

The Issue

of

Unity in Ramadhan and Eid

عِيدُ
رَمَضَانَ

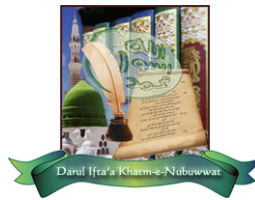


The Issue of Unity in *Ramadhan* and *Eid*

Question: Honorable Mufti Muneer Ahmed Akhoun (Damatbarakatuhum)! Asalaam Aleykum WaRehmatullah WaBarakatuhu! What is the statement of the scholars of Islam and the Mufties, in this matter: Celebration of *Ramadhan* and *Eid* has become a very controversial issue in America, due to which the common people have become a victim of utter confusion and distress. The reason being, that in the matter of moon sighting three groups have formed. The first group attempts to sight the moon in North America by themselves, for this purpose they have formulated several committees. The second group depends on calculations and forecasts the moon, and they inform the public of their findings by specifying the dates in advance for commemorating the *Ramadhan* and celebrating the *Eids*. The third group trusts the announcements made by Saudi Arab, and base their celebration of *Eids* and *Ramadhan* on it. Now the situation has become so worse that in every city, town, community and avenue we observe an alarming condition of chaos. The conflicts have increased to such an extent that in the same household the husband is celebrating *Eid* and the wife is fasting, similarly a brother is fasting and the sister is celebrating *Eid*. On the day of happiness there is an atmosphere of discontent. Muslims of Baltimore in specific and generally all over America the majority of the Muslims base their *Eid* and *Ramadhan* on the news from Saudi Arab. The minority tries to sight the moon locally. Now the question is that in order to unite the Muslim *Ummah* and save them from this conflicts, can we adopt the moon sighting of Saudi Arab or not? I am presenting to you some of the *fatawa*, among these *fatawa* the most important *fatwa* is from Darul Uloom Karachi, Pakistan. I kindly request you to please give a detailed response in this matter, and clarify the doubts presented against the moon sighting of Saudi Arab. This is my desire that through your *fatwa*, this *Ummah* receives a gift of unity in the celebration of *Ramadhan* and *Eid*. Ameen!, May Allah accept my *dua*. Yours Sincerely, Aafaz Ahmed, Baltimore, America. March 23rd, 2011.

Answer: According to Quran, *Hadith* and majority of the *Fuqaha-e-Islam*, the method of Global Moon Sighting is the exact requisite of *Shariah*. Therefore, if moon is sighted in any part of the world and its news is transmitted to distant places according to the rules of *Shariah*, then Muslims all around the world should commemorate *Ramadhan* and *Eid* on the same day. Such a practice will be a glorified display of universal brotherhood and unity of *Ummah*, as everyone will be celebrating the joy of *Eid-ul-Fitr* and *Eid-ul-Adha* on the same day. This is exactly in accordance to the objective of Rasool Allah Sal'Allahu Aleyhe Wa'salam.

For these reasons, among the four great *Imams*, three prominent *Imams* namely Imam Abu Hanifa (RA), Imam Malik (RA), and Imam Ahmed Ibn Hunbale (RA) and in fact even among some *Shafae* scholars and majority of latter *Hanafia* scholars, all are convinced of Global Moon Sighting. Establishing *Makkah* as the center for declaring the global sighting of the moon shall suffice as the principal guide. All the four schools of



thought namely *Fiqah Hanafia*, *Fiqah Maliki*, *Fiqah Shafee* and *Fiqah Hunmbaly*, unanimously agree on the rules adopted by the scholars of *Makkah* and *Medina* to declare the sighting of the moon. It is only *Alamah Subqi* (RA) among the *Shafae* scholars and *Ibn Muqatil Hanafi* (RA), who oppose to this methodology. Making *Makkah* as the central authority for declaring the sighting of the moon for the whole world will result in unifying the entire *Ummah* in celebration of *Ramadhan* and *Eid*. This will be exactly in accordance to *Shariah*, *Sunnah* and consensus of the majority of the jurists of Islam. Contrary to this, if the opinions of a few are staunchly implemented, it is bound to create conflicts. Certainly this is not the appropriate course of action. On this premises, the most prominent scholars of our times, namely the Grand Mufti of Pakistan *Mufti Rafi Usmani* and *Shaikh-ul-Islam Maulana Mufti Taqi Usmani*, and a large number of renowned scholars have ratified the rules, based on which the Saudi scholars accept the witnesses and declare moon sighting. Thus they have given complete confidence in following the moon sighting of Saudi Arabia. (*Fatawa Usmani Vol.3/ Pg.165*) (*Fatawa Shami Vol.3/ Pg. 354-355* [Fiqah Hanafi]), (*Sharah Mahzab Vol.6/ Pg.28* [Fiqah Shafi]) (*Muwahib Al-Jaleel Vol.2/Pg.387* [Fiqah Maliki]), (*Kitab Al-Furue Vol.3/Pg.11* [Fiqah Hunmbly])

Details:

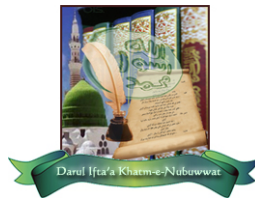
My honorable you have pointed towards one of the most critical and delicate issue of our times. Making a consensus on this issue is the direst need of this age. Ironically it has been more than half a century since we have been disputing on this matter. It is also certain that to condense a dispute spread over more than half a century into a single solution is not an easy task. This may be true because probably we have become accustomed to this conflict, to such an extent that disputing in the matter of moon sighting has become a norm of our lives. Moreover all the opponents in this conflict are completely oblivious to the fact that this conflict has caused the most detrimental effects on the economical, political, social and communal life of Muslims. These adverse effects are especially most injurious to the young generation nurturing in the west. They are burdened with the confusions and doubts in their innocent minds created from this bickering and quarrels. They already have to deal with the barrage of doubts and misconceptions the western media is churning day and night. Those of us who have grown up in our homelands like India, Pakistan, Bangladesh, etc. might be strong enough to resist the onslaught of doubts, but the new generation begins to shudder in the whirlpool of questions and dilemmas. In the western society our youngsters have to socialize with Non-Muslims in schools, colleges, and at their workplace, and during these interactions they are quizzed about the reasons for lack of unity among the Muslims on their day of celebration. They mock at the teachings of Islam and the Prophet of Islam who could not even give clear guidelines in the most important aspect of life. They ask if your Islam could not unify you in the day of celebration, then what is the way of life that you proclaim to be the best? This conflict has robbed us from the joy of our festivity and has drained the essence from the saying of Rasool Allah Sal'Allahu



Aleyhe wa'salam that, "every nation has its day of celebration, and Eid is our day of celebration." If a nation and religion can not unite in its days of celebration then certainly it has no chance of uniting in its fundamentals and rituals. Islam has become synonymous to a tangled skein, and no one seems to find its tip. Everyone is trying to untangle the strands of confusion, and whoever gets the upper hand tries to aim at the solution. We all see the humiliating demonstration of debasing each other over the differences in the opinions of *fuaqaha*. The religion of Islam has become isolated from love, affection, and compassion. It has become infested with extremism and terrorism.

My fellow brethren, such is the ridicule that is being inflicted by outsiders on the religion of Islam and the Prophet of Islam. Whereas, the fault lies neither in Islam and nor with the Prophet of Islam, but the ones to be blamed are those pitiful Muslims whose narrow mindedness, extremism, intolerance and radicalism has blemished the gleaming face of Islam and has obscured the compassionate life of the Prophet of Islam. To this day in the modern nations of America and Europe, this selfish Muslim has not been able to give our new generations a gift of unity and solidarity in the joy of *Eid* and *Ramadan*. Consequently families have started to fall apart, and members within the same family are observing their holy days on different days. We should ask ourselves that, is this the way of celebrating festivity that our beloved Prophet (Sal'Allahu aleyhe wa'salm) was teaching us when he was giving us the glad tidings of "Haza *Eiduna*" "This is our *Eid*"? Can any sane minded person call such an estranged celebration a real celebration? No, certainly not! And thus I am humbly presenting my vision in this vital matter. Before I move on with penning my point of view in this document, as a preface I would like to present some excerpts of one of the greatest scholars of this century Hazrat Alama Yusuf Binori (RA), a true inheritor of knowledge and wisdom of Huja-tul-Islam Alama Anwar Shah Kashmiri (RA). Hazrat Binori (RA) states:

I observe with amazement the rampant spread of secession '*fitna*' around the globe, and often ponder as to which of these dissensions deserve more attention and which are the ones that could be ignored for the time being. The raging flood of conflicts seems to be endless, it has become beyond imagination where will this path of destruction will seize. Everywhere in the media, be it magazines, newspapers, research interviews, columns and articles, we see blasphemy been committed in the name of reforming the religion, the very fundamental tenants of faith are been attacked, you find outright rejection of the rules of *Shariah*, and people turning their backs on the *Sunnah*, attempts for making alterations in the Quran are on the rise, religious verdicts '*fatawas*' are being thrown left and right, that are trying to legalize usury and consuming of alcohol as an acceptable act, researches are being conducted to find justifications for organizing gatherings of dance and music, efforts are being made to wipeout the '*hudood*' punishments, and slandering the pious predecessors has become a despicable pastime of many, and arguments are put forward to prove that the entire Islamic system of life is futile. In conclusion enemies of Islam have their hands full, and they are busy day and night in creating mutiny



and upheavals. These enemies are both internal and external, they exist among the elite and the common, among the rulers and the ruled. Each one of them are determined to destroy this last blessing of Allah'Tala i.e. Islam. Their sole purpose of existence is to gain the materialistic amenities of this life, and they have the least concern for the life hereafter. Even more lamentable is the situation of those few honorable people that have the ability and credibility to defend us from the onslaught of these 'fitna', but they fail to do anything either because they are oblivious from the current affairs or they don't have enough resources at hand to bring a change. *Inalillah wa ina aleyherajjoun!*

Translation: "There were many scattered tribulations that summed up into my trial, and still there seems to be no end to my problems."

