. He had emphasized a great deal upon the hardships connected with computing the astronomical calculations. He had also argued elsewhere in his book that the astronomical calculations are the work of astrologers who are devils among the humans لأنهم شياطين الإنس and their calculations are nothing but conjectures and guess work. Consequently they are not suitable to serve as the foundation of a legal ruling "*al-hukm al-shar'iee*". He contends that the apparent context of the Hadith also leads to this understanding.

## **The Month is Twenty Nine: Misunderstanding the Prophetic Hadith**

Hamza Yusuf also claims that the Prophet (PBUH) did not use the common numerals but instead his blessed hands to describe the lunar month. He writes: “What I find profoundly interesting is Qadi Abu Bakr’s point that the Prophet (PBUH) could very well have used the words “twenty-nine and thirty” when indicating the number of days possible in a lunar month. Had he done so, those he was speaking to would have understood him, as he was wont to state numbers on many other occasions as reported in sound hadith; he used high numbers, such as one million (*alfu alf*); he also used twenty-seven, twenty-five, and five; and he used the number ninety-nine in the sound hadith, “God has ninety-nine Names, one hundred less one; whoever enumerates them will enter Paradise.” However, he chose not to state any numbers when showing the number of days in a lunar month, as if to deter people from thinking about enumeration specifically when it comes to determining the lunar months. Hence, instead of saying the words “twenty-nine and thirty,” the Prophet (PBUH) actually used his blessed hands, showing with his fingers how many days are possible in the month, as if to emphasize using the most basic and fundamental human ability of sight. It is as though he were saying, “Look, see, perceive with your eyes the month, even upon my hands.” This insistence upon *sighting* the moon illustrates so well “the sense in Islam that it is the immediate surrounding conditions, rather than any theoretical ones, that reflect the Divine will of God in its relation to men, and that it is these which should determine the sacred acts.”<sup>292</sup>

This is a flawed understanding of the Prophetic Ahadith. In reality, the Beloved Prophet (PBUH) did use the number “twenty nine” while describing a lunar month in multiple authentic Ahadith. This fact is reported by Imams al-Bukhari, al-Muslim, Abud Dawu’d, al-Tirmizi, al-Nisaa’i, Ahmad bin Hanbal and almost every book of Hadith. I do not know how Shaikh Hamza could miss such a glaring fact. Of course the Prophet (PBUH) would always make things easy for his disciples and as a matter of fact for his entire Ummah. He did use his blessed hands to illustrate possible numbers of days in a lunar month. He also did not shy away from using the numerals like twenty nine to describe the lunar month.

Imam al-Muslim reports the following:

حَدَّثَنِي هَارُونَ بْنُ عَبْدِ اللَّهِ وَحَجَّاجُ بْنُ الشَّاعِرِ قَالَا حَدَّثَنَا حَجَّاجُ بْنُ مُحَمَّدٍ قَالَ قَالَ ابْنُ جُرَيْجٍ أَخْبَرَنِي أَبُو الزُّبَيْرِ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا يَقُولَا اعْتَزَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نِسَاءَهُ شَهْرًا فَخَرَجَ إِلَيْنَا صَبَاحَ تِسْعٍ وَعِشْرِينَ فَقَالَ بَعْضُ الْقَوْمِ يَا رَسُولَ اللَّهِ إِمَّا أَصْبَحْنَا لِتِسْعٍ وَعِشْرِينَ فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّ الشَّهْرَ يَكُونُ تِسْعًا وَعِشْرِينَ ثُمَّ طَبَّقَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِيَدَيْهِ ثَلَاثًا مَرَّتَيْنِ بِأَصَابِعِ يَدَيْهِ كُلَّهَا وَالثَّلَاثَةُ تِسْعٌ مِنْهَا<sup>293</sup>

“Jabir bin Abdillan narrates that the Prophet (PBUH) separated himself from his wives for a month. He came out to us on the twenty ninth’s morning. Some of the people indicated to him that it was the twenty ninth’s morning. The Prophet (PBUH) said, “certainly the month consists of twenty nine (days). Then the Prophet (PBUH) folded his both hands thrice, two times folding (and opening) all of his fingers and the third time (opening) only nine.”

<sup>292</sup> Hamza, Ibid, I, 18

<sup>293</sup> Muslim, 5, 362

Imam al-Bukhari reports on the authority of Anas bin Malik that the Prophet (PBUH) said that the “month certainly consisted of twenty nine days.”

حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ اللَّهِ حَدَّثَنَا سُلَيْمَانُ بْنُ بِلَالٍ عَنْ حُمَيْدٍ عَنْ أَنَسِ بْنِ مَالِكٍ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ يَا رَسُولَ اللَّهِ أَلَيْتَ شَهْرًا فَقَالَ إِنَّ الشَّهْرَ يَكُونُ تِسْعًا وَعِشْرِينَ<sup>294</sup>

Imam al-Tirmizi categorized these specific Prophetic Ahaidth (in which he (PBUH) categorically stated that the month consisted of twenty nine days) as good and authentic.

حَدَّثَنَا عَلِيُّ بْنُ حُجْرٍ حَدَّثَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ عَنْ حُمَيْدٍ عَنْ أَنَسِ بْنِ مَالِكٍ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ نِسَائِهِ شَهْرًا فَأَقَامَ فِي مَشْرُبَةٍ تِسْعًا وَعِشْرِينَ يَوْمًا قَالُوا يَا رَسُولَ اللَّهِ إِنَّكَ أَلَيْتَ شَهْرًا فَقَالَ الشَّهْرُ تِسْعٌ وَعِشْرُونَ قَالَ أَبُو عِيسَى هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ<sup>295</sup>

If someone would argue that the above illustrated Prophetic description of the lunar month with the “common numerals that mathematicians use” was not a reference to the month of Ramadan but to another lunar month. It does not matter because lunar month is a month. I would also state that there are numerous Ahadith in which the Prophet (PBUH) categorically referred to the month of Ramadan and said that the month consists of twenty nine days. For instance Imam Abu Dawud reports the following:

حَدَّثَنَا سُلَيْمَانُ بْنُ دَاوُدَ الْعَتَكِيُّ حَدَّثَنَا حَمَادٌ حَدَّثَنَا أَيُّوبُ عَنْ نَافِعٍ عَنْ ابْنِ عُمَرَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الشَّهْرُ تِسْعٌ وَعِشْرُونَ فَلَا تَصُومُوا حَتَّى تَرَوْهُ وَلَا تُفْطِرُوا حَتَّى تَرَوْهُ فَإِنْ غَمَّ عَلَيْكُمْ فَاقْدُرُوا لَهُ ثَلَاثِينَ<sup>296</sup>

“Ibn ‘Umar reported that the Prophet (PBUH) said, “the month is twenty nine (days). Therefore do not fast until you see it (the Moon) and do not break fast until you see it. Count thirty days if it is obscured from you.”

Imam Muslim also narrates the same with a little variation.

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى وَيَحْيَى بْنُ أَيُّوبَ وَقَتَيْبَةُ بْنُ سَعِيدٍ وَابْنُ حُجْرٍ قَالَ يَحْيَى بْنُ يَحْيَى أَخْبَرَنَا وَقَالَ الْآخَرُونَ حَدَّثَنَا إِسْمَاعِيلُ وَهُوَ ابْنُ جَعْفَرٍ عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ أَنَّهُ سَمِعَ ابْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ قَالَ رَسُولُ اللَّهِ الشَّهْرُ تِسْعٌ وَعِشْرُونَ لَيْلَةً لَا تَصُومُوا حَتَّى تَرَوْهُ وَلَا تُفْطِرُوا حَتَّى تَرَوْهُ إِلَّا أَنْ يُغَمَّ عَلَيْكُمْ فَإِنْ غَمَّ عَلَيْكُمْ فَاقْدُرُوا لَهُ<sup>297</sup>

“Ibn ‘Umar reported that the Prophet (PBUH) said, “the month consists of twenty nine nights. Therefore do not fast until you see it (the Moon) and do not break fast until you see it, except that it is cloudy. Count it if it is obscured from you.”

Imam al-Nasaai’ reports:

أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ حَدَّثَنَا عَبْدُ الرَّحْمَنِ عَنْ سَفْيَانَ بْنِ الْأَسْوَدِ بْنِ قَيْسٍ عَنْ سَعِيدِ بْنِ عَمْرٍو عَنْ ابْنِ عُمَرَ

<sup>294</sup> Bukhari, 6, 483

<sup>295</sup> Tirmizi, 3, 114

<sup>296</sup> Abu Dawud, 6, 254

<sup>297</sup> Muslim, 5, 345



عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِنَّا أُمَّةٌ أُمِّيَّةٌ لَا نَكْتُبُ وَلَا نَحْسِبُ الشَّهْرُ هَكَذَا وَهَكَذَا وَهَكَذَا ثَلَاثًا حَتَّى ذَكَرَ تِسْعًا وَعِشْرِينَ<sup>298</sup>

“Ibn ‘Umar reported that the Prophet (PBUH) said, “certainly we are an unlettered people; we neither write nor calculate. The month is like that and like that and like that (three times) until he mentioned twenty nine.”

### The Calculations are connected with Magic and Astrology:

One of the main reasons of such a total rejection, in the view of these scholars, is the close connection between astronomy and magic, which is forbidden by the Prophet of Islam. Hafiz Ibn Hajar argues that:

لَا اِغْتِبَارَ بِحِسَابِ النُّجُومِ , وَلَا بِمَنْ عَرَفَ مَنَازِلَ الْقَمَرِ إِلَى آخِرِهِ , يَدُلُّ لَهُ مَا فِي الصَّحِيحِ مِنْ حَدِيثِ ابْنِ عُمَرَ : " إِنَّا أُمَّةٌ أُمِّيَّةٌ لَا نَكْتُبُ وَلَا نَحْسِبُ " - الْحَدِيثُ - وَرَوَى أَبُو دَاوُدَ عَنْ ابْنِ عَبَّاسٍ مَرْفُوعًا : " مَا اقْتَبَسَ رَجُلٌ عِلْمًا مِنَ النُّجُومِ إِلَّا اقْتَبَسَ شُعْبَةً مِنَ السِّحْرِ " . وَعَنْ عُمَرَ قَالَ : " تَعَلَّمُوا مِنَ النُّجُومِ مَا تَهْتَدُونَ بِهِ فِي ظُلُمَاتِ الْبَرِّ وَالْبَحْرِ , ثُمَّ أَمْسِكُوا " رَوَاهُ حَرْبُ الْكِرْمَانِيِّ . وَقَالَ ابْنُ دَقِيقِ الْعَيْدِ : الَّذِي أَقُولُ : إِنَّ الْحِسَابَ لَا يَجُوزُ أَنْ يُعْتَمَدَ عَلَيْهِ فِي الصُّومِ لِمُقَارَنَةِ الْقَمَرِ لِلشَّمْسِ عَلَى مَا يَرَاهُ الْمُتَمَجِّمُونَ , فَإِنَّهُمْ قَدْ يُقَدِّمُونَ الشَّهْرَ بِالْحِسَابِ عَلَى الرَّوْيَةِ بِيَوْمٍ أَوْ يَوْمَيْنِ . وَفِي اِغْتِبَارِ ذَلِكَ إِحْدَاثُ شَرْعٍ لَمْ يَأْذَنَ اللَّهُ بِهِ<sup>299</sup>

Ibn Hajar strictly prohibits use of calculation by quoting the Prophetic sayings which warn Muslims about the evils of astrology such as “no one would learn any part of astrology except that he has learnt a part of magic.” Caliph Omar has been quoted as saying, “Learn from astrology whatever portion is helpful in guiding you through the land and ocean and then stop.” Therefore, any part of astrology other than the directional symbols and signs, to Ibn Hajar, is un-Islamic.

Imam Ibn Taymiyyah, a renowned Hanbali authority, is the staunch opponent of using astronomical calculations in relation to confirming or negating the Islamic months. He emphatically argues that calculations can never lead to a certain method of finding out the crescent and he, like al-A’iraqi and al-Jassas, also claims an agreement among the scholars about this matter. Ibn Taymiyyah contends that;

اتفق علماء الشريعة الاعلام على تحريم العمل بذلك في الهلال واتفق أهل الحساب العقلاء على أن معرفة ظهور الهلال لا يضبط بالحساب ضبطاً تاماً قط ولذلك لم يتكلم فيه حذاق الحساب بل أنكروه وإنما تكلم فيه قوم من متأخريهم تقریباً وذلك ضلال عن دين الله وتغيير له شبيهه بضللال اليهود<sup>300</sup>

“The mainstream scholars of Sharia’h agree that using calculations in determining the new Moon is forbidden. The wise astronomers also agree that there is no way to authentically determine the Crescent through calculations. That is why the expert astronomers do not indulge in calculations but deny it. Only a group from the posterity,

<sup>298</sup> Al-Nisaai’, Abu Abd al-Rahman Ahmad bin Ali, Sunan al-Nisaai’, [www.shamela.ws/](http://www.shamela.ws/), 7, 300

<sup>299</sup> Ibn Hajar, al-Talkhi’s al-Habi’r fi Takhri’j Aha’di’th al-Ra’fai’ al-Kabi’r, Maktabah al-‘Ilmiyyah, Fistr Ed., 1419-1989, 2, 360

<sup>300</sup> Ibn Taymiyyah, Fatawa, Vol: 6, P: 590

out of ignorance, has indulged themselves in that. This is basically changing the Din of Allah by misleading people and by following the misguidance of the Jews in this matter.”

Here Ibn Taymiyyah seems to be referring to the Jewish Rabbinical council’s decision to adopt astronomical calculations as the authentic source of confirming the Jewish lunar months.

At another place he had registered his opposition to the use of calculations in the following strong words:

ولا ريب انه ثبت بالسنة الصحيحة واتفاق الصحابة انه لا يجوز الاعتماد على حساب النجوم كما ثبت عنه في الصحيحين انه قال انا امة امية لا نكتب ولا نحسب صوموا لرؤيته وأفطروا لرؤيته والمعتمد على الحساب في الهلال كما انه ضال في الشريعة مبتدع في الدين فهو مخطيء في العقل وعلم الحساب<sup>301</sup>

“Undoubtedly the calculations are rejected by the Sunnah as well as consensus of the Companions, as the authentic Hadith says ... Therefore the one who depends upon the calculation is a misguided innovator not only mistaken in the matters of Shari’ah but also in the matters of logic and astrology.”

### The Calculations are Inaccurate:

He also argues that knowledge of astronomy is misleading and in itself is a forbidden act. Its cons over weigh its pros. He quotes several narrations of the Prophet (PBUH) to denounce astrology.

وَأَنَّ تَوَهُّمَ الْمُتَوَهُّمِ أَنْ فِيهِ تَقْدِمَةٌ لِلْمَعْرِفَةِ بِالْحَوَادِثِ , وَأَنَّ ذَلِكَ يَنْفَعُ فَالْجَهْلُ فِي ذَلِكَ أضعفُ , وَمَصْرَهُ ذَلِكَ أَعْظَمُ مِنْ مَنْفَعَتِهِ , وَلِهَذَا قَدْ عَلِمَ الْخَاصَّةَ وَالْعَامَّةَ بِالتَّجْرِبَةِ وَالتَّوَأُّثِ أَنَّ الْأَحْكَامَ الَّتِي يَحْكُمُ بِهَا الْمُنْجَمُونَ يَكُونُ الْكُذْبُ فِيهَا أضعافَ الصِّدْقِ , وَهُمْ فِي ذَلِكَ مِنْ نَوْعِ الْكُهَّانِ . وَقَدْ ثَبِتَ فِي الصَّحِيحِ , عَنْ { النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قِيلَ لَهُ : إِنْ مِثًا قَوْمًا يَأْتُونَ الْكُهَّانَ , فَقَالَ : إِنَّهُمْ لَيْسُوا بِشَيْءٍ . فَقَالُوا : يَا رَسُولَ اللَّهِ إِنَّهُمْ يُحَدِّثُونَ أَحْيَانًا بِالشَّيْءِ فَيَكُونُ حَقًّا , فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : تِلْكَ الْكَلِمَةُ مِنَ الْحَقِّ يَسْمَعُهَا الْجَنِيُّ فَيَقْرُهَا فِي أُذُنِ وَلِيِّهِ { . وَأَخْبَرَ أَنَّ اللَّهَ إِذَا قَضَى بِالْأَمْرِ ضَرَبَتْ الْمَلَائِكَةُ بِأَجْنِحَتِهَا خُضْعَانًا لِقَوْلِهِ , كَأَنَّهُ سِلْسِلَةٌ عَلَى صَفْوَانٍ حَتَّى إِذَا فَرَعَ عَنْ قُلُوبِهِمْ , قَالُوا مَاذَا قَالَ رَبُّكُمْ ؟ قَالُوا : الْحَقُّ , وَأَنَّ كُلَّ أَهْلِ سَمَاءٍ يُخْبِرُونَ أَهْلَ السَّمَاءِ الَّتِي تَلِيهِمْ حَتَّى يَنْتَهِيَ الْخَبْرُ إِلَى سَمَاءِ الدُّنْيَا , وَهَنَّاكَ مُسْتَرْقَةٌ السَّمْعُ بَعْضُهُمْ فَوْقَ بَعْضٍ , فَرَبِّمَا سَمِعَ الْكَلِمَةَ قَبْلَ أَنْ يُدْرِكَهُ الشَّهَابُ , بَعْدَ أَنْ يَلْقِيَهَا , قَالَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : { قُلُوا أَتَوْا بِالْأَمْرِ عَلَى وَجْهِهِ وَلَكِنْ يَزِيدُونَ فِي الْكَلِمَةِ مِائَةَ كَذْبَةٍ }<sup>302</sup>

Ibn Taymiyyah substantiates his point by a practical encounter which he had with the so called astronomers of his times. He concludes that the methodology of astronomical calculations is purely based upon falsehood and cheating.

وَهَكَذَا الْمُنْجَمُونَ , حَتَّى أَنِّي لَمَّا خَاطَبْتُهُمْ بِدِمَشْقَ وَحَضَرَ عِدِّي رُوسَاؤُهُمْ , وَبَيَّنْتُ فسادَ صِنَاعَتِهِمْ بِالْأَدَلَّةِ الْعَقْلِيَّةِ الَّتِي يَعْتَرِفُونَ بِصِحَّتِهَا , قَالَ لِي رَئِيسُ مِنْهُمْ : وَاللَّهِ إِنَّا نَكْذِبُ مِائَةَ كَذْبَةٍ حَتَّى نَصُدِّقَ فِي كَلِمَةٍ<sup>303</sup>

“This is how the astrologists are! I, by logical arguments, proved the wrong nature of their profession when I debated their chiefs in Damascus. One of them told me that, by God, we concoct hundred lies to be able to come up with one truth.”

<sup>301</sup> Ibid, Vol: 25, P: 207

<sup>302</sup> Ibn Taymiyyah, Taqi al-Din, al-Fatawa al-Kubra, Dar al-Kutb al-A’ilmiiyyah, Vol: 1, P: 62

<sup>303</sup> Ibid, Vol: 1, P: 62

He further contends that:

وَالدَّابَّةُ الدَّالَّةُ عَلَى فِسَادِ هَذِهِ الصَّنَاعَةِ وَتَحْرِيمِهَا كَثِيرَةٌ , لَيْسَ هَذَا مَوْضِعَهَا , وَقَدْ ثَبِتَ فِي صَحِيحِ مُسْلِمٍ , عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ { مَنْ أَتَى عَرَافًا فَسَأَلَهُ عَنْ شَيْءٍ لَمْ يَقْبَلِ اللَّهُ لَهُ صَلَاةً أَرْبَعِينَ يَوْمًا } . وَالْعَرَّافُ , قَدْ قِيلَ إِنَّهُ اسْمٌ عَامٌّ لِلْكَاهِنِ وَالْمُنْجِمِ وَالرَّمَّالِ وَنَحْوِهِمْ<sup>304</sup>

“The arguments against this profession and its prohibition in Islam are too many. It is not a place to go in to details of that. It is sufficient to quote what al-Muslim narrated from the Prophet (PBUH), “who asked an astrologist (*a’rraf*) about something (unseen), Allah SWT will not accept his prayers for forty days. The term (*a’rraf*) denotes the magician, the astrologist and the others.”

This group of scholars suggests a number of punishments for the individuals who engage themselves with astronomy and calculations. For instance, Muhammad bin Ahmad al-A’lish points out that no body, neither the astrologist himself nor any one else, should fast according to the calculations. It is forbidden to approve of an astrologist. The astrologist should be killed without any chance of repentance if he openly propagates that the stars are directly involved in human destiny. He will be treated as an apostate if he conceals his beliefs but argues indirectly about the impact of stars on human life. He should be asked to repent and in case of refusal to do so should be killed. He will be a sinful believer if he takes the stars as signs indicating the events in the world but does not believe that the actual power lies with Allah SWT and not with the stars. A’lish contends that:

وَالْحَاسِبُ الَّذِي يَحْسِبُ سَيْرَ الشَّمْسِ وَالْقَمَرِ وَعَلَى كُلِّ لَيْلٍ يَصُومُ أَحَدًا يَقُولُهُ وَلَا يَعْتَمِدُ هُوَ فِي نَفْسِهِ عَلَى ذَلِكَ وَحَرْمُ تَصْدِيقِ مُنْجِمٍ وَيُقْتَلُ إِنْ اعْتَقَدَ تَأْثِيرَ النُّجُومِ وَأَنَّهَا الْقَاعِلَةُ بِلَا اسْتِثْنَاءٍ إِنْ أَسْرَهُ , فَإِنْ أَظْهَرَ . وَبَرَهَنَ عَلَيْهِ فَمُرْتَدٌ فَيُسْتَتَابُ فَإِنْ تَابَ وَإِلَّا قُتِلَ وَإِنْ لَمْ يَعْتَقِدْ تَأْثِيرَهَا وَاعْتَقَدَ أَنَّ الْقَاعِلَ هُوَ اللَّهُ تَعَالَى وَجَعَلَهُمَا أَمَارَةً عَلَى مَا يَحْدُثُ فِي الْعَالَمِ فَمُؤْمِنٌ عَاصٍ<sup>305</sup>

In view of Ibn Rushd, another classical renowned jurist, astronomers must be disciplined:

عَنْ ابْنِ رُشْدٍ يُزَجَرُ عَنْ اعْتِقَادِهِ وَيُؤَدَّبُ عَلَيْهِ وَيَحْرَمُ تَصْدِيقُهُ لِقَوْلِهِ تَعَالَى { قُلْ لَا يَعْلَمُ مَنْ فِي السَّمَوَاتِ وَالْأَرْضِ الْغَيْبَ إِلَّا اللَّهُ } وَلِخَيْرِهِ { مَنْ صَدَّقَ كَاهِنًا أَوْ عَرَافًا أَوْ مُنْجِمًا فَقَدْ كَفَرَ بِمَا أَنْزَلَ عَلَى مُحَمَّدٍ } صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ . وَغَيْرُ عَاصٍ عِنْدَ الْمَازِرِيِّ إِذَا اسْتَدَّ ذَلِكَ لِعَادَةِ أَجْرَاهَا اللَّهُ تَعَالَى لِحَدِيثِ { إِذَا أَشْأَتُ بِحَرِيَّةٍ ثُمَّ تَشَاعَمْتَ فَتِلْكَ عَدِيْقَةٌ } , وَأَمَّا الْحَدِيثُ الْقُدْسِيُّ وَهُوَ { أَصْبَحَ مِنْ عِبَادِي مُؤْمِنٌ بِي وَكَافِرٌ بِي , فَالَّذِي قَالَ مُطْرِنًا بِفَضْلِ اللَّهِ فَهُوَ مُؤْمِنٌ بِي وَكَافِرٌ بِالْكَوْكَبِ , وَالَّذِي قَالَ مُطْرِنًا بِنُوءٍ كَذَا فَهُوَ كَافِرٌ بِي مُؤْمِنٌ بِالْكَوْكَبِ } فَهُوَ فِيمَنْ نَسَبَ الْفِعْلَ لِلنُّوءِ بِهَذَا جَمَعَ الْإِمَامُ مَا لِكَ رَضِيَ اللَّهُ عَنْهُ بَيْنَهُمَا<sup>306</sup>

Abu al-Sa’adat al-Muba’rak bin Muhammad al-Jazri calls them the human devils as they base their calculations on mere conjecture, mere hunch and anticipation. He also quotes the above mentioned Hadith which connects knowledge of astrology with the knowledge of magic.

<sup>304</sup> Ibid, P: 63

<sup>305</sup> A’lish, Muhammad bin Ahmad bin Muhammad, Manh al-Jalil Shrah Mukhtasar Khalil, Dar al-Fikr,

Vol: 2, P: 113-114

<sup>306</sup> Ibid, 114

لأنهم شياطين الإنس وقد جاء في بعض الأحاديث من اقتب بابا من علم النجوم لغير ما ذكر الله فقد اقتبس شعبة من السحر<sup>307</sup>

## A Summary of the Classical Majority's Arguments Against Calculations:

The main arguments of this group of scholars (against usage of calculation as a valid source of determining the Islamic month) can be summarized in the following main points:

1: That, in the matters of confirming or negating the Islamic months especially the month of Ramadan, sighting of the new Moon is required by the Islamic Law, as sighting only can guarantee the certainty. Actual sighting, in the view of these scholars, seems to be the goal and not the means. By sighting they mean the actual sighting through the naked human eyes. This group of scholars claims that there exists a consensus among all the classical Muslim scholars that the actual sighting or completion of thirty days is the only way of confirmation. This classical majority group reiterates that the Prophetic narrations which call for estimation or calculation in case of cloudy weather must be understood in light of the narrations that require completion of thirty days. That is what they believe is the consensus. And Ibn Taymiyyah defines the consensus in the following words:

“أن تجتمع علماء المسلمين على حكم من الاحكام وإذا ثبت إجماع الأمة على حكم من الأحكام لم يكن لأحد أن يخرج عن اجماعهم فان الأمة لا تجتمع على ضلالة<sup>308</sup>”

“Consensus occurs when the Muslim scholarship agrees upon a ruling of one of the Islamic rules. No one is permitted to oppose such a consensus because the Ummah does not agree upon something inherently wrong.”

He also argues that:

والتحقيق أن الاجماع المعلوم يكفر مخالفه كما يكفر مخالف النص بتركه<sup>309</sup>

“The reality is that the one who goes against an established consensus in fact commits an act of disbelief. It is just like refusing an established religious text.”

