

**The Substantiation of the People
of Belief that The Reliance for
Fasting Is On Sighting the
Crescent of *Ramadan* or
Completing Thirty Days of
*Sha[^]ban***

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Praise be to *Allah*, the Lord of the Worlds, Who ordered us to implement what the Messenger brought and to leave out what he forbade:

{ و ما اءاتاكم الرسول فخذوه و ما نهاكم عنه فانتهوا }

May *Allah* raise the rank of our Master, *Muhammad*, who put us on a clear, truthful path. May *Allah* raise the rank of the *Al* of the Prophet and his Companions. May *Allah* protect the Muslim nation from what the Prophet fears for them.

Introduction

Fasting the month of *Ramadan* is a great worship. The following *Qudsiyy hadith* narrated by *al-Bukhariyy* is sufficient to show the merit of *Ramadan*:

[كل عمل ابن اءادم له إلا الصوم فإنه لى و أنا أجرى به]

which means: <<All the deeds of the son of *Adam* are his except fasting--it is for Me and I reward for it.>> Fasting *Ramadan* is among the best acts of obedience, among the greatest deeds, and one of the most important matters of *Islam*. This is ascertained by the *hadiths al-Bukhariyy* and *Muslim* reported that *Islam* is based on five important matters; the Prophet counted fasting *Ramadan* among them.

Allah, ta^ala, revealed in the *Qur'an* a method and a set of rules clear of falsehood for determining the beginning and ending of the month of *Ramadan*. Moreover, *Allah* revealed this method and set of rules on the tongue of His Prophet, who did not speak out of his own. *Jibril* descended to Prophet *Muhammad* with the *Sunnah* as well as with the *Qur'an*. The Muslims took these rules from the Prophet and implemented them from the time of the Prophet until our days. This method is based on sighting the crescent with the naked eye in towns, villages, locales, and countries. All those who lived in Muslim countries and became familiar with their customs know this fact. The Muslims' custom comprises going out to sight the crescent, gathering in spots where sighting is clear, and firing guns or igniting fires on the tops of mountains when the sighting of the crescent is confirmed. Such sighting announces the beginning of the honorable month of *Ramadan* or the advent of the blessed *^Id*. These are nice habits--their roots go back to the time of the Companions. People of Knowledge observed these practices during different times and respected pious Muslims were keen to participate in them. These practices were established among Muslims around the world.

We were surprised by the sudden emergence of an innovation from a faction wanting us to quit following this dignified route and methodology of the Prophet. Instead, they want us to follow the calculations of astronomers for determining the beginning of the month--for both fasting and for the day of *^Id*--and not to rely on the testimony of the trustworthy ones and the pious and God-fearing Muslims.

A group of people gathered in North America, voted, and decided by the relative majority to rely on calculation for determining the beginning and ending of the month of *Ramadan* for 1413 AH and 1414 AH. They made it incumbent upon the Muslims to follow their scheme as if the rules of *Allah's* Religion are known by the vote of the relative majority or are deduced by mere opinion! Verily we belong to *Allah* and to Him we shall return.

Deducing judgments is the role of the *mujtahid mutlaq*¹, like *ash-Shafi'iy*, *Malik*, *Abu Hanifah*, or *Ahmad*. It may also be done by the *mujtahids* who are restricted to a school of thought (*madhhab*), like *al-Juwayniyy*, the *Imam* of the *Haramayn*; *al-Khattabiyy*; *Ibn Daqiq al-Id*; *al-Halimiyy*, and those who attained their rank.

Who among those who met and voted in North America have attained a rank equal to the aforementioned, or even to one-tenth of one-tenth of their rank in knowledge and piety? Not one of them has even memorized one book of *fiqh* usually given to

¹ The *mujtahids* are the top scholars of *Islam* such as *ash-Shafi'iy*, *Abu Hanifah*, and the like. Very specific qualifications have to be satisfied for a scholar to be a *mujtahid*. For example: 1) to be an authority in the Arabic language; 2) to have memorized all the verses of the *Qur'an* pertaining to rules; 3) to have memorized the *hadiths* of the Prophet pertaining to rules, and to know the chains and the status of all the men in the chain of narrators; 4) to know the *Nasikh* and the *Mansukh*; 5) to know the *Amm* and the *Khass*; 6) to have superior intelligence; 7) not to contradict the cases of consensus (*ijma*). Hence, not every Muslim scholar is a *mujtahid*. The *mujtahid mutlaq* is the highest level of a *mujtahid*, whereby he is entitled to deduce rules from the verses of the *Qur'an* and the *hadith* of the Prophet. A *mujtahid* in a school (*madhhab*) is entitled to deduce rules from the statements of the *Imam* of that school.

beginners. We are certain they will not succeed in convincing the masses of the Muslim nation of their words. They will not be able to make them follow their innovated school of thought. Instead, they will be like those who butt the rock...they only hurt their heads.