In addition to the customary duties and responsibilities that are placed on the shoulders of the scholars, they are also obligated to resolve matters of current affairs, especially those issues that arise from the advancement of society and technology. There is a growing trend among a faction of the so called modernists, who have naïvely come to believe that the traditional Islamic system and the orthodox principals of jurisprudence are outdated and obsolete in the technologically advanced world of our times. But if we carefully analyze the system of Islam we will discover that this system has two branches. One part of it is based directly on the clear and undisputed instructions in Quran and Sunnah. This source code is a blessing from the most beneficent and merciful Lord, the All-Knowing and the All-Wise, whose knowledge encompasses the entire creation, and He is very well aware of all the short comings that will arise in the generations to come till the Day of Judgment. Hence out of His infinite knowledge and absolute power He has granted us a golden cure to all our spiritual sicknesses till the Day of Judgment. As such there is no possibility of making even minor modifications, amendments or changes in these guiding principles of life.

The second branch of the Islamic system is the one that has been formulated from the consensus of scholars and jurists of this *Ummah*, under the light of Quran and *Sunnah*. These rulings have evolved over time and in many stages. Many of the matters related to personal dealings and transactions are also a part of this branch of the Islamic system. May Allah'Tala abundantly reward the jurists of this *Ummah*, who have developed the guidelines and framework for finding solutions from the Quran and *Sunnah*. Their rules and guidelines continue to serve as the benchmark for all the scholars who want to resolve newly rising issues and conflicts. It is obvious that the more the society will advance and develop, the more will the new issues arise. The more our interaction increases with the non-Muslim nations the more we will be faced with new and unprecedented issues. Among the Muslims there is still a majority that will follow the Islamic guidance in the matters of business and transactions if they are given concise and explicit guidelines formulated under the light of Islamic laws. These guidelines should resolve their issues and give them alternates that are complaint under the Islamic jurisprudence, such a step will keep them within the permissible limits of Islamic law. Certainly many



people will gladly adopt these measures and implement wholeheartedly. (Quoted from “Demand of the Current Times”, Mahanama Bayinat, Karachi)

No doubt Alama Binori has stated correctly that the advancement of the society has given birth to new and unprecedented issues. These new issues have created a variety of complications and made the simple life like an entangled web. The progress of society and the increased interaction with the non-Muslim world has resulted in international developments. As a result there have been many new cultural and social developments in human life and society. And mankind came up with questions on how to deal with these new issues under the guidelines of Islam. Islam has continued to boldly provide solid answers to all questions put forward by the people, and no question can arise till the Day of Judgment to which Islam can't provide a solution. Now the question remains about the guidelines that Islam gives in regards to *Eid* and *Ramadhan*? And what instructions have been given by the Prophet of Islam in this matter. Is it that the rules specified by Islam and the Prophet of Islam compels us to celebrate *Eid* and *Ramadhan* on more than one day?

THREE POSITIONS:

In the matter of *Ramadhan* and the moon sighting for *Eid*, the *Ummah* is divided in three different opinions. The first resorts to astronomical calculations, the second to local moon sighting and the third is convinced on global moon sighting. As far as the opinion of astronomical calculations is concerned, the rightly guided scholars have totally discarded and rejected this method. They have declared this methodology against the rules of Quran, *Hadith* and the consensus of the *Ummah*. The scholars have clarified that this method is completely against the explicit guidelines of Prophet Sal'Allahu Aleyhewasalm and is a deviant path that is not to be followed by the pious. Therefore, Shaikh-ul-Islam Maulana Mufti Taqi Usmani, while explaining the *Hadith* on moon sighting states, 'the scholars have concluded that the moon sighting can be done only from visual sighting and there is no room to base it upon the calculations.' Hence visual moon sighting is the only means for declaring the moon. This is because even if the results from calculations and gauges of measurements are considered to be accurate, even then the intervention of such results in the Islamic laws will cause inconvenience and much greater conflicts rather than creating any ease. If the results of these experts and their equipment are absolutely accurate and precise then there should have remained no difference of opinions among the scientific scholars. Scientific developments, mathematical innovations, and astronomical advancements have boomed throughout the world, and there is no doubt that the new researches have rendered the previous theories obsolete by exposing massive errors and miscalculations in them. Even the most current scientific theories cannot be declared as irrefutable, and a probability still exists that someone in the future might be able prove them false. Leave aside the probability of future, there are scientific experts in the current times that are not convinced of fellow scientists. For example, Abu Rehan Al Bayrouni, the most



famous philosopher and astronomical expert of the 4th century Hijri, who resided for a considerably good time period in India during the time of Shahabudeen Gouri. The Russian experts substantially benefited from his works in their invention of the rocket. One of his famous books has been published in Lazick, with the commentary of a famous German Dr. Edward Sakhao. In this book it is mentioned that the experts unanimously agree to the fact that the gauges of cosmology cannot be held as absolute accurate. My honorable father (Rehmatullah) in one of his articles on 'Moon Sighting', quotes the excerpt from this book as follows: "The experts of mathematics and astronomy have a consensus that, all the measurements that are taken into supposition in the process of determining the sightings are such that they can only be estimated. This is because the atmosphere constantly changes due to which the observations may appear to be smaller or larger than the actual. The conditions of the space and astronomy are such that if anyone will try to analyze them, will surely not be able to give an absolute decision of the sighting of the moon." It is also mentioned in 'Kashf al Zunnoon' with the reference of Shamsudeen Muhammad Bin Ali Khawaja's forty years experience that in such matters there can be no forecast that can be held as absolutely accurate and valid. Now when it has been established that the astronomical observatories and their equipments cannot determine in absolute terms the forecast of the moon, and that their results are based on estimation, then it becomes even more evident that the rules given by the unlettered Prophet (Sal'Allahu Aleyhe Wa'Salam) are the wisest. Accordingly no emphasis has been given so as to engross the *Ummah* in such futile peculiarities. In fact a simple format of visual sighting has been laid out that can be easily followed by every person in all circumstances. (Inaam-ul-Baari Sherah Sahih Bulhari Pg. 489, vol. 5, by Shaikh-ul-Islam Maulana Taqi Usmani).

Hence, during his visit to New York, the Sheikh-ul-*Hadith* of Darul-Uloom Deoband, Hazrat Maulana Mufti Saeed Ahmed Palunpuri (*Madazilahu*) had categorically proved in his lectures that the methodology of forecasting the moon is completely against the teaching of Quran, *Sunnah* and the consensus of the *Ummah* and the way of the deviants.

As for the remaining two methodologies, both of them agree to the fact that the moon sighting must be based upon visual sighting by the naked eye. In this regards there are 29 *ahadiths* of Prophet Sal'Allahu aleyhe Wa'Salam, which have been narrated in the six authentic books of the *Hadith*. In these narrations Prophet Sal'Allahu aleyhe Wa'Salam has ordered to base the decision of declaring the moon sighting through only visual sighting. Now the difference of opinion has occurred on how to define 'ruyah' (sighting)? Is it necessary that everyone should see it?

Before understanding the reality behind this difference of opinion, I humbly would like the reader to study a summary in the matter of moon sighting and about the procedure of accepting witness, written by my father-in-law Shaheed-e-Islam Hazrat Maulana Muhammad Yusuf Ludhanvi (*Qudisasirahu*). In response to a



question Hazrat stated that: “The statements that you have written are correct but they have been copied in a very ambiguous manner. Hence I will write in simple words all the issues pertaining to this matter:

1) If the atmosphere is clear and there are no obstacles in sighting the moon, then it is mandatory that there be a large number of witnesses before declaring *Eid* or *Ramadhan*, the number of witnesses should be to such an extent that there should remain no doubt about the sighting of the moon. But if a trustworthy Muslim, arrives from the outskirts or from an elevated place, then the witness should be accepted in declaring the commencement of *Ramadhan*.

