



Why Not Saudi Arabia?

This is a translation of the brief essay prepared by Wifaq ul Ulama UK, to present to the Ulama e Kiraam at the Moonsighting meeting on the 6th of Zil Qad 1430 AH/25th October 2009 at the Al Hikmah Centre, Batley.

Approximately twenty years ago, two groups of Ulama decided to follow Saudi Arabia on the issue of the sighting of the Hilal (moon). It was a positive step as it ended the chaos that was prevalent at that particular time.

Before we go any further please be aware that that our Imaan is on the Taqaddus (sanctity) of the Haramain Shareefain, and we respect the Rulers of the Kingdom of Saudi Arabia. But unfortunately, after the decision was made, the condition of the Hilal decisions made by the Saudi Authorities became clearer to many of the Ulama e Kiraam, and the educated people, to the extent that that it became a cause of great concern.

- The reality was that the announcements of the 1st of Ramadhan and the 1st of Shawwal were being made when the Hilal could not be seen anywhere in the world, or it could only be seen in very few places. It became common to receive news of the Hilal from other countries on the second or even the third day. It is against all logic for the moon to be sighted in one country, and yet be absent in other countries even after two days. (The reality should be that India and Saudi Arabia should be together in commencing their months for atleast TEN months of the year).
- One can possibly accept this situation if it occurs randomly, but it cannot be accepted if it happens continuously. This would mean that either the testimony of a few Saudis is doubtful; or millions of Muslims throughout the world are negligent in their duty of making the effort to sight the Hilal; or they (millions of Muslims) just can't see it on the first day, they see it only on the second or the third day. The reality is that in Saudi 'Ru'yat e Aamah' (sighting by a large group) is never achieved, whereas, in the era of Nabi Sallalahu Alayhi Wasallam in Madinah, 'Ru'yat e Aamah' was common, except on the one occasion when the 'A'araabi' gave testimony. (Remember that this was the era of our Nabi Sallalahu Alayhi Wasallam, and the pious Sahabah, when lying was unheard of. Today, lying and dishonesty has become very common, determining the month of Ramadhan and the day of Eid has degenerated into gambling. Therefore, there is a great case/need for Ru'yat e Aamah to remove any doubts about the testimonies we receive.)



- The authorities in Saudia have declared Ramadhan or Eid before sunset numerous times. Many a times it was never announced that the decision was based on sighting, instead the decision is declared through the announcement “*thabatat Ru’yatahu inda Majlis Qadha il A’alaa*” (sighting that has been acknowledged by the Majlis Qadha il A’alaa). If there is no evidence of sighting to prove a declaration of sighting, what is the basis for announcing that a decision has been reached, when the Hadith clearly states ‘fast after you sight the moon, and celebrate Eid after sighting the Moon’?

These are the harms in receiving news early, before Hilal is SIGHTED:

1. The Ibaadaat performed before its time is not accepted.
2. The month of Ramadhan commences in Sha’baan.
3. Eid is celebrated in Ramadhan.
4. One fast of Ramadhan is missed.
5. The six fasts of Shawaal commence on the day of Eid ul Fitr, which is Haraam.
6. Doubts are created as the Jamhooir (majority) of the Ummah would start the next day.
7. The Hanafi Maslak always prefers the cautious approach, which is obviously lacking here.

The Shariah Ruling as regards to the Moon of the two Eids according to Mufti e Aazam of Pakistan, Mufti Muhammad Shafi Saheb RA and the Akaabir Ulama of the time was:

“If Moon was not sighted by a large group, only two or four people observed it, and this was when the horizon was clear, there were no clouds or smog, then the sighting testimony of these two or four people will not be acceptable. Until a large group does not give testimony in this condition the testimony of sighting will not be acceptable. The testimony of the two or four will be seen as a MISTAKE OR A FALSE TESTIMONY.”

This Ruling Was Signed By: **Hadhrat Mufti Muhammad Shafi Saheb RA, Hadhrat Moulana Zafar Ahmad Uthmani Saheb RA, Hadhrat Moulana Yusuf Binnori Saheb RA and Hadhrat Moulana Mufti Rashid Ahmad Saheb Ludhyanwi RA.** (Jawahir ul Fiqh)

In recent times, the important decision of deciding ‘whether the information about the sighting of the Hilal is correct’ has been taken away from the Ulama and given to every individual. Every home has access to a television set and/or the internet, mobile phones are used universally and many people go for Hajj or Umrah each year: due to all of these factors, UK citizens gain access to news about the sighting of the Hilal as soon as it is declared, well before Maghrib. Therefore, there is no benefit whatsoever in Ulama groups declaring their decision after Maghrib.

If the Ulama ever needed to retract a decision, how will the situation be controlled?



These problems were observed everywhere by concerned Ulama, and their fikr and worry bought about the creation of 'Wifaq ul Ulama'. The Ulama of Wifaq deliberated over a better method of determining the Hilal that would also be Shariah compliant, and after consultation with the Ulama and Darul Iftaa of the Indian subcontinent we came up with the following criteria:

1. On the 29th of each month, we will make the effort of local sighting, acting upon the Hadith "fast after you sight the moon..."
2. If the moon is not sighted locally, then we will take a testimony from a country to the East or on the same longitude. However, there must be a possibility of sighting in that country and the testimony must be of actual sighting (Muhaqqaq Ru'yat Basari), verified by the Ulama bodies in that country. Further, the testimony received must be free of any doubt or suspicion, and must be received through reliable sources.
3. If there is no sighting locally, nor is reliable news/testimony received, then thirty days will be completed.

Note: To determine whether sighting is possible or not, we can take help from the experts in the field, as is very clearly understood from the Ulama and Muftiyaan e Kiraam.

Alhamdulillah, the Ulama of Wifaq have been practicing upon these principles for the past three years, and are fulfilling this Islamic responsibility with great ease.

Many of our Akaabir Ulama have shown their frustration and doubts over the news coming out from Riyadh, and as it is, fasting on the day of 'Shak' (doubt) is not permissible, and many a times the fast at the end of Ramadhan becomes spoiled due to peoples hastiness and negligence.

It should also be noted that the majority of the Muslims in this country originate from India, Pakistan and Bangladesh, and are Hanafi ul Maslak, the people of the Berelwi School who are also great in number are also Hanafi ul Maslak, hence it is of importance that we stick to the Fiqh of Imam e Aazam Abu Hanifah RA.

Finally we would like to clarify that if the Riyadh authorities adopt the correct method, and their declaration is backed up by reliable testimonies from other places, where actual sighting takes place, then we have no problem in commencing our months with Saudi Arabia, as was the case last year on the occasion of Ramadhan, and this year on the occasion of Ramadhan and Eid ul Fitr. In which we all celebrated Ramadhan and Eid together.

From the servants of Wifaq ul Ulama UK

6th Zil Qad 1430 AH/25th October 2009.