However, since this group announced the aforementioned matters, we could not remain silent. It is not sufficient for us to only deny their saying in our hearts because it is obligatory to advise the Muslims. Moreover, ordering the lawful is the method of the pious. We opted to imitate the successful Muslims by declaring the truth and uprooting the falsehood while hoping to gain reward and be saved on the Day of Judgment. We named this rushed treatise.

**The Substantiation Of the People of
Belief that
The Reliance for Fasting
Is
On Sighting the Crescent of *Ramadan*
or
Completing Thirty Days of *Sha[^]ban***

May *Allah* make it a widespread benefit.

Riad Nachef

Samir Kadi

The Statements of the Scholars About the Case

No two Muslims disagree it is the duty of the knowledgeable and the role of the scholars to determine the beginning and ending of the month of *Ramadan* and they are the authority in such determination. The scholars of the four schools of Islamic Law agreed that the basis for determining the beginning of *Ramadan* is as follows: The crescent is visually observed after the sunset of the twenty-ninth (29th) day of *Sha^ban*. If the crescent is sighted, then the following day will be the first day of *Ramadan*. However, if the crescent is not sighted, then the next day will be the thirtieth (30th) of *Sha^ban* and the following day will be the beginning of *Ramadan*.

Muslims throughout the countries implemented this practice and the highly knowledgeable ruled accordingly. Moreover, they stated the reliance is on this rule and no attention is due to the sayings of mathematicians and astronomers, nor are their sayings relied upon in determining the beginning and ending of fasting. Some of the sayings of renowned scholars are as follows:

1. *Al-Maziriyy* from the *Shafi^iyy* school said: "... they said it is not permissible that what is meant is the calculation of the astronomers, because if this was made incumbent upon the people, it would be a burden on them--because it is only known to certain

individuals. However, the laws of the Religion introduce people to what is known by their masses.”

2. *An-Nawawiyy*, may *Allah* have mercy on him, documented that ruling and confirmed it. He said in *Rawdat at-Talibin*: “The results of the calculations of the astronomers do not make it obligatory to fast, neither for them nor others.”

3. *Al-Hafidh Waliyuddin al-Iraqiyy* said: “The mass (*jumhur*) of the Companions of *ash-Shafi’iyy* are on that and the rule is based on sighting and not on any other way.” He proceeded to say, “Likewise said *Malik*, *Abu Hanifah*, *ash-Shafi’iyy*, and the mass of the scholars among the *Salaf* and the *Khalaf*.” The *hafidh*, the *Hannafiyy faqih*, the great linguist, *Murtada az-Zabidiyy*, in *Sharh Ihya’ Ulum id-Din* copied that and confirmed it and said: “What also indicates not to take by their sayings is the *hadith* of *Abu Hurayrah*, related by *al-Hakim* and in *As-Sunan*² (regarding the one who comes to a *kahin* or an *arraaf*). He added, “The *kahin* is the one who tells the future and the *arraaf* is the one who tells about what is hidden, stolen, or lost. The *arraaf*, the *munajjin*, the sand practicers, and the pebble practicers are included under the *kahin* and are dispraised religiously.”

4. When talking about how to determine the beginning of the month of fasting, *Shihab ud-Din ar-Ramliyy ash-Shafi’iyy*, in his famous *fatawa*, said: “Rather than accepting calculations, the

² *As-Sunnan* is a term referring to several books, each titled “*Sunnan*” which narrate *hadiths* of the Prophet, *sallallahu alayhi wa sallam*. The most well known are *Sunnan Abi Dawud*, *at-Tirmidhiyy*, *Ibn Majah*, *an-Nasa’iyy*, and *al-Bayhaqiyy*.