2) If the atmosphere is cloudy or dusty, then a single witness should be accepted for commencement of *Ramadhan*. As for the *Eid*, there should be either two male witnesses, or one male along with two female witnesses, they should report that they themselves have seen the moon. The witnesses will be required to use the word “Ash’had”, this is similar to the format of accepting a witness in the court system, where the witness explicitly states that “I bear witness, I have seen the moon.” Unless the quantity of the trustworthy witnesses (‘either two male’ or ‘one male along with two females’) are complete and they testify using the words “Ash’had”, the moon sighting cannot be established for declaring *Eid*.

3) When in a city moon sighting is declared based upon the principles of *Shariah*, then does it becomes incumbent on other cities to follow as well? Here it is important to understand three important rules in this matter: First, the declaration of one city can become a premises for other cities if one of the three methods is satisfied: i) “*Shahadat ala Shahadat*” “Witness on witness”, meaning if in the other city two sane, righteous Muslim adults testify that they themselves have witnessed in another city that two sane, righteous Muslim adults have given witness of the moon sighting. ii) “*Shahadat ala Qaza*” meaning if in the other city two sane, righteous, Muslim adults testify that they themselves have witnessed a judge of another city declaring the moon sighting. iii) “*Tawatir wa Istefazah*” meaning that in the other city various groups arriving from a different city report that the moon has been sighted there. These groups and their reports should reach to such an extent that the ruler of the city gets satisfied to the point that he gains confidence in these reports.

If among these three methods even one is satisfied then the declaration of one city can be made as a premise for announcing the moon sighting in other cities as well. The second rule in this matter is that the declaration of a judge i.e. Qazi is implementable only in the areas under his jurisdiction and not for other localities. But if based upon the rules of accepting witnesses, a judge of another city gets satisfied from the reports of moon sighting, then he too can declare for the area under his jurisdiction. The third rules is that, in those localities where there is no difference in the horizon, then the report of one locality is sufficient (given that the rules of the witness are satisfied) for declaring moon sighting in rest of the area. This is a consensus, and no one has a difference of opinion regarding this rules.



But what about those cities that are so far apart from each other that there is a difference of horizon, then whether in these cities the report of one city be a premises for another city or not? In this matter the most apparent law is that the differences of the horizons should not be taken into consideration. This is because even if two cities are as far apart as east and west, still the witness of one city should be upheld in the other city, given that the witness fulfils the rules laid out by the *Shariah*. This is in accordance to the *Maliki* and *Hanbali* school of thought. Some of the latter scholars have given the opinion that in those areas where there is a difference of horizon then it should be taken in consideration. The *Shafee* school of thought is also of this opinion. Regardless, to these opinions the final verdict i.e. *fatwa* is based upon the apparent (*zahir*) law that the differences in horizon will not be given any consideration, neither in far apart cities nor in the nearby areas. (Aap k Masaeil aur un ka hul, vol. 3, pg. 258)

You have read the text quoted from the writings of Shaheed-e-Islam Hazrat Ludhyanvi (RA), that among the four schools of thoughts, three of them namely, Imam-e-Azam Abu Hanifa (RA), Imam Malik (RA), and Imam Ahmed Ibn-e-Hanbal (RA), have a consensus on global moon sighting. Accordingly if anywhere in the world Muslims have sighted the moon, and its confirmed based on the rules of *Shariah*, then all the Muslims from East to the West are required to commemorate *Ramadhan* and celebrate *Eid* on the same day. Particularly the *Hanafi* school of thought has endorsed to this apparent law and based its *fatwa* on it. Hence, even among the *Shafee* school of thought Samiri, Qazi Abu Taiyab and Darimi, and the other numerous scholars of the *Shafee* have approved this to be the better opinion. (Al-Fiqah Al-Islami vol. 3, pg. 1657) (Rad-al-Mukhtar Shami vol. 2, pg. 131(Fiqah Hanafi), (Sharah Muzhab vol. 6, pg. 273(Fiqah Shafee), (Al-Sharah Al-Kabeer vol. 1, pg 510, Bidayah Al-Mujtahid vol. 1, pg. 278) (Fiqah Maliki), (Kashf Al-Qinaa vol. 2, pg. 353) (Fiqah Hanbali).

These scholars are convinced that the 29 ahadeeth of the 'Sah-e-Sita' are in reference to global moon sighting and give a general indication. Therefore, the *Hadith* 'Sumu li royati, wa aftir li royati' 'Sight the moon to fast, and sight the moon to celebrate *Eid*' (Sahih Bukhari) and in Nisai, this *Hadith* is mentioned with the additional words, 'wa unsiku alha' 'and sight the moon for your slaughtering'. This *Hadith* is commanding to do global moon sighting, so that Muslims all over the world show solidarity and unity, by celebrating *Eid* and *Ramadhan* on the same day. Such ahadeeth that are so apparent and broad in their meaning have become the basis of the *fatwa* for the *Hanafi* school of thought. Therefore the grand Mufti of India, Hazrat Maulana Mufti Kafayatullah Sahib (RA) writes in 'Kafayat-ul-Mufti' his famous book of *fatwa* that, "for purpose of *Shariah*, the *Hanafia* have not taken into consideration the differences of horizon, it is not that they don't believe in the existence difference of horizon, it's just that they are not convinced that it holds any importance in the matters of *Shariah*. The analysis of the *Hanafia* is based upon the *Hadith* 'Sumu li royati, wa aftir li royati' this *Hadith* is also narrated in *Tirmizi* and other authentic books of *hadith*. The meaning of this *Hadith* is, 'sight the moon to fast, and sight the moon break the fast'. The commandment of fasting has been given in general to all eligible's,



and the commandment of sighting has been made collectively without specifying who should do the sighting so as to begin the fast. Now if we consider that the subject of the speech i.e. all the people who are eligible to fast, are individually commanded to sight the moon, then the meaning of the *Hadith* will imply that only those who sight the moon can begin the fast. This interpretation will create a conflict, because even those individuals who are eligible to fast would get left out if they failed to sight the moon, even though others might have sighted the moon in the same locality. No doubt, it is unanimous that such an interpretation is absolutely invalid that exempts an eligible person from fasting just because he or she did not see the moon themselves.

Similarly, it will be implied that there are no boundaries limiting the transmission of the report of sighting of the moon, if an authentic sighting is reported whether it is in the east or in the west, all those who are eligible to fast will be required to fast when they get this information. In this narration just like the commandment of sighting has been made in collective form without specifying anyone, similarly the region of sighting has kept unspecified. Meaning no restrictions have been made in regards to the place of sighting. The only requirement is 'visual sighting', no matter who does it and where. If the sighting is authenticated on the principles of *Shariah*, then one witness is sufficient for commencing the *Ramadhan*, and two witnesses for the moon of *Eid* (this is incase when the atmosphere is not clear). When the atmosphere is clear then a large number of witnesses are required for both *Eid* and *Ramadhan*.

In an incident where Hazrat Abdullah bin Abbas (RA) rejected the report of moon sighting, does not goes against the arguments of *Hanafia*. This is because in the first place that witness was not in accordance to the principles of *Shariah*. Apart from this there are no guidelines specified by the *Shariah* that defines the limits of the distances in which the reports will accepted and those exceeding it would be rejected. If there was such a rule that prohibits from accepting the reports then it was necessary that such rules were clearly mentioned. (Yours Sincerely Muhammad Kafayatullah, may Allah pardon me, Golden Masjid, Delhi) (Kafayat-ul-Mufti, vol 4, pg. 224, with reference to Tirmizi and Rad-ul-Mukhtar Shami)

In response to a question presented to Darul-Uloom-Deoband, it has been stated that: "According to the *Hanafia* the differences in the horizon will not be taken into consideration, to the extent that if the people of the west sight the moon, it becomes mandatory on the people of the east to follow it, given that the information is verified and authenticated. (*Fatawa* Darul-Uloom-Deoband vol. 6, pg. 251)

In response to a question Ala'Hazrat Maulana Ahmed Raza Khan Braeilvi (RA) writes in '*Fatawa* Rizwiya', "According to the authentic methodology of the scholars of our school of thought, in the matter of the crescent for *Ramadhan* and *Eid* the distance of the cities will not be taken into consideration. Thus the sighting of the east is a proof for the west and vice-versa." (*Fatawa* Rizwiya pg. 567)

In another place while replying to a question, he states that: "it is absolutely wrong and a slander to say that in the matter of *Ramadhan* and *Eid*, the researcher of *Hanafia*, the *muhadiseen* and *mujtahideen* of the

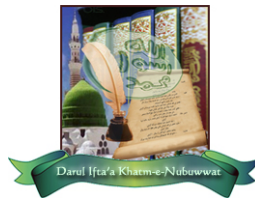


narrations of *Hanafia*, endorse the consideration of differences in the horizon. The facts are contrary to this, and actual verdict is to dismiss the importance of such a consideration, this has been the methodology of our great scholars, and our *fatwa* is based on the same, and the majority proclaim it, this is the most precautionary method. (*Fatawa Rizwiya* pg. 628).

