



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

The Astronomy based Conferences including WML against Shariah and Saudi's Rasmi Hilal decisions
The Ample proof that Saudi's do not rely on Ummul Qura calendar
for Rasmi (sharee) Hilal Dates decisions

The onslaught on the Saudis' continues and allegations take on new twists. All kinds of accusations are heaped on the Saudi's accusing them of pre-fixing their calendar and using the Ummul Qura calendar to announce dates for the holy months. Despite numerous attempts by various bodies in particular Central Moon Sighting Committee of Great Britain (CMSC) to dispel the myths, those who have an agenda against the Saudi scholars and the authorities continue their unIslamic attacks. This article brings together numerous proofs and evidence hoping to lay to rest the groundless allegations.

The truth is that the Saudi's have a Sharee system in place with decisions made only on sighting. The local Kazi is approached by witnesses who verify their claims according to Shariah and the Kazi relays his findings to the authorities who then make the final decision. There are also official sighting committees throughout the country who are officially tasked to attempt sighting and report to the Authorities. These facts are undisputed and form part of the Sharee infrastructure of Saudi Arabia.

However, those who are against following Saudi Arabia cannot accept this Sharee arrangement purely on the basis that Saudi decisions conflict with astronomical calculations. This is the main point of objection. However as has been discussed many times before Shariah does not require the use of calculations to verify sighting claims and this remains the case for the vast majority of Ulama. The question we must ask ourselves is, are the decisions of the Saudi's in line with Sharee requirements? The answer resoundingly is yes. In which case there is absolutely no harm at all in following the announcements of Saudi Arabia.

Consider the Fatawa of Eminent internationally reputed Scholars Mufti Taqi Uthmani and Mufti Rafi' Uthmani Damat Barkatuhum making it crystal clear the Sharee position as regards to following Saudi announcements:

http://www.hizbululama.org.uk/highlights/1432ah/ramdan/11_follow_saudi_arabia_moonsighting.pdf

http://www.hizbululama.org.uk/highlights/1432ah/ramdan/10_Rooyat_Hilal_questions_from_Germany_to_Mufti_Azam_Pakistan.pdf

These are the Fatawa of two well respected Scholars from Pakistan but the fact is this is similar to the Fatawa of the vast majority of the Ulama.

There are also countless references from Saudi authorities themselves and numerous Saudi scholars clearly accepting the Sharee requirement of sighting the moon and the prohibition of following a pre-calculated calendar. There is no reason to doubt their statements. To call them all liars is utterly wrong.

Those who are against the Saudi's, search profusely for whatever they can get their hands on to accuse them of following the Ummul Qura calendar and alleging that the Saudi's conspire, Naoozobillah, to make decisions falsely and against Sharee principles. This is an allegation which is tantamount to Buhtan for which *Rasoolullah Sallahualaihiwasallam* warned of dire consequences in the hereafter. May Allaah protect us from committing such a heinous sin. Aameen.

Recently they introduced something new. They have found a document to prove that the intention of the Saudi's has always been to fix the calendar. They have focused on a resolution which was produced over 25 years ago claiming that the intent of the Saudi's at the time was to unify the global Islamic community on a single calendar and to fix a calendar on which to base Sharee decisions. The world Muslim community was gathered together to unify the Islamic calendar. This is now being used to justify, inappropriately, that Saudi Arabia always had the intention to fix a calendar and deviate from the Shariah. This is far from the real truth.

See below for background:

دلب ياً وأ فمركملا فكم تيقيوت بسح ارباعاً: ضرورة إعداد تقويم هجري موحد تلتزم به الأمة الإسلامية وذلك باعتبار ولادة الهلال قبل غروب الشمس وبشروط مغيبه بعد غروبه لجنة مختصة تقوم بإعداد هذا التقويم قيروط نع لفلذو رهشلا لوخذب هي عرشلا هيؤرلا هعم ققحتت نأ نكمي نمزب ليللا نم عزج يف هعم لفرتش يمالسا. رشا عل او عسانشلا يمالسالأ مقولأ رموتغليل دور هذه اللجنة المكلفة بإعداد روزنامة إسلامية تكون مرجع المسلمين في ضبط التقويم الهجري وذلك تماماً كما جاء في قرار موت