Prophet, who followed *Allah's* Revelation, completely omitted them by saying: <<We are a nation which does not rely on writing or calculation to know the beginning or the end of the month. The month is either twenty-nine (29) or thirty (30) days.>>” He said in *Sharḥ al-Minhaj*: “Our companions (i.e., the *Shafī'iyy*s) said according to what is authentic, the beginning of *Ramadan* is not confirmed by the calculations of those who calculate--even if they were trustworthy. The companions of *Abu Hanifah* unanimously agree on that.”

5. The author of *Ad-Durr al-Mukhtar*, which is one of the *Hanafiy* books, said: “For determining the time for fasting, there is no consideration for the saying of those who calculate.”

6. The author of *Al-Fatawa al-Hindiyyah* said: “Is the saying of the experts among those knowledgeable in astronomy acceptable? The correct answer is that it is not acceptable, and likewise is reported in *As-Siraj ul-Wahhaj*.”

7. *Ibn 'Abidin* copied the aforementioned saying of *Ad-Durr* (#5 above), confirmed it, and said in his book titled *Al-Hashiyah*³ on *Ad-Durr*: “Moreover, it is said in *Al-Mi'raj*: ‘Their saying is not considered by consensus’ and it is not permitted for the astronomer to go by his own calculation.” In the same book, *Ibn 'Abidin* also said: “The *Imams* of the four schools explicitly declared sighting the crescent during the day is not considered, rather what is correct is to consider sighting it at night and there is no consideration for the saying of the astronomer.”

³ *Al-Hashiyah* is one of the most famous books of the *Hanafiy* school.

8. In *Ash-Sharh al-Kabir*, from the school of *Imam Malik*, it is stated that the beginning of *Ramadan* is not confirmed by the saying of an astronomer. In the *Hashiyah* of *Shams ud-Din ash-Shaykh Muhammad Ibn ^Arafah*, it is stated: “...his saying ‘not by an astronomer’ who is the one who calculates whether or not the crescent will appear that night...”

9. *Ash-Shaykh Muhammad ^Ulaysh al-Malikiyy* mentioned in his *Fatawa* that one cannot count on calculation for knowing the beginning of the month of *Ramadan*.

10. *Al-Bajiyy*, who is one of the most famous *faqihs* of the school of *Malik*, mentioned the same thing. Moreover, he said: “The Salaf established the consensus on that.” *Al-Hafidh Ibn Hajar* copied that saying from *al-Bajiyy* in *Fath al-Bari* and confirmed it.

11. The judge, *Ibn Rushd al-Malikiyy*, also copied this scholarly consensus regarding that matter in his introduction. This was *Abul Walid Ibn Rushd*, the grandfather. The grandson was a misguided philosopher like *Ibn Sina*.

12. *Ibn Buzayzah* said: “Had the matter depended on it, i.e., knowing the calculation for the positions of the moon to start fasting, it would have resulted in a hardship--since it is not known except by a few.”

13. In *Fath al-Bari*, *al-^Asqalaniyy* copied and confirmed the saying of *Ibn Buzayzah*.

14. *Al-Buhutiyy al-Hanbaliyy*, who is among the famous *Hanbaliyy* scholars, said in his book, *al-Kashshaf*: “If one intended fasting the thirtieth (30th) of *Sha^ban* without a lawful evidence based on sighting the crescent or completing *Sha^ban*, or the horizon was blocked by clouds, like if he fasted based on calculation and stars, even if it oftenly coincided or after a night of clear sky he later knew it was the last day to fast, his fasting is still invalid for not relying on what is considered religiously.”

Based on the examples mentioned, it is clear the *faqih*s of the four schools are in agreement upon not considering the sayings of the astrologers, astronomers, and/or mathematicians for determining the beginning and ending of the month of *Ramadan*. Moreover, some of the *faqih*s conveyed the scholarly consensus on that ruling. The reliance is on sighting the crescent or completing thirty days of *Sha^ban* as mentioned by a countless number of *faqih*s among these schools. The one who looks through the summaries⁴ of the books of *fiqh*, not to mention the lengthy ones, ascertains this result. The one who follows the mass of the nation succeeds and the one who strays, strays to Hellfire.

Refuting a Misconception

Those who advocate calculation said the Prophet, *sallallahu ^alayhi wa sallam*, instructed to consider sighting and

⁴The following examples are texts for beginners: *Matn Abu Shuja^* (*Shafi^iyy* text), *Al-Qadduriyy* (*Hanafiyy* text), *Ibn ^Ashir* (*Malikiyy* text), *Al-Khiraqiyy* (*Hanbaliyy* text).

not calculations because the majority of the Arabs at his time did not know how to write or calculate the positions of the moon, and had they known how to calculate, the Prophet would have instructed them to follow calculations.