The statements of the latter scholar of *Hanafia*, Imam Zaili (RA) who while differentiating in the near and far areas mentioned his method as 'more precautionous', this statement has been strongly criticized by Ala'Hazrat. He states that, ".....and it is only one individual Imam Zaili (RA) who wrote it as 'more precautionous', and you say that this is the opinion of the majority of the scholars, this just a claim that you make. Zaili is not even the follower of the school thought, and it is not that the *muhadiseen* of *Hanafia* rely on him. Who could come in comparison to Abu Hanifa, Abu Yusuf and Muhammad (RA), they were the ones who had dismissed the consideration of the differences of the horizon. And even if it is said that the school of thoughts have been strengthened by the latter scholars then take the example of the most prominent scholar Imam Ibn al-Hamam (RA), was he not a great scholar, he had also stated the *fatwa* will be given on the apparent narration, and to follow it is the most precaution. (*Fatawa Rizwiya* pg. 628)

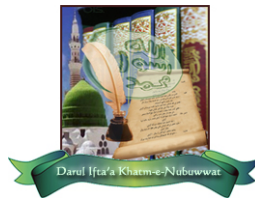
In the most famous book of the *Braeivi* school of thought named "Bahar-e-Shariyat", Hazrat Alama Amjad Ali writes in regards to the global moon sighting, "If the moon is sighted in one locality then, it is not meant only for that specific locality but for the entire world. But its implementation will become mandatory on other areas only if the reports are authenticated on the principles of *Shariah*. Meaning that the witnesses testify, or if the judge declares it, or if numerous groups give the reports of moon been sighted in other areas, where people have seen the moon or started *Eid*." (*Dur-e-Mukhtar*)(Bahar-e-Shariyat pg. 471)

Among the Tablighi jamaat the most revered and prominent scholar, Faqih-ul-Ummat Hazrat Maulana Mufti Mahmood Hasan Gangohi (RA) (Grand Mufti of Darul-Deoband) writes in his famous book of *fatawa* 'Fatawa Mahmoodia' about the matter of 'dismissing the consideration of difference in horizon' as the agreed upon consensus of the three great Imams, namely Imam Abu Hanifa (RA), Imam Malik (RA) and Imam Shafee (RA). Hazrat states that, just like the rules of accepting a witness are applied on the witness of the nearby area, similarly the rules are also applied on the witness from a far area. Therefore, if the sighting in the east is authenticated based on the principles of *Shariah*, then those in the west will have to abide by it in observing their *Eid* and *Ramadhan*. Rasool Allah Sal'Allahu aleyhe wasalam had ordered to the entire *Ummah* in the *Hadith* "sumu li rohyati...." so that the sighting of a few will be honored by the rest of the *Ummah*. Hence, Faqih-ul-Ummat writes that, "the commencement for fasting is either the sighting of the crescent or the witnesses." (Ikhtelaf-e-Matala ki Tafseel)



Question: In the matter of sighting the moon for *Ramadhan*, it is consensus among all that the commandment of fasting changes depending upon the difference of horizon. Some present the *Hadith* of Quraib as their proof and some bring forth other *aHadith* to support their claim. Even more, some others claim that this opinion is directly referenced from Quran, 'Fa'man shahida min'kum as-shahr fal'yasum aye *Ramadhan*...' and translate this verse as, 'if a person gets the month of *Ramadhan* or enters in it, fasting is mandatory upon him', this is the true and accurate methodology. Whereas Imam Abu Hanifa (RA) endorses that no consideration should be given to the differences of horizon. According to the *Hanafia*, if the people of the east report the sighting of the moon then it becomes an obligation for the people of the west to follow it, and vice-versa. His opinion seems to be contradicting the *Hadith* and to the direct reference of the Quran. This is because it is bound to happen that in some countries the month of *Shaban* will be still going on while at the same time another country would enter in *Ramadhan*. Just like when it is night time in America its daytime here, similarly there is a major time difference between London and India, at other places the time difference is so much that if its 10am in one location it could be 10pm in other place. There is a famous example quoted in the books of *fiqh* about the place called *Bulgaar*, that the *Salah* of *Isha* is not mandatory on its people. This is because right after the *Salah* of *Maghrib*, its time for *Fajar Salah*. In short, how can the fasting be mandatory on those on whom the month hasn't appeared yet? So if the people of the east have sighted the moon, the people of the west are not present there. Then how can this report compel the people of the west to start their fast? For example, if it is time for *Salah* of *Zuhr* in one country and it's the time of *Salah* of *Fajar* in another country. Then if the news of the *Zuhur Salah* is reported to the other country, would they have to offer the *Zuhur Salah* or should they perform the *Fajar Salah*? Secondly Imam Shaaeri (RA) states that in the matter of sighting the crescent, the methodology of Imam Abu Hanifa (RA) is based on Quran, *Hadith*, *Qiyas* and *Ijma*. If this is true then please provide the details of the references used to establish this issue?

Answer: To say that it is a consensus among all the great scholars on the issue of taking into consideration the differences of horizon as a factor that changes the rulings of the fasting, is based on ignorance about the schools of thought. Here are the details about the positions of all schools of thought in this matter: Nabeel-al-Maarib of the Hanabali school of thought states that: 'When the report of the moon sighting is confirmed in one locality and its reports are verified then fasting becomes mandatory on all. This is because in the narration of Rasool Allah Sal'Allah aleyhe wasalm, 'Sumu li rohyati...' the order is given to the entire *Ummah* of Islam. This is the verdict of the Hanbali school of thought. In the *Maliki*, '*Sharah Kabeer lil Rardeer*' it is stated that, 'the fasting will become mandatory whether the countries are near or far.....', this is the Maliki school of thought. And the stand of *Hanafia* on this is very well known. Therefore we can conclude that in the matter of dismissing



the consideration of the differences of horizon, all the three great schools of thought are of the same opinion, and the *Hanafia* are not alone.

The *Shafae* do take into consideration the difference of the horizon but they also have similar opinions. So in summary three schools of thought have a consensus while the *Shafae* are on the other side. Shiekh Muhammad bin Abdul Rehman Damishqi Shafae writes in '*Rehmatul Ummah fi Ikhtelaful Aemah*', "All the school of thoughts of Islam have a consensus that if the moon is sighted in one part of the world it becomes mandatory to follow for the entire Muslim *Ummah*, except for the *Shafaies*..."

This is the summary of each school of thought, now remains the matter of proof, so those are not required by a layman *muqalid* (follower of a specific school of thought), moreover a layman would not understand them, and thus it would not be of any benefit to explain. It would not be a surprise to know that due to lack of knowledge and understanding the layman will get confused. Therefore it is enough for him that he follows the judgment of his Imam who has analyzed the Quran and *Hadith* to reach a verdict. But if the people of knowledge have the curiosity of research and desire to increase their knowledge, then for them there are abundant proofs available in the books. Those *Shafaies* that have given the consideration to the difference of horizon have not based their verdict on a verse of the Quran, but have inferenced it from the *Hadith* of *Quraib*. I will first give the reference of the verse of the Quran and then explain the details about this *Hadith*. There is no doubt in it that the *Ramadhan* becomes obligatory when the month of *Ramadhan* befalls (on those eligible), 'Fa'man Shahida min'kum ash'shahri fal'yasumu', but according to the *Hadith* we come to know that it depends on the sighting of the moon, 'sumu li rohyati...' (*Hadith*). So the way to rationalizing these two orders is to make the beginning of the month of *Ramadhan* dependant on the sighting of the moon. Know the sighting of the moon can be done in two methods; one is that every individual's witness be a proof only for his or her own self, and the sighting of other persons will not be accounted. Then in this case the blind, handicap or the women who could not sight the moon from an elevated place, and those people living in foggy, cloudy, and smoky areas will all become exempt from fasting. Some of them will gain this exemption for a short while and many will continue like that for a longer time. For these reasons and many more like it, there remains no doubt that this interpretation is complete falsehood and absolutely invalid.

The second interpretation is that the sighting of a few be regarded acceptable for all the rest (given that the reports are verified based on the principles of *Shariah*), this is the true and accurate way. Accordingly anyone who receives the report (through *Shariah* compliant witness) the *Ramadhan* commences for them as well, just like for the one who actually witnessed the moon sighting. To say that the witness of the people of the east will not be considered for the people of the west despite that the report is verified in accordance to the rules of *Shariah*, is a wrong stand. Just as the nearby witness has the ability to enforce the laws of *Shariah*, in the same manner the witness from a faraway places has the same potency. Even in the matters of the capital



punishments i.e. *Hudood* (that are terminated due to minor doubts) there is no differentiation in the consideration given to the witness of nearby or faraway places. Thus there is no similitude that is available in *Shariah* in this regards. Thus the *Hanafia* school of thought is based on the direct reference of Quran, *Hadith*, consensus and logical inferences (*qias*) and does not contradict it in any form. It is states in the Tafseer 'Tabseer-ur-Rehman' and 'Sawi Sharah Jalallain.

