



مفتى محمد يوسف دنكا
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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله حمد الشاكرين، والصلاة والسلام على المبعوث رحمة للعالمين، وهدايا للناس أجمعين.
صلاةً وسلاماً دائماً إلى يوم الدين، وآله وصحبه ومن تبعهم بإحسان، وسلم تسليماً كثيراً، أما بعد:

The History of the UK following the Saudi Arabia Moonsighting Decision

Allah ﷻ has stated in the Holy Qur'aan: 'They ask you (Muhammad ﷺ) about the crescent moons. Say: They are signs to mark fixed periods of time for mankind and for the pilgrimage.' (s2, v189)

The Shari'ah (laws) of Islam have classified the regulation of time (months) by means of sighting the Moon. Every person who has the faculty of sight can look at the sky and determine the start of the new month. Despite great leaps being made in the Astronomy and the scientific calculation of the 'birth' of the new moon, they are not regarded as verified proofs in Islam.

In the same manner, the days of Hajj, Ramadhan and the Eids are dependant upon the sighting of the moon (Muhaqq Ru'yat Basari). There is only 'One' moon in the world. Yet, Allah ﷻ has used the plural word meaning 'crescent moons' in the above verse of the Qur'an. This will mean that throughout the World, wherever the crescent moon can be sighted on the 29th night then the following day will be the start of the new month. If for some reason the crescent moon is not sighted in an area, they will complete 30 days in that region and then start the new month. This verse of the Qur'an makes it clear that there is no requirement for the Muslims to celebrate Eid or Ramadhan etc uniformly throughout the World on a single day.

Those individuals that go for Hajj, they will abandon the monthly timetable of their region and adopt that of Makkah. It may be questioned: if the date that is found in Saudi Arabia is not regulated according to the true requirements of the Shariah then what will become of their Hajj. If there is no way to correct this wrong doing (in not ordaining the Islamic month by the 'true sighting of the crescent moon') of the government then it is understood that the fasting and Hajj will be accepted Insha'Allah. The inhabitants of Saudi Arabia and visiting Hajjis etc will not be at fault for carrying out their worship according to the dates stipulated by the government. However, it is not permissible for those from other regions to follow Saudi Arabia's announcements. (Tuhfatul Al Ma'ee Sharah Sunan Tirmidhi vol 3, p68 by Shaykh-ul-Hadith Mufti Saeed Ahmad Palanpuri, Darul Uloom Deoband)

In 1972 the intention was made to change the Shariah sighting criteria for the 'New Moon':

Alhamdulillah for 1400 years from the time of the Prophet ﷺ the entire Ummah was using the means of sighting the crescent moon to regulate the months of the year. In 1972 the Saudi government sent an invitation to the different regions of the Muslim World for the Senior Scholars to attend a conference. In this conference, without a specific agenda being outlined, the Saudi government opened the discussion on the matter of the entire Muslim World following the announcement of Saudi for a united day for Ramadhan and the two Eids. For this, the Saudi government would be responsible to formulate whatever systems and procedures were required to ensure this could be fulfilled. Together with this, it was recommended that the new month announcement be reliant upon the 'birth of the new moon' (القمر الجديد) rather than the sighting of the crescent moon. This would allow the Saudi government to announce the new moon before it was possible to be sighted anywhere in the World. (Tuhfatul Al Ma'ee Sharah Tirmidhi vol 3, p56)

Amongst the attendees of the Saudi conference was Mufakirul Islam Shaykh Sayed Abul Hassan Ali Nadwi رحمه الله and Shaykh Manzoor Nomani رحمه الله. These two were the renowned Scholars of the Islamic world at the time (both had spent time with Hadhrat Maulana Shaah Muhammad Ilyas Kandhalwi رحمه الله in the work of Da'wah Tabligh). After attending the conference they returned to Surat Rander Chunarwa Masjid, India. Here a conference of the Scholars of India was arranged. They explained that they were invited by the Saudi government to a conference without a stipulated agenda. They explained the desire of the Saudi government to adopt the 'Birth of the New Moon' calendar and also that all the Scholars present in the conference had unanimously rejected this concept due to it being against the Shari'ah. The two Shaykhs stated that the Saudi government nonetheless intended to initiate a great fitnah ignoring the opposition of the Scholars. They explained, the Saudi government will adopt this new system from the following year, as predicted it came to pass and remains the case to this day.