2: That, astronomical calculations are hypothetical in nature and mere conjectures. They can never lead us to an authentic method of determining the beginning or end of the Islamic lunar months. Some classical scholars such as Ibn Taymiyyah and al-Jassas also seem to claim an agreement among the *Jamhur* about rejecting the calculations all together.

<sup>307</sup> Al-Jazri, Abu al-Sa'adat al-Muba'arak bin Muhammad, Al-Ni'ayah fi Ghari'b al-Athar, edited by Ta'hir Ahmad al-Zawi and Mahmu'd Muhammad al-Tannakhi, Maktabah al-'Ilmiyyah, Beirut, 1979-1392, 2, 205

<sup>308</sup> مجموع الفتاوى ج: 20 ص: 10

<sup>309</sup> Ibid,

3: That, following calculations causes hardship for common people as its knowledge is specific to a few individuals mostly living in big cities etc., as argued by al-Nawawi.

4: That, dealing with calculations and movements of celestial bodies is a profession of magicians and fortune-tellers, the aspects of divinations strictly forbidden by the Sharia'h. The Prophet (PBUH) forbade that by saying:

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَمُسَدَّدُ الْمَعْنَى قَالَا حَدَّثَنَا يَحْيَى عَنْ عُبَيْدِ اللَّهِ بْنِ الْأَخْنَسِ عَنْ الْوَلِيدِ بْنِ عَبْدِ اللَّهِ عَنْ يُونُسَ بْنِ مَاهَكَ عَنْ ابْنِ عَبَّاسٍ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ أَقْتَبَسَ عِلْمًا مِنَ النُّجُومِ أَقْتَبَسَ شُعْبَةً مِنَ السَّحَرِ زَادَ مَا زَادَ<sup>310</sup>

“No one would learn any part of astrology except that he has learnt a part of magic.”

Abu Dawud also narrates that the Prophet (PBUH) prohibited Ali (May Allah be pleased with him) from keeping the company of astrologists.

حَدَّثَنَا عَبْدُ اللَّهِ حَدَّثَنِي مُحَمَّدُ بْنُ أَبِي بَكْرٍ الْمُقَدَّمِيُّ حَدَّثَنَا هَارُونُ بْنُ مُسْلِمٍ حَدَّثَنَا الْقَاسِمُ بْنُ عَبْدِ الرَّحْمَنِ عَنْ مُحَمَّدِ بْنِ عَلِيٍّ عَنْ أَبِيهِ عَنْ عَلِيٍّ قَالَ قَالَ لِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَا عَلِيُّ أَسْبِغِ الْوُضُوءَ وَإِنْ شَقَّ عَلَيْكَ وَلَا تَأْكُلِ الصَّدَقَةَ وَلَا تُنْزِ الْحَمِيرَ عَلَى الْخَيْلِ وَلَا تُجَالِسِ أَصْحَابَ النُّجُومِ<sup>311</sup>

5: The Prophet (PBUH) has clearly forbidden Muslims to deal with calculations in relation to the month of Ramadan when he said that we are unlettered people and that we neither write nor calculate. On the other hand, he (PBUH) has commanded Muslims to depend upon the actual sighting or complete thirty days. Some of them contend that the Prophet (PBUH) prohibited usage of calculations knowing the fact that the Jewish community of Madinah was using astronomical calculations in confirming the Jewish months. Actually the Jewish calendar was fixed by R. Hillel II in 363 AD and the Jewish community of Madinah had access to that calendar. He (PBUH) intentionally stopped the Muslims from imitating the Jews by putting a stop on the use of calculations in the matters of confirming Muslim months.

حَدَّثَنَا آدَمُ حَدَّثَنَا شُعْبَةُ حَدَّثَنَا الْأَسْوَدُ بْنُ قَيْسٍ حَدَّثَنَا سَعِيدُ بْنُ عَمْرٍو أَنَّهُ سَمِعَ ابْنَ عَمْرِو رَضِيَ اللَّهُ عَنْهُمَا عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ إِنَّا أُمَّةٌ أُمِّيَّةٌ لَا نَكْتُبُ وَلَا نَحْسِبُ الشَّهْرَ هَكَذَا وَهَكَذَا يَعْنِي مَرَّةً تِسْعَةً وَعِشْرِينَ وَمَرَّةً ثَلَاثِينَ<sup>312</sup>

“We are an unlettered nation. We neither write nor calculate. The month is this way and this way. It means that sometimes it is twenty nine days and sometimes thirty days.”

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ حَدَّثَنَا غُنْدَرٌ عَنْ شُعْبَةَ ح وَحَدَّثَنَا مُحَمَّدُ بْنُ الْمُثَنَّى وَابْنُ بَشَّارٍ قَالَ ابْنُ الْمُثَنَّى حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ حَدَّثَنَا شُعْبَةُ عَنْ الْأَسْوَدِ بْنِ قَيْسٍ قَالَ سَمِعْتُ سَعِيدَ بْنَ عَمْرٍو بْنَ سَعِيدٍ أَنَّهُ سَمِعَ ابْنَ عَمْرِو رَضِيَ اللَّهُ عَنْهُمَا يُحَدِّثُ عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِنَّا أُمَّةٌ أُمِّيَّةٌ لَا نَكْتُبُ وَلَا نَحْسِبُ الشَّهْرَ هَكَذَا وَهَكَذَا وَهَكَذَا وَعَقَدَ الْجِبَاهِمَ فِي الثَّلَاثَةِ وَالشَّهْرُ هَكَذَا وَهَكَذَا وَهَكَذَا يَعْنِي ثَلَاثِينَ وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ حَدَّثَنَا ابْنُ مَهْدِيٍّ عَنْ سَفْيَانَ عَنْ الْأَسْوَدِ بْنِ قَيْسٍ بِهِذَا الْإِسْنَادِ وَلَمْ يَذْكُرْ لِلشَّهْرِ الثَّلَاثِينَ<sup>313</sup>

<sup>310</sup> Abu Dawud

<sup>311</sup> Ibid

<sup>312</sup> Bukhari

<sup>313</sup> Muslim

6: Following astronomical calculations in the matters of *Deen* such as the month of Ramadan and Shawwal would nullify the spirit of the acts of worship such as fasting. This goes against clear commandments of the Prophet (PBUH) as he said, “Do not start fasting until you see the Moon and do not stop fasting until you see the Moon.” The Prophet (PBUH) used both positive and negative forms of the verb (fast by seeing and do not fast until you see it) to make sure that the Muslims understand the significance of the actual Moon sighting and that they do not end up following the Jewish patterns in the matters of faith and action. Therefore, any Muslim who goes against these emphatic commandments of the Prophet (PBUH) and starts fasting based upon mere calculations must make up for the days observed.

7: The Arabic word for the new Moon is “*Hilal*”. The linguistic definition of the word Hilal requires that it must be deflecting the light and be shining and not dark. Shining then is connected with human sighting. Therefore, we cannot start the new month until we see the new Moon.

### **Weakness of the *Ikma'l* or Completing 30 Days Argument:**

We have had the opportunity to analyze the arguments based upon the Qur'an, Sunnah and the linguistic implications of the word “*al-hilal*”. Here we will turn to the rest of the major arguments of the classical group requiring actual Moon sighting.

Completing 30 days in case of cloudy weather is mostly the agreed upon position among the majority of classical scholars but, again, it is not the only categorical stance accepted by the Ummah. Leading authorities such as Ibn U'mar, Imam Ahmad and others are reported to have started Ramadan fasting on the 29<sup>th</sup> day of Sha'ban if it was cloudy and not completed 30 days of Sha'ban, as most of the narrations report the Prophet (PBUH) requiring by the phrase:

فإن غبّي عليكم فأكملوا عدّة شعبان ثلاثين

The irony is that Ibn Umar himself is the original narrator of most of these Prophetic reports. In reality the picture comes out quite differently when we go in to the detailed discussion and analysis of such Prophetic narrations. In the following few pages I will try to analyze some of these reports in an effort to prove that no such consensus exists even when it comes to the completion part of our subject of discussion. There are a number of difficulties involved in the completion portion of these Ahadith. These difficulties can be appreciated only when we study these reports in depth and compare the ending parts of these reports with each other.

حدثنا آدمُ حدثنا شُعْبَةُ حَدَّثَنَا مُحَمَّدُ بْنُ زَيْدٍ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - أَوْ قَالَ: قَالَ أَبُو الْقَاسِمِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - «صُومُوا لِرُؤُوسِهِمْ وَأَفْطِرُوا لِرُؤُوسِهِمْ، فَإِنْ غَبَّيَ عَلَيْكُمْ فَأَكْمَلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ».<sup>314</sup>

<sup>314</sup> Al-Bukhari

The Prophet (PBUH) said, “Fast with sighting it (Moon) and break the fast with sighting it. Complete 30 days of Sha’aban if it is cloudy.”

وَحَدَّثَنَا عَبْدُ اللَّهِ بْنُ مُعَاذٍ حَدَّثَنَا أَبِي. حَدَّثَنَا شُعْبَةُ عَنْ مُحَمَّدِ بْنِ زِيَادٍ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ ، رَضِيَ اللَّهُ عَنْهُ يَقُولُ: قَالَ رَسُولُ اللَّهِ «صُومُوا لِرُؤْيَيْهِ وَأَفْطَرُوا لِرُؤْيَيْهِ. فَإِنْ غَمِيَ عَلَيْكُمْ الشَّهْرُ فَعُدُّوا ثَلَاثِينَ».<sup>315</sup>

The Prophet (PBUH) said, “Fast with sighting it (Moon) and break the fast with sighting it. Count 30 days if the month is concealed from you (being cloudy).”

It is pertinent to note that the beginning part of these reports is quite consistent in almost all the Ahadith but the completion part has quite a big array of variety. It seems that in the completion portion of the Ahadith some how the reporters are explaining something rather than just reporting the exact words of the Prophet (PBUH). Some of these reports are not as authentic as they seem to be.

In the above quoted two Ahadith it is important to notice that Bukhari and Muslim both are narrating from Abu Hurayrah through Muhammad bin Ziyad. The first part of the Hadith is the same in both the narrations but the ending parts are different. The Bukhari narrates: “***fa in ghubbiya`alaykum, fa akmilu`iddata Sha`bana thalatheen.***”

فَإِنْ غَمِيَ عَلَيْكُمْ فَأَكْمَلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ».

And, the Muslim narrates: “***fa in ghummiya`alaykum, fa`uddu thalatheen.***”

«فَإِنْ غَمِيَ عَلَيْكُمْ الشَّهْرُ فَعُدُّوا ثَلَاثِينَ»

The verb used by al-Bukhari is غَمِيَ عَلَيْكُمْ “***ghubbiya***” (obscured from you) while al-Muslim used a little different construction which is “***ghummiya`alaykumash-shahra***” غَمِيَ عَلَيْكُمْ الشَّهْرُ (if the month is obscured from you). Secondly, al-Bukhari narrated “***fa akmilu`iddata Sha`bana thalatheen***” فَكْمَلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ (complete counting 30 days of Sha’aban) and al-Muslim narrated “***fa`uddu thalatheen***” فَعُدُّوا “ثَلَاثِينَ” (“then count 30”), without using the phrase of al-Bukhari “then complete 30 days of Sha’aban”). It is also a fact that some of these narrations require completing 30 days of Sha’aban only while the others require so for the month of Ramadan also.

Imam Ahmad has reported a number of these narrations:

حَدَّثَنَا عَبْدُ اللَّهِ حَدَّثَنِي أَبِي ثنا إِسْمَاعِيلُ أَنَا حَاتِمُ بْنُ أَبِي صَغِيرَةَ عَنْ سَمَّاكِ بْنِ حَرْبٍ عَنْ عِكْرَمَةَ قَالَ: سَمِعْتُ ابْنَ عَبَّاسٍ يَقُولُ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «صُومُوا لِرُؤْيَيْهِ وَأَفْطَرُوا لِرُؤْيَيْهِ، فَإِنْ حَالَ بَيْنَكُمْ وَبَيْنَهُ سَحَابٌ فَكْمَلُوا الْعِدَّةَ ثَلَاثِينَ، وَلَا تَسْتَقْبِلُوا الشَّهْرَ إِسْتِقْبَالًا». قَالَ حَاتِمٌ: يَعْنِي عِدَّةَ شَعْبَانَ<sup>316</sup>

The Prophet (PBUH) said, “Fast with sighting it (Moon) and break the fast with sighting it. Complete 30 days (of Sha’aban) if the clouds come between you and the Moon. And do not start the month ahead of time.” Hatim said it means, “counting 30 days of Sha’aban.”

<sup>315</sup> Al-Muslim

<sup>316</sup> Musnad Ahmad

Here Hatim seems to be giving his interpretation of the Hadith also.

حدثنا عبد الله حدثني أبي ثنا معاوية بن عمرو ثنا زائدة عن سماك بن حرب عن عكرمة عن ابن عباس قال : قال رسول الله صلى الله عليه وسلم : « صوموا لرؤيته وأفطروا لرؤيته ، فإن حال دونه غيابة فأكملوا العدة ، والشهر تسع وعشرون - يعني : إنه ناقص -<sup>317</sup>

“Start fasting by sighting it and break the fast by sighting it. Complete the counting if the cloud cover it and the month is 29 days i.e., it is incomplete.”

It is interesting to notice that both the above quoted narrations are from Ibn Abbas. Imam Ahmad used the same chain through *Samak* and *A'krimah* but again the ending parts of the narrations are quite different. In the first narration the ending part is: **"if the clouds come between you and the moon, then complete counting thirty and do not start the month ahead of time."**

فإن حال بينكم وبينه سحاب فكمّلوا العدة ثلاثين ولا تستقبلوا الشهر إستقبالاً . قال حاتم : يعني عدة شعبان<sup>318</sup>

While in the second narration the ending is: **"Complete the counting if the clouds cover it and the month is twenty-nine days, that is, it is incomplete."**

«فإن حال دونه غيابة فأكملوا العدة ، والشهر تسع وعشرون - يعني: إنه ناقص

In both the above narrations the narrator is explaining the idea with the word “يعني” “it means” .

حدثنا عبد الله ، حدثني أبي ، حدثنا يحيى بن سعيد الأموي قال: ثنا الحجاج ، عن عطاء ، عن أبي هريرة قال: قال رسول الله صلى الله عليه وسلم: «صوموا لرؤيته وأفطروا لرؤيته، فإن غم عليكم الشهر، فأكملوا العدة ثلاثين<sup>319</sup>.

“Fast with sighting it, (the moon), and break the fast by sighting it. Count thirty days if the month is concealed from you (being cloudy).”

حدثنا عبد الله ، حدثني أبي ، حدثنا يحيى بن سعيد ، عن شعبة قال: ثنا محمد بن زياد ، عن أبي هريرة ، عن النبي صلى الله عليه وسلم قال: صوموا لرؤيته وأفطروا لرؤيته، فإن غم عليكم، فأكملوا العدة ثلاثين<sup>320</sup>.

“Fast with sighting it, (the moon), and break the fast with sighting it. Complete thirty days (of Sha`ban) if it is cloudy.”

<sup>317</sup> Musnad Ahmad

<sup>318</sup> Musnad Ahmad

<sup>319</sup> Musnad Ahmad

<sup>320</sup> Musnad Ahmad



حدَّثنا عبد الله ، حدَّثني أبي ، حدثنا حجاج قال: حدثنا شعبة ، عن محمد بن زياد ، قال: سمعت أبا هريرة قال: قال رسول صلى الله عليه وسلم: - أو قال: أبو القاسم عليه الصلاة والسلام: «صوموا لرؤيته، وأفطروا لرؤيته، فإن غم عليكم، فعدوا ثلاثين<sup>321</sup>»

“Fast with sighting it (moon), and break the fast with sighting it. If it is cloudy, count thirty days.”

The above three narrations are quoted by Imam Ahmad from Abu Hurayrah (May Allah be Pleased with him), two through *Muhammad bin Ziyad* and one through *A'ta*. Interestingly enough the endings of the narrations are also different from al-Bukhari who uses narration from Abu Hurayrah through *Muhammad bin Ziyad* also: *Imam Al-Bukhari's version is: "fa in ghubbiya `alaykum, fa akmilu `iddata Sha'bana thalatheen."*

فإن غبِّيَ عليكم فأكملوا عدة شعبان ثلاثين» .”

The verb is “*ghubbiya*” instead of “*ghumma*” and it is “*akmilu a'iddata Sha'aban thalatheen*” instead of Imam Ahmad's rendering which is “*akmilu al-a'dada thalatheen*” or “*fa'uddu thalatheen*.”

Further more, in Ahmad the above three narrations from Abu Hurayrah also show a little more variance. In the first two the *فاكملوا العدة ثلاثين* “*fa akmilu*” portion is common while the first report says *فاين غم عليكم الشهر* “*fa in ghumma `alaykum ash-shahr*” while the second one just brings “*fa in ghumma `alaykum*” *فاين غم عليكم*. The difference between the second and the third report is that the second report brings the rendering “*fa akmilu-l-`iddata thalatheen*” *فاكملوا العدة ثلاثين* while the third report brings “*fa `iddu thalateen,*” *فاين غم عليكم* while both of them use the phrase، *فاين غم عليكم* “*fa in ghumma `alaykum.*”

حدَّثنا عبد الله ، حدَّثني أبي ، حدثنا أبو عبد الرحمن عبد الله بن أحمد قال: حدَّثني أبي ، قال: حدثنا محمد بن جعفر قال: حدثنا شعبة ، عن محمد بن زياد ، قال: سمعت أبا هريرة يقول: إن رسول الله صلى الله عليه وسلم قال: «لا تصوموا حتى تروا الهلال، ولا تفطروا حتى تروا الهلال، وقال: صوموا لرؤيته، وأفطروا لرؤيته، فإن غبي عليكم، فعدوا ثلاثين». شعبة، وأكثر علمي أنه قال: لا تصوموا حتى تروا الهلال، ولا تفطروا حتى تروا الهلال<sup>322</sup>.

“The Prophet said, “Do not fast until you see the Crescent and do not break the fast until you see the Crescent. And said,” Fast by seeing it and break the fast by seeing it. If the confusion takes place then count 30 days.” Shua’bah said to the best of my knowledge he said “Do not fast until you see the Moon and do not break the fast until you see the Moon.”

Shu’abah’s comments at the end of this narration are not clear when he says “he said”. Who is “he” referring to? Is he referring to the Prophet (PBUH) or to Muhammad bin Ziyad or to Abu Hurayrah?

*Shu’abah* to the best of my knowledge as stated in his comments “Do not fast until you see the Moon and do not break the fast until you see the Moon”, also clearly indicates that perhaps he is aware of the difference in various narrations when it comes to the

<sup>321</sup> Musnad Ahmad

<sup>322</sup> Musnad Ahmad

ending part of these *Ahadith*. The beginning portion both positive and negative rendering seems to be agreed upon while the ending part is some what problematic in that it is different in different narrations and most of these narrations do not agree with *Al-Bukhari's* rendering but do agree to a greater extent with *al-Muslim*.

The following narrations present additional variations in the text of these reports.

قال عبد الله: وجدت هذين الحديثين في كتاب أبي بخط يده قال: حدثنا محمد بن عبد الله الأنصاري، حدثنا محمد بن عمرو، عن أبي سلمة، عن أبي هريرة قال: قال: رسول الله صلى الله عليه وسلم: «لا تقدموا الشهر - يعني رمضان - بيوم ولا يومين إلا أن يوافق ذلك صوماً كان يصومه أحدكم، صوموا لرؤيته، وأفطروا لرؤيته، فإن غم عليكم فعدوا ثلاثين، ثم أفطروا»<sup>323</sup>.

The Prophet said, "Do not start the month (meaning Ramadan **"ya`ni Ramadan"**) a day or two ahead of time (except that if it coincides with one's routinely observed days of fasting), observe fasting with sighting it (Moon) and break fasting by sighting it. Count 30 days if it is cloudy then break the fast."

"The use of the phrase **"ya`ni Ramadan"**, "يعني رمضان" in the above narration indicates that the narrator is explaining something or giving his personal understanding of the issue and it's not just confined to transmitting the original text as it is. Moreover, this narration adds that the month of Ramadan should also be counted 30 days which is not the case in the previously discussed narrations.

حدثنا عبد الله حدثني أبي ثنا إسحاق بن عيسى أنا محمد بن جابر عن قيس بن طلق عن أبيه قال: قال رسول الله صلى الله عليه وسلم: «إن الله عزَّ وجلَّ جعل هذه الأهلة مواقيت للناس، صوموا لرؤيته وأفطروا لرؤيته، فإن غم عليكم فأتوا العدة»<sup>324</sup>.

"On the authority of Qais ibn Talq who reported that his father said: The Prophet (peace and blessings be upon him) said, "Truly Allah has made these new moons as signs to mark fixed periods of time in (the affairs of) people. Fast by sighting it and break the fast by sighting it, and complete the number (of thirty days) if it is cloudy."

حدثنا عبد الله ، حدثني أبي ، حدثنا يحيى ، عن شعبة ، قال: حدثنا محمد بن زياد ، عن أبي هريرة ، عن النبي صلى الله عليه وسلم قال: «صوموا لرؤيته وأفطروا لرؤيته، وإن غم عليكم، فأكملوا العدة ثلاثين»<sup>325</sup>

"Abu Hurairah reported that the Prophet (peace and blessings be upon him) said, "Fast with sighting it (the moon) and break the fast with sighting it. Complete thirty days (of Sha`ban) if it is cloudy." (Ahmad)

حدثنا عبد الله حدثني أبي حدثنا يحيى بن زكريا قال: أنبأنا حجاج عن حسين بن الحارث الجدلي قال: «خطب عبد الرحمن بن زيد بن الخطاب في اليوم الذي يشك فيه، فقال: ألا أني قد جالست أصحاب رسول الله صلى الله عليه

<sup>323</sup> Musnad Ahmad

<sup>324</sup> Musnad Ahmad

<sup>325</sup> Musnad Ahmad

وسلم وسألتهم، ألا وأنهم حدّثوني أن رسول الله صلى الله عليه وسلم قال: صوموا لرؤيته وأفطروا لرؤيته، وإن تشكوا لها فإن غم عليكم فأتوا الثلاثين، وإن شهد شاهدان مسلمان فصوموا وأفطروا<sup>326</sup>

“Abdur-Rahman ibn Zaid ibn Al-Khattab gave a *khutbah* on the day of doubt and said, "I sat with the Companions of the Prophet (peace and blessings be upon him) and asked them, and they told me that the Prophet (peace and blessings be upon him) said, 'Fast by sighting it, and break the fast by sighting it. If you are in doubt, then complete [*atimmu*] the thirty (days of Sha'ban) if it is cloudy, but if two Muslim witnesses testify [that they saw the new moon] then fast or break your fast accordingly.'" (Ahmad)

There are a number of additional issues discussed in this narration. It addresses the issue of fasting the day of doubt and uses the verb “وإن تشكوا لها”. Instead of “*Akmilu* or *U'ddu* it uses the verb *Atimmu*”. Finally, it clearly goes into the *fiqhi* discussion of whether the month is confirmed by the witness of one or two Muslims. It sides with the jurists who go by the sighting of two rather than one witness, as is the opinion of *Imam Malik*. Abd-rahman bin Zaid bin al-Khattab does not mention the names of the companions from whom he is narrating. He just reports that he has heard some companions of the Prophet and they had narrated to him.

حدّثنا عبد الله ، حدّثني أبي ، حدّثنا حماد ، حدّثنا حماد بن سلمة ، أنبانا محمد بن زياد قال: سمعت أبا هريرة ، يقول: سمعت أبا القاسم صلى الله عليه وسلم يقول: «صوموا الهلال لرؤيته، وأفطروا لرؤيته، فإن غم عليكم فعدوا ثلاثين<sup>327</sup>

“Muhammad ibn Ziyad narrated that he heard Abu Hurairah saying: I heard Abul-Qasim (that is, the Prophet, peace and blessings be upon him) saying, "Fast by sighting the new moon [*al-hilal*], and break your fast by sighting it, and count thirty (days) if it is cloudy [*ghumma`alaykum*]." (Ahmad)

It is significant to note that although Muhammad bin Ziyad narrates it from Abu Hurayrah, the same chain previously discussed in al-Bukhari's narration, but the text is not exactly the same. It adds the word “الهلال” before “لرؤيته”، uses the word “غم عليكم” instead of غمّي عليكم، and finally, uses the verb *U'ddu thalatheen* instead of al-Bukhari's version:

«فأكملوا عدّة شعبان ثلاثين». It differs from al-Muslim's narration in that it brings “الهلال” before “لرؤيته”، the word which does not occur in Muslim's narration. The second is that it uses غمّي عليكم instead of Muslim's غمّي عليكم الشهر<sup>328</sup>.

حدّثنا عبد الله حدّثني أبي حدّثنا سليمان بن داود الطيالسي - أبو داود - أنبانا عمران عن قتادة عن الحسن عن أبي بكر أن النبي صلى الله عليه وسلم قال: - يعني - «صوموا الهلال لرؤيته، وأفطروا لرؤيته، فإن غم عليكم، فأكملوا العدة ثلاثين، والشهر هكذا وهكذا، وهكذا، وعقد<sup>328</sup>

<sup>326</sup> Musnad Ahmad

<sup>327</sup> Ibid

<sup>328</sup> Musnad Ahmad

“Al-Hasan reported from Abu Bakrah that the Prophet (peace and blessings be upon him) said what means (*ya`ni*) "Fast by sighting the new moon (*al-hilal*) and break your fasting by sighting it, and complete the number (of thirty days) if it is cloudy. The month is thus and thus (that is, it is either 29 or 30 days), and he (the Prophet) pointed with his hand fingers." (Ahmad)

The use of the phrase “يعني” (which means) in this case indicates that the narration is not the exact transmission of the original statement but a somewhat modified version of the original one. It also adds "*wa-sh-shahru hakatha, wa ha katha, wa ha katha, wa`aqada.*" والشهر هكذا وهكذا، وعقد

حدثنا أبو كُرَيْبٍ حَدَّثَنَا عَبْدُهُ بْنُ سُلَيْمَانَ عَنْ مُحَمَّدِ بْنِ عَمْرٍو عَنْ أَبِي سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ ، قَالَ: قَالَ النَّبِيُّ «لَا تَقْدَمُوا الشَّهْرَ بِيَوْمٍ وَلَا بِيَوْمَيْنِ إِلَّا أَنْ يُوَافِقَ ذَلِكَ صَوْمًا كَانَ يَصُومُهُ أَحَدُكُمْ. صُومُوا لِرُؤْيَيْتِهِ وَأَفْطَرُوا لِرُؤْيَيْتِهِ فَإِنْ غَمَّ عَلَيْكُمْ فَعُدُّوا ثَلَاثِينَ ثُمَّ أَفْطَرُوا  
قَالَ: وَفِي الْبَابِ عَنْ بَعْضِ أَصْحَابِ النَّبِيِّ (أَخْبَرَنَا مَنْصُورُ بْنُ الْمُعْتَمِرِ عَنْ رَبِيعِ بْنِ حِرَاشٍ عَنْ بَعْضِ أَصْحَابِ النَّبِيِّ عَنْ النَّبِيِّ بِنَحْوِ هَذَا.