In this matter the prominent scholar of the 'Gair Muqalideen', Allamah Shawqani also favors the *Hanafia*. He responds to the *Hadith* of Quraib. This *Hadith* is narrated by Abu Dawood. Allamah Shawqani has also mentioned the status of this narration. From his discussion it becomes evident that even according to Alamah Shawqani the *Hadith* of Quraib does not qualifies for evidence. Hence if you want to know more about the response of the *Hanafia* to the *Hadith* of Quraib then refer to (Awjazul Masalik Sharah Muwata Imam Malik vol 3)

Hazrat Maulana Mufti Taqi Usmani (Medazilahu) clarified the issue of difference in the horizon, states that, 'if the differences in the horizon are dismissed then the celebration of *Eid* and *Ramadhan* can be done on the same day all around the world. Therefore he states that the real fault is that people don't really understand the meaning of 'difference of horizon', due to which a lot of conflicts arise. To disregard the difference of horizon is such an obvious fact that it is impossible to ignore it. Now let us understand how does the difference of the horizon occurs? People have come to think that if the locations are far apart then the horizons will be different and if the locations are nearby then there will be a unified horizon. But this is not the truth, the reality is that whenever the moon appears on the horizon, it appears as a beam to those who sight it. All those who are inside the range of the beam are able to sight it and those that are out of the limits of the beam would not be able to see it. For example, the moon has risen and suppose that the surface area of a table is its range of beam, within its perimeter the moon can be sighted. If one person is standing at one corner of the table and the other person is standing on the other end of the table. Even if there is a distance of thousand miles between them, but still there horizon will be considered unified. This is because both of them are within the range of the beam and both are seeing the moon. Although if there is another person standing outside the range but very close to the person standing inside the beam, then their horizons have become different. Let us take a tangible example to understand this, suppose there is a high water tank outside the Darul Uloom. If you keep moving away from it and continue seeing it, you would be able to observe it from very far. A point will come when it would not be visible any more. Now if we go in the opposite direction towards east, the tank will also be visible from a far place. The horizon of both these two extreme observation points will be the same, although the distance between them might be about 4 or 5 miles. And the last point at which it was visible and a point further from which it becomes unseeable, may have a distance of only a few yards, but their horizons would be considered



different. Thus the difference of the horizon or its unification is not dependent on the distance but is based on the ability to be seen.

If it was such that the moon always created the same exact range of beam every time it rises, then it would be easy to divide the entire earth in two parts based on it. The moon would have been visible in one part of the earth and not in the other part. Then the entire issue would have become simple, as it could be researched which countries are covered under the range of the beam and which are the ones that lay outside. All the locations within the range would be considered to have a unified horizon and the rest have a different horizon. But in reality it happens that each time when the moon rises, it makes a new beam on the earth. Meaning that those countries or areas that were included in the moons beam last month are possibly no longer in its range in the next month, and new areas have come under it. So every month the beam continues to change. Therefore, no absolute formula cannot be made to establish that the horizon of Karachi and Hyderabad is unified but the horizon of Karachi and Lahore is different. As every month it's a new situation. Thus if we give consideration to the difference of horizon, then according to the three of the Imams, it will be very much a possibility that the moon could be sighted in Korangi and not in Sadar. Then it should be said that the horizon of Korangi and Sadar are also different. And because of this, if the moon is sighted in Korangi, it should not be considered as a proof for the people of Sadar, and vice-versa. And if the difference of the horizon is taken as a fact then it will require that the witnesses of the same locality will not be acceptable for each other. This is clearly in contradiction to the practice and instructions of Rasool Allah Sal'Allahu aleyhe wasalam.

Hence there is a narration in Abu Dawud, that Rasool Allah Sal'Allahu aleyhe wasalam had tried to sight the moon in Medina, but it was not sighted. Then He Sal'Allahu aleyhe wasalam, announced that today the moon has not been sighted. Next day a caravan arrived after Asr and reported that they had sighted the moon last evening after *Maghrib*. Their report was given about 24 hours they had seen the moon, and they been traveling for about 24 hours after seeing the moon. So they would have traveled for about one 'merhala', and one 'merhala' is about 16-20 miles. Rasool Allah Sal'Allahu aleyhe wasalam, accepted the report for declaring moon in Medina. If the difference of the horizon was an acceptable factor then Rasool Allah Sal'Allahu aleyhe wasalam would not have given any consideration to that report. But we analyze from this that the there is no room to give any consideration to the difference of horizon and thus the method of Global Moon Sighting is accurate. This is the methodology of the *Hanafia*, and is based on the apparent narration. The latter scholars of *Hanafia*, who have made a differentiation in the nearby and faraway areas have contradicted to the factual reality of the difference of the horizon. This is because the nearby and faraway distances make no difference. Thus the apparent narration taken by the *Hanafia* that if the moon is sighted anywhere in the entire world, then it can become a proof of evidence for the rest of the world, given that its report is transmitted based on the



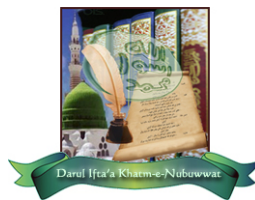
principles of *Shariah*. If today all the countries of the world unify on this methodology, then there would remain no chance that the months be counted to 28 or 31 days. This will also eradicate conflicts from many countries.

The Correct Method of Witness

- 1) Firstly, there should be visible sighting, individuals should come forward to testify. This is not a difficult task in today's time and age. An individual could witness the moon in Pakistan and fly to America and testify. This is because the time difference from the flight will be about 10 hours, and in certain areas of America it would be about 12-13 hours. Thus based on a witness of a visual moon sighting, such a report can be made a basis for declaring the new moon.
- 2) The second method is 'Shahadat ala Shahadat', meaning that if the witness him/her self is not available, then witness of the witness can also be used to establish the moon sighting.
- 3) The third method is Shahadat-ala-kaza, meaning that a judge declared the new moon in one location, and if an individual testifies that I have seen a judge of a city declaring the moon sighting.
- 4) The fourth method is 'Istefaza-e-Khabar', this too can establish the moon sighting.

These methods are all for the moon of the *Eid*. In the case of *Ramadhan*, even the witness of one individual will be taken into consideration. Whereas, in the matter of *Eid*, Istefaza-e-Khabar is equal to a witness. The meaning of Istefaza-e-Khabar is that, the reports of moon sighting become abundant, and the number of reports exceed to such a level that it gives confidence that they are telling the truth. Then in such a situation the moon sighting can be declared. The analysis of all this discussion gives a conclusion that if all the Muslims want, then they can celebrate *Eid* and *Ramadhan* on the same day. This is because the witness of one location is sufficient for other places too. All of this is not an issue in today's advance age of communication, that through Istefaza-e-Khabar, the reports can be transmitted to other locations. Telephones have a similar credibility, although a witness cannot testify over the phone, but if the number of phone reports from different places increase to such an extent that it gives confidence and satisfaction, then it too comes under the definition of Istefaza-e-khabar. Like it has been mentioned that the reports can be transmitted from one location to another, through the method of *Istefaza-e-Khabar*, and it can be used to commemorate *Ramadhan* and *Eid* throughout the world on the same day. Then why is it not done so? (Inaam-ul-Bari Sharah Saheeh Bukhari Pg. 489, vol. 5, Efadaat: Shiekh-ul-Islam Maulana Mufti Taqi Usmani Medazilahu)

Imam-ul-Hind Alam Rubani Jam-e-Al-Manqool-wal-Maqool Hazrat Maulana Abdul Hae Lukhnawi (Qudisasirahu) while replying to question regarding the validity of global moon sighting writes in one of his books of *fatawa* named 'Mujmua al *Fatawa*', "Question: Is the moon sighting of one location valid for the other as well or do we have to take into consideration the difference of horizon? Answer: No consideration has to be



given to the difference of horizon. It is mentioned in 'Dur-e-Mukhtar' translation: 'Based on the apparent narration (zahiri rawayat) there is no room for giving any consideration to the difference of the horizon, this is the opinion of the majority of the scholars and the final *fatwa* has been given on the same'. It is also mentioned in Mujmua Al Barkaat, (translation): 'If the people of one locality fasted for 30 days and the people of another locality fasted for 29 days, so the ones who fasted for 30 days will have to do 'qaza' (repeat) their fast.' And it is mentioned in 'Dur-e-Mukhtar': 'If the news from the other locality is reported then the most accurate methodology is that it becomes incumbent on them to follow it as well.' It is mentioned in 'Dur-e-Jama-al Ramooz', that, 'the ruling of one city can not be used to make decision for the other city', Imam Muhammad (RA) states that, 'It does become applicable and the most correct method is to consider the report received from the other city.' (Majmua Al Fatawa pg.358, vol.1).

