

Answer to Question

The Sighting of the Crescent and the Astronomical Calculation

(Translated)

Praise be to Allah and prayers and peace be upon the Messenger of Allah, his family, companions and those who are loyal to him, and so...

To the brothers and sisters who sent to our webpage asking about the sighting of the crescent and the astronomical calculation...

Assalamu Alaikum Wa Rahmatullah Wa Barakatuh,

I have read your questions about the sighting and astronomical calculations, we have repeatedly issued answers on this subject, but never mind, I will add to it in clarification and confirmation, hoping that the brothers and sisters will reflect on it carefully and with scrutiny, so I say, and Allah grants success:

1- We, brothers and sisters, do not include the astronomical calculation in the subject, for the text depends only on sighting, and we fast and break our fast based on it. If we do not see it (the new moon) on the evening of the 29th of Ramadan, we must complete the thirty days, even if the new moon is present by astronomical calculation, but it is obscured by clouds or weather conditions. Sighting is what is relied on because the text is regarding the sighting and not the cosmic phenomenon. Look at the Hadith of the Messenger (saw) which was extracted by Al-Bukhari: He said: I heard Abu Huraira (ra) say: The Prophet (saw) or Abul-Qasim (saw) said: «صُومُوا لِرُؤْيَيْهِ وَأَفْطَرُوا لِرُؤْيَيْهِ فَإِنْ غُبِيَ عَلَيْكُمْ فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ» **“Start fasting on seeing the crescent [new moon] (of Ramadan), and give up fasting on seeing the crescent [new moon] (of Shawwal), and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban.”** And the Hadith extracted by Ahmad: He said, I heard Abu Huraira say: the Messenger of Allah (saw) said: «لَا تَصُومُوا حَتَّى تَرَوْا الْهَلَالَ وَلَا تَفْطَرُوا حَتَّى تَرَوْا الْهَلَالَ، وَقَالَ: صُومُوا لِرُؤْيَيْهِ وَأَفْطَرُوا لِرُؤْيَيْهِ فَإِنْ غُبِيَ عَلَيْكُمْ فَعِدُّوا ثَلَاثِينَ» **“Do not fast unless you see the crescent [new moon] and do not break your fast unless you see the crescent [new moon]. Start fasting on seeing the crescent [new moon] (of Ramadan), and give up fasting on seeing the crescent [new moon] (of Shawwal), and if the sky is overcast (and you cannot see it), count thirty days.”**

If the clouds obscured it, for example, and the Muslims did not see it even though it is present behind the clouds by astronomical calculation, then we do not break the fast accordingly, but we must fast on the thirtieth day because we did not see it. I reiterate, review the Hadith: «فَإِنْ غُبِيَ عَلَيْكُمْ فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ» **“... and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban”.**

Although it is present according to the astronomical calculations.

2- We realize that the astronomical calculation can show the conjunction by the second, and can show when the new moon is born, and when it will disappear and how many minutes it remains after the sunset... But the Shariah text did not stipulate the cosmic phenomenon but rather the sighting. Look, for example, at prayer times, and you will find that the text mentioned the cosmic phenomenon and was not limited to the sighting. «أَقِمِ الصَّلَاةَ لِذُلُوكِ الشَّمْسِ» **“Establish prayer at the decline of the sun [from its meridian]”** [Al-Isra': 78] **إِذَا زَالَتْ الشَّمْسُ فَصَلُّوا** **“Pray when the sun passed the meridian.”**

The prayer is dependent on the time, so you pray as soon as you verify the time by whatever means. If you looked at the sun at the time of passing the meridian (zawaḥ) or if you observe the shadow and see that all objects have the same size of their shadow or like it, as

stated in the Hadiths of prayer times, if you did that and verified the time, the prayer is valid. If you do not do that, but calculated it astronomically, and you find out that time of the sun passing the meridian is such-and-such, and you look at your watch without going out to see the sun or the shade, your prayer is valid. i.e., that you verify the time using any means. Why? Because Allah (swt), asked you to pray when the time enters, and left you to verify its entry without specifying how to verify it.

As you can see, if you looked at the sun at the time of passing the meridian (*zawal*), you pray, and if you calculate it on your watch, you pray, i.e. here (by sighting and calculation) you pray because the text does not rely on the sighting but on the cosmic phenomenon... And this is contrary to the Shariah text of fasting and breaking the fast that stipulates sighting.