The refutation of this misconception is multi-faceted. Firstly, had the matter been as they mentioned and had the Prophet wanted to make the judgment on this issue contingent on calculation he would have told the Muslims to refer to those people familiar with calculations. Though not numerous, people familiar with calculations did exist at the time of the Prophet. Moreover, the Prophet would not have told them to start fasting and stop fasting when the moon was sighted.

Secondly, had this ruling been based on what they said, then it would not have been unknown to all the Muslim scholars who preceded us. Astronomy was known and commonplace during the times of previous Muslim scholars. As a matter of fact, although previous Muslim scholars had both vast experience and wide exposure in this science, they still abided by the ruling based on sighting the moon or completing thirty days of *Sha[^]ban*. This is so because those scholars knew that the Prophet, *sallallahu [^]alayhi wa sallam*, did not want to tie the ruling for fasting to the claims of the astronomers or the calculations of the astronomers or mathematicians.

If those who deviated claim all Muslim scholars were wrong, then they have ascribed misguidance to the Muslim nation, and that is enough disgrace on them. If they say that the Muslim

scholars were truthful in their ruling, then let them abide by it, and quit disagreeing with the previous scholars.

Thirdly, most of the Muslims today do not know and do not master the calculations of astronomers or mathematicians, just as the situation was during the time of the Prophet, *sallallahu ^alayhi wa sallam*--therefore nothing has changed. If they say this unfamiliarity with calculations was the reason behind making the ruling contingent on sighting, then this same reason still exists today! If they say this is not the reason behind the ruling for sighting, then they have rejected their previous saying and thereby abandoned it.

Fourthly, *al-Bayhaqiyy* narrated from the route of *Sufyan ibn Salamah*: “While we were at *Khaniqin*, we received a letter sent by *^Umar Ibn al-Khattab*, may *Allah* raise his rank. He told us some crescents were bigger than others, so if we sighted the crescent in the daytime, not to break our fast until two trustworthy Muslims testify they sighted it the night before.”

Our Master *^Umar* not only did not rely on calculations but also ordered the one who sighted the crescent during the day with his naked eyes to not count on it. This is so because such a doing is not the sighting which the Prophet, *sallallahu ^alayhi wa sallam*, instructed to abide by nor ordered to follow.

On the other hand, the saying of [^]Umar: “Some of the crescents are bigger than others,⁵” is explicit in opposing them and in invalidating their reliance on calculations--that is unless they want to claim they possess more knowledge about the Religion of *Allah* and the meaning of the instructions of the Prophet than our Master [^]Umar--and how far from the truth this is.

Section: Their Disagreement with the Hadiths of the Prophet of Allah, sallallahu [^]alayhi wa sallam

Let it be known that the issuers of this strayed opinion have opposed many sayings of the Prophet of *Allah*. If the Muslim just reads in the section on fasting in any of the famous books of *hadith*, one will find those people’s opposition to the Prophet--clear and blunt. Also, one will be astonished and will question how those people will face the Prophet on the Day of Judgment when they claim to have followed him, and yet they contradict his *hadith* and reject it.

For you, the one who seeks the truth, following are some of these explicit sayings of the Prophet, sallallahu [^]alayhi wa sallam:

1. *Al-Bukhariyy, Muslim*, and others narrated from the route of [^]Abdullah Ibn [^]Umar, may *Allah* raise his rank, that the Prophet, sallallahu [^]alayhi wa sallam, said:

⁵ This refers to the size of the crescent on the first day of the month, i.e., in one month the crescent on the first day of the month might be bigger or smaller than the first day’s crescent of a different month.

[الشهر تسع و عشرون ليلة فلا تصوموا حتى تروه فإن
غم عليكم فأكملوا العدة ثلاثين]

which means: <<The lunar month is twenty-nine (29) nights so do not fast until you sight the crescent. However, if it was cloudy then complete the count to thirty (30) days.>> The Prophet made this clear statement, but those who oppose said: “We are going to fast whether or not we sight the crescent, whether or not it was cloudy-- as long as the astronomer has instructed with that!!