To the extent that in this matter, Hakeem-ul-Umat Mujadid-e-Milat Hazrat Maulana Ashraf Ali Thanvi (RA) has stated in favor of Global Moon Sighting in his famous book 'Baheshti Zewar': "First Issue: The report of moon sighting in one city is also an evidence for the other city. No matter how much distance there may be in both of these cities. To the extent that if the moon is sighted in the farthest corner of the west, and its news is transmitted in a reliable method, then it will become incumbent on the people living in the farthest corner of the east. (Behishti Zewar, Section 11, pg 104, part 4)(Referenced from 'Behr Al Raqeeq, pg 270, vol.2; Fatwa Alamghiri pg 97, vol1). Hence it is stated by Syed Abdul Raheem Lajpuri (Randhir, Gujrat, India) in response to question asked regarding the Global Moon Sighting: "

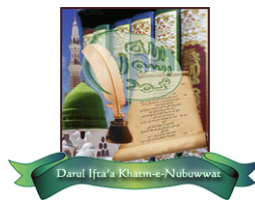
Difference of Horizon

The apparent (zahiri) narrations do not give any consideration to the difference of the horizon, as stated in *Fatawa Alamghiri*. (pg 211, vol1) and *Fatha Al Qadeer* (pg 313, vol. 2). Thus according to the knowledge of the fiqah, "the sighting of one city is a premise for another city, the distance between the two cities does not matter, if the reports are transmitted according to the principles of *Shariah* then the sighting of the people of the east has to be valid for the people of the west and vice-versa." (Dur-e-Mukhtar, 'Rad-ul-Mukhtar'). (Elim Al Fiqah part 3, pg 17,18)

The Grand Mufti of India Hazrat Maulana Mufti Muhammad Kafayatullah (RA) writes that, "

Question: If the report of moon sighting comes from a distant place, then will it be considered or not?

Answer: No matter how far the report comes from, it has to be taken into account. For example if the people of Burma did not sight the moon, and a person from Bombay comes and testifies about the sighting, then in this case it becomes mandatory on them to do 'qaza' (substitute) of a fast. This is conditional to the fact that the

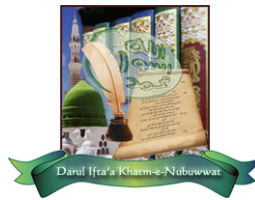


report must be transmitted according to the rules of *Shariah*, and the report sent by letter will not be considered valid. (Taleem-ul-Islam vol. 4, pg. 56).

Hakeem-ul-Ummat Hazrat Maulana Ashraf Ali Thanvi (RA) writes that, "The noble stature of the Prophets is that they are lenient and make things easy (*Tayasaar Tehseel*), to not to have any fault in their speech is their most high esteem, for these reason Imam Sahib (RA) has dismissed the consideration for differences in the horizon, thus if we receive a report from Mecca or Medina that they have sighted the moon before us, then it becomes mandatory on us to keep the fast. Imam Abu Hanifa (RA) has not given it (difference of horizon) any validity, and his opinion is based on reference and intellect. It is rightly referenced because we come to know from the *Hadith* that the rules of *Shariah* do not rely on complicated rules of calculations for which one has to gain special expertise. Thus it is understood that we should not involve any such complicated calculations in the decisions of *Shariah* that can not be easily explained to the masses. His opinion is according to the intellect as well, this is because the rules of the *Shariah* are common for everyone, whether it be a scholar or a layman, a philosopher or a dull person, a mathematician or non-mathematician, for all kinds of people. So the rules of the *Shariah* should not include any such complicated methods that can only be understood by a philosopher or a mathematician, and it is obvious that the difference in horizon is spread over a specific region and distance. It is not that the horizon from here till Delhi is the same, to determine this we need to investigate, and this can be only done by the experts. Whereas the process of physically sighting and testifying is a simple process that everyone can adopt. For these reasons we conclude that sighting the moon without taking the difference of horizon into consideration is the best method, it is the according to the school of thought of Imam Abu Hanifa (RA), according to intellect and the rules of *Shariah*. (Waaz Al Ashar 877).

Dear readers you have just read the experts from the writings of Hazrat Ashraf Ali Thanvi (RA), the point to ponder is not only that he has made it clear that global moon sighting is the best method, but also gave the indication that if moon is sighted in Mecca or Medina before it is sighted in India, then its reports should be a valid basis for commemorating *Eid* and *Ramadhan*. This is the rule of *Shariah* and the methodology of the *Hanafia*.

As far as the local moon sighting is concerned, these folks follow the "Lakul Balad Roiyat". According to "Lakul Balad Roiyat", if the moon is sighted in one town and in the other town it is not sighted then it necessary to celebrate *Eid* or Ramadan in the town where the moon is sighted and it is not necessary to celebrate *Eid* or Ramadan in the town where it is not sighted. As it is mentioned above some Sha'afies has this Maslik of local moon sighting. They consider it right if moon is sighted at different dates in different areas based on their weather conditions. However, Imam Abu Hanifah (RA) and Imam Ahmed Ibn-e-Hanbal (RA) don't consider the local moon sightings as authentic. They believe in global moon sighting and there are 29 Saheeh *Ahaadith*



describing and commanding the global moon sighting. These *Ahaadith* address the whole Muslim *Ummah* around the world. In essence these *Ahaadith* are based on the concept of uniting the *Ummah* around the world. Moreover these *Ahaadith* command the *Ummah* to celebrate their Islamic events on the same date around the world. One *Hadith* from Hazrat Abdullah Ibn-e-Abbaas (RA) has been quoted in favor of local moon sighting and strangely this *Hadith* is not among those 29 *Ahaadith* mentioned above. Moreover, according to scholars (Fuqha) this *Hadith* is not against the global moon sighting at all. Anyways, we will analyze the narration of Hazrat Ibn-e-Abbaas (RAA) as different scholars present it in the favor of the local moon sighting. "It is narrated by Kuraybe that Ume-e-Fazal sent me for some job to Syria to meet Hazrat Ameer Muawia (RAA). I was there when Ramadan's moon were sighted. It was sighted in the evening on the day of Jumah. Later this month I traveled back to Madina mentioned about the Syrian moon sighting to Hazrat Ibn-e-Abbas (RAA). Hazrat Ibn-e-Abbaas (RAA) asked me, "Have you sighted/observed the moon yourself on Friday's evening and how about other people in Syria?" I replied, "Yes I sighted the moon by myself and other people were also sighted on the same day. All of us and also Hazrat Ameer Muawia (RAA) fasted according to the Friday's moon sighting. Then Hazrat Ibn-e-Abbaas (RAA) said that we sighted the moon in Madina on Saturday evening and we started fasting according to it and we will keep continue fasting till *Eid* according to the Saturday's moon sighting. I asked, "Is it not ok to follow Hazrat Ameer Muawia's moon sighting in Syria?" He replied, "No! we are commanded by Rasool Allah (SAW) to do as we have done." So keeping this narration of Ibn-e-Abbaas in views, Sha'afi scholars provide logic and proof in the favor of the local moon sighting. Sha'afies say that Hazrat Ibn-e-Abbaas (RAA) in Madina did not accept Hazrat Ameer Muawia (RAA)'s moon sighting in Syria. Therefore Hazrat Ibn-e-Abbaas relied on the local moon sighting. Hence we can say that the local moon sighting is trustworthy. However, the narration of Ibn-e-Abbaas (RAA) is not at all against the global moon sighting because of many reasons. And its detailed explanation is given by Mufti Kafaiyat Ullah and Mufti Mehmood ul Hassan. Moreover there are 6 *Ahaadith* about global moon sighting narrated by Hazrat Ibn-e-Abbaas in Sahah Sittah. It means Hazrat Ibn-e-Abbaas (RAA)'s stand on the issue of the global moon sighting is the same as Hanfi Scholars (Fuqha-e-Ahnaaf) stand. In fact, to prove the Roiyat-e-Hilaal there are 29 *Ahaadith* in Sahah-e-Sittah, 9 of them are from Hazrat Abdullah bin Umar (RAA), 9 of them are from Hazrat Abu Hurairah (RAA), 6 of them are from Hazrat Abdullah bin Abbaas (RAA), one of them is from Hazrat Aeysha Siddiqah (RAA), 2 of them are from Hazrat Huzaifah bin Yaman (RAA), one of them is from Hazrat Rabi bin Aamer (RAA), and one of them is from Hazrat Abdur Rahman bin Zaid (RAA). From these 29 *Ahaadith*, 3 of them were cited by Hazrat Imam Bukhari (RA) in Saheeh Bukhari, 7 of them were cited by Imam Muslim (RA) in Saheeh Muslim, 4 of them were cited by Imam Abu Dawood (RA) in Sunan-e-Abi Dawood, 2 *Ahaadith* were cited by Imam Tirmizi (RA) in Sunnan Tirmazi, 13 *Ahaadith* were cited by Imam Nisai (RA) in Sunan Nisai, and 2 *Ahaadith* were cited by Imam Ibn-e-Maajah (RA) in Sunan Ibn-e- Maajah. According to



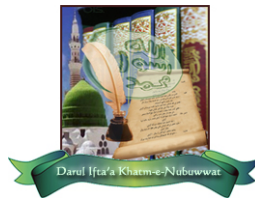
Hanfi scholars all of them are based on the global moon sighting leading towards the idea of uniting the whole *Ummah* and this was exactly the objective of Rasool-e-Akram (SAW). The summary of this whole discussion says, there are 3 different points of views about the moon sighting, (1) cosmological calculations, (2) local moon sighting, (3) global moon sighting. The procedure based on cosmological calculations has been rejected by scholars. The procedure of the local moon sighting is supported only by Sha'afi scholars and some Hanfies. They don't have any proof from the Holy Quran and *Hadith*, only the narration of Hazrat Ibn-e-Abbaas (RAA)'s *Hadith*. On the other hand the global moon sighting is supported by 3 Imams, Imam Abu Hanifah (RA), Imam Malik (RA), and Imam Ahmad Ibn-e-Hanbal (RA) and some Sha'afi scholars and most of the Hanfi scholars. Moreover there are 29 *Ahaadith* supporting the global moon sighting. The global moon sighting is based on the idea of uniting the whole *Ummah* and the idea that the *Ummah* should celebrate its Islamic events (*Eid*, Ramadan etc) on the same day around the world. The procedure of global moon sighting has been considered authentic among Hanfies, Malikies, and Hanbalies and it leads us to the unity of the *Ummah*. It is a well known fact that in the matter of *ijtehad masail* (issues of consensus) it is permitted to adopt flawed ruling or procedure if there is a dire need to eliminate conflicts and unite the *Ummah*. But we know that the method of the global moon sighting is authentic, and if we need to adopt it for the sake of *Ummah's* unity then why we should not be acting upon it? It is very strange that we are ignoring this fact and trying to avoid the implementation of the global moon sighting.