قال أبو عيسى: حديث أبي هريرة حديث حسن صحيح. والعمل على هذا عند أهل العلم: كرهوا أن يتعجل الرجل بصيام قبل دخول شهر رمضان لمعنى رمضان وإن كان رجل يصوم صومًا فوافق صيامه ذلك فلا بأس به عندهم

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“Abu Hurairah reported that the Prophet (peace and blessings be upon him) said, "None of you should fast a day or two before Ramadan except if it coincides with a day that a person customarily fasts. Fast when you see the new moon and, break it when you see it. If cloud obscures it, then complete the thirty days (of Ramadan), then break your fast." (At-Tirmidhi)

In this report the emphasis is upon completing 30 days of Ramadan rather than Sha`aban as is the case with the above quoted majority of narrations. It also goes into the matter of fasting the day of doubt or not.

حدثنا قُتَيْبَةُ ، حَدَّثَنَا أَبُو الْأَحْوَصِ عَنْ سِمَاكِ بْنِ حَرْبٍ عَنْ عِكْرَمَةَ عَنْ ابْنِ عَبَّاسٍ ، قَالَ: قَالَ رَسُولُ اللَّهِ «لَا تَصُومُوا قَبْلَ رَمَضَانَ، صُومُوا لِرُؤْيَيْتِهِ وَأَفْطَرُوا لِرُؤْيَيْتِهِ، فَإِنْ حَالَتْ دُونَهُ غَيَابَةٌ فَأَكْمَلُوا ثَلَاثِينَ يَوْمًا وَفِي الْبَابِ عَنْ أَبِي هُرَيْرَةَ وَأَبِي بَكْرَةَ وَابْنِ عَمْرٍو.  
قال أبو عيسى: حديث ابن عباس حديث حسن صحيح. وقد روي عنه من غير وجه<sup>330</sup>.

“Qutaibah narrated from Abu Al-Ahwas, from Simak ibn Harb, who reported that `Abdullah ibn `Abbas said: The Prophet (peace and blessings be upon him) said, "Do not fast immediately before Ramadan. Start the fast with sighting the new moon and break your fast with sighting it. If the sky is overcast, then complete thirty days." (At-Tirmidhi)

<sup>329</sup> Al-Tirmidzi

<sup>330</sup> Al-Tirmidzi

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ سَعِيدٍ ثَنَا إِسْمَاعِيلُ بْنُ عَلِيَّةَ ، ثَنَا حَاتِمُ بْنُ أَبِي صَغِيرَةَ ، عَنْ سَمَّاكِ بْنِ حَرْبٍ ، قَالَ: أَصْبَحْتُ فِي يَوْمٍ قَدْ أَشْكَلَ عَلَيَّ مِنْ شَعْبَانَ أَوْ مِنْ شَهْرِ رَمَضَانَ، فَأَصْبَحْتُ صَائِمًا فَاتَيْتُ عَكْرَمَةَ فَإِذَا هُوَ يَأْكُلُ خَبْزًا وَيَقْلًا، فَقَالَ: هَلُمَّ إِلَى الْغَدَاءِ فَقُلْتُ: إِنِّي صَائِمٌ فَقَالَ: أَقْسِمُ بِاللَّهِ لَتُفْطِرَنَّ، فَلَمَّا رَأَيْتُهُ حَلَفَ وَلَا يَسْتَتِنِي تَقَدَّمْتُ فَعَذَرْتُ وَإِنَّمَا تَسَحَّرْتُ قَبِيلَ ذَلِكَ ثُمَّ قُلْتُ هَاتِ الْآنَ مَا عِنْدَكَ فَقَالَ: حَدَّثَنَا ابْنُ عَبَّاسٍ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «صُومُوا لِرُؤْيَيْتِهِ وَأَفْطِرُوا لِرُؤْيَيْتِهِ، فَإِنْ حَالَ بَيْنَكُمْ وَبَيْنَهُ سَحَابٌ فَكَمَلُوا الْعِدَّةَ ثَلَاثِينَ، وَلَا تَسْتَقْبِلُوا الشَّهْرَ اسْتِقْبَالًا».<sup>331</sup>

“Simak ibn Harb reported: I woke up one day while being confused whether the day was (the last) day of Sha`ban or (the first of) Ramadan, so I started the day as fasting. Then I went to `Ikrimah and I saw him eating bread and herbs, so he said, come and have lunch with me, so I told him I was fasting, thereupon he said, "I swear by Allah that you have you break your fast." When I saw him swearing without making any exception, I went forward and asked him about his proof. He said, "Ibn `Abbas reported that the Prophet (peace and blessings be upon him) said, 'Fast by sighting it (the new moon), and break your fast by sighting it. And complete thirty days if it is cloudy, and do not immediately fast before the month (of Ramadan) starts.'" (Ad-Darimi)

حَدَّثَنَا مُحَمَّدُ بْنُ الصَّبَّاحِ الْبَرَّازُ أَخْبَرَنَا جَرِيرُ بْنُ عَبْدِ الْحَمِيدِ الضَّبِّيُّ عَنْ مَنْصُورِ بْنِ الْمُعْتَمِرِ عَنْ رَبِيعِ بْنِ حِرَاشٍ عَنْ حُدَيْفَةَ ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «لَا تُقَدِّمُوا الشَّهْرَ حَتَّى تَرَوْا الْهَيْلَالَ أَوْ تُكْمَلُوا الْعِدَّةَ ثُمَّ صُومُوا حَتَّى تَرَوْا الْهَيْلَالَ أَوْ تُكْمَلُوا الْعِدَّةَ» . قَالَ أَبُو دَاوُدَ: «رَوَاهُ سُفْيَانُ وَغَيْرُهُ عَنْ مَنْصُورِ بْنِ رَبِيعِ بْنِ حِرَاشٍ مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمْ يُسَمَّ حُدَيْفَةَ»<sup>332</sup>

“On the authority of Hudhayfah, who reported that the Prophet (peace and blessings be upon him) said, "Do not fast a day or two before Ramadan until you see the new moon or complete thirty days (of Sha`ban). Then fast until you see the moon (of Shawwal) or complete thirty days." Abu Dawud adds: This hadith has been narrated by Sufyan and others on the authority of Mansur, who reported it from Rabi`i from a Companion of the Prophet (peace and blessings be upon him) and he did not name Hudhayfah. (Ad-Darimi)

It is clear from the above narrations that there are a number of additional alterations which have taken place in the narration of the same companion from the same chain. All these narrations agree upon the positive or negative formula of the phrase «صوموا لرؤيته» and in the other aspects of the narration they differ tremendously. Some of the narrators are not even sure of the names of the companions or at least they do not mention the name of some of them as in the case of Hudhayfah, for instance in the above narration by al-Darimi.

أَخْبَرَنَا الْحُسَيْنُ بْنُ إِدْرِيسَ الْأَنْصَارِيُّ ، قَالَ: حَدَّثَنَا عَثْمَانُ بْنُ أَبِي شَيْبَةَ ، قَالَ: حَدَّثَنَا جَرِيرٌ ، عَنْ مَنْصُورِ ، عَنْ رَبِيعِ بْنِ حِرَاشٍ عَنْ حُدَيْفَةَ ، قَالَ: قَالَ رَسُولُ اللَّهِ «لَا تُقَدِّمُوا الشَّهْرَ حَتَّى تَرَوْا الْهَيْلَالَ، أَوْ تُكْمَلُوا الْعِدَّةَ، ثُمَّ صُومُوا حَتَّى تَرَوْا الْهَيْلَالَ أَوْ تُكْمَلُوا الْعِدَّةَ».<sup>333</sup>

<sup>331</sup> Al-Darimi

<sup>332</sup> Ibid

<sup>333</sup> Ibn Habban, Abu Ha`tim, Muhammad bin Habban, Musnad, [www.shamela.ws/](http://www.shamela.ws/)

“Rabi`i ibn Jarrash reported on the authority of Hudhayfah, who narrated that the Prophet (peace and blessings be upon him) said, "Do not fast immediately before the month (of Ramadan) until you see the new moon or complete the number (of thirty days of Sha`ban). Then fast until you see the new moon or complete the thirty days." (Ibn Hibban)

وأخبرنا أبو علي الرُّوَدْبَارِيُّ أنبأ محمد بن بكر ثنا أبو داودَ حدثنا الحسن بن علي ثنا حسين عن زائدة عن سِمَاكٍ عن عِكْرَمَةَ عن ابن عباس قال: قال رسولُ الله صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لَا تَقْدَمُوا الشَّهْرَ بِصِيَامِ يَوْمٍ وَلَا يَوْمَيْنِ، إِلَّا أَنْ يَكُونَ شَيْئاً بِصَوْمِهِ أَحَدُكُمْ، وَلَا تَصُومُوا حَتَّى تَرَوْهُ، ثُمَّ صُومُوا حَتَّى تَرَوْهُ، فَإِنْ حَالَ دُونَهُ غَمَامَةٌ، فَأَتِمُّوا الْعِدَّةَ ثَلَاثِينَ ثُمَّ أَفْطَرُوا ثُمَّ أَفْطَرُوا، الشَّهْرُ تِسْعٌ وَعِشْرُونَ.»  
قال أبو داود: ورواه حاتم بن أبي صَغِيرَةَ وشعبة والحسن بن صالح عن سِمَاكٍ بِمَعْنَاهُ لم يقولوا: «ثم افطروا.»  
قال الشيخ) ورواه أبو عَوَانَةَ عن سِمَاكٍ مُخْتَصِراً فَجَعَلَ إِكْمَالَ الْعِدَّةِ لِشُعْبَانَ.<sup>334</sup>

“Ibn `Abbas reported that the Prophet (peace and blessings be upon him) said, "Do not fast a day or two before the month (of Ramadan) unless it is a day on which a person customarily fasts. And do not fast until you see the new moon. Then fast until you see it, but if cloud obscures it, then complete the number of thirty days, then break your fast, then break your fast — the month has twenty-nine days." (Al-Bayhaqi)

## Significance of the Transmission Variations:

I have brought most of the reports narrated in the known books of Hadith regarding the issue at hand with the intent of showing the variety as well as the level of variance among them. It is clear from the above quoted *Ahadith* that the first portion, "**fast with sighting it and break your fast with sighting it**, «صوموا لرؤيته وأفطروا لرؤيته، is almost agreed upon while the ending parts of these *Ahadith* have quite variations even with the same original narrator or with the same chain. Therefore, as Dr. Ahmad Shafaat shows, that perhaps the ending parts and the “amount of variation in language shows that transmitters of the Hadith are describing an idea freely in their own words rather than attempting to transmit the Hadith with faithfulness to the original words.”<sup>335</sup> He also concludes that “Bukhari’s version is the result of some alteration during the process of transmission.”<sup>336</sup> It must be pointed out here that it must have been an unintentional alteration as the sincerity of these scholars is beyond any doubt.

Completing 30 days of Sha`aban or 30 days of Ramadan, in case of obscurity, is the adopted opinion of the majority of Jurists (*al-Jamhur*). In view of this majority, there are only two methods of confirming the Islamic month i.e., either through actual Moon

<sup>334</sup> Al-Bayhaqi,

<sup>335</sup> Dr. Ahmad Shafaat, “A Study of Ahadith About the Determination of Islamic Dates”, www.islamic perspectives.com, October 2003, P: 13

<sup>336</sup> Ibid, P: 12

sighting or through completion. It is quite pertinent to note here that the sighting portion of the Ahadith is almost agreed upon (in positive as well as to a great deal in the negative form also) while the completion portion of the Ahadith is the only part that presents a big array of variations, as seen above. But these are exactly the same portions on the bases of which the majority rests their case explaining away the more authentic rendering from Ibn U'mar "*faqduru lah*" as will be discussed in the coming pages. They contend that the meanings of the phrase **"fa in ghumma `alaykum faqduru lahu"**, in Ibn Umar's narration, are "complete thirty days and not go with counting or calculations", as the literal meanings of the narration apparently demand. Imam al-Nawawi contends that:

وَاحْتَجَّ الْجُمْهُورُ بِالرَّوَايَاتِ الَّتِي ذَكَرْنَاهَا وَكُلُّهَا صَحِيحَةٌ صَرِيحَةٌ : فَأَكْمَلُوا الْعِدَّةَ ثَلَاثِينَ وَأَقْدَرُوا لَهُ ثَلَاثِينَ , وَهِيَ مَفْسَرَةٌ لِرَوَايَةِ فَاقْدَرُوا لَهُ الْمُطْلَقَةَ<sup>337</sup>

"The majority (*al-Jamhur*) has derived from the above quoted clear and authentic Prophetic narrations that completing thirty days and counting thirty days (are the same). The مَفْسَرَةٌ explaining phrase "complete thirty days" explains away the the general phrase "الْمُطْلَقَةَ" "then count or estimate it".

It is pertinent to mention here that there is no consensus among the jurists even in this interpretation of "*faqduru lah*", as a leading authority in Fiqh, Imam Ahmad, argues that this particular Prophetic phrase means "shorten the month."

{فَإِنْ غَمَّ عَلَيْكُمْ فَاقْدَرُوا لَهُ { فَقَالَ أَحْمَدُ بْنُ حَنْبَلٍ وَطَائِفَةٌ قَلِيلَةٌ : مَعْنَاهُ ضَيَّقُوا لَهُ وَقَدَّرُوهُ تَحْتَ السَّحَابِ<sup>338</sup>

Imam Al-Nawawi himself reports that Imam Ahmad and a few others say that the meaning is not complete 30 days but "restrict it or shorten the month by considering the moon under the clouds." That is why Imam Ahmad contends that fasting should be observed the next day, the day after the 29th of Saha'aban, if due to obscurity the Moon is not sighted on the evening of 29<sup>th</sup> of Sha'aban. Abu Dawud reports that such was the action and opinion of Ibn Umar.

حدثنا سُلَيْمَانُ بْنُ دَاوُدَ الْعَتَكِيُّ أَخْبَرَنَا حَمَّادٌ أَخْبَرَنَا أَيُّوبُ عَنْ نَافِعٍ عَنْ ابْنِ عَمَرَ ، قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الشَّهْرُ تِسْعٌ وَعِشْرُونَ فَلَا تَصُومُوا حَتَّى تَرَوْهُ وَلَا تَفْطِرُوا حَتَّى تَرَوْهُ. فَإِنْ غَمَّ عَلَيْكُمْ فَاقْدَرُوا لَهُ ثَلَاثِينَ. قَالَ : فَكَانَ ابْنُ عَمَرَ إِذَا كَانَ شَعْبَانَ تِسْعًا وَعِشْرِينَ نَظَرَ لَهُ فَإِنْ رَأَى فِذَاكَ وَإِنْ لَمْ يَرِ وَلَمْ يَحُلْ دُونَ مَنظَرِهِ سَحَابٌ وَلَا قَتْرَةَ أَصْبَحَ مَفْطَرًا ، فَإِنْ حَالَ دُونَ مَنظَرِهِ سَحَابٌ أَوْ قَتْرَةٌ أَصْبَحَ صَائِمًا. قَالَ وَكَانَ ابْنُ عَمَرَ يُفْطِرُ مَعَ النَّاسِ وَلَا يَأْخُذُ بِهَذَا الْحِسَابِ<sup>339</sup>

"Ibn Umar narrates that the Prophet (PBUH) said," the month is 29 therefore do not start fasting until you see it and do not break fast until you see it. Count 30 days if it is cloudy". He (Nafi'a, the narrator from Ibn Umar) said," that Ibn Umar used to ask people

<sup>337</sup> Al-Nawawi, Yahya bib Sharaf, al-Majmu'a Sharh al-Muhazhab, Matba'ah al-Muniriyyah, Vol: 6, P: 276

<sup>338</sup> Ibid

<sup>339</sup> Abu Dawud

to see the Moon for him on the 29<sup>th</sup> of Sha'aban. If the Moon was seen, then well and good. He would not fast if it was not seen and it was not cloudy or rainy. If (on 29<sup>th</sup> of Sha'aban) it was cloudy or rainy weather, he would start fasting (the next day). He (Nafi'a) also said that Ibn Umar used to break the fast with the people and not depend upon these calculations (his counting)."

Al-Bayhaqi also reports the same:

أخبرنا أبو عبد الله الحافظ ثنا محمد بن يعقوب هو الشَّيْبَانِيُّ ثنا محمد بن شاذان الأصمُّ ثنا عليُّ بن حُجْرٍ ثنا إسماعيلُ عن أيوبَ (ح وأخبرنا) أبو الحسن علي بن محمد المقرئُ أنبأ الحسن بن محمد بن إسحاق ثنا يوسف بن يعقوب ثنا سليمان بن حرب ثنا حماد بن زيد عن أيوبَ عن نافع عن ابن عمرَ قال: قال رسولُ الله صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «إِنَّمَا الشَّهْرُ تِسْعٌ وَعِشْرُونَ فَلَا تَصُومُوا حَتَّى تَرَوْهُ وَلَا تُفْطِرُوا حَتَّى تَرَوْهُ، فَإِنْ غَمَّ عَلَيْكُمْ فَاقْدِرُوا لَهُ».

"Ibn `Umar reported that the Prophet (peace and blessings be upon him) said, "Truly the month consists of twenty-nine days. So do not fast until you see it, and do not break your fast until you see it, and estimate for it if it is cloudy."

زاد حماد في روايته عن أيوب: قال نافع: كان ابنُ عمرَ إذا مضى من شعبانَ تِسْعَ وَعِشْرُونَ نَظَرَ لَهُ فَإِنْ رُبِّيَ فَدَاكَ، وَإِنْ لَمْ يَرِ وَلَمْ يَحُلْ دُونَ مَنظَرِهِ سَحَابٌ وَلَا قَتْرَةٌ أَصْبَحَ مُفْطِرًا، وَإِنْ حَالَ دُونَ مَنظَرِهِ سَحَابٌ أَوْ قَتْرَةٌ أَصْبَحَ صَانِمًا، وَكَانَ يُفْطِرُ مَعَ النَّاسِ وَلَا يَأْخُذُ بِهَذَا الْحِسَابِ. (بيهقي)

**Hammaad added in his report from Ayyub that Naaf'ia said,**" that Ibn Umar used to ask people to see the Moon for him on the 29<sup>th</sup> of Sha'aban. If the Moon was seen, then well and good. He would not fast if it was not seen and it was not cloudy or rainy. If (on 29<sup>th</sup> of Sha'aban) it was cloudy or rainy weather, he would start fasting (the next day). He (Nafi'a) also said that Ibn Umar used to break the fast with the people and not depend upon these calculations (his counting)."

This narration is important from a number of perspectives.

Firstly, it is quoted to prove that Ibn Umar himself did not go by calculations. It seems that some of the jurists have explained the sentence "**wa la ya'khuthu biha thal-hisab**" (not depend upon these calculations)، ولا يأخذ بهذا الحساب، to mean that Ibn Umar did not go by the calculations. This interpretation is incorrect. Azeemabadi, the author of "*A'own al-Ma'bud*", clearly shows that Ibn Umar used to break the fast with the rest of the Muslims and used not to worry about his calculations of the day he had started fasting for Ramadan. If Ramadan will be 29 days then his starting day will be the 30<sup>th</sup> day for him. If Ramadan will end up being 30 days then he will consider his first day as supplementary fasting for Sah'aban. This is the correct interpretation of the above quoted phrase.

Secondly, this is the only narration from Ibn Umar in the subject of our discussion which brings the phrase "فاقدروا له ثلاثين" (then count or estimate for it 30 days). We will later on see that this is the only narration from Ibn Umar that requires counting 30 days in case of cloudy weather. All the other reports confine themselves only to the



phrase *فَأَقْدُرُوا لَهُ "faqduru lahu" (restrict it, calculate it)* and are explained by the *Jamhur* in light of this oddly attached report. This narration contradicts itself. Ibn Umar's action is posted against his own narration that "complete 30 days if it is cloudy." He starts fasting after completing only 29 days of Sha'aban in case of obscurity in the horizon.

Ibn Qudamah argues that Ibn Umar has explained the true meanings of the Hadith by his own action and that must be taken as incumbent as he is the original reporter of the Hadith that requires us to estimate in case of cloudy weather and complete 30 days.

وَمَعْنَى أَقْدُرُوا لَهُ: أَيُ ضَيِّقُوا لَهُ الْعَدَدَ مِنْ قَوْلِهِ تَعَالَى: { وَمَنْ قَدَّرَ عَلَيْهِ رِزْقَهُ } . أَيُ ضَيِّقَ عَلَيْهِ . وَقَوْلِهِ: { يَبْسُطُ الرِّزْقَ لِمَنْ يَشَاءُ وَيَقْدِرُ } . وَالتَّضْيِيقُ لَهُ أَنْ يُجْعَلَ شَعْبَانُ تِسْعَةً وَعِشْرِينَ يَوْمًا . وَقَدْ فَسَّرَهُ ابْنُ عُمَرَ بِفَعْلِهِ , وَهُوَ رَأْيُهُ , وَأَعْلَمُ بِمَعْنَاهُ , فَيَجِبُ الرُّجُوعُ إِلَى تَفْسِيرِهِ<sup>340</sup>

"The meanings of "calculate for it" are to restrict the counting for it and Allah SWT has said in the Qur'an "the one who sustenance was restricted" meaning decreased or shortened and also the statement of Allah SWT that it is Allah SWT who expands the sustenance for the ones He likes and decreases for the ones He likes". Shortening or decreasing in case of cloudy weather will mean to make the month of Sha'aban 29 days. Ibn Umar has explained the meanings of the Hadith by his action. He is the original narrator of this report and is better equipped to understand the true meanings. Therefore it is obligatory to return to his explanation"

قَالَ أَبُو مُحَمَّدٍ: هَذَا ابْنُ عُمَرَ هُوَ رَوَى أَنْ لَا يُصَامَ حَتَّى يَرَى الْهَيْلَالَ ثُمَّ كَانَ يَفْعَلُ مَا ذَكَرْنَا<sup>341</sup>

"Abu Muhammad Ibn Hazm said, "This Ibn Umar who himself narrated that fasting is not permitted until the new Moon is sighted then he himself does what we have just mentioned."

Is Ibn Umar going against the Prophet's command which he himself is narrating by fasting on the day next to the 29<sup>th</sup> day of Sha'aban in case of obscurities? It is reported that many companions of the Prophet and their successors fasted in case of obscurities so as not to miss a day of Ramadan. Ibn Qudamah reports:

مَسْأَلَةٌ: قَالَ: ( وَإِنْ حَالَ دُونَ مَنْظَرِهِ غَيْمٌ , أَوْ قَطْرٌ وَجَبَ صِيَامُهُ , وَقَدْ أَجْزَأَ إِذَا كَانَ مِنْ شَهْرِ رَمَضَانَ ) اِخْتَلَفَتْ الرِّوَايَةُ عَنْ أَحْمَدَ رَحِمَهُ اللَّهُ فِي هَذِهِ الْمَسْأَلَةِ , فَرُوِيَ عَنْهُ مِثْلُ مَا نَقَلَ الْخَرَقِيُّ , اخْتَارَهَا أَكْثَرُ شَيْوْخِ أَصْحَابِنَا , وَهُوَ مَذْهَبُ عُمَرَ , وَأَبِيهِ , وَعَمْرُو بْنِ الْعَاصِ , وَأَبِي هُرَيْرَةَ , وَأَنْسِ , وَمَعَاوِيَةَ , وَعَائِشَةَ , وَأَسْمَاءَ بِنْتِي أَبِي بَكْرٍ , وَبِهِ قَالَ بَكْرُ بْنُ عَبْدِ اللَّهِ , وَأَبُو عُثْمَانَ النَّهْدِيُّ , وَأَبْنُ أَبِي مَرْيَمَ , وَمُطَرِّفٌ , وَمَيْمُونُ بْنُ مِهْرَانَ , وَطَاوُسٌ , وَمَجَاهِدٌ<sup>342</sup>

"If any obscurity such a cloud or rain came between the new Moon and its sighting then fasting is obligatory. This day will be accepted as the first day of Ramadan. There are contradictory reports from Ahmad about this issue. The report which is reported

<sup>340</sup> Ibn Qudamah, al-Mughni, 3, 7

<sup>341</sup> Ibn Hazm, Ali bin Ahamd al-Andulsi al-Zahiri, al-Mahalla, Dar al-Fikr, 4, 445

<sup>342</sup> Al-Mughni, 3, 7

by al-Kharqi from Imam Ahmad is accepted by majority of the teachers of our scholarship. And that is also the preferred opinion of Caliph Umar and his son (Abdullah), Umaro bin al-A'as, Abu Hurayrah, Anas, Mu'awiyah, A'ishah, Asma'a (the two daughters of Abu Bakr). Same opinion was held by Bakr bin Abdallah, Abu Othman al-Nahdi, Ibn Abi Maryam, Mutarraf, Maymun bin Mehran, Tawus and Mujahid"

Iman al-Nawawi reports that Imam Ahmad requires starting the month of Ramadan if the new Moon was not sighted due to obscurities on the 29<sup>th</sup> day of Sha'aban. That has been the opinion of 8 known companions of the Prophet (PBUH) and 7 of their successors including 'Umar and his son Ibn 'Umar.