2. *Malik, Abu Dawud, at-Tirmidhiyy and an-Nasa'iyy* narrated from the route of *Ibn ^Abbas*, that the Prophet, *sallallahu ^alayhi wa sallam*, said:

[لا تصوموا حتى تروا الهلال و لا تفطروا حتى تروه فإن
غم عليكم فأكملوا العدة ثلاثين]

which means: <<Do not fast unless you sight the crescent and do not break your fast unless you sight it. If it is cloudy, then complete the count to thirty (days).>> Those who oppose said: “Overlooking sighting is not detrimental”--even though mentioned by the Prophet”!! “Rather what is detrimental is overlooking the saying of the mathematician”--even though not mentioned by the Prophet!!

3. *Al-Bukhariyy, Muslim*, and others narrated that the Prophet, *sallallahu ^alayhi wa sallam*, said:

[إنا أمة أمية) أى بغالبنا) لا نكتب و لا نحسب الشهر هكذا
و هكذا [يعنى مرة تسعة و عشرين و مرة ثلاثين.

which means: <<We do not rely on writing or calculations to know the beginning or the end of the month. The month is either twenty-nine (29) or thirty (30) days.>> In a narration by *Ahmad*, the Prophet said:

[إنا أمة أمية)أى بغالبنا) لا نكتب و لا نحسب الشهر هكذا
و هكذا صوموا لرؤيته و أفطروا لرؤيته فإن غم عليكم
فأكملوا عدة شعبان ثلاثين]

which means: << We do not rely on writing or calculations to know the beginning or the end of the month. The month is either twenty-nine (29) or thirty (30) days. Fast when the crescent is sighted and break your fast when it is sighted. If it is cloudy, complete thirty (30) days of *Sha[^]ban*.>>

Al-Qadi ^Iyad said: (...by attributing them with ‘*ummiyyah*’ the Prophet did not mean that they are ignorant of which day was the twenty-ninth and which was the thirtieth. The Prophet did not deny them the knowledge of such calculation, rather he gave them a rule about observing the moon to begin fasting and to end fasting. In giving the rule, the Prophet did not allow them to adopt the methodology of calculating relied upon by the non-Muslims.

In *Al-Ihkam*. the great *faqih*, *Ibn Daqiq al-^Id*, said: “To confirm the obligation of fasting by calculation is contrary to the text. How would one rely on the saying of the one who calculates when the wise Rule-setter⁶ said: <<If it is cloudy complete thirty (30) days of *Sha[^]ban*>>? Had calculation and the one who calculates been part of religious criterion for fasting and breaking fast, the

⁶ The Rule-setter refers to Prophet *Muhammad*.

Rule-setter would not have ignored this. However, the Rule-setter guided us to something contrary to that when he said: <<We do not rely on writing or calculations to know the beginning or the end of the month. The month is either twenty-nine (29) or thirty (30) days.>>“

In explaining this *hadith*, *al-Hafidh Ibn Hajar al-Asqalaniyy*⁷ said: “The ruling for fasting and other related actions is contingent upon sighting. This is so to relieve the Muslims from the burden of calculations pertaining to the positions of the moon. The ruling for fasting continued as such even though some who knew about calculations appeared after this. Emphatically, the meaning fundamentally negates making the ruling contingent upon calculation. This is clarified by the saying of the Prophet, *sallallahu alayhi wa sallam*, stated in the previous *hadith*: <<If it is cloudy complete thirty days of *Sha^ban*>>. The Prophet did not say, ‘Ask those involved in calculation.’”

Al-Qastalaniyy explained this *hadith* in his *Irshad as-Sari*.⁸ He said: “We were not obligated in determining the timing of our worship to be in need of knowing calculation or writing. Instead, our worship was linked to clear signs and apparent matters which can be equally known to those who calculate and to others.”

⁷*Al-Hafidh Ibn Hajar al-Asqalaniyy* is one of the most famous interpreters of the book of *al-Bukhariyy*. His book, *Fath al-Bari*, is printed and available in all Muslim countries.

⁸*Irshad as-Sari* is also among the most famous books in interpreting the book of *al-Bukhariyy*.

Look attentively at how those fabricators have neglected the *hadith* of the Prophet and how they follow one way and the Muslim scholars and *hafidhs* follow another. May *Allah* guide us always to the righteous path.