Point to Ponder:

Now we raise the question that if the global moon sighting is the demand of the *Shariah* and the *Sunnah* and Makkah Mukarramah is the standard then why don't we act upon it? Why don't we accept Makkah's moon sighting as a standard to celebrate Islamic events on the same day around the global? Before answering this question we need to understand the controversial issue where the scholars have differences among them. The major issue where scholars have differences in their opinions is as follows: "if any evidence of the moon sighting comes out at the time when there is absolutely no chance of having a new moon according to the cosmological calculations then what will happen? Would we accept a witness as the evidence of the moon sighting or would we follow the cosmological calculations?" Regarding this matter there are two different stands, 1) majority of the scholars, 2) Allama Subki Sha'afi (RA) and Ibn-e-Maqaatal (RA).

Majority of the Scholars' Standpoint:

According to the jurists of Islam (*fuqaha-e-Islam*), the four great Imams i.e. Imam Abu Haniifa (RA), Imam Malik (RA), Imam Shafee(RA) and Imam Hunbal (RA), have a consensus that the cosmological calculations have absolutely no interference in the acceptance or denial of the moon sighting. This is because the



cosmological calculations have no validity in *Shariah*, neither did Rasool Allah Sal'Allahu Aleyhe wasalam give it any consideration in matters of *Shariah*. Regarding this issue, according to the *Shariah*, there are only 3 means to determine the calendar events. 1) Sighting of the moon by public, 2) Witness according to the rules of *Shariah*, 3) or completing the current month up to 30 days. The majority of the jurists deduce from all the hadiths pertaining to this issue that the moon sighting for Ramadhan or Eid can only be based on witness or completing the 30 days. For instance, the hadith, 'Sumu li ruyati, wa aftir li ruyati' (Sahih Bukhari pg 256, vol1).

If no evidence is available to fulfill (1) and (2) then the current month should be counted for 30 days, this is the commanded by the Prophet (SAW). Majority of the scholars have negated the use of calculations in determining the Islamic events. There are several verdicts negating the calculated methods, 1) calculations are not trustworthy according to the *Shariah* (Fataawa Shaami, page 355, vol 3), 2) regarding moon sighting, the judgment of cosmologists is completely untrustworthy (Dar-ul-Mukhtaar Shaami, page 355, vol 3), 3) cosmological calculations are not trustworthy (Mowahib-ul-Jaleel, page 387, vol. 2). Hanbali scholars say if someone trusted cosmological calculations and fasted in Ramadan, he/she would be wrong and his/her fasting would not be accepted even if cosmological calculations turned out to be true (Kitabul Faroo, page 11, vol. 3, Fiqah Hanbali). Imam Malik (RA) said, if someone starts fasting according to the cosmological calculations in Ramadan, he/she should not be followed (Arzah-al-Hozi, page 211, vol. 3, Fiqah Maliki). Whoever trusted cosmologists he/she went against the *Shariah* (Behrul Raiq, page 264, vol. 2, Fiqah Hanfi) . Ibn-e-Taymiah (RA) also declared out of *Ummah* those who trust cosmological calculations (Fataawah Ibn-e-Taymiah (RA), page 165, vol. 25).

There is no doubt that in past times, the Islamic calendar in Makkah Mukarmah was being tentatively designed on the basis of cosmological calculations. It was being done to deal with the business and commerce matters. This calendar never been used to define any Islamic events. Whenever this tentative calendar went against the *Sharai* evidence of moon sighting, it was fixed promptly. Various times, on occasions of Hajj, it was fixed by the command of King Fahad. Mufti-e-Azam Pakistan, Maulana Rafi Usmani (DB) and Maulana Taqi Usmani (DB) also said the same in their *Fataawa*. Now readers can conclude by themselves that should we trust these scholars or should we go along the negative propaganda of few people.

Mufti Muhammad Shafee Saheb (RA) had a great discussion in his booklet "*Rooyat-e-Hilaal*", scholars can check it out in the booklet (Rooyat-e-Hilaal, page 36). Therefore, in Makkah Mukarmah and Madina Munawwarah, the decision of Ramadan's and *Eid's* moon is made according to the rules of the *Shariah* and no cosmological data (predicting moon sighting) are trusted in the matter of accepting or negating the moon sighting. All Imam's are unanimously agreeing on this ruling and it is also the essence and desirable conclusion of the *Ahaadith*. The outcome of this ruling is very pleasant, which leads to the vision of uniting the



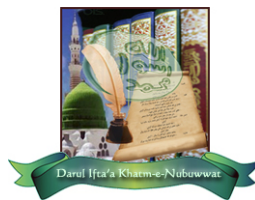
Muslim *Ummah* and it concludes that the whole *Ummah* should begin and end celebrating their Islamic holidays at the same day and date around the world. However in reality we see that the Muslim *Ummah* has left practicing this rule/principle, they just got divided on this issue and have ruined their pleasures of celebrations by fighting against each other as one group argues against the other that today is *Eid* and the other group insists that today we have to fast because Ramadan has not ended yet. This conflict is not restricted to *Eid's* moon sighting, it is spread throughout the year, and every group has differences in celebrating Islamic holidays as Shab-e-Braat, Liala-tul-Qadr, Ramadan, and *Eid* etc. In this situation of confusion, if someone is celebrating *Eid* the other person is fasting, if someone is standing in prayers thinking that today is Lila-tul-Qadr the other person is sleeping in delusion that tonight is not an odd (Taaq) night. If someone is celebrating *Eid*, he/she perceives others as devils who are fasting. The *Ummah* has become the victim of a great chaos. There is a huge list of delusions and confusions concerning this matter and every Muslim experiences it.

A Crucial Appeal to the Muslim *Ummah*:

I have this painful appeal to the Muslim *Ummah*: for the sake of Allah (SWT), please have a consensus on the principle/rule of the *Shariah* which unites the *Ummah*. Please try to understand the vision and the desire of the Holy Prophet (SAW) to unite the *Ummah*. We should all follow the decision of moon sightings made by Saudi Arabia and we should all follow the dates of Islamic holidays announced in Makkah and Madian Shareef. This will certainly unite the whole Muslim *Ummah*. In this way, we will also act upon the verses of the Holy Quran that says, “don't create difference among each other (don't fight against each other on different issues), hold fast to the rope of Allah and avoid mutual confusions, misunderstandings, and confrontations. And if you would not stay united, you will fall down from your status and will lose your reputation in the world. However, you will stay on the top of other nations (and play a leading role in the world) if you stay firm as a true Muslims (Momin).” Therefore the success of the *Ummah* lies in its unity and lies in practicing and adopting those rulings of the *Shariah* which are based on the wisdom of uniting the *Ummah*.

Eradication of a Common Misconception:

To eradicate a common misconception about the Saudi Arabian decisions of the moon sightings, I have to say, it is a misunderstanding and a wrong perception when some people think that Saudi Arabia does not follow any rule of the *Shariah*, but creates Islamic calendars for future years merely based on a set of scientific and cosmological predictions. I would say it again; this is absolutely a misconception, in Saudi Arabia there is no role of any scientific/cosmological prediction in the process of deciding about Islamic events, but all event of the Islamic calendar are purely decided according to the rules of *Shariah*. Therefore, Shaikh-ul-Islam Maulana



Taqi Usmani (DB) writes in his *Fataawa* by answering a question, “We have done research to explore and analyze the method of decision making for Islamic events in Saudi Arabia and in Egypt, these countries do not determine the Islamic calendar based on any cosmological or mathematical calculation, but they decide the dates of Islamic events purely based on the principles of the *Shariah* (Sharaee rules of the Rooyat/moon sighting). This topic is discussed in detail in the booklet of Pakistan’s grand Mufti Hazrat Muhammad Shafee Saheb (DB), for reference it can be found in his *Fataawa* (number 30/1688) and in *Fataawa Usmani* (page 165, vol. 2).