وَجُوبُ صِيَامِهِ عَنِ رَمَضَانَ رَوَاهَا عَنْهُ النَّائِمُ وَالْمَرْوَزِيُّ وَمَهْنًا وَصَالِحَ وَالْفَضْلُ بْنُ زِيَادٍ . قَالَ : وَهُوَ قَوْلُ عُمَرَ بْنِ الْخَطَّابِ وَأَبْنِ عُمَرَ وَعُمَرَ بْنِ عَبْدِ الْعَزِيزِ وَعُمَرُ بْنُ الْعَاصِ وَأَنْسَ وَمُعَاوِيَةَ وَأَبِي هُرَيْرَةَ وَعَائِشَةَ وَأَسْمَاءَ وَبَكْرَ بْنَ عَبْدِ اللَّهِ الْمُزَنِّيَّ وَأَبِي عُثْمَانَ وَأَبْنِ أَبِي مَرْيَمَ وَطَاوُسَ وَمُطَرِّفَ وَمَجَاهِدَ فَهَوْلَاءُ ثَمَانِيَةٌ مِنَ الصَّحَابَةِ وَسَبْعَةٌ مِنَ التَّابِعِينَ<sup>343</sup>

Azeemabadi, the author of A'own al-Ma'bud reports:

وروي معناه عن أبي هريرة وابن عباس رضي الله عنهما وعائشة وأسماء ابنتا أبي بكر تصومان ذلك اليوم، وقالت عائشة رضي الله عنها: لأن أصوم يوماً من شعبان أحب إليّ من أن أفطر يوماً من رمضان. وكان مذهب عبد الله بن عمر بن الخطاب رضي الله عنهما صوم يوم الشك إذا كان في السماء سحب أو فقرة، فإن كان صحو ولم ير الناس الهلال أفطر مع الناس، وإليه ذهب أحمد بن حنبل،<sup>344</sup>

"Its meanings have been narrated from Abu Hurayrah and Ibn Abbas. A'isha and Asma'a, the two daughters of Abu Bakr, used to fast this day. A'isha used to say, "It is better for me to fast a day of Sha'aban rather than missing a day of Ramadan". Abdullah bin Umar used to fast the day of doubt if there were obscurities in the horizon such as clouds or rain. He would not fast if the horizon was free of obscurities and the people were at a loss to sight the Moon. Same is the opinion of Ahmad."

Some scholars have argued that Ibn Umar and others used to fast the day of doubt with the intention of supplementary fasting and not as the day of Ramadan. This interpretation is incorrect also. They used to fast with the intention of fasting the day of Ramadan as is clearly reported from Imam Ahmad:

يجب صومه على أنه من رمضان<sup>345</sup>

"It is obligatory to fast that day as the first day of Ramadan."

The day of doubt is defined by al-A'yni as:

قال العلامة العيني: ويوم الشك هو اليوم الذي يتحدث الناس فيه بروية الهلال ولم يثبت رؤيته أو شهد واحد فردت شهادته أو شاهدان فاسقان فردت شهادتهما<sup>346</sup>

<sup>343</sup> Al-Majmu', 6, 460

<sup>344</sup> A'own al-Ma'bud, V:6, P:457

<sup>345</sup> Ibid

“The day of doubt is the day when people talk about sighting the Moon but its sighting is not confirmed. For instance it was reported by only one witness and his report was denied or two untrustworthy individuals reported and their witness was rejected.”

Thirdly, the report establishes a fact that the so called original narrator Ibn Umar himself did not accept the explanatory note as “complete 30 days” but went against it and fasted after the 29<sup>th</sup> day of Sha’aban in case of obscurity. How could someone claim that there is a consensus among the *Jamhur* that “complete 30 days” is the true meaning of the Prophetic phrase “count for it”. Actually there existed no consensus even among the Companions or their successors that the phrase “complete 30 days” is explanatory for the Prophetic phrase “count or estimate for it”. Had it been an accepted norm as al-Nawawi and many others contend, then Abdullah Ibn Umar, A’isha, Asma’a, Imam Ahmad and many others would have not violated it by fasting after the 29<sup>th</sup> day of Sha’aban in case of cloudy weather.

Fourthly, this position of Ibn Umar and Ahmad of fasting on the cloudy day of 29<sup>th</sup> without actual sighting of the Moon, categorically refutes the argument of the so called majority (*Jamhur*) that either actual sighting by a naked human eye or completing 30 days is the only prescribed method for confirming the month of Ramadan as well as the other Islamic months. Ibn Umar or Imam Ahmad started the month of Ramadan on counting the 29 days of the month of Sha’aban. This method of confirming the month, in case it is cloudy, on the 29<sup>th</sup> day of Sha’aban is neither by actual sighting nor by completion, but by mere “counting the days.”

Fifthly, there is a Hadith in Bukhari, Muslim and others that the Prophet himself started or ended the month without resorting to actual sighting or completing 30 days.

حَدَّثَنَا أَبُو عَاصِمٍ عَنْ ابْنِ جُرَيْجٍ عَنْ يَحْيَى بْنِ عَبْدِ اللَّهِ بْنِ صَيْفِيٍّ عَنْ عِكْرِمَةَ بْنِ عَبْدِ الرَّحْمَنِ عَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ عَنْهَا أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَلَى مِنْ نِسَائِهِ شَهْرًا فَلَمَّا مَضَى تِسْعَةَ وَعِشْرُونَ يَوْمًا عَدَا أَوْ رَاحَ فَقِيلَ لَهُ إِنَّكَ حَلَفْتَ أَنْ لَا تَدْخُلَ شَهْرًا فَقَالَ إِنَّ الشَّهْرَ يَكُونُ تِسْعَةَ وَعِشْرِينَ يَوْمًا<sup>347</sup>

The translation is: “Umm Salamah narrates that once the Prophet (PBUH) took an oath upon not seeing his wives for a month. When the 29 days passed he came to them. He was told that you took an oath not to enter the home for a month. He said, “The month consists of 29 days.”

He (PBUH) just counted the days and completed his month or started the new month without seeing the new Moon. He (PBUH) did not say that I had seen the Moon and none of his wives asked him that either whether or not he had seen the new Moon. The Hadith does not say that it was cloudy that evening. It is also clear that the Prophet (PBUH) did not complete 30 days.

Al-Muslim narrates the same report from a different narrator Anas bin Malik:

<sup>346</sup> Ibid

<sup>347</sup> Bukhari

حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ اللَّهِ حَدَّثَنَا سُلَيْمَانُ بْنُ بِلَالٍ عَنْ حُمَيْدٍ عَنْ أَنَسٍ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ نِسَائِهِ وَكَانَتْ انْفَكَّتْ رَجُلُهُ فَأَقَامَ فِي مَشْرُبَةٍ تِسْعًا وَعِشْرِينَ لَيْلَةً ثُمَّ نَزَلَ فَقَالُوا يَا رَسُولَ اللَّهِ الْيَتَ شَهْرًا فَقَالَ إِنَّ الشَّهْرَ يَكُونُ تِسْعًا وَعِشْرِينَ<sup>348</sup>

Imam al-Tirmidhi authenticates the narration:

حَدَّثَنَا عَلِيُّ بْنُ حُجْرٍ حَدَّثَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ عَنْ حُمَيْدٍ عَنْ أَنَسٍ أَنَّهُ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ نِسَائِهِ شَهْرًا فَأَقَامَ فِي مَشْرُبَةٍ تِسْعًا وَعِشْرِينَ يَوْمًا قَالُوا يَا رَسُولَ اللَّهِ إِنَّكَ الْيَتَ شَهْرًا فَقَالَ الشَّهْرُ تِسْعٌ وَعِشْرُونَ قَالَ أَبُو عِيْسَى هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ<sup>349</sup>

Abu A'isa (Imam Tirmizi) has authenticated this Hadith .

It seems from this Hadith that the Prophet (PBUH) determined the month just by counting 29 days and not by actual Moon sighting or completing 30 days.

By now it should be clear enough that the claim that the entire Ummah or all the jurists have a consensus that the Islamic lunar month cannot be determined without actual Moon sighting or completion is not authentic and is simply not true. There are many instances of practical exceptions to this rule as is substantiated by the above discussed points.

Moreover, both of these interpretations “completing 30 days of Sha’aban and Ramadan in case of cloudy weather”, the so called Jamhur’s opinion, or “starting Ramadan on the 29<sup>th</sup> day of Sha’aban in case the horizon is obscure”, as Ibn Umar and Ahmad contend, could lead to a number of practical difficulties of ending up fasting sometimes 28 and sometimes 31 days of Ramadan in reality.

### Some Very Practical Challenges:

Dr. Shafat Ahmad has done a thorough job of analyzing the aforementioned difficulties. He contends that: “The words *fa aqduru la hu* were meant to say what they say: estimate the duration. The actual method of estimation was left unspecified, since that would depend on the available information and analytical tools, which can change from place to place and time to time. However, people tried to make the phrase more specific and establish a simple rule applicable in all situations. One simple way to do that would be to give to the month a particular number of days in case of obscurity – 29 or 30. This raised the question whether the same number will apply to both Sha’aban and Ramadan. The following four answers were possible depending on whether in case of obscurity both Sha’aban and Ramadan are taken to consist of 29 days or 30 days or one of them is taken to consist of 29 days and the other of 30 days:

- a) If there is obscurity on the 29<sup>th</sup> of Sha’aban, take that month to be 30 days and the same is true of Ramadan.

<sup>348</sup> Muslim

<sup>349</sup> Tirmidhi

In this case, you would never fast more than 30 days but sometimes you will fast only 28 days. For, suppose that both Sha‘ban and Ramaḍan are 29 days but it is cloudy on 29<sup>th</sup> of Sha‘ban and clear on 29<sup>th</sup> of Ramaḍan. You will count Sha‘ban as 30 days and in this way miss one day of Ramaḍan. But if the sky is clear on the 29<sup>th</sup> of Ramaḍan you will be able to see the *hilal* of Ramaḍan and therefore end fasting, even though you fasted only for 28 days. In places like Caribbean Islands, Trinidad, and Guyana where it is cloudy very often this process could lead even to less than 28 days of fasting.

- b) If there is obscurity on the 29<sup>th</sup> of Sha‘ban, take that month to be 29 days and the same is true of Ramaḍan.

In this case, you would never fast for less than 29 days but sometimes you would fast 31 or more days or have ‘Id al-Fiṭr in Ramaḍan. For suppose that both Sha‘ban and Ramaḍan are 30 days and it is cloudy on 29<sup>th</sup> of Sha‘ban and clear on the 29<sup>th</sup> of Ramaḍan. By the rule of restricting the month to 29 days in case of obscurity, you will count Sha‘ban as 29 days and thus fast on the last day of Sha‘ban, but since the sky is clear on the 29<sup>th</sup> of Ramaḍan you will know that Ramaḍan has not ended. So you will fast 30 days of Ramaḍan and one day of Sha‘ban, a total of 31 days. In case it is cloudy for several months leading to Ramadan you will need to fast even more than 31 days.

- c) If there is obscurity on the 29<sup>th</sup> of Sha‘ban, take that month to be 30 days but if there is obscurity on the 29<sup>th</sup> of Ramaḍan take it to be 29 days.

In this case you will never fast for more than 30 days but sometimes you will fast 28 days.

- d) If there is obscurity on the 29<sup>th</sup> of Sha‘ban, take that month to be 29 days but if there is obscurity on the 29<sup>th</sup> of Ramaḍan take it to be 30 days.

In this case you will never fast for less than 29 days but sometimes you will fast 31 days.”<sup>350</sup>

He makes a significant observation in the conclusion:

“Today we all assume (a), that is, in case of obscurity we should take the month as of 30 days whether it is Sha‘ban or Ramaḍan. It would therefore surprise some readers to hear that all of the above views have been held by Muslims. Indeed, the differences in the various narrations of the hadith about starting/ending Ramaḍan can be explained as attempts to reflect these interpretations.”<sup>351</sup>

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<sup>350</sup> Ibid, P:16

<sup>351</sup> Ahmad Shafaat, Ibid

## **Weakness of the Ijma'a (Consensus) Argument:**

In spite of this overwhelming majority, there have always been voices of dissent among the three schools of thought with the exception of *Hanabilah* (as will be seen in coming pages). Known authorities in *Hanafi*, *Maliki* and *Shafa'ee* schools have argued against the total rejection of calculations in establishing the commencement of Ramadan etc. It is only the *Hanbali* school of Fiqh, especially in the classical period, which seems to be enjoying a kind of consensus regarding absolute rejection of calculations in the above mentioned matters.

A minute minority among the earlier jurists and an ever increasing number among the contemporary jurists disagree with the notion of complete dismissal of astronomical calculations. They, in opposition to the established opinion, argue that calculations are definitive way of knowing the movements of celestial bodies and more certain than just sighting the moon with naked human eyes. This group does not see any prohibition neither in the Qur'an nor in the Sunnah manifestly banning usage of calculations in the matters of *Din*. They actually find support for their arguments from within the Qur'an and Sunnah, in addition to resorting to scientifically logical arguments.

There are two main groups among this category of scholars. First group accepts astronomical calculations only in negating the beginning of the month. That is if the calculations prove impossibility of sight ability or negation of the birth of moon etc., then they do not accept witnesses claiming the actual sighting even if the witnesses are trustworthy righteous Muslims. This is an old trend among some of the scholars and can be traced back all the way to the first century of *Hijrah*. *Mutarrif bin Abdillah* (a successor, *Taba'ee*), *Abu al-Abbas Ahmad bin Umar Ibn Suryj* (D 306 AH), *Taqi al-Din Ali al-Subki* (683-756 AH) since the old times when they permitted use of calculations in case of obscurities. The contemporary scholars like Sheikh Yusuf Al-Qaradawi, Director of the Center of Researches on the Sunnah and the Sirah, University of Qatar, and many others have championed this position of using calculations in negating Ramadan even in case of no atmospheric obscurities.

The second group permits acceptance of astronomical calculations both in establishing the beginning of the month as well as negating or dismissing any claims to sighting if the calculations prove the otherwise. This is a recent phenomenon among some of the last century and contemporary scholars such as Dr. Muhammad Mustafa al-Maraghi, (Grand Imam of Al-Azhar, 1935-1945), the celebrated Egyptian and encyclopedic authority and 1984 King Faisal International Prize winner, Shaikh Ahmad M. Shakir (1891–1957), Shaikh Mustafa al-Zarqa (1901-1999), The Syrian-born judge, broadcaster, author, editor, teacher and orator and 1990 King Faisal International Prize winner, Shaikh Ali al-Tantawi (1908 – 1999), Dr. Sharaf al-Quda, a contemporary Jordanian jurist, and many others.

*Therefore, the claims of the Ijma' or consensus that actual sighting or completion are the only two methods accepted by the entire Ummah are not based upon the historical facts as we will see more details of that in the coming pages.*

Moreover, there is no consensus among the majority (*al-Jamhur*) about the exact nature of Moon sighting whether it is established through sighting of one or more witnesses or a multitude of people. There also exist a host of opinions about the criteria and characteristics of these witnesses whether male, female, slave or free. Yet there is no consensus about the number of witnesses needed for confirmation of the month of Ramadan and for the month of Shawwal.<sup>352</sup>

For instance, the Hanafi jurists require witness of a big number of individuals in case the horizon is free from obscurities. They accept witness of one trustworthy Muslim if it is cloudy and that is in the case of only confirming the month of Ramadan.<sup>353</sup>

The Maliki jurists require a large number of witnesses in case the horizon is free from obscurities such as cloud, dust or fog etc., or at least two trustworthy Muslims or more in case it is cloudy. They, unlike Hanafi Jurists, do not accept one witness in confirming Ramadan or Shawwal. The Shafa'ee jurists accept one trustworthy Muslim's witness in case of cloudy weather or the otherwise. That is the case for both the months i.e., Ramadan as well as Shawwal. The Hanbali jurists accept one trustworthy witness in confirming the month of Ramadan but require two witnesses in case of the month of Shawwal.<sup>354</sup>

The place does not permit here to go into the details of the issues connected with methodology of sighting. It is sufficient to note that in spite of apparent claims of consensus about actual moon sighting as the only way to confirm the month before 30th of Sha'aban, there is tremendous difference among jurists in the details related to the same subject. Therefore, actual sighting cannot be called as the categorically absolute rule of Islam where there is no difference of opinion. The best it could be described is that it is a *Zann'i* or presumptive and not a *Qatai'* or *categorical matter in the Shari'ah*.

## Weakness of the Jewish Argument:

One of the leading reasons for rejecting the calendar based on the astronomical calculations, in view of many Muslim jurists, is to oppose the Jewish community in their adoption of a calendar solely based on calculations. Many classical as well as contemporary Muslim scholars quote the Prophetic narration that encourages Muslims to not imitate the Jews, but oppose them in many of their religious customs and rituals. The Jewish community had reportedly adopted the calculated calendar since the 4<sup>th</sup> century AD. Therefore, scholars like Ibn Tamiyyah and many others argue that accepting astronomical calculations as the base of Islamic calendar will be nothing short of imitating the Jews in their innovation and misguidance. Some contemporary jurists such

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<sup>352</sup> Dr. Salah Sultan, رؤية علمية وتربوية حول رؤية الأهلة presented to the Fiqh Council of North America

www.fiqhcouncil.org

<sup>353</sup> See al-Zukhayli, Wahbah, al-Fiqh al-Islami wa Adillatuhu, Dar al-Fikr, P: 1651

<sup>354</sup> Ibid, 1652-53

as Maulana Abdullah Saleem<sup>355</sup> contend that the Prophet (PBUH) was aware of the Jewish innovation and specifically commanded the Muslim community not to follow that path. The Prophet said, “We are an unlettered nation. We neither write nor calculate.” This was a direct reference to the Jewish calendar and calculations.

It is pertinent to briefly analyze and discuss the Jewish calendar and its history to dispel the misconception that confirming the Muslim months by the astronomical calculations will constitute a sharp deviation from the Prophetic Sunnah, and an absolute imitation of the Jews in their changing the Din of Allah SWT.

The Biblical month is a lunar month (EX. 12:2). The Hebrews had followed movements of the Moon to determine their months and festivals since antiquity. The earlier Synagogue had required human witnesses to actually sight the Moon for the purpose of confirming the new month. The month, upon completion of 30 days, used to be declared complete instead of defective if no witness was brought on the 29<sup>th</sup> of the month. The Talmud states that “The commencement of the month was dated from the time when the earliest visible appearance of the new moon was reported to the Sanhedrin. If this happened on the 30th day of the current month, that month was considered to have ended on the preceding 29th day, and was called deficient. But if no announcement was made on the 30th day, that day was reckoned to the current month, which was then called full, and the ensuing day was considered the first of the next month.”<sup>356</sup>

Mishna and Talmud, the Jewish jurisprudential sources, emphasize on the rule of actual sighting in the following words:

“But if it is always defective, why should they profane it? *Because it is a religious duty to sanctify [the New Moon] on the strength of actual observation.* According to another version, R. Nahman said: We also have learnt: ‘For the fixing of two New Moons the Sabbath may be profaned, for those of Nisan and of Tishri’. Now if you say that the Adar which precedes Nisan is always defective, there is no difficulty; the reason why Sabbath may be profaned is because it is a religious duty to sanctify [the New Moon] on the strength of actual observation. But if you say that it is sometimes full and sometimes defective, why should [the Sabbath] be profaned? Let us prolong [the month] today and sanctify [the New Moon] to-morrow? If the thirtieth day happens to be on Sabbath, that is actually what we do. Here, however, we are dealing with the case where the thirty-first day happens to fall on Sabbath [and we allow the Sabbath to be profaned because] *it is a religious duty to sanctify on the strength of actual observation.*”<sup>357</sup>

It is a known fact that Sabbath is so sacred to the Jews that profaning it carries death penalty in the Jewish law. The Bible reports; “And the LORD spake unto Moses, saying, Speak thou also unto the children of Israel, saying, Verily my sabbaths ye shall keep: for it is a sign between me and you throughout your generations; that ye may know that I am

<sup>355</sup> An unpublished paper submitted to Shari’ah Scholars Association of North America (SSANA), Detroit meeting in 2000

<sup>356</sup> The Soncino Talmud, - Mas. Sanhedrin 10b, commentary on verse 2, The Judaic Classical Library, Davka Corporation and Judaic Press, Inc. Electronic Edition 1991-1995

<sup>357</sup> Ibid, Mas. Rosh HaShana, 20a, 1-4



the LORD that doth sanctify you. Ye shall keep the sabbath therefore; for it *is* holy unto you: every one that defileth it shall surely be put to death: for whosoever doeth *any* work therein, that soul shall be cut off from among his people. Six days may work be done; but in the seventh *is* the sabbath of rest... whosoever doeth *any* work in the sabbath day, he shall surely be put to death. Wherefore the children of Israel shall keep the sabbath, to observe the sabbath throughout their generations, *for* a perpetual covenant. It *is* a sign between me and the children of Israel for ever: for *in* six days the LORD made heaven and earth, and on the seventh day he rested, and was refreshed.” (Ex. 31:12-18)

The Sabbath was allowed to be violated for the sake of giving witness of the actual Moon sighting. There was a special Jewish court consisting of Rabbis which used to verify these witnesses and announce the start of the new month. R. Gamaliel II. (80-116 C.E.) used to receive the reports of the witnesses in person. Afterwards, the Rabbis started using the astronomical calculations to negate the months. The later portion of Talmud reports that:

“When R. Zera went up [to Palestine], he sent back word to them [in Babylon]: It is necessary that there should be [on New Moon] a night and a day of the new moon. This is what Abba the father of R. Simlai meant: ‘We calculate [according to] the new moon’s birth. If it is born before midday, then certainly it will have been seen shortly before sunset. If it was not born before midday, certainly it will not have been seen shortly before sunset’. What is the practical value of this remark? — R. Ashi said: To [help us in] confuting the witnesses. R. Zera said in the name of R. Nahman: The moon is invisible for twenty-four hours [round about new moon]. For us [in Babylon] six of these belong to the old moon and eighteen to the new; for them [in Palestine] six to the new and eighteen to the old.<sup>8</sup> What is the practical value of this remark? — R. Ashi said: *To confute the witnesses.*”<sup>358</sup>

Rashi, the famous classical Jewish authority on Biblical and Talmudic exegesis, has explained the above verses as follows: “(6) Because if the conjunction is calculated to have been after midday and they claim to have seen the new moon before nightfall, they are not telling the truth.

(7) Which would imply that in Babylon the new moon is not visible till eighteen hours after its birth.

(8) Which would imply that in Palestine the new moon is visible six hours after its birth.”<sup>359</sup>

Later on, the testimony gave way to mere calculations, though not without controversy, as the Jewish Encyclopedia reports:

“Under the patriarchate of Rabbi Judah III., (300-330), the testimony of the witnesses with regard to the appearance of the new moon was received as a mere formality, the settlement of the day depending entirely on calculation. This innovation seems to have been viewed with disfavor by some members of the Sanhedrin, particularly Rabbi Jose, who wrote to both the Babylonian and the Alexandrian communities, advising them to follow the customs of their fathers and continue to celebrate two days, an advice which

<sup>358</sup> Ibid, Mas. Rosh HaShana, 20b, 5-8<sup>359</sup> Ibid

was followed, and is still followed, by the majority of Jews living outside of Palestine.”<sup>360</sup>

There were two practical problems that demanded dependence on the calculations instead of on practical Moon sighting. The first problem lied in the fact that the Bible connected the Jewish festivals and holidays with certain crops and seasons. There were times when the lunar dates of holidays used to fall in a wrong season, when the crops and fruits required for the rituals were not ready. The Rabbis were forced to introduce intercalation to avoid the Jewish festivals occurring in a wrong season. The Jewish Encyclopedia explains: “It thus seems plain that the Jewish year was not a simple lunar year; for while the Jewish festivals no doubt were fixed on given days of lunar months, they also had a dependence on the position of the sun. Thus the Passover Feast was to be celebrated in the month of the wheat harvest..., and the Feast of Tabernacles, also called חג האסיף, took place in the fall. Sometimes the feasts are mentioned as taking place in certain lunar months (Lev. xxiii.; Num. xxviii., xxix.), and at other times they are fixed in accordance with certain crops; that is, with the solar year.”<sup>361</sup>

The exegetes of Talmud report the reasons for an intercalation as follows:

“The solar year which consists of three hundred and sixty-five and a quarter days is divided into four equal parts, each period consisting of ninety-one days and seven and a half hours. These are called respectively the Nisan (vernal), Tammuz (summer), Tishri (autumnal), Tebeth (winter) Tekufoth. The lunar year which forms the basis of our calendar comprises altogether three hundred and fifty-four days. Though according to Biblical tradition our months are to be lunar (cf. Ex. XII, 2), yet our Festivals are to be observed at certain agricultural seasons; Passover and Pentecost in the Spring; Tabernacles, or Feast of Ingathering, in the autumn. In order to harmonise the lunar and solar years, a second Adar is intercalated once in two or three years. Our text lays down certain principles by which the Intercalators are to be guided.”<sup>362</sup>

It is clear that in the later periods of Jewry, the astronomical calculations were used not to determine or negate the new month as it relates to the new Moon, but as it relates to the seasons in which these holidays must fall. This point is amply made clear by the Talmud, as the contemporary exegetes explain; “The Jewish year consists ordinarily of twelve lunar months (v. n. 5). In order to prevent the festivals from falling in the wrong seasons, it was necessary periodically to adjust the lunar calendar to the solar year: this was achieved by introducing an intercalary month (Adar II) between Adar and Nisan.”<sup>363</sup>

Therefore, the Jewish calendar became a solo lunar calendar instead of just the lunar calendar dependent solely upon the birth or sighting of the new Moon. The Talmud explains that “The Jewish Calendar, while being lunar, takes cognisance of the solar system to which it is adjusted at the end of every cycle of nineteen years. For ritual purposes the four Tekufoth seasons, are calculated according to the solar system, each

<sup>360</sup> Encyclopedia Judaica, Online Edition, “Calendar”

<sup>361</sup> Ibid

<sup>362</sup> Mas. Sanhedrin, 12b, commentary to verse 33

<sup>363</sup> Mas. Chagigah, 14a, commentary to verse 43

being equal to one fourth of 365 days, viz. 91 days, 71/2 hours. Tekufah of Nisan (Vernal equinox) begins March 21; Tekufah of Tammuz (Summer Solstice), June 21; Tekufah of Tishri (Autumnal equinox), September 23; Tekufah of Tebeth (Winter Solstice), December 22. Should the Tekufah of Tammuz extend till after the Succoth Festival, or the Tekufah of Tebeth till the sixteenth of Nisan, the year would be intercalated, so that the festivals might fall in their due seasons, viz., Passover in Spring, Succoth in Autumn.”<sup>364</sup>

The Jewish Sanhedrin also placed the rules about when the intercalation is permitted and when it is not permitted. “Our Rabbis taught: A year may not be intercalated except where it is necessary either for [the improvement of] roads<sup>22</sup> or for [the repair of] bridges, or for the [drying of the] ovens<sup>23</sup> [required for the roasting] of the paschal lambs, or for the sake of pilgrims<sup>24</sup> from distant lands who have left their homes and could not otherwise reach [Jerusalem] in time.<sup>25</sup> But no intercalation may take place because of [heavy] snows or cold weather<sup>26</sup> or for the sake of Jewish exiles [from a distance] who have not yet set out. Our Rabbis taught: The year may not be intercalated on the ground that the kids<sup>27</sup> or the lambs or the doves are too young.<sup>28</sup> But we consider each of these circumstances as an auxiliary reason for intercalation.”<sup>365</sup>

The Sanhedrin gave the following three reasons for the intercalation: “Our Rabbis taught: A year may be intercalated on three grounds: on account of the premature state of the corn-crops;<sup>7</sup> or that of the fruit-trees;<sup>8</sup> or on account of the lateness of the Tekufah<sup>9</sup> Any two of these reasons can justify intercalation, but not one alone. All, however, are glad when the state of the spring-crop is one of them.”<sup>366</sup>

It seems obvious that the Jewish process of calculation and intercalation is arbitrary. It gives a lot more significance to the holidays, crops, fruits, seasons and many such external factors, rather than placing significance on the actual new Moon, which is contrary to the Islamic calendar based on the new Moon itself. Consequently, the fixation of the Jewish calendar through calculations is quite different than fixing the Islamic calendar based on the astronomical calculations which determine the actual birth of the new Moon. The Jewish calendar is drastically independent of that factor, as it's clarified from the following Talmudic explanation: “The average year has six months of thirty days each, and six of twenty-nine days each. For there are about twenty-nine and one half days between one new moon and the other, whence a month of thirty days, to restore the balance, must be followed by one of twenty-nine days. However, there are more than twenty-nine and one half days between one new moon and the other, approximately twenty-nine days, twelve hours and forty minutes; furthermore, there are other causes influencing the fixing of the calendar, as the result of which the arrangement of six full and defective months undergoes certain variations, so that one year might have a larger number of full, the other more than the half of defective months. In the time of the Mishnah the Sanhedrin decreed the beginning of the new months on the basis of the testimony of witnesses who had actually seen the new moon. But even then conditions

<sup>364</sup> Mas. Sanhedrin, 11b, commentary to verse 9

<sup>365</sup> Ibid, 11a, 22-29

<sup>366</sup> Ibid, 11b, 7-10

would arise (such as non-visibility of the new moon, due to cloudy weather) when the Sanhedrin would be guided by its own astronomical calculations. For such a decree the principle was adopted that no year may have more than eight, nor less than four full months.”<sup>367</sup>

There was another problem. The civil calendars were fixed by the local civil authorities. Quite often, these civil authorities were very intolerant to the Jewish community. At times, the conflict in the Jewish holidays and the civil holidays lead to Jewish persecutions by the local authorities. Therefore, intercalation was introduced to avoid conflict with the civil calendar and the ensuing Jewish persecutions. The Jewish Encyclopedia reports that “Under the reign of Constantius (337-361) the persecutions of the Jews reached such a height that all religious exercises, including the computation of the **calendar**, were forbidden under pain of severe punishment.”<sup>368</sup>

Consequently, R. Hillel II (330-365) published rules of calendar computations and also published a fixed Jewish calendar in 359 and modified it in 363 AD. The same fixed calendar is presently being used by the Jewish community all over the world.