4. *Al-Bukhariyy* and others narrated that the Prophet, *sallallahu ^alayhi wa sallam*, said:

[لا تقدموا رمضان بيوم أو يومين صوموا لرؤيته و
أفطروا لرؤيته فإن غم عليكم فأكملوا عدة شعبان ثلاثين]

which means: <<Do not fast *Ramadan* one or two days before its time. Fast when the crescent is sighted and break your fast when the crescent is sighted. If it was cloudy, complete thirty days of *Sha^ban*.>>

May *Allah* endow His mercy on you, observe how the Prophet, *sallallahu ^alayhi wa sallam*, forbade fasting (like to fast relying on calculations) without sighting or completing thirty days of *Sha^ban* when sighting cannot be achieved. Also, observe the Prophet considered the fasting without sighting or completing thirty days of *Sha^ban* as fasting before the time of *Ramadan* and prohibited it. Alas, would one who knows that the Prophet forbade a matter, yet dares to consider it lawful, have a touch of piety or knowledge?

Al-Hafidh Ibn Hajar in explaining this same *hadith* said: “Fasting is linked to sighting, hence there is no need for undertaking a hardship (meaning calculations).” *Al-Qastalaniyy* copied his saying and confirmed it.

5. The Prophet stressed the issue of sighting. When some of the followers of the companions said the moon was two nights old and others said it was three, *Ibn ^Abbas*, asked them: “Which night did you see it?” They replied: “On such and such a night.” Then *Ibn ^Abbas* said: “The Messenger of *Allah*, *sallallahu ^alayhi wa sallam*, said:

[إن الله مده للرؤية) أى أطال مدته للرؤية (فهو ليلة
[رأيتموه]

which means: <<*Allah* prolonged its time in order for it to be sighted. The crescent was born the night you saw it.>>” This was related by *Muslim*.

If those people know, this saying of the Prophet, *sallallahu ^alayhi wa sallam*, is enough to demolish all what they have said regarding relying on calculations. No saying which goes against the saying of the Prophet has any consideration. The saying of the Best of the Creation is not abandoned for the sake of following the saying of any person per se. It is not permissible for one who claims to follow *Islam* to deviate from following the text of the Prophet to follow his own personal inclinations and the whisperings of his devil.

How can one practice that when the Prophet, as narrated by *at-Tabaraniyy*, said:

[كل يؤخذ من قوله و يترك غير رسول الله]

which means: <<Among the sayings of everyone is what is acceptable and what is unacceptable, save the Messenger of

Allah.>> *Malik*, may *Allah* raise his rank, said: “The sayings of all of us are subject to rejection and correction except the occupant of this grave, *sallallahu ^alayhi wa sallam*.” Every one of us rejects statements and his statements are rejected except the occupant of this grave, i.e., the Prophet, *sallallahu ^alayhi wa sallam*.

This is why *ash-Shafi^iyy* did not rely on the statements of the astronomers and those who watch the positions of the moon to determine religious judgments and did not consider their sayings as proofs in such cases. In *Al-Fath*, *al-Hafidh Ibn Hajar*, when talking about why and when the moon eclipses and the prayer related to it, said: “... it includes refuting those who observe the positions of the moon because they claim it does not fall except in the mentioned times. *Ash-Shafi^iyy* established that the eclipse and the feast may occur together. Some of those who adopt the saying of those who observe the positions of the moon objected to *ash-Shafi^iyy*. The followers of *ash-Shafi^iyy* refuted the person who objected and they discredited him.” Also in *Al-Fath* he said: “...His saying in the *hadith* (to frighten) refutes the claim of those who observe the position of the moon that eclipse is a standard matter and does not delay or come after. For had the case been as they claimed, it would be a frightening matter--rather it would be similar to the case of the ebb and rising tide at sea. *Ibn al-^Arabiyy* and more than one among the scholars refuted them by the following *hadith* of *Abu Musq* when he said: “He stood up frightened fearing it was the Day of Judgment. They said had the occurrence of the eclipse been by calculation, there would not have been fear... etc.”

It is clear *ash-Shafi'iy* did not rely on the sayings of astronomers (and the like) to deduce such religious judgments because the Prophet did not consider their statements as proofs in deducing these judgments (as is clear from the aforementioned *hadith*). Hence, the one who follows the People of Knowledge and Merit drinks fresh water, pure from all inert materials--free from harm. Let the one who sips from the turbid water blame only himself.

Section: Refuting Another Misconception

Among the arguments those people follow to justify their actions and convince the weak-minded ones is their talk about unity. They said: “Abiding by calculations of astronomers in the matter of fasting and determining the beginning and ending of the month unites the Muslims, strengthens them, and prevents their disunity.”