Moreover, one of the most senior and prominent scholars of the Tableeghi Jama’at, grand Mufti of India Maulana Mehmood-ul-Hassan Gangohi (RA) mentions about Saudi Arabia’s method of moon sighting by answering a question: “as far as I know, Saudi Arabian’s are very much concerned about making a correct decisions while determining the date of Hajj. They collect evidences of moon sightings in the area before making any decision. Their council also presents all evidences of the moon sighting in the area during their meeting and they have a debate on these evidences before passing any resolution or making any decision about the date of the Hajj. When they announce the date of the Hajj they also present moon sighting evidences in the announcement (*Fataawa Mehmoodia*, page 180, vol. 17). Note: There is no doubt they also create a tentative calendar for few future years, but this calendar is only created for the use of their economic system. It is not created to decide the dates of any Islamic (religious) event. They put tentative dates of Islamic holidays in such calendars and later these dates are fixed according to their moon sighting procedure and evidences. It happened in the past at various occasions when the date of the Hajj as it was mentioned in the tentative calendar did not match with the date based on the real moon sighting, King Fahad himself used to announce the new date based on real moon sighting (according to the *Shariah*) to fix the date of the Hajj in the tentative calendar. Therefore, tentative Islamic calendars in Saudi Arabia have gone through the process of fixing dates in them on the bases of the real moon sighting evidences (according to the rules of the *Shariah*) as this process is mentioned and explained in the *Fataawa* of Hazrat Mufti Taqi Usmani (DB), grand Mufti Hazrat Rafi Usmani (DB), and grand Mufti of India Hazrat Mehmood-ul-Hassan Gangohi (RA). Now readers should decide by themselves, should we trust on the decisions of Makkah (Saudi Arabia) according to the *Fataawa* of above mentioned great scholars or should we follow the confused propaganda of different groups in the *Ummah* which is based merely on guess work and random thoughts. There is another misconception which arises from the fact of having different time zones around the globe. For example there is difference of around 12 hours between the Eastern Time and the Saudi Arabian time, common people say, how can we take Saudi Arabian time as standard (bench mark) while defining or setting the timings of our prayers? Similarly they argue, why it should be acceptable for us to take the Saudi Arabian Islamic Calendar as standard (bench mark) while



deciding the dates of the Islamic events in the other parts of the world? These questions arise from the misconception of considering Lunar and Solar cycles as same. However, it is quite obvious and clear that the timings of our daily prayers are related to the Solar (Sun's) motion and on the other hand dates of Islamic calendar are based on the Lunar circle. So we should not confuse them together. Lunar and Solar motions are entirely different in nature. Therefore, as we decide our prayer timings according to the motion of the Sun everywhere around the world, in the same way we can decide our Islamic calendar dates according to the Lunar circle (moon sightings) keeping Saudi Arabia as the standard of the global moon sighting. Since moon is also circling the globe so we can take the Saudi Arabian moon sighting as global moon sighting. The idea of accepting the global moon sighting rule of the *Shariah* will lead us to unity of the Muslim *Ummah* by providing it a same calendar of Islamic events around the globe.

Therefore the grand Mufti of Pakistan Mufti Hazrat Rafi Usmani (DB) answers a question from Germany: “.....and whoever acts upon according to the Saudi Arabian rulings for celebrating the Islamic events, he/she would be right according to the *Shariah* because Islamic events in Saudi Arabia are decided according to the evidences of moon sightings based on the *Shariah*. And in Saudi Arabia, they don't decide Islamic events on the basis of any cosmological or mathematical predictions. However some people have doubts about it and are still not satisfied and they think Saudi Islamic calendar is based on mathematical predictions. Doubts of such folks are not legitimate. There is another group of people who strongly believe in cosmological/mathematical predictions and they argue that at various occasions Saudi Arabia's decision did not match with the cosmological predictions. So I would say that according to the *Shariah*, there is no place for any cosmological predictions in the process while deciding about the dates of any Islamic event. Islamic calendar events should purely be based on the evidences of moon sightings according the defined rules of the *Shariah*. Therefore if Muslims living in Germany act upon Saudi decisions they will absolutely be right according the *Shariah*.” (Nawad-rul-Fiqah, page 81, vol. 2 by Mufti Rafi Usmani)

By answering another question (about the Saudi moon sightings) from someone in the US, Hazrat Mufti Taqi Usmani (Darul Ifta Korangi Karachi) replied: “.....the issue of following Saudi Arabia for moon sighting is an Ijtihadi issue. Sometimes, Saudi Arabia's moon sighting does not match with the calendar based on mathematical prediction, but Saudi Arabia's moon sighting (based on moon sighting evidence) is preferred over any mathematical prediction and it is absolutely according to the *Shariah*. (Fatwa number 14/1117 by Mufti Syed Hussain Ahmad Darul Iftah Korangi Karachi). At another place he writes about following Saudi Arabia's decision in England: “.....if it is not possible to have *Eid* according to the mathematical predictions, the moon sighting evidences will be preferred over any predicted mathematical data.” (Fatwa number 14/1191 by Mufti Syed Hussain Ahmad Darul Iftah Korangi Karachi).



Bringing Muslim *Ummah* together and saving them from being caught in division and differences and confusions, it is more preferable to adopt the idea of global moon sighting by following Saudi Arabia's moon sighting and accepting it as standard. In the past when Islamic scholars in the UK decided to follow Saudi Arabia while making decision of celebrating *Eid* and other Islamic events, I supported them. There were some scholars in the UK who did not supported this idea, I tried to convince them that this decision will bring the *Ummah* together and it will remove the difference among them. People who think the procedure of moon sighting in the Saudi Arabia is not based on the *Shariah*, staunchly oppose the Saudies act contrarily when they visit Saudi Arabia they celebrate their *Eid* according to the Saudi Arabian announcement. Thus they exhibit contradictory behavior in themselves, is it not strange? Moreover Shaikul Islam Hazrat Maulana Taqi Usmani says in one of his other articles that there are many countries in the western world where we don't have any proper arrangements of moon sightings, for example there are no proper moon sighting committees or most the time the weather condition does not permit clear moon sighting, under such circumstances people in these countries have to follow the moon sightings from other countries. Hence *Shariah* permits global moon sightings by taking Saudi Arabia as standard. (DeenIslam.com, the topic of moon sighting by Hazrat Maulana Taqi Usmai (DB))

Conclusion of the Discussion:

To resolve and remove the differences among various groups in the Muslim *Ummah*, Islamic scholars have been making efforts of implementing and applying various methods and procedures. Such efforts are based on establishing local Rooayt-e-Hilaal (moon sighting) committees and getting help from mathematical procedures to predict lunar calendar dates. However, all of these efforts have not been successful in resolving differences among the *Ummah* in the issue of Rooayt-e-Hilaal (moon sighting) because committees have been making decisions on the bases of the local moon sighting. We know the local moon sighting depends upon the local weather conditions. If the sky is not clear in some areas, moon cannot be sighted (observed) there. This is why we observe different groups celebrating *Eid* on different days in the same locality/city. In this situation all parties (groups) claim that they make decision on the bases of local moon sightings, but in reality these groups don't show trust on each other's evidences. Each group considers the evidences provided by other group as untrustworthy. Consequently, each group asks their follower to celebrate *Eid* according to their groups own moon sighting decisions. This way the *Ummah* gets divided into many parties celebrating *Eid* on different days. Anyways, it ends up putting common folks into the state of confusion and distress. As far as cosmological method of making moon sighting prediction is concerned, as it is mentioned earlier that there is no argument or reason that supports or justifies such procedures in the *Shariah*. It is amazing to know that when those endorsing the pre-calculated method find out that there calculations are not matching with the Saudi reports



they abruptly synchronize their data with the Saudis. We want to ask them, if they claim to have forecasted the calendar for the next 10 years based on mathematical/cosmological predictions then why in some situations they follow Saudi Arabia (even if it goes against their calendar)? So it became clear that the only way to bring Muslim community together and resolve all differences we need to adopt the “global moon sighting” method, which is also desirable according to the *Shariah* and based on the vision and desires of the Holy Prophet (SAW). Moreover, since long the majority of Muslims in the US and Europe have been celebrating *Eid* following Saudi Arabia (global moon sighting), the minority Muslim groups should also start following the global moon sighting. Makkah is mentioned in the Quran with the name of ‘naafa-tul-ardh’ “navel of the earth/center of the earth”. Today’s science has also accepted Makkah as the center of the planet earth. If we Muslims around the world also accept Makkah as our center and make it the standard in the matter of moon sightings, we can resolve this big issue and bring our community together and celebrate *Eids* and other Islamic events in harmony and happiness. Alas! if in this matter we all accept Makkah as the central authority, we would be united in the joys of *Eid* and *ebadah* of *Ramadhan*, and display to the world a glorified image of the universal brotherhood of Islam, definitely we will not be in any loss if we make the house of Allah as our *markaz*. “Is there anyone who can take heed?”

*‘The first house of Allah on this earth
We are its protectors and it is ours’*