Tracy R. Rich gives a summary of how the Jewish calendar is actually computed.

“The Jewish calendar is based on three astronomical phenomena: the rotation of the Earth about its axis (a day); the revolution of the moon about the Earth (a month); and the revolution of the Earth about the sun (a year). These three phenomena are independent of each other, so there is no direct correlation between them. On average, the moon revolves around the Earth in about 29½ days. The Earth revolves around the sun in about 365¼ days, that is, about 12 lunar months and 11 days.

To coordinate these three phenomena, and to accommodate certain ritual requirements, the Jewish calendar consists of 12 or 13 months of 29 or 30 days, and can be 353, 354, 355, 383, 384 or 385 days long. The linchpin of the calendar is the new moon, referred to in Hebrew as the molad.

A new month on the Jewish calendar begins with the molad, (pronounced moh-LAHD). Molad is a Hebrew word meaning "birth," and refers to what we call the "new moon" in English. The molad for the month of Tishri (the month that starts with Rosh Hashanah) is the most important one for calendar calculations, and is referred to as Molad Tishri.

Note that the calculated molad does not necessarily correspond precisely to the astronomical new moon. The length of time from one astronomical new moon to the next varies somewhat because of the eccentric orbits of the Earth and Moon; however, the moladot of Rabbi Hillel's calendar are set using a fixed average length of time: 29 days,

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<sup>367</sup> Mas. Arachin, 8b, commentary to verse 10

<sup>368</sup> Encyclopedia, *ibid*

12 hours, and 793 parts (or in Hebrew, *chalakim*). The amount of time is commonly written in an abbreviated form: 29d 12h 793p.<sup>369</sup>

Rich also explains the practical steps involved in calculating the exact dates and months on the Jewish calendar. These are as follows:

1. Start with a known molad (and the corresponding Gregorian date, if you wish to convert your resulting date to Gregorian).
2. Determine the number of months between the known molad and Tishri of the year of the date you are calculating.
3. Multiply the number of months by the length of the molad: 29d 12h 793p.
4. Add the result to the known starting molad.
5. Apply the dechiyot (rules of postponement) to determine the date of Rosh Hashanah for the year of your date.
6. To get the Gregorian date, add the number of days elapsed calculated above to the Gregorian starting date.<sup>370</sup>

The Jews start their calendar with the supposed date of the beginning of creation as reported by the Hebrew Bible. We are presently in the Jewish year 5766 (2006). It is quite complicated to compute the Jewish years, months and days, and the process involved requires quite a bit of mathematical calculations rather than just the knowledge of astronomical calculations. That might have been the reason that the Prophet of Islam (PBUH) expressed that “we are unlettered people we neither write nor compute.” The reference might have been to the sophisticated process involved in calculating the Jewish new month and the year as seen above. The Prophet (PBUH) would have not depended upon the Jewish community and their process of calculation to establish the Muslim months. That is why he made the process simple by asking his followers to start the month by sighting the new Moon, as the Muslim community of that time was not well versed in mathematical calculations. Moreover, he (PBUH) wanted to connect the commencement of the new month with the birth or sighting of the new Moon and not with the crops and seasons as the case seems to be with the Jewish calendar. He (PBUH) eliminated the arbitrary interference in the time due to external factors, and wanted the time to be determined by the Moon so that the Islamic acts of worship fall in their proper time rather than occurring in the superficially calculated time decided by the human interference.

The Qur’an addresses this issue in the following verses, as discussed earlier.

إن عدة الشهور عند الله اثنا عشر شهرا في كتاب الله يوم خلق السماوات والأرض منها أربعة حرم ذلك الدين القيم فلا تظلموا فيهن أنفسكم وقاتلوا المشركين كافة كما يقاتلونكم كافة واعلموا أن الله مع المتقين (36) إنما النسيء زيادة في الكفر يضل به الذين كفروا يحلون به عاما ويحرمونه عاما ليواطئوا عدة ما حرم الله فيحلوا ما حرم الله زين لهم سوء أعمالهم والله لا يهدي القوم الكافرين (37)

<sup>369</sup> “The Jewish Calendar: A Closer Look”, www.webmaster@JewFAQ.org

<sup>370</sup> Ibid

“Behold, the number of months, in the sight of God, is twelve months, [laid down] in God’s decree on the day when He created the heavens and the earth; [and] out of these, four are sacred: this is the ever true law of God. Do not, then, sin against yourselves with regards to these [months]... The intercalation [of months] is but one more instance of [their] refusal to acknowledge the truth- [a mean] by which those who are bent on denying the truth are led astray. They declare this [intercalation] to be permissible in one year and forbidden in [another] year, in order to conform [outwardly] to the number of months which God has hallowed: and thus they make allowable what God has forbidden. Goodly seems unto them the evil of their own doings, since God does not grace with His guidance people who refuse to acknowledge the truth.” (9:36-37)

These verses refer to the arbitrary intercalation of the polytheists of Arabia in the months and the years as most exegetes have reported.<sup>371</sup>

It is obvious from the above details that following the astronomical calculations to determine the birth or visibility of the new Moon will not constitute an imitation of the Jewish calendar. The process does share some elements of the Jewish calculations but it is not identical in its entirety. The Jewish process is a lot more complicated and includes many factors external to the Islamic process. The Islamic *mowlad* is different from the Jewish *mowlad*. The Muslim calendar is purely lunar while the Jewish calendar is lunisolar. There is a little similarity and that lies in trying to know the birth or visibility of the new Moon through astronomical calculations. The rest of the factors are quite different. That much similarity cannot be labeled as following the Jews in their religious innovations, as some scholars hastily portray it. The same can be said about the actual Moon sighting and requirements connected with the human witnesses. The Jewish jurisprudence had required it since antiquity, and some of the Jewish sects and scholars follow that rule of actual sighting literally to the present times. Then, observing the Moon with human eyes, as many classical and contemporary Muslim scholars require, would it constitute a Jewish imitation also that will be forbidden by the Islamic Shari’ah? I am sure the answer will be no!

### **Weakness of the Hardship Argument:**

In regards to the hardship argument, it must be noted that presently we are living in times where the entire world has become like a small village. In this age of communication, news gets all over the world within seconds and minutes. Therefore, the argument of hardship leveled by al-Nawawi and others loses its ground. In reality, it is the other way round as Dr. al-Qardawi rightly contends.<sup>372</sup> Muslims all over the globe, especially in the West, suffer a great deal of hardships due to uncertainties connected with actual sighting. Some of them wait till midnight just to start their *Tarawih* prayers or to decide about their Eid prayers. There are many hardships for the working class as well as for the Muslim students. Therefore, dependence upon the method of actual sighting rather than the astronomical calculations is the source of hardships in our times.

<sup>371</sup> See for details Muhammad Asad, the Message of the Qur’an

<sup>372</sup> Fatawa Mua’sarah, Vol: 2, P: 212-217

It is also a historical fact that astronomical calculations and their usage in the matters of *Din* and *Ibadat* is nothing new. It has been used for quite some time in determining the timings for five daily prayers, for Suhur and Iftar timings, and also for the Qiblah directions. The Jurists since the old times have not only accepted them without any problem but required Muslims to learn about them.

قَسَمَ الْفُقَهَاءُ عِلْمَ النُّجُومِ إِلَى قِسْمَيْنِ : الْأَوَّلُ : حِسَابِيٌّ : وَهُوَ تَحْدِيدُ أَوَائِلِ الشُّهُورِ بِحِسَابِ سَيْرِ النُّجُومِ . وَيَسْمَى مَنْ يُمَارِسُ ذَلِكَ الْمُنَجِّمَ بِالْحِسَابِ . وَلَمَّا خَلَفَ بَيْنَ الْفُقَهَاءِ فِي جَوَازِ مُمَارَسَةِ التَّنَجِيمِ بِهَذَا الْمَعْنَى , وَتَعَلَّمَ مَا يُعْرَفُ بِمَوَاقِيتِ الصَّلَاةِ وَالْقِبْلَةِ , بَلْ ذَهَبَ جَمُوهُورُهُمْ إِلَى أَنَّ ذَلِكَ فَرَضٌ كِفَايَةٌ . وَجَاءَ فِي حَاشِيَةِ ابْنِ عَابِدِينَ : وَالْحِسَابِيُّ حَقٌّ , وَقَدْ نُطِقَ بِهِ الْكِتَابُ فِي قَوْلِ الْحَقِّ تَبَارَكَ وَتَعَالَى : { الشَّمْسُ وَالْقَمَرُ بِحُسْبَانٍ } . وَأَجَازَ الْفُقَهَاءُ الْإِعْتِمَادَ عَلَيْهِ فِي دُخُولِ أَوْقَاتِ الصَّلَاةِ وَتَحْدِيدِ جِهَةِ الْقِبْلَةِ وَقَالُوا : إِنَّ حِسَابَ الْأَهْلَةِ , وَالْحُسُوفِ وَالْكَسُوفِ قَطْعِيٌّ , فَاللَّهُ سُبْحَانَهُ وَتَعَالَى أَجْرَى حَرَكَاتِ النُّجُومِ وَالْإِنْتِقَالَاتِ الْكَوَاكِبِ عَلَى نِظَامٍ وَاحِدٍ دَائِمٍ , وَكَذَلِكَ الْفُصُولُ الْأَرْبَعَةُ . وَالْعَوَانِدُ إِذَا اسْتَمَرَّتْ أَفَادَتْ الْقَطْعَ , فَيَنْبَغِي الْإِعْتِمَادُ عَلَيْهِ فِي أَوْقَاتِ الصَّلَاةِ وَنَحْوِهَا , وَفِي جِهَةِ الْقِبْلَةِ<sup>373</sup>

“The jurists have categorized the knowledge of stars into two categories. First is the calculation of celestial bodies and their movements to determine beginning of the months. The one who practices this kind of astronomy, is called the astronomer. There is no disagreement among the jurists that such an exercise is permitted. It is allowed to learn such a science in an effort to know the prayers timings and the directions of the Qiblah. Actually, the majority of the jurists (Jamhur) are of the opinion that such knowledge is obligatory to be sought by a number of Muslims at all times. Ibn A’bideen in his Hashiyah says that “astronomical calculations are Islamically approved”. That is what the Qur’an precisely says, “the Sun and the Moon follow meticulous calculations.” The jurists have allowed the dependence on calculations in relation to the timings of the daily prayers as well as directions of the Qiblah. The astronomical calculations connected with the new moons, lunar and solar eclipses are absolutely correct. Almighty God has fixed a system for the celestial bodies and they always follow that system to the full extent. The same case applies to the four seasons. The aspects of nature that are continuously repeating themselves are categorical in nature. Therefore, they should be relied upon in the matters of prayer timings as well as Qiblah directions.”

And Ahmad bin Muhammad al-Hamwi, the known Hanafi jurist, has stated the same in the old times:

وَأَمَّا مَجْرَدُ الْحِسَابِ مِثْلُ ظُهُورِ الْهَيْلَالِ فِي الْيَوْمِ الْفُلَانِيِّ وَوُقُوعِ الْخُسُوفِ اللَّيْلَةِ الْفُلَانِيَّةِ فَإِنَّهَا أُمُورٌ حِسَابِيَّةٌ مَبْنِيَّةٌ عَلَى أَرْصَادٍ وَأَقْعَةٍ فَلَا تَدْخُلُ فِي نَهْيِ النَّبِيِّ صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَسَلَّمَ , وَيُؤَيِّدُهُ مَا يُجَوِّزُونَهُ مِنْ تَعْلِيمِ قَدْرٍ مَا تُعَلِّمُ بِهِ مَوَاقِيتِ الصَّلَاةِ وَالْقِبْلَةِ<sup>374</sup>

“The calculations related to the new moons and eclipses are based upon actual realities and experiments. They do not come under the category of prohibited acts by the Prophet (PBUH). This argument is substantiated by the fact that the Jurists have allowed knowledge of calculations when it comes to knowing the timings of daily prayers and directions of Qiblah.”

<sup>373</sup> Ibid, Vol: 14, P: 53

<sup>374</sup> Al-Hamwi, Ahmad bin Muhammad, Ghamz A’uun al-Basa’ir, Dar al-Kutb al-A’ilmiyyah, Vol: 2, P: 66

Perhaps these are the reasons that Mustafa al-Zarqa is amazed that a good number of present day conservative jurists are very adamant about not accepting the astronomical calculations in confirming or negating the month of Ramadan, while they are using the same calculations in acts of worship that are far more important in significance as well as frequency, such as the daily prayers. The classical jurists were correct in their stance of being against these calculations during their times. The science in their times had not reached the levels of authenticity and certainty that we presently enjoy. They could have not based important acts of worship such as the fasting of the month of Ramadan upon the calculations which were not hundred percent precise. Are we going to drag their opposition to the calculations to the times where the reason for which they adopted such a view is no longer existent? The cause and effect always go hand in hand. If the cause is no longer present, then effect must cease to exist.<sup>375</sup>

## Arguments of the Group that Permits Use of Calculations

This group of scholars who argue that calculations are a definitive way of knowing the movements of celestial bodies and are more accurate than just sighting the Moon with naked eyes. Neither the Qur'an nor the Sunnah ban use of calculations in the matters of *Din*, as elaborated above. The Qur'an clearly states that the Sun and Moon have precisely calculated orbits and they follow them meticulously to the seconds. "The sun and the moon follow courses (exactly) computed" (55:5) الشمس والقمر بحسبان

### Moon: The Divine Source of Precise Calculations

The Qur'an states:

والقمر قدرناه منازل حتى عاد كالعرجون القديم(39) لا الشمس ينبغي لها أن تدرك القمر ولا الليل سابق النهار وكل في فلك يسبحون

"And the Moon, We have measured for it mansions (to traverse) till it returns like the old (and withered) lower part of a date-stalk. It is not permitted to the Sun to catch up the Moon, nor can the Night outstrip the Day: each (just) swims along in (its own) orbit (according to law)." (36:39-40)

The Qur'an also explains that Allah SWT created specified orbits for the Sun and Moon so that human beings can know the number of years and the calculations.

هو الذي جعل الشمس ضياء والقمر نورا وقدره منازل لتعلموا عدد السنين والحساب

"It is He Who made the sun to be a shining glory and the moon to be a light (of beauty), and measured out stages for it; that ye might know the number of years and the count (of time)." (10:5) The theme that "ye may know the number of the years and the calculations" occurs also in 17:12.

<sup>375</sup> Al-Zarqa, Fatawa, 157-159



They also argue that actual Moon sighting was prescribed by the Prophet (PBUH) to confirm the month of Ramadan as it was the only available method to attain certainty. Sighting the new Moon is not *Ibadah* in itself. It is a mean to achieve the goal of certainty, as was elaborated above. Now, if the goal of certainty could be achieved through a different and more accurate method, then, following such a method will be as Islamic as sighting the Moon with the naked eyes. They believe that the astronomical calculations are currently more precise than the sighting method. Therefore, the Islamic months should be confirmed by the calculations and not by the actual sighting.

The group permitting use of astronomical calculations quotes the following Prophetic narrations to prove their point:

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عَبْدِ الْمَجِيدِ ، ثنا مالكٌ عن نافعٍ ، عن ابن عمرٍ ، ، أن رسولَ الله صلى الله عليه وسلم ذَكَرَ رمضانَ فقال: «لا تصوموا حتى تروا الهلالَ ولا تفتروا حتى تروهُ، فإن غمَّ عليكم فأقدروا له».<sup>376</sup>

“The Prophet (PBUH) mentioned Ramadan and said, ”Do not fast until you see the Moon and do not break fast until you see it. If it is cloudy then estimate it.”

حَدَّثَنَا سليمانُ بنُ حربٍ ، ثنا حمادُ بنُ زيدٍ ، عن أيوبَ عن نافعٍ ، عن ابن عمرٍ ، قال: قال رسولُ الله صلى الله عليه وسلم: «إنما الشهرُ تسعٌ وعشرونَ فلا تصوموا حتى تروهُ ولا تفتروا حتى تروهُ، فإن غمَّ عليكم فأقدروا له»<sup>377</sup>

“The month (sometimes) is consisting of 29 days. Therefore do not fast until you see it and do not break the fast until you see it. Calculate it if it is cloudy.”

حَدَّثَنَا إسماعيلُ بنُ جعفرٍ ، قال: وأخبرني عبدُ الله بنُ دينارٍ أنه سمعَ ابنَ عمرَ قال: قال رسولُ الله : «لا تصوموا حتى تروا الهلالَ ولا تفتروا حتى تروهُ إلا أن يُغمَّ عليكم فإن غمَّ عليكم فأقدروا له».<sup>378</sup>

“Do not fast until you see it and do not break the fast until you see it except that if it was cloudy. Calculate about it if it is cloudy.”

### **The Three Accepted Interpretations of the Hadith:**

Imam Al-Nawawi states that the jurists have given the following three interpretations of these Prophetic narrations:

وَاخْتَلَفَ الْعُلَمَاءُ فِي مَعْنَى قَوْلِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : { فَإِنْ غَمَّ عَلَيْكُمْ فَأَقْدُرُوا لَهُ } فَقَالَ أَحْمَدُ بْنُ حَنْبَلٍ وَطَائِفَةٌ قَلِيلَةٌ : مَعْنَاهُ ضَيَّقُوا لَهُ وَقَدَّرُوهُ تَحْتَ السَّحَابِ ، وَأَوْجِبَ هَوْلَاءُ صِيَامَ لَيْلَةِ الْغَيْمِ

Imam Ahmad interprets the Hadith as a command to start the month of Ramadan on the 29<sup>th</sup> in case it is cloudy, as was discussed above.

وَقَالَ مُطَرِّفُ بْنُ عَبْدِ اللَّهِ وَأَبُو الْعَبَّاسِ بْنُ سُرَيْجٍ وَأَبْنُ قَتَيْبَةَ وَآخَرُونَ : مَعْنَاهُ قَدَّرُوهُ بِحِسَابِ الْمَنَازِلِ

<sup>376</sup> Al-Darimi

<sup>377</sup> Ibid

<sup>378</sup> Ibn Habban

Mutarrif bin Abdallah, Ibn Surayj and Ibn Qutaybah interpret it as demanding use of astronomical calculations when the horizon is cloudy.

وَقَالَ مَالِكٌ وَأَبُو حَنِيْفَةَ وَالشَّافِعِيُّ وَجُمْهُورُ السَّلَفِ وَالْخَلْفِ : مَعْنَاهُ قَدَرُوا لَهُ تَمَامَ الْعَدَدِ ثَلَاثِينَ يَوْمًا<sup>379</sup>

Malik, Abu Hanifah, Shafa'ee and the Jamhur say that one should complete 30 days and then fast. That is, in their opinion, the meanings of estimation mentioned in the Hadith.

The authors of Fiqhi Encyclopedia explain that:

تَضَمَّنَ هَذَا الرَّأْيُ الْقَوْلَ بِتَقْدِيرِ الْهَيْلَالِ بِالْحِسَابِ الْفَلَكَيِّ وَنُسِبَ إِلَى مُطَرِّفِ بْنِ عَبْدِ اللَّهِ بْنِ الشَّخْبَرِ مِنَ التَّابِعِينَ وَأَبِي الْعَبَّاسِ بْنِ سَرِيْحٍ مِنَ الشَّافِعِيَّةِ وَابْنِ قَتَيْبَةَ مِنَ الْمُحَدِّثِينَ . وَقَالَ ابْنُ عَبْدِ الْبَرِّ : لَا يَصِحُّ عَنْ مُطَرِّفٍ , وَنَفَى نِسْبَةَ مَا عَرَفَ عَنْ ابْنِ سَرِيْحٍ إِلَى الشَّافِعِيِّ لِأَنَّ الْمَعْرُوفَ عَنْهُ مَا عَلَيْهِ الْجُمْهُورُ . وَنَقَلَ ابْنُ رُشْدٍ عَنْ مُطَرِّفٍ قَوْلَهُ : " يُعْتَبَرُ الْهَيْلَالُ إِذَا غَمَّ بِالنُّجُومِ وَمَنَازِلِ الْقَمَرِ وَطَرِيقِ الْحِسَابِ , قَالَ : وَرَوَى مِثْلَ ذَلِكَ عَنْ الشَّافِعِيِّ فِي رِوَايَةٍ , وَالْمَعْرُوفُ لَهُ الْمَشْهُورُ عَنْهُ أَنَّهُ لَا يُصَامُ إِلَّا بِرُؤْيَا فَاشِيَّةٍ أَوْ شَهَادَةِ عَادِلَةٍ كَالَّذِي عَلَيْهِ الْجُمْهُورُ<sup>380</sup>

“This opinion holds astronomical calculations as genuine method of estimating the stages of Moon. It has been attributed to Mutirraf bin Abdullah bin al-Shikhi'r from the successors, Abu al-Abbas bin Sarij from Shafa'ee school and Ibn Qutaybah from the Hadith scholars. Ibn Abd al-Birr denied that Mutarrif espoused such a view. He also rejected what Ibn Sarij had attributed to Shafa'ee because it had been known that he (Shafa'ee) maintained the majority (Jamhur) opinion. Ibn Rushd has narrated the statement of Mutarrif that astronomical calculations can determine the new Moon in case of obscurities. He has also narrated that such a view is attributed to Shafa'ee in one of the reports. The known opinion from Shafa'ee is that fasting cannot be observed except through actual Moon sighting or through witness of a trustworthy Muslim, as the majority of jurists contend.”

Al-Nawawi also tells us that, linguistically, the word used in the Hadith means estimation or calculations.

قَالَ أَهْلُ النُّعَةِ : يُقَالُ قَدَرْتُ الشَّيْءَ - بِتَخْفِيفِ الدَّالِّ - أَقْدَرُهُ وَأَقْدَرُهُ بِضَمِّهَا وَكَسْرُهَا وَقَدَّرْتُهُ بِتَشْدِيدِهَا , وَأَقْدَرْتُهُ بِمَعْنَى وَاحِدٍ وَهُوَ مِنَ التَّقْدِيرِ . قَالَ الْخَطَّابِيُّ وَغَيْرُهُ : وَمِنْهُ قَوْلُهُ تَعَالَى { فَقَدَرْنَا فَنِعْمَ الْقَادِرُونَ }<sup>381</sup>

Linguistically and contextually the word in the above mentioned Hadith leads to the meaning of التَّقْدِيرِ, as Abu Sulayman Ahmad bin Muhammad bin Ibrahim al-Khattabi (d 388 AH) prefers, i.e., gives a sense of counting and calculation in case of cloudy weather or lack of visibility. That is why scholars like al-Khattabi, al-Dawu'di and many others take it to mean that if it happens to be cloudy on 29<sup>th</sup> of Sha'aban, then going with the authentic astronomical calculations is not only permitted but required by the Sunnah.

Al-Baji reports that Abu Abdallah Muhammad bin Sa'eed al-Dawudi al-Zahiri had leaned such a meaning of the Hadith.

<sup>379</sup> Al-Nawawi, al-Majmu'a, Ibid

<sup>380</sup> Al-Mosua'at al-Fiqhiyyah, Ibid, Vol: 22, P: 32

<sup>381</sup> Al-Majmu'a, Vol: 6, P: 276

وَذَكَرَ الدَّوْدِيُّ أَنَّهُ قِيلَ فِي مَعْنَى قَوْلِهِ فَاقْدُرُوا لَهُ أَيَّ قَدَرُوا الْمَنَازِلَ<sup>382</sup>

Ibn Daqiq al-A'id reports that some Maliki scholars from Baghdad and some leading authorities from Shafa'ee school have adopted this position, especially in regards to the astronomer himself. The astronomer is required to start fasting on the day his calculations determine it to be the first day of Ramadan.