Such a saying deceives the ignorant but not the intelligent, experienced Muslims. It is known beyond the slightest doubt that at the time of the Prophet, *sallallahu ^alayhi wa sallam*, the Muslims of the different countries of the Arabian peninsula did not begin fasting on the same day. Also, this was the case at the time of the righteous caliphs when the Muslim state expanded widely. Likewise was the case at the time of the *Umayyad*, *^Abbasid*, and Ottoman dynasties when *Islam* spread eastward, westward, northward and southward. Moreover, in his *sahih hadith*, the Prophet, *sallallahu ^alayhi wa sallam*, praised the one who would open Constantinople. He said:

[لتفتحن القسطنطينية فانعم الجيش ذلك الجيش و لنعم
الأمير أميره]

which means: <<Constantinople shall be opened and what a good army that would be and what a good leader that would be!!>> Constantinople (today's Istanbul) was opened during the time of the Ottoman *Sultan Muhammad al-Fatih*. Would one then dare to say they were dissipated, weakened, and their unity was crippled since they did not fast on the same day?

Had the Prophet and those after him wanted, they would have ignited fires on the top of mountains or followed other methods to inform the Muslims on the same night throughout the different cities about the beginning of the month. They could have made it incumbent on all to fast on the same day. However, neither the Prophet nor the Muslim caliphs did so even though they had the ability to do so. They did not restrict the Muslims to such practices, and such policy did not weaken the Muslims or drive them backward.

The Muslims became disunited and fragmented when ignorance about the laws of the Religion prevailed among them. This took place when the scholars became rare and the Muslims' adherence to practicing the rules of the Religion weakened. As related by *at-Tirmidhiyy* the Prophet, *sallallahu ^alayhi wa sallam*, said:

[إن الله لا يقبض العلم ينتزعه انتزاعا من بين الناس و
لكن يقبض العلم بقبض العلماء حتى إذا لم يبق عالم اتخذ
الناس رؤساء جهالا فاستفتوهم فأفتوهم فضلوا و أضلوا]

which means: <<*Allah* does not take the knowledge away by ordering it pulled away from the people. But *Allah* takes the knowledge away by making the scholars die. When no scholar remains, people take ignorant leaders for themselves from whom they seek religious answers. Those leaders will answer them out of ignorance, thus straying themselves and others.>>

O you who are concerned about the good endings, note that Muslims used to pray to one direction in North America and that was to the Southeast (Muslims' old graves are proofs for that.) Then, some of those who did not have knowledge about the Religion (although they may be knowledgeable about geometry and the like) claimed that the right direction as due Northeast based on innovated rules and principles. They did not follow the sayings of the *Imams* nor their schools. Those who did not have knowledge among the party known as *Hizb al-'Ikhwan* and those who reject *at-tawassul*⁹ took their false saying and followed it. They spread this opinion among the people and consequently they became divided into two groups: One is deceived by this innovated opinion and another adheres to the old truth. As a result, Muslims became divided and in disagreement.

As if those people were not satisfied by that sedition, today they are trying to pervert the Islamic laws on the issue of determining the beginning and ending of the month of *Ramadan*. They are planting new seeds for disagreement and encourage

⁹This group unrightfully accuses Muslims by blasphemy if one said, "By the status of our Master *Muhammad*, O *Allah* help me," or "O *Allah* by the status of the Prophet, cure me," or other similar sayings.

abandoning adherence to the *Qur'an*, the *Sunnah*, the *Ijma'*, the *Athar*, and the *Ijtihad* of the Muslim scholars. Instead, they encourage following mere opinion in an effort to pull out the strongholds of *Islam* one after the other in a systematic attempt to destroy the Religion. In reality, their actions are indeed what fragment the Muslims and dissipate their effort. In Lebanon in 1984, the people were ordered to begin fasting on Thursday having relied on a Lebanese astronomer. Another astronomer ruled the beginning of *Ramadan* to be Wednesday according to his findings, and a third determined Friday as the day to begin fasting. Is this considered uniting the Muslims? Had they known the truth, they would have realized that what they adopt is what really disunites the nation of *Muhammad*. Those people do not know what they are talking about. To them it is as if for fourteen (14) centuries the nation of *Muhammad*--both scholars and laymen--did not know the true direction of *Qiblah* or the true beginning of fasting *Ramadan*. This is enough disgrace and misguidance on their part.