<http://www.fiqhacademy.org.sa/akhbar/5-7-2009.htm>

ىلع مهمكح اونبيي نأ بجي اي عرش يدمقلا رهشلا لوخذب نييساحل مكح رابتعال (2) ءافتنا دن نع نيغلاب يري نأ نكمي شيحب، سمشلا بيغم دعبل عقالا قفالا يف لالها دوج. هيملكحلا هيؤرلاب يمس ي ام انهو، جن اول! امه نييساسا نيطرش رفوت نم دب ال لالها هيؤر نالكمالو (3) مل عل عم نارتقالا دعب تاجرد 8 نع مقولأ و سمشلا نيبي يوازلأ دعبلا لقي ال (أ) لييس ىلع تاجرد 8 ب ذخالأ ىلع قفتا امناو، 8 و 7 نيبي لصحت هيؤرلا قفادب نابطايبتحال تاجرد 5 نع سمشلا بورغ قفال نع مقولأ عافترا هيوازل لقت ال (ب)

<http://qasweb.org/qasforum/index.php?showtopic=87>

This Resolution is being quoted out of context.

Why is it that they have had the need to refer to such an old document when there are more recent resolutions and announcements which prove that the Saudi authorities follow the Shariah?

What they will hide from you is that the Resolution in question is based on previous meetings and conferences. To be transparent you have to gather all of the resolutions and then understand the statements in its proper context. This is a basic requirement for all points of discussion if the discussion and debate is true in its intent. Their intent however is to find something to accuse the Saudi's of and this is open for all to see in their various email discussions etc.

Let us look at Point 5 of the Islamic Fiqh Academy resolution which has been taken out of context and misinterpreted. Point 2 is overlooked from the previous resolution quoted in the same document, which states that:

"It is compulsory to rely upon sighting, and seek assistance from astronomical calculations..."

This makes it quite clear that the basis of religious decisions is based on sighting as the Shariah necessitates.

Again to re-emphasize the point the resolution begins by reminding of the previous resolutions and states that the beginning and ending of Ramadan, and Dhil Hijjah is done by a Sharee sighting.

Point 3 then states, that upon which disagreement is not allowed **is the necessity of relying upon sighting.**

If the above points are understood then it is easy to explain point 4, which is that there would be a unified calendar used by all Muslims **but religious festivals would have to be determined by sighting only.** There is nothing sinister in this which is what proponents would have you believe.

The allegation about the purpose of the Resolution is therefore incorrect. However even if we were to accept that the meaning of the resolution is to fix a calendar for religious purposes and abandon Sharee sighting, then recent more clearer statements need to be considered because of the famous Usuli principle that a clear statement takes precedence over an ambiguous one. There are countless statements from Saudi Scholars and the authorities which maintain resolutely that they follow the Shariah.

These clear and unambiguous statements by the religious authorities prove that they do not follow the Pre-calculated Umm UI Qura Calendar for religious festivals. Even the statement on the official website for the Umm UI Qura Calendar by the Director, makes this clear:

تؤرخ اللى عة فين يدلا مساولم ل رهشال لى اوأ لوخذ تابشأ يف دم عيو ،ين دم يحالطصا ميوقت وه ىرقلا م ميوقتو
في عرشل، دصرقلا ءارو نم لللاو

http://www.ummulgura.org.sa/president_address.aspx

Now if someone chooses not to accept these clear statements and still refer to the ambiguous document ie the Resolution, then this is foolish in the extreme. Note that the ambiguous document (the Resolution) is only ambiguous to those who choose to interpret differently, not to those who understand it in its full and proper context.

What the Resolution does is to encourage Muslims to work towards a unified calendar. Such wording is quite common in *fiqhi* resolutions. When read in its proper context, one cannot conclude that it means we should not demand sighting the moon with the naked eye, and simply follow the Pre-Calculated Umm UI Qura Calendar. This is making a travesty of the meaning of the Resolution.