3- As for the witness who may be mixed up on the matter, he may testify that he saw the new moon while he did not see it, but rather he saw something else. This is the task of the judge or the person with the authority to announce the beginning and end of the month. He checks the witnesses and their number, the higher the number, the closer to reassurance. He checks how good is the witness's eyesight, the direction of the crescent arc. He verifies the length of time the new moon stays after sunset, the place in which it was seen and if the witness is a Muslim and if he is an immoral person (*fasiq*), etc. Muhammad ibn Abd al -Aziz told us, Ibn Abi Razmah said: Al-Fadhl Ibn Musa from Sufyan from Simak from I'krima from Ibn Abbas said: A Bedouin came to the Prophet (saw) and said: **«فَقَالَ رَأَيْتَ الْهَيْلَالَ فَقَالَ أَتَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ قَالَ نَعَمْ فَنَادَى النَّبِيُّ ﷺ أَنْ صُومُوا»** **'I have sighted the crescent [new moon].'** He said: **'Do you bear witness that there is none worthy of worship except Allah, and that Muhammad is His slave and Messenger?'** He said: **'Yes.'** So, the Prophet gave the call saying: **'Fast.'** [Sunnan An-Nasa'i]

This is how you verify the witness, but without bringing the astronomical calculation into the subject, that is, not to mention to him that the astronomical calculation determined that new moon is located behind the clouds, or that they decided that it does not exist, because the introduction of the astronomical calculation into the issue is contrary to what was mentioned in the Hadith of the Messenger (saw): **«صُومُوا لِرُؤُوسِهِ، وَأَفْطَرُوا لِرُؤُوسِهِ، فَإِنْ غُبِيَ عَلَيْكُمْ فَعُدُّوا ثَلَاثِينَ»** **“Start fasting on seeing the crescent [new moon] (of Ramadan), and give up fasting on seeing the crescent [new moon] (of Shawwal), and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban.”**

The text is clear, and it is that the month should complete thirty, even though if it is (the new moon) behind the clouds, but it is not seen.

4- As for the question: (the Prophet (saw) said: **«إِنَّا أُمَّةٌ أُمِّيَّةٌ، لَا نَكْتُبُ وَلَا نَحْسِبُ، الشَّهْرُ هَكَذَا وَهَكَذَا»** **“We are an illiterate nation; we neither write, nor know accounts. The month is like this and this, i.e., sometimes of 29 days and sometimes of thirty days.”** [Bukhari]. “Should it not be understood in contradiction to the fact that we take sighting, because we do not write and calculate, so if we learn arithmetic, then we take astronomical calculations).

This understanding is incorrect and it is rejected as it is known in the Usul, as this concept is disrupted (*mu'atal*), because the description of *Umiyyah* (illiterate) describes the majority (*al-Ghalib*), so the Arabs were in the most general illiterate, in addition to that this concept has been disrupted by the wording of other texts, including the Hadith: **«فَإِنْ غُمَّ عَلَيْكُمْ...and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban.”** [Bukhari]

No restriction was mentioned with it, i.e. if the sighting of the new moon is not possible due to clouds or rain or any reason that prevents sighting, the Shariah ruling has been determined by completing the month thirty days, even if the new moon was present, but the clouds obscured it. Accordingly, the wording (*mantooq*) of the Hadith is used and the concept of contradiction (*mukhalafa*) is disrupted. That is, the concept of contradiction (*mukhalafa*)

here is disrupted by two things: it describes the majority, and because there is a wording of another text that contradicts this concept.

This is true in the conditions of working with the concept in more than one case. It is disrupted if it describes the majority, or if another text disrupts it with its wording, such as: ﴿وَلَا تَقْتُلُوا أَوْلَادَكُمْ خَشْيَةً إِمْلَاقٍ﴾ **“And do not kill your children for fear of poverty. We provide for them and for you. Indeed, their killing is ever a great sin”** [Al-Isra': 31].

“Fear of poverty” is a defining description, i.e., fear of poverty. Likewise, it is describing the majority, for they used to kill their children for fear of poverty, then this concept has been disrupted by a text: ﴿وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ﴾ **“But whoever kills a believer intentionally - his recompense is Hell, wherein he will abide eternally”** [An-Nisa: 93].

Therefore, this concept is disrupted, so it is not said that what is forbidden is killing children for fear of poverty, and it is permissible to kill them if parents are rich! Rather, it is forbidden in both cases, whether out of poverty or richness, and the same is true for the verse ﴿لَا تَأْكُلُوا الرِّبَا أَضْعَافًا مُضَاعَفَةً﴾ **“O you who have believed, do not consume usury, doubled and multiplied”** [Aal-i-Imran: 130].

So “multiple times” is an understandable description, and it describes the majority. They took usury in multiple times. This concept was disrupted by the text: ﴿وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا﴾ **“But Allah has permitted trade and has forbidden interest”** [Al-Baqara: 275].

Therefore, this concept is disrupted, so it is not said that what is forbidden is multiple usury, and as for little usury, it is permissible. Rather, usury, regardless of its amount, is forbidden because the concept of “multiple times” is disrupted, as we said.