وَعَنْ بَعْضِ الْمُتَقَدِّمِينَ : أَنَّهُ رَأَى الْعَمَلَ بِهِ . وَرَكَنَ إِلَيْهِ بَعْضُ الْبَغْدَادِيِّينَ مِنَ الْمَالِكِيَّةِ . وَقَالَ بِهِ بَعْضُ أَكْبَارِ الشَّافِعِيَّةِ  
بِالنَّسْبَةِ إِلَى صَاحِبِ الْحِسَابِ<sup>383</sup>

Ibn Daqiq al-'Aid has reported Imam Mutirraf Ibn al-Shikhi'r as maintaining that the astronomer must follow his calculations in confirming the month of Ramadan. Abu al-Abbas Ibn Suraij, the renowned Shafa'ee scholar of the third century (AH), has taken the position that "calculate" is an address to the people who possess the knowledge of calculation, while "sighting" is a method for the common Muslims.

وَعَنْ مُطَرِّفٍ أَيْضًا أَنَّ الْعَارِفَ بِالْحِسَابِ يَعْمَلُ بِهِ فِي نَفْسِهِ . أَمَّا ابْنُ سُرَيْجٍ فَاعْتَبَرَ قَوْلَهُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : {  
فَاقْدُرُوا لَهُ } : خِطَابًا لِمَنْ خَصَّهُ اللَّهُ تَعَالَى بِعِلْمِ الْحِسَابِ.<sup>384</sup>

Imam Shihab al-Din Abi al-Abbas Ahmad bin Idris al-Qarrafi, a well known Maliki jurist, narrates that the Maliki school permits use of calculations in determining the month of Ramadan.

وَذَكَرَ الْقَرَّافِيُّ قَوْلًا آخَرَ لِلْمَالِكِيَّةِ بِجَوَازِ اعْتِمَادِ الْحِسَابِ فِي إِثْبَاتِ الْأَهْلِيَّةِ .<sup>385</sup>

### The Hadith of Dajja'l:

Although the above discussed interpretation of the Hadith to "estimation" is at odd with the classical majority opinion, it is in line with the linguistic meanings of the word "فَاقْدُرُوا لَهُ". The same phrase is used in the famous Hadith of Dajja'l in which the Prophet (PBUH) informed the Companions that at the time of Dajjal, the real time would seem to be extending so tremendously that a day, during that period, will be equal to a year, to a month or even to a week. The Companions asked how to perform the five daily prayers then. In response, the Prophet (PBUH) replied, "فَاقْدُرُوا لَهُ", meaning do calculation for it." There is no way to interpret the phrase as 29 or 30 days or completion. It definitely means estimations. The Hadith is as follows:

حَدَّثَنَا صَفْوَانُ بْنُ صَالِحِ الدَّمَشَقِيِّ المُوَدَّنِ أَخْبَرَنَا الوليدُ أَخْبَرَنَا ابنُ جَابِرٍ حَدَّثَنِي يَحْيَى بْنُ جَابِرِ الطَّائِيِّ عَنْ عَبْدِ الرَّحْمَنِ بْنِ جُبَيْرِ بْنِ نُفَيْرٍ عَنْ أَبِيهِ عَنِ النَّوَّاسِ بْنِ سَمْعَانَ الْكَلَابِيِّ ، قَالَ : «ذَكَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الدَّجَالَ فَقَالَ : إِنَّ يَخْرُجُ وَأَنَا فِيكُمْ حَجِيبُهُ دُونَكُمْ وَإِنَّ يَخْرُجُ وَلَسْتُ فِيكُمْ فَاْمُرُوا حَجِيبَ نَفْسِهِ، وَاللَّهُ خَلِيقَتِي عَلَى كُلِّ مُسْلِمٍ، فَمَنْ أَدْرَكَهُ مِنْكُمْ فَلْيَقْرَأْ عَلَيْهِ بِقَوَاتِحِ سُورَةِ الْكَهْفِ فَإِنَّهَا جَوَارِكُمْ مِنْ فِتْنَتِهِ. قُلْنَا : وَمَا لَيْتُهُ فِي الْأَرْضِ. قَالَ :

<sup>382</sup> Al-Baji, Ibid, Vol: 2, P: 38

<sup>383</sup> Ibn Daqiq, Ibid, Vol: 2, P: 8

<sup>384</sup> Ibid, P: 32

<sup>385</sup> Ibid, P: 33

أَرْبَعُونَ يَوْماً، يَوْمٌ كَسَنَةِ، وَيَوْمٌ كَشْهَرٍ، وَيَوْمٌ كَجُمُعَةٍ، وَسَائِرُ أَيَّامِهِ كَأَيَّامِكُمْ. فَقُلْنَا: يَا رَسُولَ اللَّهِ هَذَا الْيَوْمَ الَّذِي كَسَنَةِ  
أَتَكْفِينَا فِيهِ صَلَاةَ يَوْمٍ وَلَيْلَةٍ؟ قَالَ: لَا، أَقْدَرُوا لَهُ قَدْرَهُ،<sup>386</sup>

“An-Nawwas ibn Sam`an narrated: The Prophet (peace and blessings be upon him) mentioned the Dajjal and said: "If he comes forth while I am among you, I shall contend with him on your behalf; but if he comes forth while I am not among you, a man must contend on his own behalf, and Allah will take care of every Muslim on my behalf (and safeguard him against his evil). He who among you will survive to see him should recite over him the opening verses of Surat Al-Kahf, for that will protect him from his trial." We said, "(O Prophet of Allah), how long will he stay on earth?" He said, "For forty days; one day like a year, one day like a month, one day like a week, and the rest of the days will be like your days." We said, "O Prophet of Allah, will one day's prayer suffice for the prayers of the day equal to one year?" Thereupon he said, "No, but you must make an estimate of the time (and then observe prayer)." (Abu Dawud, #4317)

«ذَكَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الدَّجَالَ ذَاتَ غَدَاةٍ، فَخَفِضَ فِيهِ وَرَفَعَ، حَتَّى ظَنَّاهُ فِي طَائِفَةِ النَّخْلِ، فَلَمَّا رَحْنَا إِلَيْهِ عَرَفَ ذَلِكَ فِي وَجْهِهِ، فَسَأَلْنَاهُ، فَقُلْنَا: يَا رَسُولَ اللَّهِ ذَكَرْتَ الدَّجَالَ الْغَدَاةَ فَخَفِضْتَ فِيهِ وَرَفَعْتَ حَتَّى ظَنَّاهُ فِي طَائِفَةِ النَّخْلِ؟ قَالَ: غَيْرُ الدَّجَالَ أَخُوفَ مِنِّي عَلَيْكُمْ، فَإِنْ يَخْرُجُ وَأَنَا فِيكُمْ فَأَنَا حَجِيجُهُ دُونَكُمْ، وَإِنْ يَخْرُجُ وَلَسْتُ فِيكُمْ فَاْمَرُوا حَجِيجَ نَفْسِهِ، وَاللَّهُ خَلِيفَتِي عَلَى كُلِّ مُسْلِمٍ، إِنَّهُ شَابٌ جَعْدٌ، قَطَطٌ، عَيْنُهُ طَافِيَةٌ، وَأَنَّهُ يَخْرُجُ خَلَّةً بَيْنَ الشَّامِ وَالْعِرَاقِ، فَعَاثَ يَمِينًا وَشَمَالًا، يَا عِبَادَ اللَّهِ اثْبِتُوا، قُلْنَا: يَا رَسُولَ اللَّهِ مَا لَبِثَهُ فِي الْأَرْضِ؟ قَالَ: أَرْبَعِينَ يَوْماً، يَوْمٌ كَسَنَةٍ وَيَوْمٌ كَشْهَرٍ وَيَوْمٌ كَجُمُعَةٍ وَسَائِرُ أَيَّامِهِ كَأَيَّامِكُمْ، قُلْنَا: يَا رَسُولَ اللَّهِ فَذَلِكَ الْيَوْمَ الَّذِي هُوَ كَسَنَةٌ أَيْكْفِينَا فِيهِ صَلَاةَ يَوْمٍ وَلَيْلَةٍ؟ قَالَ: لَا، أَقْدَرُوا لَهُ قَدْرَهُ،<sup>387</sup>

“An-Nawwas ibn Sam'an narrated: The Prophet (peace and blessings be upon him) made a mention of the Dajjal one day in the morning. He sometimes described him to be insignificant and sometimes described (his turmoil) as very significant (and we felt) as if he were in the cluster of the date palm trees. When we went to him (to the Prophet) in the evening and he read (the signs of fear) on our faces, he said, "What is the matter with you?" We said, "O Prophet of Allah, you mentioned the Dajjal this morning (sometimes describing him) to be insignificant and sometimes very important until we began to think as if he were present in some (near) part of the cluster of the date palm trees." Thereupon he said, "I harbor fear in regard to you in so many other things besides the Dajjal. If he comes forth while I am among you, I shall contend with him on your behalf, but if he comes forth while I am not among you, a man must contend on his own behalf and Allah would take care of every Muslim on my behalf (and safeguard him against his turmoil). He (the Dajjal) will be a young man with twisted, cropped hair, and a blind eye. He will appear on the way between Syria and Iraq and will spread mischief right and left. O servant of Allah! Adhere (to the path of Truth)." We said, "O Prophet of Allah, how long will he stay on earth?" He said, "For forty days; one day like a year and one day like a month and one day like a week and the rest of the days would be like your days." We said, "O Prophet of

<sup>386</sup> Abu Dawud, Hadith # 4317

<sup>387</sup> Musnad Ahmad, Hadith # 17300

Allah, would one day's prayer suffice for the prayers of day equal to one year?" Thereupon he said, "No, but you must make an estimate of time (and then observe prayer)." (Musnad Ahmad, #17300)

### The "Estimation" Interpretation of the Hadith is More Accurate:

In view of these Prophetic reports, the interpretation of "أقدروا له" as calculating the month or the stages of the Moon is perhaps more appropriate than the other two interpretations. That is why some known authorities in the three schools of Fiqh have no problem in accepting the astronomical calculations for this matter.

There is a single report from Hammaad that Ibn Umar narrated from the Prophet (PBUH):

حدثنا سليمان بن داود العتكي أخبرنا حماد أخبرنا أيوب عن نافع عن ابن عمر ، قال قال رسول الله صلى الله عليه وسلم: «الشهر تسع وعشرون فلا تصوموا حتى ترووه ولا تفطروا حتى ترووه. فإن عمم عليكم فاقدرُوا له ثلاثين.

This narration from Hammaad (as discussed above also) is the only report which brings the phrase "estimate for it 30 days" instead of "estimate it." It is an oddly detached report. It has come through only one narrator and cannot be accepted against such a variety of reports from Ibn Umar through Nafi'a, the golden chain, as the scholars of Hadith name it. Ibn Qudamah observes that:

ورواية ابن عمر: " فاقدرُوا له ثلاثين " مخالفة للرواية الصحيحة المتفق عليها , ولمذهب ابن عمر ورأيه<sup>388</sup>

"The report from Ibn Umar that "count it thirty" opposes the other agreed upon authentic narration from him. It also goes against Ibn Umar's opinion and his Madhhab."

Imam Taj al-Din al-Subki, a known Shafa'ee scholar, has discussed this issue of calculations in great details. He categorically rejects even the trustworthy witnesses if the authentic astronomical calculations negate possibility of sighting the moon. He emphatically argues:

وهنا صورة أخرى وهو أن يدل الحساب على عدم إمكان رؤيته ويدرك ذلك بمقدمات طبيعية ويكون في غاية القرب من الشمس ففي هذه الحالة لا يمكن فرض رؤيتها له حساً لأنه يستحيل فلو أخبرنا به مخبر واحد أو أكثر ممن يحتمل خبره الكذب أو الغلط فالذي يتجبه بقبول هذا الخبر وحمله على الكذب أو الغلط ولو شهد به شاهدان لم تقبل شهادتهما لأن الحساب قطعي والشهادة والخبر ظنيان والظن لا يعارض القطع فضلاً عن أن يقدم عليه والبيئة شرطها أن يكون ما شهدت به ممكناً حساً وعقلاً وشرعاً فإذا فرض دلالة الحساب قطعاً على عدم الإمكان استحالة القبول شرعاً لاستحالة المشهود به والشرع لا يأتي بالمستحيلات<sup>389</sup>

"There is another scenario and that is if the astronomical calculations prove impossibility of sightability and this is known through categorical inferences such as the Moon being too close to Sun at the time of Sunset, in this case it is not possible to see it with our human senses because such a sighting is impossible. Now if one person or two or a group of untrustworthy individuals come up with the witness that they had sighted it, their

<sup>388</sup> Al-Mughni, 3, 7

<sup>389</sup> Al-Subki, Ibid, Vol: 1, P: 209

witness must be rejected. Because the astronomical calculations are precise and the human witness and news is hypothetical and the hypothetical cannot be accepted against something categorical rest aside given priority over it. For a witness to be accepted it is required that what is being witnessed about is possible Islamically (legally), logically and sensually. Therefore, if the astronomical calculations prove impossibility of sight ability it would be impossible to accept any claim of that Islamically because what is being witnessed is not there and Islamic Shari'ah does not come up with something self-contradictory and impossible in itself.”

His main argument is that the astronomical calculations are precisely accurate, while there are possibilities of confusion, mix up or mistake in the matters of sighting with human eyes. Therefore, the *Shari'ah* would not prefer a probable method over a certain and accurate method.

He further argues that the *Shari'ah* did not require us to accept the news of human sighting without verification. We cannot base our acts of fasting solely on the claims of the witnesses. The *Shari'ah* did not ask for that. Verification of the news is a must. How many times have we seen people giving false witnesses un-intentionally and intentionally, due to some hidden motives. He states:

وَلَمْ يَأْتِ لَنَا نَصٌّ مِنَ الشَّرْعِ أَنَّ كُلَّ شَاهِدَيْنِ تُقْبَلُ شَهَادَتُهُمَا سِوَاءَ كَانَ الْمَشْهُودُ بِهِ صَحِيحًا أَوْ بَاطِلًا وَلَا يَتَرْتَّبُ  
وَجُوبُ الصَّوْمِ وَأَحْكَامُ الشَّهْرِ عَلَى مُجَرَّدِ الْخَبَرِ أَوْ الشَّهَادَةِ حَتَّىٰ إِنَّا نَقُولُ : الْعُمْدَةُ قَوْلُ الشَّرْعِ صَوْمُوا إِذَا أَخْبَرَكُمْ  
مُخْبِرٌ فَإِنَّهُ لَوْ وَرَدَ ذَلِكَ قَبْلَنَا عَلَى الرَّأْسِ وَالْعَيْنِ لَكِنَّ ذَلِكَ لَمْ يَأْتِ قَطُّ فِي الشَّرْعِ بَلْ وَجِبَ عَلَيْنَا التَّيَيُّنُ فِي قَبُولِ الْخَبَرِ  
حَتَّىٰ نَعْلَمَ حَقِيقَتَهُ أَوْ لَا وَكَأَنَّكَ أَنْ بَعْضُ مَنْ يَشْهَدُ بِالْهَلَالِ قَدْ لَمْ يَرَاهُ وَيُسْتَنْبَهُ عَلَيْهِ أَوْ يَرَىٰ مَا يَظُنُّهُ هَلَالًا وَلَيْسَ بِهِ هَلَالٌ  
أَوْ تُرِيهِ عَيْنُهُ مَا لَمْ يَرَ أَوْ يُؤَدِّي الشَّهَادَةَ بَعْدَ أَيَّامٍ وَيَحْصُلُ الْغَلَطُ فِي اللَّيْلَةِ الَّتِي رَأَىٰ فِيهَا أَوْ يَكُونُ جَهْلُهُ عَظِيمًا  
يَحْمِلُهُ عَلَىٰ أَنْ يَعْتَقِدَ فِي حَمْلِهِ النَّاسَ عَلَى الصِّيَامِ أَجْرًا أَوْ يَكُونُ مِمَّنْ يَقْصِدُ إِثْبَاتَ عَدَالَتِهِ فَيَتَّخِذُ ذَلِكَ وَسِيلَةً إِلَىٰ أَنْ  
يُزَكَّىٰ وَيَصِيرَ مَقْبُولًا عِنْدَ الْحُكَّامِ , وَكُلُّ هَذِهِ الْأَنْوَاعِ فَذَرَيْنَاهَا وَسَمِعْنَاهَا<sup>390</sup>

He advises the authorities to take the astronomical calculations into considerations, especially in negating the witnesses who claim sighting the Moon when the astronomical calculations prove otherwise. He also advises not to give too much attention to the views that prohibit use of calculations in the matters of Din. According to al-Subki, the *Sharia'h* has not forbidden calculations at all.

فَيَجِبُ عَلَى الْحَاكِمِ إِذَا جَرَّبَ مِثْلَ ذَلِكَ وَعَرَفَ مِنْ نَفْسِهِ أَوْ بَخْبَرٍ مَنْ يَتَّقَىٰ بِهِ أَنَّ دَلَالَةَ الْحِسَابِ عَلَى عَدَمِ امْكَانِ الرُّؤْيَا  
أَنْ لَا يَقْبَلَ هَذِهِ الشَّهَادَةَ وَلَا يُثَبِّتَ بِهَا وَلَا يَحْكُمَ بِهَا , وَيُسْتَنْصَبُ النَّاصِلُ فِي بَقَاءِ الشَّهْرِ فَإِنَّهُ دَلِيلٌ شَرْعِيٌّ مُحَقَّقٌ حَتَّىٰ  
يَتَّحَقَّقَ خِلَافَهُ , وَلَا نَقُولُ الشَّرْعُ أَلْعَىٰ قَوْلَ الْحِسَابِ مُطْلَقًا<sup>391</sup>

“It is obligatory upon the ruler not to accept the witness of such people if he knows by himself or through a trustworthy person that the calculations prove impossibility of actual sighting. He should neither accept such a witness nor give any ruling based upon such a claim. The month should be considered continuing until the otherwise is proven, as the *Shari'ah* requires. And we do not say that the *Shari'ah* has abolished use of astronomical calculations at all.”

<sup>390</sup> Ibid

<sup>391</sup> Ibid, P: 209

Al-Subki is careful enough to differentiate between the categorically precise calculations and the ones based upon anticipation or probability. He asks the judges to use their sense of judgment when the calculations are probable.

وَمَرَاتِبُ مَا يَقُولُهُ الْحِسَابُ فِي ذَلِكَ مُتَفَاوِتَةٌ مِنْهَا مَا يَقْطَعُونَ بِعَدَمِ امْكَانِ الرَّؤْيَةِ فِيهِ فَهَذَا لَا رَبِّبَ عِنْدَنَا فِي رَدِّ الشَّهَادَةِ بِهِ وَمِنْهَا مَا لَا يَقْطَعُونَ فِيهِ بِعَدَمِ الْإِمْكَانِ وَلَكِنْ يَسْتَعِدُّونَ فَهَذَا مَحَلُّ النَّظَرِ فِي حَالِ الشُّهُودِ وَحَدَّةِ بَصَرِهِمْ وَيَرَى أَنَّهُمْ مِنْ أَحْتِمَالِ الْغَلْطِ وَالْكَذِبِ يَتَفَاوِتُ ذَلِكَ تَفَاوُتًا كَبِيرًا وَمَرَاتِبَ كَثِيرَةً فَلِهَذَا يَجِبُ عَلَى الْقَاضِي الْجَاهِدُ وَسَعِ الطَّاقَةَ<sup>392</sup>

“There are many types of calculations. We have no doubt in our mind that the human witness cannot be accepted against accurately precise calculations. But when the calculations are not certain but probable, then weight should be given to the human witness and his capability of sighting such as strength of vision etc.... In such a case the judge must use his judgment to the best of his ability.”

He concludes that calculations are more certain than the human eyes and that probability of mistake is greater in the second case in contrast to the first case, i.e., calculations.

إِذَا شَهِدَ عِنْدَنَا اثْنَانِ أَوْ أَكْثَرُ مِمَّنْ يَجُوزُ كَذِبُهُمَا أَوْ غَلْطُهُمَا بِرُؤْيَةِ الْهَيْلَالِ وَقَدْ دَلَّ حِسَابُ تَسْيِيرِ مَنَازِلِ الْقَمَرِ عَلَى عَدَمِ امْكَانِ رُؤْيَتِهِ فِي ذَلِكَ الَّذِي قَالَا : إِنَّهُمَا رَأَيَاهُ فِيهِ ثَرَدٌ شَهَادَتُهُمَا لِأَنَّ الْإِمْكَانَ شَرْطٌ فِي الْمَشْهُورِ بِهِ وَتَجْوِيزُ الْكَذِبِ وَالْغَلْطِ عَلَى الشَّاهِدَيْنِ الْمَذْكُورَيْنِ أَوْلَى مِنْ تَجْوِيزِ انْخِرَامِ الْعَادَةِ فَالْمُسْتَحِيلُ الْعَادِيُّ وَالْمُسْتَحِيلُ الْعَقْلِيُّ لَا يُفْعَلُ الْبَاقِرُ بِهِ وَلَا الشَّهَادَةُ فَكَذَلِكَ الْمُسْتَحِيلُ الْعَادِيُّ<sup>393</sup>

Al-Subki knew that this issue had not been discussed in such details in his *Madhhab* or before his times. At the same token, he felt comfortable in forcefully expressing his conclusions based upon his deep understanding of the issue at hand.

وَلَمْ نَجِدْ هَذِهِ الْمَسْأَلَةَ مَثْقُولَةً لَكِنَّا تَفَقَّهْنَا فِيهَا وَهِيَ عِنْدَنَا مِنْ مَحَالِّ الْقَطْعِ مُتَرْقِيَةً عَنْ مَرْتَبَةِ الظُّنُونِ<sup>394</sup>

Al-Subki seems to be quite ahead of his times and seems to have generated a heated debate on the issue of calculations with some scholarly individuals. He is considered a *Mujtahid of his Madhhab*. He interestingly concludes the discussion with the following comments:

قَدْ يَحْصُلُ لِبَعْضِ الْأَعْمَارِ وَالْجُهَالِ تَوَقُّفٌ فِيمَا قُلْنَا وَبِئْسَ تَكْرُرُ الرَّجُوعِ إِلَى الْحِسَابِ جُمْلَةً وَتَفْصِيلًا وَيَجْمُدُ عَلَى أَنْ كُلَّ مَا شَهِدَ بِهِ شَاهِدَانِ يَثْبُتُ , وَمَنْ كَانَ كَذَلِكَ لَا خِطَابَ مَعَهُ وَنَحْنُ إِنَّمَا نَتَكَلَّمُ مَعَ مَنْ لَهُ أَدْنَى تَبَصُّرٍ وَالْجَاهِلُ لَا كَلَامَ مَعَهُ<sup>395</sup>

“Some recklessly ignorant may have hesitation in accepting what we have said. He might see it abhorrent to resort to calculations in its entirety or partially and may be stuck with the idea that whatever is witnessed by two people is proven. No conversation can take

<sup>392</sup> Ibid, 210-211

<sup>393</sup> Ibid, 210

<sup>394</sup> Ibid, 211

<sup>395</sup> Ibid, 217

place with such a rigid person. We are talking to the ones who at least enjoy the basic logic. We cannot talk to the ignorant ones.”

Dr. Yusuf al-Qardawi ponders what would have been the opinion of Imam al-Subki regarding astronomical calculations and their authenticity in the matters of even Ibadat, had he seen the scientific revolutions of our times.

فكيف لو عاش السبكي إلى عصرنا هذا ورأى من تقدم علم الفلك ... كما أشرنا إلى بعضه<sup>396</sup>

Other scholars such al-A'bbadi and Ibn Daqiq are also reported to have agreed with al-Subki on this issue. Al-Ansari, Zakariyya bin Muhammad reports:

لكن نقل القليوبي على الجلال عن العبادي أنه قال إذا دل الحساب القطعي على عدم رؤيته لم يقبل قول الشهود العدول برؤيته وترد شهادتهم بها ولا يجوز الصوم حينئذ ومخالفة ذلك معاندة ومكابرة<sup>397</sup>

“Al-Abbadi said that the witness of even trustworthy would not be accepted if the accurate astronomical calculations refute possibility of sight ability. Their witnesses must be rejected due to the calculations and fasting would not be allowed in such a case. Opposing this would be nothing short of stubbornness and haughtiness.”

Al-Qalyubi narrates:

بل قال العلامة العبادي : إنه إذا دل الحساب القطعي على عدم رؤيته لم يقبل قول العدل لرؤيته , وترد شهادتهم بها انتهى . وهو ظاهر جلي ولا يجوز الصوم حينئذ ومخالفة ذلك معاندة ومكابرة<sup>398</sup>

Ibn Hajar al-A'sqalani reports that Ibn Daqiq al-Eid said that if the astronomical calculations established the fact that the Moon is there and can be sighted but the cloudy weather came between it and sighting it, in this case the fasting will become obligatory. This constitutes a valid Islamic reason to follow the calculations.

وأما إذا دل الحساب على أن الهلال قد طلع على وجه يرى , لكن وجد مانع من رؤيته كالغيمة , فهذا يقتضي الوجوب لوجود السبب الشرعي<sup>399</sup>

Ibn Daqiq himself argues the same in the following words:

وأما إذا دل الحساب على أن الهلال قد طلع من الأفق على وجه يرى , لو لم يوجد المانع - كالغيمة مثلا فهذا يقتضي الوجوب , لوجود السبب الشرعي . وليس حقيقة الرؤية بشرط من اللزوم ; لأن الاتفاق على أن المحبوس في المظمورة إذا علم بإكمال العدة , أو بالاجتهاد بالأمارات : أن اليوم من رمضان , وجب عليه الصوم وإن لم ير الهلال . ولا أخبره من رآه .<sup>400</sup>

<sup>396</sup> Al-Qardawi, Yusuf, Fatawa Mua'sarah, Dar al-Qalam, Vol: 2, 222

<sup>397</sup> Al-Ansari, Zakariyya bin Muhammad, al-Ghurar al-Bahiyah fi Sharh al-Bahjah al-Wardiyyah, Maktabah al-Maimaniyyah, Vol: 2, P: 205

<sup>398</sup> Al-Qalyubi, Ahmad Salamah and Umairah, Ahmad al-Barlasi, Hashiyata Qalyubi wa Umairah, Dar

Ihy'a al-Kutub al-A'rabiyyah, Vol: 2, P: 208

<sup>399</sup> Al-Talkhis, Vol: 2, P: 360

<sup>400</sup> Ahkam , Vol: 2, P: 8



“If the calculations show that the new Moon is born and can be seen over the horizon but could not be seen due to obscurities such as clouds then this makes it obligatory to fast. This constitutes an Islamic reason to confirm the month (with calculations). And the actual sighting is not a pre requisite to the fasting. There is agreement (among the Jurists) that if someone was imprisoned in the basement and knew, either through completing 30 days or through diligence or estimation by following the signs, that the month of Ramadan has started, then he is required to start fasting even if he has neither sighted the Moon by himself nor was informed by the one who actually sighted it.”