The first clause in the Istanbul resolution states:

ةشي دحل اةي مل عل ا دصرل ا ق رطب ا م ا درج مل ا ني عل اب تمبأ ءاوس ل الال ا ةي ور وه لصل ا

<http://qasweb.org/qasforum/index.php?showtopic=87>

The Mali resolutions further states:

لكم تي قوت بسح ،اهبورغ دعب هبي غم طرشبو ،س مشل ا بيورغ ل سبق ل الال ا ةدالو رابح اب ل كلذو ،ةي م السال ا لودلا هب مزملت دحوم يرجه ميوقت دادع ا .
قصتخم فن جل ق ييرط نع كلذو ،رهشال ا لوخذب ةي عرشل ا ةي ورل ا هوم قق حشت ن ا ن كمي نمزب ليللا نم عزج يف اه عم كرتشي يمالس ا ل لب يا و ا ،تمركملا
ميوقتلا اذ ه دادع اب موقت

It continues:

ه يلع لللا ىلص يبنل ا لو ثبات دخول شهر رمضان وخروجه، ودخول شهر ذي الحجة يتم عن طريق الرؤية الشرعية المنفكة عما يكذبها علماً أو عقلاً أو حساً، عملاً بقا
اموي ني ثالث ناب عس اول مكاف مك يلع مع ن ا ف ؛ هتي ورل اورطفاو هتي ورل او جوص ملسو

<http://www.iasas.net/vb/showthread.php?t=871>

The latest conference held in Tunis, re-iterates:

ةي مل عل ا قى اق حلاو ،ةي وبنل ا شي داح ل ا ةا عارم ، دصار مل ا و كل فل ا باس حلاب نا عتسيو ،ةي ورل ا ىلع دامت عال ا ب جي ثانيا

And to completely avoid any misunderstanding it emphatically states:

أولاً: إن استذكر القرارات الصادرة عن مؤتمرات القمة الإسلامية ومجلس وزراء خارجية الدول الأعضاء في المنظمة حول التقويم الهجري الموحد لبدأة الشهر
القمرية وتوحيد الأعياد الإسلامية والتي نصت على أن إثبات دخول شهر رمضان وخروجه ودخول شهر ذي الحجة يتم عن طريق الرؤية الشرعية المنفكة عما
يكذبها علماً أو عقلاً أو حسياً عملاً بقول النبي صلى الله عليه وسلم: "صوموا لرؤيته وأفطروا لرؤيته فإن غم عليكم فأكملوا شعبان ثلاثين يوماً" ويقول صلى الله عليه

وسلم: "لا تصوموا حتى تروه" يحض على الأخذ في الاعتبار الدعوات الملحة إلى ضمان أسباب وحدة الأمة الإسلامية خاصة في مثل هذه المناسبات التي هي من أهم مميزاتها في سبيل تجاوز مظاهر الفرقة والنزاع التي تمس من هوية المسلمين.
<http://www.fiqhacademy.org.sa/akhbar/5-7-2009.htm>

And to make it absolutely conclusive, Sheikh Abdul Aziz bin Baz who chaired the conference himself states:

بإسحاحنا وإلّا تافستالنا مدعو. تدعنا لأمكناو ذيؤرنا دامتعب رملأاب ملسو هيلع دللأا يلص دللأا لوسر نع تضافتسنا دق قحصرنا ثيداحألنا نأ
تمعز ىرخألنا دصارملا نأب وأ ، اذك معز يفوجب على المسلمين جميعاً أينما كانوا أن يأخذوا بذلك ويعتمدوه ، ولا يجوز لهم أن يكتبوا التفات في رؤية الهلال بأن المرصد الفلان
أذك عضو لوينطسنا رمتوم نأب وأ اذك

<http://www.binbaz.org.sa/mat/8413>

There are available a plethora of statements from numerous scholars all insisting that for religious observance, the Saudis do not follow the Umm UI Qura Calendar but take testimonies of witnesses in fulfilment of the Sharee requirement of sighting the moon with the naked eye. To dismiss this overwhelming Qat'i evidence, and to continue to claim that the Saudi's are lying, or the Kazi's were deceived, or that there is a major governmental conspiracy, and in reality they actually follow the Pre-Calculated Umm UI Qura Calendar, is surely a very contemptuous, scornful and disdainful view which is arrogant and conceited to say the least. This stance ignores the stated stance of not just the Saudi Scholars but also the Scholars of the Indian Sub Continent and others in the Muslim world.

A Scholar with extensive knowledge of the Saudi Sharee system of moon sighting and hilal determination recently said,

"To reject the statements of hundreds of reputable scholars, and assume that they are all lying, is an extremely radical position, to say the least."

The Umm UI Qura official site clearly states that the calendar is for civil purposes and for religious festivals Sharee sighting is required. So why can't we accept the announcements from Saudi Arabia?