Thus, the concept of the word “Umiyyah” (illiterate) is disrupted, as we have explained, meaning that if sighting was not possible due to clouds or rain, the month should be completed thirty days, whether we know the calculation or not.

5- Regarding Eid ul-Fitr this year, if you noticed, we were late in announcing it this time, and the reason was to verify this matter. There were different testimonies of the sighting:

a- Afghanistan, Mali and Niger announced the sighting after sunset on Saturday 30/4/2022 and then Eid was announced on Sunday, first of Shawwal 1443 AH corresponding to 1/5/2022 CE.

b- About 21 Arab countries announced that sightings were not confirmed after the sunset of Saturday, so they considered Sunday to be the completion of the month of Ramadan, and that Eid is Monday, 2/5/2022.

c- Four countries on their calendar marked Saturday as the 28th of Ramadan, so the sighting was not investigated on Saturday evening, but on the next day, Sunday, and they did not see the new moon, so they considered Monday as the completion of Ramadan and Eid is on Tuesday 3/5/2022, and these countries are India, Bangladesh, Iran and Pakistan

6- Therefore it was necessary to follow the one who saw, because the one **who sees has the stronger case against the one who does not see**, and the verification of the sighting is as it is in the Shariah texts **without introducing the astronomical calculation** into the subject because the Hadith of the Messenger (saw) is clear in the Hadith: «فَإِنْ غَبِيَ عَلَيْكُمْ فَعِدُّوا ثَلَاثِينَ» **“...and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban.”**

And because Mali and Niger are west of Afghanistan, i.e. if the sighting is established in Afghanistan, it is with greater reason that it is established in Mali and Niger, and accordingly we have begun to investigate Afghanistan, and the announced sighting were in these three countries:

a- Niger announced that the sighting of the new moon of the month of Shawwal was confirmed, after sunset on Saturday in the regions of Diffa, Tahoua and Maradi, as well as in the city of Zinder.

b- The Supreme Court of Afghanistan announced, on Saturday evening, that Sunday 1/5/2022, will be the first day of blessed Eid ul-Fitr 2022 in the country. And as it was mentioned about those countries, the sighting took place in the states: Ghor, Ghazni, Kandahar, Farah, and 27 valid testimonies were confirmed by the regional committees.

c- Mali also announced that the Shawwal new moon was sighted on Saturday evening in two locations by 8 witnesses.

In other words, the sighting was from about 39 witnesses in different locations... and we made every effort to verify this, especially from Afghanistan, because Mali and Niger are to the west. If sighting is valid in Afghanistan, then with greater reason it is correct in Mali and Niger. We were not sufficed with what we got from the Media and with what we received from the Mu'tamids in the Wilayahs, we even added to that... So, we contacted the Media Office of Hizb ut Tahrir in Afghanistan, as well as some Afghan brothers in Europe to contact some relatives in Afghanistan to verify the matter until we were reassured that the sighting was confirmed, so we announced it around 12 at night, Medina time.

7- As for the question, why do Muslims differ in sighting? The answer is simple and easy, and it is as follows:

a- The disagreement is due to the non-following of the Shariah ruling, although it is clear! The Messenger of Allah (saw) explained to us the obligation to follow the sighting (method), and he (saw) emphasized that by saying: «فَإِنْ غَبِيَ عَلَيْكُمْ فَعِدُّوا ثَلَاثِينَ» **“...and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban.”**

It is clear from this that the astronomical calculation should be disregarded, because the text required the completion of the month, thirty days, if the new moon was not seen, because the clouds obscured it from sighting; even if it was located behind the clouds and the astronomical calculation proved its presence behind the clouds. Even then, it is not correct to use them (the astronomical calculations), rather we complete the month thirty (days) as stated in the Hadiths Messenger of Allah (saw): «صُومُوا لِرُؤْيَيْهِ، وَأَفْطَرُوا لِرُؤْيَيْهِ، فَإِنْ غَبِيَ عَلَيْكُمْ فَعِدُّوا ثَلَاثِينَ» **“Start fasting on seeing the crescent [new moon] (of Ramadan), and give up fasting on seeing the crescent [new moon] (of Shawwal), and if the sky is overcast (and you cannot see it), count thirty days of Sha'ban.”** And He (saw) said: «لَا تَقْدِمُوا الشَّهْرَ حَتَّى تَرَوْا الْهَلَالَ أَوْ تَكْمِلُوا الْعِدَّةَ ثُمَّ صُومُوا حَتَّى تَرَوْا الْهَلَالَ أَوْ تَكْمِلُوا الْعِدَّةَ» **“Do not anticipate the month until you see the crescent [new moon] before it, or you complete the number of days. Then fast until you see the new moon, or you complete the number of days.”** [Narrated by Abu Dawud]. He (saw) said: «إِذَا رَأَيْتُمُ الْهَلَالَ فَصُومُوا وَإِذَا رَأَيْتُمُوهُ فَأَفْطَرُوا فَإِنْ غَمَّ عَلَيْكُمْ فَصُومُوا» **“When you see the crescent [new moon] (of the month of Ramadan), start fasting, and when you see the crescent [new moon] (of the month of Shawwal), stop fasting; and if the sky is overcast (and you can't see it) then fast 30 days.”** [Narrated by Muslim].