Even some of the Hanafi scholars, such as Muhammad bin Muqatil and others, not only espoused the same views but they actually used to consult astronomers and accept their calculations regarding the lunar months.

قَالَ بَعْضُ أَصْحَابِنَا رَحِمَهُمُ اللَّهُ لَا بَأْسَ بِالِاعْتِمَادِ عَلَى قَوْلِ الْمُنْجِمِينَ وَعَنْ مُحَمَّدِ بْنِ مُقَاتِلٍ أَنَّهُ كَانَ يَسْأَلُهُمْ وَيَعْتَمِدُ عَلَى قَوْلِهِمْ بَعْدَ أَنْ يَتَّفِقَ عَلَى ذَلِكَ جَمَاعَةٌ مِنْهُمْ<sup>401</sup>

“Some of our scholars are of the opinion that there is nothing wrong in depending upon the astronomical calculations. Actually Muhammad bin Muqatil used to inquire astronomers about the calculations and depend upon that if the calculations were agreed upon by a group of astronomers.”

Abu al-Qasim Abd al-Karim bin Hawazan al-Qushairy (d 465 AH), the famous Hanafi Jurist and a known mystic, like Ibn Daqiq al-Eid, accepted the calculations to confirm the month of Ramadan if it was cloudy. Being cloudy was a genuine Islamic reason to accept the calculations.

وَقَالَ الْفُشَيْرِيُّ : " إِذَا دَلَّ الْحِسَابُ عَلَى أَنَّ الْهَيْلَانَ قَدْ طَعِنَ مِنَ النَّافِقِ عَلَى وَجْهِ يُرَى لَوْلَا وُجُودُ الْمَانِعِ كَالغَيْمِ مَثَلًا , فَهَذَا يَقْتَضِي الْوُجُوبَ لَوْجُودِ السَّبَبِ الشَّرْعِيِّ<sup>402</sup> .

Muhammad Amin bin Omar Ibn A'bidin narrates the difference of opinion in the Hanafi School about the calculations.

الْخِلَافُ فِي جَوَازِ الْإِعْتِمَادِ عَلَيْهِمْ , وَقَدْ حَكَى فِي الْفَتَايَا النَّافِئَةِ الْثَلَاثَةَ فَتَقَلَّ أَوْلَا عَنْ الْقَاضِي عَبْدِ الْجَبَّارِ , وَصَاحِبِ جَمْعِ الْعُلُومِ أَنَّهُ لَا بَأْسَ بِالِاعْتِمَادِ عَلَى قَوْلِهِمْ , وَتَقَلَّ عَنْ ابْنِ مُقَاتِلٍ أَنَّهُ كَانَ يَسْأَلُهُمْ وَيَعْتَمِدُ عَلَى قَوْلِهِمْ إِذَا اتَّفَقَ عَلَيْهِ جَمَاعَةٌ مِنْهُمْ<sup>403</sup> .

“There is a disagreement in regards to trusting the calculations. There are three opinions narrated in al-Qunyah. Firstly, the opinion of al-Qadi Abdul Jabbar and the author of “Jama’al-U’lum” is that there is nothing wrong in accepting the calculations. It is narrated that Ibn Muqatil used to consult the astronomers and depend upon their calculations if a group of them agreed upon it.”

<sup>401</sup> Al-Hamwi, Ibid, Vol: 2, P: 65

<sup>402</sup> Al-Mowsua' al-Fiqhiyyah, Vol: 22, P: 33

<sup>403</sup> Ibn A'bidin, Muhammad Amin bin Omar, Radd al-Mukhtar a'la al-Dur al-Mukhtar, Dar al-Kutb al-A'ilmiiyyah, Vol: 2, P: 387

It is clear from the above discussion that well versed authorities in the Shafa'ee, Maliki and Hanafi schools of thoughts have espoused the view that astronomical calculations can be used in some of the matters related to the beginning and ending of the month of Ramadan. It seems that all the above quoted jurists have supported the usage of calculations in negation rather than confirmation of the month of Ramadan. However, jurists like Ibn Daqiq al-Eid and Muhammad bin Muqatil al-Razi had allowed the use of calculations even for confirmation in the case of cloudy weather.

### **The Modern Jurists and the Astronomical Calculations:**

Things are changing drastically in the modern times. Among the contemporary scholars, *Shaikh M. Mustafa al-Maraghi, Shaikh Ali al-Tantawi, Ahmad M. Shakir, Mustafa al-Zarqa, Saraf al-Quda* and others argue that the modern science has reached to such a level of authenticity and preciseness in the matters of astronomical calculations that there is no longer a need for sighting the moon with the naked eye. The Sharia'h had required sighting at the times when the Ummah was mostly unlettered and mostly ignorant in the fields of astronomy and other sciences related to attaining the authentic calculations. Now, once we have reached to the level of certainty in such matters, we must go with the calculations in determining the Islamic months without any need to resort to actual sighting.

Shaikh Ahmad Shakir contends that the command to depend solely upon the sighting came with a condition. The condition was that the Muslim nation of that time did not know how to write or calculate. Hafiz Ibn Hajr had explained that by the following words:

والمراد أهل الإسلام الذين بحضرته عند تلك المقالة، وهو محمول على أكثرهم، أو المراد نفسه صلى الله عليه وسلم. وقيل للعرب اميون لأن الكتابة كانت فيهم عزيزة. قال الله تعالى {هو الذي بعث في الأميين رسولا منهم} ولا يرد على ذلك أنه كان فيهم من يكتب ويحسب لأن الكتابة كانت فيهم قليلة نادرة. والمراد بالحساب هنا حساب النجوم وتسييرها ولم يكونوا يعرفون من ذلك أيضاً إلا النزر اليسير، فعلق الحكم بالصوم وغيره بالرؤية لرفع الحرج عنهم في معاناة حساب التسيير<sup>404</sup>

“The reference in the Hadith is to the Muslims who were present with the Prophet (PBUH) when he uttered these words. It covers the majority among them (that they were illiterate) or it could be that the Prophet (PBUH) is referring to himself. The Arabs were called illiterate because writing skills were quite lacking among them. Allah SWT has said,” It is He Who has sent among the illiterates a messenger from among themselves.” This fact can not be refuted by the claim that among the Arabs there were individuals who could write or calculate because the writing skills were very rare among them. And the reference to calculation in the Hadith is to astronomical calculations. They did not know much about astronomical calculations except a very negligible portion of it. That is why the Prophet (PBUH) connected the ruling of fasting with actual sighting to avoid causing any hardship to them.”

<sup>404</sup> A'wn al-Ma'bud, 6, Ibid

In view of this historical fact, Ahmad Shakir argues that it is an established rule of Islamic jurisprudence that the cause and the effect go hand in hand. Now, once the Ummah has come out of illiteracy and started writing /calculating, the effect must also be modified.

لأن الأمر باعتماد الرواية وحدها جاء معللا بعلة منصوصة، وهي أن الأمة (أمية لا تكتب ولا تحسب)، والعلة تدور مع المعلول وجودا وعدما، فإذا خرجت الأمة عن أميتها، وصارت تكتب و تحسب، أعنى صارت في مجموعها ممن يعرف هذه العلوم، و أمكن الناس \_ عامتهم و خاصتهم \_ أن يصلوا إلى اليقين والقطع في حساب أول الشهر، و أمكن أن يثقوا بهذا الحساب ثقتهم بالرواية أو أقوى... و يجب أن يرجعوا إلى اليقين الثابت، و أن يأخذوا في إثبات الأهلة بالحساب وحده، و ألا يرجعوا إلى الرواية إلا حين يستعصى عليهم العلم به<sup>405</sup>.

“The Prophetic commandment asking to depend only upon the actual sighting came also with the specified reasons for doing so elaborated by the same text. The specified reason was that the Ummah of that time did not know how to write or calculate. And the cause and effect always go hand in hand. Now, when the Ummah has come out of its unlettered status and started writing and calculating, I mean that there exist a number of people among the Muslims who know these sciences, and it has become possible for all categories of Muslims to know the precise calculations about the beginning of the month, now once the Ummah can trust accuracy of the calculations just like their trust in actual sighting or even more, then it has become also obligatory that they follow the authentic calculations only and not the sighting to confirm the month of Ramadan. The only exception will be if the calculations were hard to come by.”

He further argues that the birth of the new Moon is the beginning of the new month.

وإذا وجب الرجوع إلى الحساب وحده بزوال علة منعه، وجب أيضا الرجوع إلى الحساب الحقيقي للأهلة، وإطراح إمكان الرواية و عدم إمكانها، فيكون أول الشهر الحقيقي الليلة التي يغيب فيها الهلال بعد غروب الشمس، و لو بلحظة واحدة<sup>406</sup>.

“Now once it has become obligatory to turn to the astronomical calculations only, because the reason for its prohibition is gone, then it becomes obligatory also to turn to the accurate calculations which are connected with the new months and possibility or non-possibility of sighting. Therefore the precise beginning of the new month will be the evening when the Moon will be setting after the Sunset even if a second after the Sunset.”

He claims that starting and ending the Islamic months with the astronomical calculations rather than actual sighting is the most appropriate *Fiqhi* position in our times and that is in conformity with the true spirit of the *Ahadith* narrated in this matter.

ولقد أرى قولى هذا أعدل الأقوال، وأقربها إلى الفقه السليم، و إلى الفهم الصحيح للأحاديث الواردة في هذا الباب<sup>407</sup>.

<sup>405</sup> Ahmad Shakir, *Awail al-Shu'uur al-A'rabiyah*, Maktabah Ibn Taymiyyah, see pages 7-17

<sup>406</sup> Ibid

<sup>407</sup> Ibid

Shaikh Mustafa al-Zarqa, after a detailed discussion of the issue, concludes that there is nothing in the Shari'ah rules which stops Muslims in our times from accepting the astronomical calculations. He states:

وما دام من البديهيات أن رؤية الهلال الجديد ليست في ذاتها عبادة في الإسلام، وإنما هي وسيلة لمعرفة الوقت، وكانت الوسيلة الوحيدة الممكنة في أمة أمية لا تكتب ولا تحسب، وكانت أميتها هي العلة في الأمر بالاعتماد على العين الباصرة، وذلك بنص الحديث النبوي مصدر الحكم، فما الذي يمنع شرعا أن نعتد الحساب الفلكي اليقيني، الذي يعرفنا مسبقا بموعد حلول الشهر الجديد، ولا يمكن أن يحجب علمنا حينئذ غيم ولا ضباب إلا ضباب العقول؟<sup>408</sup>

“It is an established fact that sighting the new Moon is not an act of worship in itself. It is just a means to know the timings. It was the only mean available to the unlettered nation which knew not how to write or calculate. Its unlettered status was the sole reason for dependence upon the actual sighting. This is clear from the text of the Prophetic tradition which is the original source of such a ruling. Islamically what stops us now to depend upon the accurate astronomical calculations which can determine for us quite ahead of time the beginning of the new month? No cloud or fog can obscure our knowledge of the month then except the fog or dust on the intellect.”

Dr. Yusuf al-Qaradawi, after elaborating a great deal on the subject, concludes that the Islamic religion which prescribed sighting the Moon as a valid method to confirm the month of Ramadan would definitely prefer to accept the astronomical calculations as the more valid method because there could be doubts or mistakes in human sighting but not in the accuracy of the astronomical calculations. Therefore, accepting the astronomical calculations is exactly in line with the true spirit of the Islamic Shari'ah. The Ummah can be spared of countless confusions and problems by following the calculations.

إن الأخذ بالحساب القطعي اليوم وسيلة لإثبات الشهور، يجب أن يقبل من باب "قياس الأولى" بمعنى أن السنة التي شرعت لنا الأخذ بوسيلة أدنى، لما يحيط بها من الشك والاحتمال - وهي الرؤية - لا ترفض وسيلة أعلى و أكمل و أوفى بتحقيق المقصود، و الخروج بالأمة من الاختلاف الشديد في تحديد بداية صيامها و فطرها و أضحها... وهي وسيلة الحساب القطعي<sup>409</sup>

“Currently astronomical calculations are a better mean to establish the months. It must be accepted as it is a better choice than what the Sunnah has required us. In actual sighting there is always room for doubt or probability and that is not the case with the calculations. The Sunnah would not refuse a method which is superior and more perfect to attain the desired goal than the sighting itself. Accepting calculations can bring the Ummah out of this severe controversy which takes place at the times of confirming the month of Ramadan, Eid al-Fitr and al-Adha.”

Dr. Sharaf al-Quda argues that the texts (*al-nusus*) which permit usage of calculations as a valid method of determining Islamic months do not differentiate between negation and confirmation. They are generic in nature and hence good for both negation and

<sup>408</sup> Al-Zarqa, Mustafa, al-Fatawa, Dar al-Qalam, 163-64

<sup>409</sup> Al-Qardawi, Fatawa, Vol: 2, P: 215-216

confirmation of the months. Actually, to him, the Hadith allowing such a usage does prove confirmation rather than just the negation. He contends that:

فالنصوص الشرعية لم تفرق بين النفي و الإثبات في الأخذ بالحساب والتقدير، و بخاصة حديث (فإن غم عليكم فاقدروا له) ففي الحديث أمر بالتقدير لإثبات الشهر، و ليس لنفي الشهادة، و أما علمياً فلا فرق في دقة الحساب وقطعيته بين حساب إثبات دخول الشهر، و حساب نفي دخوله. و هكذا فإن الراجح في عصرنا أن اعتماد التقدير والحساب يكون للنفي والإثبات سواء بسواء.<sup>410</sup>

“The Islamic texts did not differentiate between confirming or negating the months with the calculations. Especially the Hadith “if it is cloudy then calculate for it”, commands confirming the month with the calculations rather than the negation. Scientifically it does not matter whether we use the astronomical calculations for confirmation or negation. They are precise and accurate anyway. Therefore it is preferred in our times to equally depend upon the calculations for confirmation as well as negation of the months.”

Dr. Mustafa Abd al-Basit concludes that following the astronomical calculations was the original intent of the Islamic Shari’ah. Sighting was prescribed for the times when the Ummah did not have the capabilities to know accurately precise calculations. The rule of sighting must give way to the original rule once the Ummah has attained to the authentic knowledge of the calculations. The Islamic months must be confirmed by calculations to avoid the problems connected with the actual sighting.<sup>411</sup>

The European Fiqh Council, which is presided by Shaikh Yusuf al-Qardawi and includes internationally respected jurists and scholars, such as Shaikh Faisal Mowlai, Shaikh Abdullah bin al-Jadi’a and Shaikh Bin Bayyah, in May 2007, issued the “Fatwa” that the astronomical calculations regarding the birth of new the Moon are universally accepted by all scientists. Therefore, it constitutes a valid Islamic reason to confirm the lunar Islamic month the next day if the conjunction takes place and the Moon sets even one second after the Sunset, as Shaikh Mahmud Shakir has already said in 1939. Here is the text of the European Council’s Fatwa:

“وأعطى المجلس فقرة خاصة للاعتناء بموضوع (الأهلة)، وذلك من أجل إصدار صيغة مناسبة تدفع عن المسلمين في أوروبا العنت وتحد من الاختلاف الذي يتكرر وروده كل عام، خصوصاً في بدء شهري رمضان وشوال، وتم تناول ذلك بأبحاث خاصة في الموضوع، وهي حسب ما يلي:

- 1 – تعيين أوائل الشهور القمرية بين الرؤية والحساب. للدكتور محمد الهواري.
- 2 – ثلاث مسائل حول الهلال. للشيخ عبدالله الجديع.
- 3 – السبب الشرعي لوجوب صيام رمضان: هل هو دخول الشهر أم رؤية الهلال؟ للشيخ فيصل مولوي.
- 4 – رؤية علمية وتربوية حول رؤية الأهلة. للدكتور صلاح سلطان

<sup>410</sup> Sharaf al-Quda, a non-published paper on “Confirmation of the Lunar Month Between the Prophetic Narrations and Modern Science”, a paper in Arabic read at the SSANA meeting in Detroit

<sup>411</sup> Mustafa Abd al-Samad, Tahdid Awa’il al-Shuhur al-Qamariyyah, Islamic Academy, Villanova, PA, 54 onward

## قرار 17/4

## إثبات دخول الشهور القمرية

استعرض المجلس مجموعة من الأبحاث بخصوص هذا الموضوع، وقرر بعد المناقشات المستفيضة ما يلي:

1. أن الحساب الفلكي أصبح أحد العلوم المعاصرة التي وصلت إلى درجة عالية من الدقة بكل ما يتعلق بحركة الكواكب السيارة وبخاصة حركة القمر والأرض ومعرفة مواضعها بالنسبة للقبة السماوية، وحساب مواضعها بالنسبة لبعضها البعض في كل لحظة من لحظات الزمن بصورة قطعية لا تقبل الشك.
2. أن لحظة اجتماع الشمس والأرض والقمر أو ما يعبر عنها بالاقتران أو الاستسرار أو المحاق لحظة كونية تحصل في لحظة واحدة، ويستطيع علم الفلك أن يحسب وقتها بدقة فائقة بصورة مسبقة قبل وقوعها لعدد من السنين، وهي تعني انتهاء الشهر المنصرم وابتداء الشهر الجديد فلكياً. والاقتران يمكن أن يحدث في أي لحظة من لحظات الليل والنهار.
3. يثبت دخول الشهر الجديد شرعياً إذا توافر ما يلي:
  - أولاً) أن يكون الاقتران قد حدث فعلاً.
  - ثانياً) أن يتأخر غروب القمر عن غروب الشمس ولو بلحظة واحدة مما يعني دخول الشهر الجديد، وهو قول قال به علماء معتبرون ويتوافق مع الظواهر الفلكية المعتمدة.
  - ثالثاً) اختيار موقع مكة المكرمة الجغرافي أساساً للشرطين المذكورين.
4. على البلاد الأوروبية أن تأخذ بهذه القاعدة في دخول الشهور القمرية والخروج منها وبخاصة شهرا رمضان وشوال وتحديد مواعيد هذه الشهور بصورة مسبقة، مما يساعد على تأدية المسلمين عباداتهم وما يتعلق بها من أعياد ومناسبات وتنظيم ذلك مع ارتباطاتها في المجتمع الذي تعيش فيه.
5. يوصي المجلس أعضائه وأئمة المساجد وعلماء الشريعة في المجتمعات الإسلامية وغيرها بالعمل على ترسيخ ثقافة احترام ما انتهى إليه القطعي من علوم الحساب الفلكي عندما يقرر عدم إمكانية الرؤية، بسبب عدم حدوث الاقتران، أن لا يدعى إلى ترائي الهلال، ولا يقبل ادعاء رؤيته.
6. سيصدر المجلس – إن شاء الله – تقويماً سنوياً يحدد بداية الشهور القمرية ونهايتها استناداً إلى هذا القرار.

“The council designated a special session to the issue of *Hilals* so as to issue a suitable statement that remove the hardships faced by Muslims in Europe and to limit the differences which are repeated every year, especially concerning the beginning of the months of Ramadan and Shawwal. This was achieved through research papers that focused on this issue which dealt with the following:

1. Determination of the beginning of the lunar months between sighting and calculation by Dr. Muhammad al-Hawwari.
2. Three issues concerning the Hilal by Shaikh Abduillah Al-Juday’.
3. The Shar’ i reason for the mandatory fasting of Ramadan: Is it the beginning of the month or the sighting of the crescent? By Shaikh Faisal Mawlawi.
4. A scientific and educational view about *Hilal* sighting by Dr. Salah Sultan

Based on what was presented and discussed in this conference, the Council issues the following:

**Decision** # **17/4**  
**Ascertaining beginning of the lunar months**

The Council reviewed a number of research papers concerning this issue and after detailed discussions, decided the following:

1. Astronomical calculations have become one of the contemporary sciences that attained a high degree of accuracy concerning all that relates to the movements of planets, especially the movements of the moon and the earth, also their positions in relation to the celestial sphere and to each other at any moment of time in a way which is definitive that leaves no room for doubt.
2. That the moment of lining up of the sun, moon and earth, or what is referred to as the conjunction is a cosmic point that occurs in one moment. It is possible for the science of Astronomy to calculate that moment with excessively accurate way several years before it occurs. It [conjunction] means the end of the previous astronomical month and the beginning of the following month. Conjunction may occur at any moment, day or night.
3. The beginning of the Shar'i new month is ascertained if the following conditions are satisfied:
4. **First:** The conjunction must have actually occurred.
5. **Second:** The moonset follows sunset even by one moment, which marks the beginning of the month. This view was expressed by credible scholars and is consistent with the credible astronomical phenomena.
6. **Third:** The choice of the geographic position of *Makkah Al-Mukarramah* as the basis of the two above conditions.
7. [Muslims in] the European countries should adopt this rule in [the determination of] the beginnings and ends of lunar months, especially the months of Ramadan and Shawwal and to determine such dates in advance so as to help Muslims to perform their acts of worship and their related festivals and occasions, also to regulate their connections with the communities in which they live.
8. The council exhorts its members, imams of Masajid and Shari'ah scholars in Muslim societies and other societies to inculcate the culture of respect of what has been concluded by the definitive aspects of astronomical calculation when it is determined

that sighting [of the new *hilar*] is impossible since the conjunction had not yet occurred. No call for attempting to sight the *hilar* should be made and any claim of sighting should not be accepted. <sup>412</sup>

## Conclusions:

1: The claims that a consensus exists among all the Muslim jurists regarding absolute mistrust of the astronomical calculations, in all forms and ways, related to beginning and ending of the Islamic months is unfounded, though the majority of *Jamhur* has adopted that opinion due to the uncertainties connected with the calculations during their times and due to the possible negative ramifications of use of calculations in other fields such matters of faith and *Aqidah*.

2: There exists a group of known authorities in the three schools of *Fiqh*, with the exception of *Hanabilah*, that has, from times old, argued in favor of accepting the calculations in part or in totality.

3: That the modern science has attained such a level of authenticity in the matters of astronomical calculations that achieving certainty about the birth, presence and non-presence of the moon in the horizon etc., is not hard at all. This scientific method is definitely more trustworthy than the human efforts at observing the Moon with naked human eyes.

4: The number of scholars leaning towards partial or total acceptance of astronomical calculations in confirming the month of Ramadan is increasing day by day, mostly due to certainty and ease connected with the. The calculation method also results in many communal, financial and social benefits, the preservation of which is an integral part of the objectives of Islamic Law..

5: Some very conservative contemporary *Salafi/Hanbali* scholars such as *Mahmud Shakir* have also accepted this point of view. Scholars like Mahmud Shakir and Rashi'd Rida actually advocate that calculation method is the only authentic and legal way that is currently available to Muslims vis-à-vis following the true essence of the *Sunnah regarding fasting of Ramadan*. Mahmud Shakir has done so since 1939.

6: The new Moon is just a sign of sacred timings. The Moon has a beginning and a clear end point in its orbit around the earth. The beginning point is the birth point and is the most certain point which can be determined months and years ahead of time with the help of accurate astronomical calculations. Therefore, there is nothing wrong in accepting the birth of the new Moon as the convention to start the new month. Actually this is the only authentic and certain convention to determine the new month. Criteria of visibility are not agreed upon even by the Muslim astronomers and scholars. Once it has been established that certainty about Ramadan and fasting in it is and, not the actual sighting of

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<sup>412</sup> I am indebted to Dr. Jamal Badawi for this translation.



its Moon, the intended cause of fasting as well as the goal of the Islamic Shari'ah, then disputing on the issues of visibility and non-visibility will be fruitless endeavor. We should take the birth as the accepted norm and announce the Islamic calendar long ahead of time, as both the Fiqh Councils (North American as well as European) did.

7: The GMT is an arbitrary convention accepted by the international community to facilitate timings and dates. It has no Islamic value what so ever. On the other hand, Mecca, being the sanctuary of all the Muslims, enjoys a lot more significance than the GMT. Therefore, Muslims should take Mecca as the Islamic convention to determine the Muslim lunar months. The new month will start when the new Moon is born before Sunset in Mecca and stays in the horizon after the Sunset even if its stay after Sunset is for a small amount of time. The whole Muslim world would have the beginning of the new Month within 24 hours from the birth of the new Moon in Mecca.