The reality on the ground also supports the statement of the Scholars and the Government Authorities. This is clearly demonstrated by the chart on moonsighting.com which shows that the Saudi's do differ from the Ummul Qura calendar from time to time. The most recent example is the example of Muharram 1433 which deviated from the Calendar, thus nullifying their whole argument.

The information provided by Dr Khalid on moonsighting.com demonstrate that if the Saudis were only following the Umm UI Qura Calendar there should not be even one instance where the announcement differed from the Umm UI Qura Calendar. We find, however, that in the last 7 years, there were 6 instances where they did not follow the Umm UI Qura Calendar. Many sightings of course accord with the Calendar at other times but this cannot be used as a basis for accusing the Saudi's of deceit. If even one departure happens then this completely nullifies the argument that the Saudi's follow the Umm UI Qura calendar. Do the dates predicted by Astronomical Calculations not accord with sighting decisions by those who have adopted the use of calculations? They always do. Can we then not accuse them of fixing a calendar based on calculations?

Even Dr Mohammad Odeh of Icoproject does not accept this overconfident stance that the Saudi's follow the Ummul Qura Calendar:

"We have to be honest and realistic! As for me I don't believe that they insist on following the Calendar! They did divert from the Calendar for all the months several times, including Ramadan, Shawwal, Dhul Hijjah, and Muharram"

Arguments are also made about the veracity of sighting claims and that the Authorities so readily accept sighting claims which accord with the Umm UI Qura. This argument is highly simplistic, speculative and egotistical.

What is also pointed out are the differences between the Scholars in accepting testimonies amongst Saudi Scholars. The fact of the matter is, of course there are differences and in any *dhanni* matter there is always going to be differences. Some scholars believe in stricter conditions and would prefer a stricter application. However, the vast majority of scholars in Saudi Arabia are happy with the conditions required for witnesses. This really is not much different to any other contemporary *fiqh* matter in any other country in the world and amongst Scholars of the same School of thought, Hanafi, Maliki, Hanbali or Shafi'.

As Sharee requirements in Saudi Arabia are being met this is what matters most.

What is irrelevant is that sighting claims conflict with astronomical calculations. This is not a standard accepted by the vast majority of Scholars the world over who rule that astronomical calculations should be ignored when witnesses come forward. A great deal has already been written about this issue in previous articles and there is therefore no need for us to keep repeating and labouring this point. It is a widely accepted principle throughout the Muslim world. The Fatawa of Mufti Taqi and Mufti Rafi' provided above should suffice.

Listen to the You tube discussion with Sheikh Munajjid participating and his views on the witnesses. Listen also to the so called 'Bedouin' (Dr Abdullah al-Khudairy) who has claimed to see the moon on frequent occasions.

<http://www.youtube.com/watch?v=GafmdZs9pnE&feature=related>

The Saudi scholars in the Judiciary have certain conditions to accept witness accounts, and so long as they are satisfied with the witness accounts they declare the sightings. It is as simple and straightforward as that. See video link:

http://www.youtube.com/watch?v=P_uT6Ro3EKq&feature=related

The scholars in Saudi Arabia are steadfastly against calculations and insistent that it must be sighted by the eye. See links:

<http://www.youtube.com/watch?v=Pyk2Z6mHZ8Q>

<http://www.almunajjid.com/article/6119>

See also the link below with discussion on moon sighting in Saudi Arabia between scholars from both sides:

<http://www.youtube.com/watch?v=XVuCKJkTu9Y>

See also recent article on this topic:

http://www.hizbululama.org.uk/highlights/1432ah/ramdan/1_Fatawa_from_SAUDI.pdf

The famous Sharee principle of being rewarded once, if the outcome of Sharee deliberation is wrong, and twice, if the deliberation leads to the correct conclusion, should be borne in mind. The correct procedure advised by our Scholars in the light of the Quran and Sunnah is to respect differing opinions and leave each group to follow the scholars they feel comfortable with.

The conclusion is that those who are satisfied with the Saudi procedure can confidently follow them. Those who are not happy can follow another country. There is absolutely no issue here about the permissibility of Salah and Fasting in this, no matter how much some people argue that if you follow Saudi Arabia your Salah and Fast will not be accepted. Do not be fooled by them. It is all a matter of Ijtihad. InshaAllah your Ibadah will be accepted. Allah is All knowing, compassionate and merciful.

Wama Alaina Ilal Balagh.

وما علينا الا البلاغ المبين



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