There are many Hadiths regarding this, and they indicate that what counts in this is sighting of the new moon or completing the month thirty days. The purpose of these Hadiths is not for each one to see the new moon himself, rather what is meant is the just testimony as evidence, for it was authenticated on the authority of Ibn Umar - may Allah be pleased with them, he said: “The people tried to see the new moon and he informed Allah’s messenger that he had seen it, so he fasted and commanded the people to observe the fast.” [Narrated by Abu Dawud].

b- As for the second reason, the Muslims are united by a Khilafah (Caliphate), they have no one ruler that removes the dispute without division. By studying the Hadith of the Messenger (saw) this is clear.

Ahmad extracted in his Musnad, he said, Hushaim told us, Abu Bishr told us, from Abi Umair ibn Anas, uncles of mine from the Ansar told me and from the companions of the Messenger of Allah (saw): «غَمَّ عَلَيْنَا هَلَالُ شَوَّالٍ فَأَصْبَحْنَا صِيَامًا فَجَاءَ رَكْبٌ مِنْ آخِرِ النَّهَارِ فَشَهِدُوا عِنْدَ رَسُولِ اللَّهِ ﷺ: «أَنْهُمْ رَأَوْا الْهَلَالَ بِالْأَمْسِ فَأَمَرَ رَسُولُ اللَّهِ ﷺ أَنْ يُفْطَرُوا مِنْ يَوْمِهِمْ وَأَنْ يَخْرُجُوا لِعِيدِهِمْ مِنَ الْعِدَّةِ» **“The crescent [new moon] of Shawwal was hidden from us (by clouds) so we arose the next morning**

fasting. Then a caravan from outside Madinah arrived towards the end of the day and the people in it witnessed to the Prophet (saw) that they had seen the crescent [new moon] yesterday, so he (saw) commanded us to break our fast and to gather for Eid the following morning.” [Musnad of Ahmad]

Despite the difficulty of communication between villages and cities at that time, the problem was resolved by the Messenger (saw), when he (saw) commanded Muslims in Medina to break the fast because the new moon was seen in the Badiya desert, then he (saw) commanded Muslims to pray Eid the next day, because the Badiya delegation arrived in Medina after the time for the Eid prayer had passed that day. This is at the time when communication of news from one country to another took a long time. So how is it today, when the news is transmitted at rapid speed? If the Muslims had a caliph and one state, they would be the servants of Allah as brothers, especially since adoption in everything that unites Muslims and their unity is commanded by Islam for the state, the party and the individual according to the Shariah. So, adopting the Shariah opinion that unites Muslims is a matter of great status in Islam.

It is these two matters that remove the dispute, and it is the duty of the Muslims to make every effort to achieve them so that the Muslims return to being the best nation brought to humankind as Allah (swt) revealed in His Noble Book. **﴿كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ﴾** **“You are the best nation produced [as an example] for mankind. You enjoin what is right and forbid what is wrong and believe in Allah. If only the People of the Scripture had believed, it would have been better for them. Among them are believers, but most of them are defiantly disobedient” [Aal-i Imran: 110].**

In conclusion, I ask Allah (swt), to guide all Muslims to the best in their affairs, to make them honoured with the honour of Islam, and to establish their state after a long absence, and then they do not differ in obedience to their Lord, but rather be as Allah (swt) says: **﴿فَانْقَلَبُوا بِنِعْمَةٍ مِنَ اللَّهِ وَفَضْلٍ لَّمْ يَمَسَّسْهُمْ سُوءٌ وَاتَّبَعُوا رِضْوَانَ اللَّهِ وَاللَّهُ ذُو فَضْلٍ عَظِيمٍ﴾** **“So, they returned with favor from Allah and bounty, no harm having touched them. And they pursued the pleasure of Allah, and Allah is the possessor of great bounty” [Aal-i Imran: 174].**

May Allah accept your worships, Wassalam Alaikum Wa Rahmatullah Wa Barakatuh.

Your Brother,

Ata Bin Khalil Abu Al-Rashtah

10 Shawwal 1443 AH

10/5//2022 CE

The link to the answer from the Ameer’s Facebook page:

<https://www.facebook.com/HT.AtaabuAlrashtah/posts/547994220221285>