Had they been sincere, they would have let the Muslims remain on the rightful track which is in accordance to the actions of the Muslims all over the earth.¹⁰ Let the Muslims follow their Religion without imposing hardships on them like basing their fasting on calculations that most do not understand.

¹⁰Surprisingly, they confess in their acclaimed *fatwa* that the Muslims on earth do not agree with their opinion and do not accept it. However, they said: "America is a free country and there is freedom of speech." It is as if they are saying: "We cannot declare our opinion in the Muslim countries where adherence to the Religion is stronger and the knowledge of its rules is more prevalent, so let us declare our opinion in America where ignorance is more prevalent and the people of knowledge are rare. Let us try and propagate this starting from America." *Allah* is knowledgeable about this and they shall bear that which they were doing on the Day of Judgment.

Instead of doing that we wish those people would have turned their efforts toward teaching the fundamentals of the correct belief, the integrals of ablution, the conditions of prayers, and what is similar to that among what every Muslim needs. Let them turn their efforts toward ordering Muslims to quit drinking alcohol, refrain from committing adultery and fornication, and to stop selling pork and intoxicants. Let them warn the Muslims against the sins of the eyes, the ears, the hands, and the feet. However, the one who does not possess knowledge cannot teach it to others. The one who did not sit humbly before the scholars acquiring knowledge is not fit to guide others--even if he wanted to.

Muslim related the Messenger of *Allah*, *sallallahu ^alayhi wa sallam*, praised the issue of purification highly by saying:

[الطهور شرط الإيمان]

Those people are short of knowing the purification as required and also short of knowing most of the religious rules, because their leader and example, *Sayyid Qutb*, made them turn away from learning the Knowledge of the Religion when he said in his *Tafsir*: “To work with *al-fiqh* at this time is wasting ones life.” They followed him in that and thus destroyed themselves.

Verily to *Allah* we belong and to Him we shall return.

In Conclusion

It is clear to every mindful person that worthless sayings are passed around by those who are against the four Islamic schools. These sayings are only a group of words with no content. It is a mirage that the thirsty may think of as water, but upon reaching it finds nothing more than an illusion.

Our advice to every Muslim is to abide by the sayings mentioned by the *faqihs* of the four schools. The Muslim nation unanimously agreed on the high rank and integrity of those scholars. Let the Muslim learn the rules of fasting before the month of *Ramadan* comes in by studying under someone who possesses both knowledge and trustworthiness and is someone who himself has acquired the knowledge from someone trustworthy and knowledgeable, and so on with a continuous chain that reaches to the Prophet.

Our advice to Muslims in every city is to dispatch a group to watch for the crescent after the sunset of the twenty-ninth (29th) day of *Sha^ban*. If the crescent is sighted, then the next day will be *Ramadan*. If the crescent is not sighted, and one did not hear of a trustworthy man of a neighboring city who sighted it, then let them complete thirty (30) days of *Sha^ban* and fast the day after that.

Furthermore, if sighting the crescent was confirmed as per religious laws in a country far away from another, (i.e., the sun's rising and setting times differ between these two countries,) the scholars applied two methods. Some of them said the Muslims of the country in question cannot fast and must complete thirty days

of *Sha[^]ban* because the people of each country must sight on their own. This is the school of *Imam ash-Shafi[^]yy*. Other scholars said they fast with those who sighted the crescent and this is the school of *Abu Hanifah* and others. The Muslim is not blamed if he followed the first method or the second.

On the other hand, the saying that relies on the opinion of the astrologers, mathematicians, schedulers, astronomers, and the like is not considered. The one who renders such a saying a basis for judgment has committed a grievous mistake. Truthful is the Prophet, who as narrated by *al-Bukhariyy*, said:

[كل شرط ليس في كتاب الله فهو باطل و لو كان مائة
شرط]

which means: <<Every condition not in accordance with the Book of *Allah* is false, even if there were one hundred conditions.>>

Finally, blessed be those who abide by the Muslim *Jama[^]ah*, their masses of scholars, and the sayings of the Prophet, *sallallahu [^]alayhi wa sallam*. On the Day of Judgment regret shall be to those who follow a way other than that of the believers and stray away from the believers' methodology.

.....

Praise be to *Allah* who is clear of all non-befitting attributes.
And *Allah* knows best.