Therefore, in my view, accepting the astronomical calculations in confirming as well as negating the month of Ramadan is in line with the true essence of the *Sunnah* and, in no way or form constitute any deviation from the spirit of the Islamic *Shari'ah*. In contrast, it is perhaps the only available method which, if applied in spirit, can realize the Islamic goals of authenticity, certainty and unity. **وَاللَّهُ أَعْلَمُ**

## Bibliography

- A'lish, Muhammad bin Ahmad bin Muhammad, Manh al-Jali'l Shrah Mukhtasar Khali'l, Dar al-Fikr, n.d., 8 volums
- Abd al-Samad, Mustafa, Tahdi'd Awa'il al-Shuhu'r al-Qamariyyah, Islamic Academy, Villanova, PA
- Abou El Fadl, Khaled "The Rules of Killing at War: An Inquiry into Classical Sources," *The Muslim World* 89 (1999).
- Abou El Fadl, Khaled, "[Speaking, Killing and Loving in God's Name,](http://www.scholarofthehouse.org)" *The Hedgehog Review, Spring 2004*; <http://www.scholarofthehouse.org>;
- Abu al-Faraj Jamal al-Din `Abd al-Rahman b. `Ali, Dafa` Shubha al-Tashbih, ed. by al-Kawthari, al-Maktabah al-Tawfiqiyyah, Cairo, n.d., also his Talbi's Ibli's, al-Matba`ah al-Muniriyyah, Cairo, n.d
- Abu al-Faraj, Jamal al-Din `Abd al-Rahman b. `Ali, Dafa` Shubha al-Tashbi'h, ed. by al-Kawthari, al-Maktabah al-Tawfiqiyyah, Cairo, n.d.
- Abu al-Faraj, Talbi's Ibli's, al-Matba`ah al-Muniriyyah, Cairo, n.d
- Abu al-Qasim, Mahmud bin Umr, Jarrallah al-Zamakhshari, Asa's al-Bala'ghah, [www.alwarraq.com](http://www.alwarraq.com),
- Abu Dawu'd, al-Sajastani, Sunan, Dar Ihya' al-Tura'th al-'Arabi, 4 volumes

- Abu Hanifah , Nu`man, al-Fiqh al-Akbar, ed. by Mulla `Ali al-Qari, al-Babi, Cairo, 1955/1375
- Abu Hanifah, Nu`man, al-Fiqh al-Akbar, ed. by Mulla `Ali al-Qari, al-Babi, Cairo, 1955/1375. For English translation and commentary see A. J. Wensick, The Muslim Creed, Frank Cass & Comp. Ltd., London, 1965
- Afindi, Ali Hayder Khawaja, Durar al-Hukka`m Sharh Majallah al-Ahka`m, www.Shamela.ws
- Al-A`id, Ibn Daqi`q, Ihka`m al-Ahka`m Sharh A`umdat al-Ahka`m, Matba`ah al-Sunnah al-Muhammadiyah
- Al-A`yuni, Badar al-Din, U`mdat al-Q`ari, Dar al-Fikr, 25 volumes
- Al-Albani M. Nasir al-Din, Mukhtasar al-`Uluww li al-`Aliyy al-Ghaffar, supervised by Zahi`r al-Shawesh, al-Maktab al-Islami, end Ed., 1412, 7
- Al-Albani, M. Nasir al-Din, Mukhtasar al-`Uluww, [www.shamela.ws/](http://www.shamela.ws/)
- Al-Alusi, Ru`h al-Ma`ani fi Tafsi`r al-Qur`ab al-Azi`m wa al-Sab`a al-Matha`ni`, (electronic copy [www.altafsir.com](http://www.altafsir.com))
- Al-Andlusi, Abu Hayyan, Muhammad bin Yusuf, Tafsir al-Bahr al-Muhi`t, Dar al-Fikr, Al-Ansari, Zakariyya bin Muhammad, al-Ghurar al-Bahiyyah fi Sharh al-Bahjah al-Wardiyyah, Maktabah al-Maimaniyyah
- Al-Ash`ari, Abu al-Hasan `Ali, al-Iba`nah `an Usul al-Diya`nah, ed. by M. al-Khati`b, al-Matba`ah \_al-Salafiyyah, Cairo; also ed. by Fawqiyyah H. Mahmud, Dar al-Ansar, Cairo, 1977
- Al-Ash`ari, Kita`b al-Lum`a, ed. by Father MaCarthy, Beirut, 1953
- Al-Ash`ari, Maqa`la`at al-Islamiyyi`n wa Ikhtila`f al-Musalli`n, ed. by M. `Abd al-Hami`d, Al-Hikmah, Beirut, 1994/1415
- Al-Ash`ari, Risa`lah fi Istihsa`n al-Khawd fi al-Kala`m, Beirut, 1953, see for English translation The Theology of al-Ash`ari: The Arabic Texts of al-Ash`ari's "Kitab al-Luma`" and "Risalat Istihsan al-Khawd fi `Ilm al-Kalam", with briefly annotated trans. by Richard J. MaCarthy, Imprimerie Catholique, Beirut, 1953
- Al-Azhari, Tahzib al-Lughah, [www.alwarraq.com](http://www.alwarraq.com)
- Al-Azi`maba`di, `Aown al-Ma`b`ud Sharh Sunan Abi Dawu`d, Dar al-Fikr, 14 vols
- Al-B`aji, Salman bin Khalf, al-Muntaqa` Sharh al-Muatta, Dar al-Kitab al-Islami
- Al-Baqillani, Abu Bakar Muhammad b. al-Tayyib, Kitab al-Tamhi`d, ed. by Yusuf al-Yasu`i, al-Maktabah al-Sharqiyyah, Beirut, 1957
- Al-Baqillani, al-Insa`f fi ma Yajibu l`tiqaduh wa la Yajuz al-Jahal bih, ed. by `Izzat al-Husayni, Damsus, 1950/1369
- Al-Bayhaqi, Abu Bakr Ahmad bin al-Husayn bin Ali, Kitab al-Asma` wa al-Sifa`t, ed. by M. Z. al-Kawthari, Dar al-Kutub al-`Ilmiyyah, Beirut, n.d.; and Dar Ihya` al-Tura`th al-`Arabi, Beirut, n.d.
- Al-Bayhaqi, Sunan al-Kubra, Dar al-Fikr, 15 volumes
- Al-Bukhari, Abu Abdillah Muhammad, Sahih al-Bukhari, Dar Ihya` al-Tura`th al-`Arabi, 9 volumes and also [www.shamela.ws](http://www.shamela.ws)
- Al-Darimi, Abu Muhammad Abdillah bin Abd al-Rahman, Sunan al-Darimi, [www.shamela.ws/](http://www.shamela.ws/)
- Al-Darimi, Sunan al-Darimi, Dar al-Kutub al-`Ilmiyyah, 2 volumes
- Al-Dasu`qi, Muhammad bin Ahmad bin A`rfah Abu al-Sa`ud, Hashiyat al-Dasu`qi a`la al-Sharh al-Kabir, Dar Ihya` al-Kutub al-A`rabiyyah; and Dar al-Fikr, 4 volumes

- Al-Fara'bi , Abu Nasr, al-Thamarat al-Mardiyyah, Leiden, 1895
- Al-Fara'bi, Abu Nasar, Maba'di' Ara' Ahl al-Madinah al-Fadilah, Leiden, 1890
- Al-Fara'bi, Kitab al-Millah wa Nusus Ukhra, ed. by Muhsin Mahdi, Dar al-Mashriq, Beirut, 1968
- Al-Fayrozabadi, Muhammad bin Ya'qyb, Qamus al-Muhit, Muassat al-Risalah
- Al-Hamwi, Ahmad bin Muhammad, Ghamz A'uun al-Basa'ir, Dar al-Kutb al-'Ilmiyyah
- Al-Hanbali, Abu al-Falah Ibn al-'Aimad, Shadhara't al-Dhahab fi Akhba'r man Dhahab, Cairo, 1350 A.H.
- Al-Husni, Abu Bakr Taqi al-Din, Daf'u Shubah man Shabbaha wa Tamarrada wa Nasaba dhalik ila al-Imam Ahmad, al-Halbi, Cairo, 1350 A.H.
- Al-Jassaas, Abu Bakr bin Ali al-Razi, Ahka'm al-Qur'an, Dar al-Fikr
- Al-Jazri, Abu al-Sa'ada't al-Muba'arak bin Muhammad, al-Niha'ya fi Ghar'ib al-Athar, al-Maktabah al-'Ilmiyyah, Beirut, 1399-1979, 5 volumes
- Al-Johari, Al-Sihaah fi al-Lughah, ([www.alwarraq.com](http://www.alwarraq.com))
- Al-Khalil, Bin Ahamd, al-'Ayn, [www.alwarraq.com](http://www.alwarraq.com)
- Al-Kharshi, Muhammad bin Abdallah, Sharh Mukhtasar Khalil li-al-Kharshi, Dar al-Fikr
- Al-Kirma'ni, Hami'd al-Di'n, Rahat al-'Aql, Dar al-Fikr al-'Arabi, Cairo, 1952
- Al-Nasafi, Abdillan bin Ahmad, Tafseer al-Nasafi', Dar Ihya' al-Tura'th
- Al-Nasafi, Abu al-Mu'in, Bahr al-Kala'm, Cairo, 1922
- Al-Nawawi, Yahya bin Sharaf, al-Majmu'a Sharh al-Muhazhab, Dar al-Fikr, 1996 22 volumes; and Matba'ah al-Muniriyyah, n.d.
- Al-Nisa'i', Abu Abd al-Rahman Ahmad bin Ali, Sunan al-Nisai', [www.shamela.ws/](http://www.shamela.ws/)
- Al-Qalyubi, Ahmad Salamah and Umairah, Ahmad al-Barlasi, Hashiyata Qalyubi wa Umairah, Dar Ihy'a al-Kutub al-'Arabiyyah
- Al-Qaradawi, Yusuf, Fatawa Mua'sarah, Dar al-Qalam
- Al-Qarraf, Ahmad bin Idri's bin Abd al-Rahman Shihab al-Din, Anwa'r al-Buru'q fi Anwa'a al-Furu'q, ([www.al-islam.com](http://www.al-islam.com))
- Al-Quda, Sharaf, a non-published paper on "Confirmation of the Lunar Month Between the Prophetic Narrations and Modern Science", a paper in Arabic read at the SSANA meeting in Detroit
- Al-Qurtubi, Abu Abdullah, Tafseer al-Qurtubi, Dar al-Kutub al-'Ilmiyyah
- Al-Ramli, Shihabuddin Ahmad bin Ahmad, Fatawa, al-Maktabah al-Islamiyyah,
- Al-Razi, Abu Abd-Allah Fakhr al-Din, Tafsir al-al-Kabi'r, (Tafseer al-Razi), [www.shamela.ws/](http://www.shamela.ws/)
- Al-Razi, al-Tafsi'r al-Kabi'r, Dar al-Fikr, Beirut, 1978
- Al-Razi, Fakar al-Din Abu Abdillan Muhammad, Tafsir al-Razi, ([www.altafsir.com](http://www.altafsir.com))
- Al-Razi, Fakhar al-Din, Asa's al-Taqdi's, Tab'ah Muhyi al-Din al-Kurdi; the same is published by Matba'ah Mustafa al-Babi, Cairo, 1935
- Al-Razi, I'tiqada't Firaq al-Muslimi'n wa al-Mushriki'n, Maktabah al-Nahdah, Cairo, 1938/1356
- Al-Razi, Kita'b al-Arbai'n fi Usul al-Di'n, Haydar Abad, India, 1935
- Al-Sha'tabi, Abu Ish'aq. Al-Muwafaqa't, Dar al-Fikr, 4 volumes
- Al-Shahrastani, Abdul Karim, al-Milal wa al-Nihal, Cureton's ed., London, 1842
- Al-Shawkani, Muhammad b. 'Ali, al-Tuhaf fi Madhahib al-Salaf, Matba'ah al-Imam, Cairo, n.d.,
- Al-Showkani, Nayl al-Aowta'r Sharh Muntaqa al-Akhba'r, Dar al-Fikr, 1994

- Al-Subki, Taqi al-Din, *Fatawa al-Subki*, Dar al-Ma'arif
- Al-Suyuti, Ja'mi'a al-Masa'n'id wa al-Mara's'il, Dar al-Fikr, 1994, 21 volumes
- Al-Suyuti, Jalal al-Din, *Tafseer al-Jalalayn*, Dar Ihya' al-Turath al-Arabi
- Al-Tabari, Abu Ja'afar Muhammad bin Jari'r, *Ja'mi'a al-Baya'n fi Ta'wi'l al-Qur'an*, *Tafseer al-Tabari*, Moassasat al-Risa'lah, 2000-1420
- Al-Taftazani, Mas'ud bin U'mar, *Sharh al-Talwi'h 'ala al-Towdi'h*, Maktabah Sabeeh, Egypt
- Al-Tirmizi, Abu I'sa' Muhammad, *Sunan al-Tirmizi*, www.shamela.ws/
- Al-Tirmizi, *Sunan al-Tirmizi*, Dar al-Kutub al-"Ilmiyyah, 1994, 5 volumes
- Al-Zarqa', Mustafa, *Fatawa Mustafa al-Zarqa'*, edited by Majd Ahmad Makki, 2<sup>nd</sup> Ed., Dar al-Qalam, 1422-2001
- Al-Zukhayli, Wahbah, *al-Fiqh al-Islami wa Adillatuhu*, Dar al-Fikr
- Anderson, H., *Jesus and Christian Origins*, Oxford UP, NY, 1964; E.P. Sanders, *The Historical Figure of Jesus*, Penguin, 1993
- Arberry, A. J., *Avicenna on Theology*, Hyperion Press, Westport, Connecticut, 1979
- Arberry, A. J. *Revelation and Reason in Islam*, George Allen & Unwin Ltd., London, 1965
- Augustine, St., *On Christian Doctrine*, trans. by D. W. Robertson, Jr., The Library of Liberal Arts, The Bobbs-Merrill Co., Inc., NY, 1958
- Baljon, J. M. S., "Qur'anic Anthropomorphism" in *Islamic Studies*, Islamic Reaserach Institute, Islamabad, vol. 27, Summer 1988; also al-Ash`ari, al-Ibanah, 36-45;
- Bigg, Charles, *The Christian Platonists of Alexandria*, The 1886 Bampton Lectures, Clarendon Press, Oxford, 1968, 185
- Bin Bayyah, Shaikh Abdillah, www.binbayyah.net, section on "Fatawa"
- Bright, John, *The Authority of the Old Testament*, Abingdon Press, N.Y., 1967
- Brown, Raymond E., "The Literal Sense of Scripture," in *The Jerome Biblical Commentary*, ed. by Brown, Joseph Fitzmeyer and Jerome Murphy, Prentie-Hall, Englewood Cliffs, NJ, 1968
- Chadwick, H., *Early Christian Thought and the Classical Tradition*, OUP, NY, 1966
- Danielou, J., *From Shadow to Reality*, Trans. by Dom W. Hibberd, Newman Press, Westminster, Maryland, 1960
- Denny, F., *An Introduction to Islam*, 2<sup>nd</sup> Edition, 1994
- Encyclopedia of Fiqh*, (published by the Ministry of Religious Affairs and Aowqaaf) Kuwait
- Encyclopedia of Islam*, Edited by P.J. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel and W.P. Heinrichs. Leiden: E. J. Brill, 1960-2005.
- Fakhry, Majid, *A History of Islamic Philosophy*, Columbia UP, NY, 1970
- Ferguson, John, *Clement of Alexandria*, Twayne Publishers, Inc, NY, 1974
- Furnish, V. Paul, *Jesus According to Paul*, CUP, 1993
- Gibb, H.A.R. Ed. et al, *The Encyclopaedia of Islam*. New edition: E. J. Brill, Leiden, 1960
- Gibb, H.A.R., *Mohammedanism*, Oxford UP, London, 1972
- Gibb, *Modern Trends in Islam*, Otagon Books, NY, 1972
- Gibb, *Modern Trends in Islam*, Otagon Books, NY, 1972
- Goldziher, I., *Introduction to Islamic Theology and Law*, translated by B. Lewis and A. Hamouri, Princeton UP, Limited Ed., 1981

- Grant, R. M., *The Letter and the Spirit*, SPCK, London, 1957
- Hanson, R. P. C., *Allegory and Event*, SCM Press, London, 1959
- Hastings, James, *Encyclopedia of Religion and Ethics*, T. & T Clark Publishers
- Hich, John, *The Metaphor of God Incarnate*, SCM Press, London, 1993, 31  
<http://www.jewishencyclopedia.com/>
- Ibn `Aqil, *Kita'b al-Funu'n*, Beirut, 1970-1971
- Ibn `Atiyyah, Abu Muhammad Abd al-Haq bin Gha'lib, *al-Muharrar al-Waj'iz*,  
[www.shamela.ws/](http://www.shamela.ws/)
- Ibn A'bidin, Muhammad Amin bin Omar, *Radd al-Mukhtar a'la al-Dur al-Mukhtar*, Dar al-Kutb al-A'ilmiiyyah
- Ibn al-`Arabi, Abu Bakr, *Ahkam al-Qur'an*, Maktabah `Isa al-Babi, Cairo, 1307/1967
- Ibn al-Arabi, Abu Bakr Muhammad bin Abdillah, *Ahka'am al-Qur'an*, (electronic copy  
[www.al-islam.com](http://www.al-islam.com))
- Ibn al-Arabi, Abu Bakr, *Ahk'am al-Qura'n*, Dar al-Kutub al-`Ilmiyyah, 2 volumes
- Ibn al-Najjar, Taqi al-Din Muhammad al-Fattu'hi, *Sharh al-Kokab al-Muni'r*,  
[www.shamela.ws/](http://www.shamela.ws/)
- Ibn Faris, Abu al-Hussyn Ahmad al-Qazwini al-Razi, *Miqya's al-Lughah*, ed. By Abd al-Salam Muhammad Haru'n, *Ittiha'd al-Kutta'b al-`Arab*, 1423-2000
- Ibn Habban, Abu Ha'tim, Muhammad bin Habban, *Musnad*, [www.shamela.ws/](http://www.shamela.ws/)
- Ibn Hajar, Abu al-Fadal Shiha'b al-Din Ahmad bin Ali, *Fath al-Ba'ri fi Sharh al-Bukha'ri'*, Dar al-Ma'arifah, Beirut, 1379 H, 13 vols and also [www.shamela.ws/](http://www.shamela.ws/)
- Ibn Hajar, Talkhi's al-Hab'ir , *al-Madi'nah al-Munawwarah*, 1384-1964, 2 volumes
- Ibn Hanbal, Abu Abdillah Ahmad bin Muhammad bin Hanbal, *Musnad Ahmad*, [www.shamela.ws/](http://www.shamela.ws/)
- Ibn Hanbal, Ahmad, *al-Rad `ala al-Zanadiqah wa al-Jahmiyyah*, Maktabah al-Salafiyyah, Cairo, 1393 A.H. and ed. by `Abd al-Rahman `Umayrah, Dar al-Liwa, Riyadh
- Ibn Hazm, Abu Muhammad `Ali b. Ahmad al-Zahiri, *al-Fasal fi al-Milal wa al-Ahwa' wa al-Nihal*, Maktabah al-Salam al-`Almiyyah, Cairo, n.d.
- Ibn Hazm, *al-Mahalla bi al-A'atha'r*, Dar al-Kutub al-`Ilmiyyah, 12 volumes
- Ibn Kathir, Imad al-Din Abi al-Fid'a Isma'il bin `Umar, *Tafseer al-Qur'an al-Azi'm*, Dar Usa'mah, First Ed., 1423-2003
- Ibn Kathir, Imad al-Din Hafiz, *al-Bidayah wa al-Niha'yah*, Matba`ah al-Sa`adah, Egypt, 1965/1384
- Ibn Majah, Sunan Ibn Majah, Dar Ihya' al-Tura'th al-`Arabi, 2 volumes
- Ibn Manzur, Jamal al-Din, *Lisan al-`Arab*, Dar Ihya' al-Turath al-Islami
- Ibn Nujaim, Zain al-Din bin Ibrahim, *al-Bahr al-Ra'iq Sharh Kanz al-Daqa'iq*, Dar al-Ma'arifah, 1993, 8 volumes
- Ibn Qayyam, *al-Jowziyyah*, Muhammad bin Abi Bakr bin Ayyu'b, *Ijtima` al-Juyu'sh al-Isla'miyyah*, Matba`ah al-Qur'an wa al-Sunnah, Amar Tasar, India
- Ibn Qayyam, *al-Sawa'iq al-Mursalat `ala al-Jahmiyyah wa al-Mu`attalah*, Matba`ah al-Imam, Cairo
- Ibn Qayyam, *I'lam al-Mawqai`yn `an Rabb al-`Alamin*, Dar al-Ji'l
- Ibn Quda'mah, Abdillah bin Ahmad, *al-Mughni*, [www.shamela.ws/](http://www.shamela.ws/)
- Ibn Taymiyyah, Taqi al-Din Ahmad, *Majmu'a Fatawa Ibn Taymiyyah*, [www.al-islam.com](http://www.al-islam.com)

- Ibn Taymiyyah, Taqi al-Din, al-Rasa'il wa al-Masa'il, ed. by Muhammad Rashid Rada, Cairo, 1921/1346
- Ibn Taymiyyah, Taqi al-Din, al-Risa'lah al-Tadummuriyyah, al-Maktab al-Islami, Beirut
- Ibn Taymiyyah, Taqi al-Din, Fatawa al-Kubra', Dar al-Kutub al-'Ilmiyyah
- Ibn Taymiyyah, Taqi al-Din, Kita'b al-Nubuwwa't, al-Maktabah al-Salafiyyah, 1382 A.H
- Ibn Taymiyyah, Taqi al-Din, Majmu` Fatawa, ed. by `Abd al-Rahman b. Muhammad b. Qasim, Maktabah al-Ma`arif, Ribat, n.d.
- Ibn Taymiyyah, Taqi al-Din, Majmu` Fatawa, ed. by `Abd al-Rahman b. Muhammad al-Najdi, 2nd ed., 1399 A.H
- Ibn Taymiyyah, Taqi al-Din, Mawafaqah Sari'h al-Ma`qu'l li Sahi'h al-Manqu'l, Cairo, 1321 A.H.
- Ibn Taymiyyah, Taqi al-Din, Minh'aj al-Sunnah fi Naqdi Kala'm al-Shi`ah wa al-Qadariyyah, Dar al-Fikr, Beirut
- Ibn Taymiyyah, Taqi al-Din, Naqd al-Mantaq, Matba`ah al-Sunnah al-Muhammadiyah, Cairo, 1st. ed., 1951
- Ibn Taymiyyah, Taqi al-Din, Tahri'm al-Nazar fi Kutub ahl al-Kala'm, trans. by George Makdisi, Censure of Speculative Theology, London, 1962
- Ja'r Allah, Zahdi Hasan, al-Mu` tazilah, Cairo, 1947/1366
- Kawthari, M. Zahid, Muqaddimah Tabyi'n Kizb al-Muftara', published by Nashr al-Thaqafah al-Isla'miyyah, 1949
- Kawthari, Maqalat al-Kawthari, Matba`ah al-Anwar, Cairo
- Kazi and Flynn, Muslim Sects and Divisions, The Section on Muslim Sects in Kitab al-Milal wa al-Nihal by Shahrastani, trans by A. K. Kazi and J.G. Flynn, Kegan Paul International, London
- Macdonald, D. B., Muslim Theology, Jurisprudence and Constitutional theory, Khayats, Beirut, 1965
- Madkur, Ibrahim, Fi al-Falsafah al-Isla'miyyah, Dar al-Ma`arif, Cairo, 1976
- Maghraoui, Mokhtar "An Islamic Legal Analysis Of The Astronomical Determination Of The Beginning of Ramadan". Soon it will be posted on [www.zawiyah.net](http://www.zawiyah.net).
- Mahmu'd, `Abd al-Hali'm, al-Tafki'r al-Falsafi fi al-Isla'm, Dar al-Ma`arif, Cairo, 1984
- Majid Fakhry, A History of Islamic Philosophy, Columbia UP, NY, 1970
- Muslim, Abu al-Hasan Muslim bin al-Hajja'j, Sahi'h Muslim, Dar al-Kutub al-'Ilmiyyah, 1992, 2 volumes, and also [www.shamela.ws/](http://www.shamela.ws/)
- Nashshar, `Ali Sami, Nash'at al-Tafkir al-Falsafi fi al-Islam, Dar al-M`arif, Cairo, 3rd. ed., 1965
- Netton, R.I. , Allah Transcendent, Routledge, London and NY, 1989
- Poonawala, Ismail K., "Ramadan", Microsoft Encarta, Reference Library 2005, (1993-2004) Microsoft Corporation
- Qadi A. al-Jabbar, al-Muhi't bi al-Takli'f, Cairo, 1969
- Qadi A. Jabbar, Sharh Usul al-Khamsah, ed. by `Abd al-Karim `Uthman, Maktabah Wahbah, Cairo, 1965
- Qari, Mulla Ali, Mirqa't al-Mafa'ti'h,, Dar al-Fikr
- Rahman, Fazlur, "Sunni Islam", Microsoft Encarta, Reference Library 2005. © 1993-2004 Microsoft Corporation.
- Rahman, Fazlur, Islam, U of Chicago Press, Chicago and London, 1979
- Rich, Tracy R., The Jewish Calendar: A Closer Look, [www.webmaster@JewFAQ.org](http://www.webmaster@JewFAQ.org)

- Richard Walzer has translated it into English. See *Al-Farabi on the Perfect State*, Clarendon, Oxford, 1985
- Rippin, Andrew, *Muslims, Their Religious Beliefs and Practices*, Routledge, NY, 1990
- Schedina, Abdulaziz, "Warfare: The Use and Abuse of Jihad in the Muslim World" <http://www.uga.edu/islam/jihad/>; see also the web site <http://www.islamiclearning.org/>
- Seale, M. S., *Muslim Theology, A Study of origins with reference to the Church Fathers*, Lugac and Co., London, 1964
- Sha'tibi, Imam Abu Isha'q, *al-Muwa'faqa't*, Dar al-Kutub al-'Ilmiyyah
- Shafaat, Dr. Ahmad "A Study of Ahadith about the Determination of Islamic Dates", [www.islamicperspectives.com](http://www.islamicperspectives.com), October 2003
- Shah, Zulfiqar Ali, Ph. D. Dissertation, "A Study of Anthropomorphism and Transcendence in the Bible and Qur'an: Scripture and God in the Judeo Christian and Islamic Tradition", submitted to the University of Wales (Lampeter) in 1997.
- Shakir, Ahmad, *Awa'il al-Shuhu'r al-A'rabiyah*, Maktabah Ibn Taymiyyah
- Tamir, `Arif, *Khams Rasa'il Isma'iliyyah*, Dar al-Insa'f, Syria, 1956/1375
- Tamir, A., *Haqi'qat Ikhwa'n al-Safa' wa Khala'n al-Wafa'*, Catholic Press; `Adil al-`Awa, *Muntakhabat Isma'iliyya, Matb'ah al-Jami'ah al-Suriyya*, Damascus, 1957
- The Soncino Talmud, *The Judaic Classical Library*, Davka Corporation and Judaic Press, Inc. Electronic Edition 1991-1995
- Watt, M., "Early Discussions about the Qur'an", *Muslim World*, XL (1950)
- Watt, M., *Islamic Philosophy and Theology*, UP, Edinburgh, 1967
- Watt, M., *Islamic Philosophy and Theology*, UP, Edinburgh, 1967
- Watt, M., *The Formative Period of Islamic Thought*, UP, Edinburgh, 1973
- Wensick, A. J., *The Muslim Creed*, Frank Cass & Comp. Ltd., London, 1965
- Wolfson, H. A., *The Philosophy of the Church Fathers*, 3rd revised ed., HUP, Cambridge, Mass., 1970
- Yusuf, Hamza, *Cesarean Moon Births, Part I & I*, posted on [www.zaytuna.org](http://www.zaytuna.org), 2006-2007
- Zaheer Uddin, *A Refutation to ISNA/Fiqh Council's Decision to Disregard the Qur'an and the Sunnah and to follow Astronomical Calculations for Beginning an Islamic Month*, [www.hilalsighting.org](http://www.hilalsighting.org), issued on Rajab 29, 1427; August 24, 2006
- Zayda'n, Abd al-Kari'm, *al-Waji'z fi Usul al-Fiqh*, Dar al-Tozi'a' wa al-Nashr al-Isla'miyyah, Cairo, First Ed., 1414-1993