This matter has been written about in detail by Shaykh-ul-Hadith Mufti Saeed Ahmad Palanpuri Sahib حفظه الله (Darul Uloom Deoband) in a monthly leaflet called 'Al-Furqan' distributed in Lucknow, India.

Saudi Arabia has created a timetable based on Greenwich New Moon calculations; this calendar known as the Umm Ul Qura calendar, many a time sets the beginning of the new month one day before the sighting of the

crescent moon. In reality the 29th date of this calendar could actually be the 28th date. On this 28th date, Saudi accepts the false testimony of witnesses and makes an announcement of Eid or the start of Ramadhan one or two days before the entire globe. The reality is the moon has not usually been sighted anywhere on the entire Earth. In doing so it starts Ramadhan in Sha'baan, and declares Eid in Ramadhan, therefore unlawfully missing one obligatory fast. Thus, anywhere where Saudi is blindly followed a great fitnah ensues.

In 1984, there was an international conference held in London Central Masjid & Cultural Centre (Regents Park) for the purpose of discussing the Moon Sighting criteria of the UK:

This meeting was attended by approximately 350 Scholars from various Countries around the World, among the participants were: The Grand Mufti of Egypt, Scholars from Europe and also numerous Scholars from the UK who were specifically chosen from their association or work within a certain group of the Muslims (Da'wah Tabligh, Brelvi, Salafi etc), from the side of Jamiatul Ulama Britain, Mufti Aslam was invited, the foundation for sighting of the crescent moon to establish the new Islamic month in the UK was that the moon had to be sighted with the naked eye (Muhaqqaq Ru'yat Basari). The outcome of the conference was that all the Scholars present unanimously agreed to abide by the agreed criteria. There were 30 senior Scholars from the UK present, all of whom confirmed their agreement to adopting the criteria by signing their names to it. The agreed criteria was then sent to the Grand Mufti of India, Hadhrat Mufti Abdur Raheem Lajpuri رَحْمَهُ اللهُ. The acceptance and confirmation of the criteria of 1984 is mentioned in the book Fatawa Raheemiya by Hadhrat Mufti Abdur Raheem Lajpuri رَحْمَهُ اللهُ.

However, even after the conference, the unanimous agreement and all the following events, the very next year, Jamiatul Ulama Britain & Hizbul Ulama UK broke their oath and unanimous agreement to the United Moon Sighting Criteria which was written at the Regents Park Masjid conference.

In 2006, I (Muhammad Yusuf Danko) attended a meeting with the Director General of London Central Masjid Dr Ahmed Dubiyan. This meeting was attended by 20 management members of the West London Masajid and Shaykhul Hadith Molana Samirud-Deen Qasmi حفظه اللهُ from Manchester. In this meeting, Dr Dubiyan stated: 'In our own Masjid here, there was a meeting and we in UK agreed to unite on the moon sighting announcements and criteria for this country, however, the Jamiatul Ulama Britain & Hizbul Ulama UK changed their minds the very next year, from this, our own attendees complained to us why we were not following Saudi when others who were not Arab did so, this made matters very difficult for us, even after being from a Saudi background, we (London Central Mosque) have no objection in not following the Saudi announcement. If today, the Scholars of this country agree to unite on the specific criteria, we are ready to adopt that also.

Prior to 1986, the UK followed the Moon Sighting announcements from Morocco. After 1986, a division arose, caused by the blind following of Saudi Arabia:

In Ramadhan 2007, Shaykh-ul-Hadith Mufti Saeed Ahmad Palanpuri Sahib حفظه اللهُ was present in Masjid Quba Stamford Hill, London. He related in detail during a lecture, the following matter, he was invited to a Masjid in Bolton in 1985, at this time, due to the lack of technology, the news of the moon sighting was received from Morocco via Telex. That year due to inclement weather, news from Morocco was delayed. The people of Bolton in the absence of news offered the Taraweeh prayer and still waited for news. No news was forthcoming, so the people returned home and fasted the following day. The next morning, a shopkeeper was appointed to receive the telex from Morocco, opened his shop at 10am and found a telex stating the moon had been sighted in Morocco yesterday. In Bolton Eid was then announced and performed the following day. As News broke late in the morning, the Scholars were unanimous on this decision apart from Moulana Yaqub Kawi Sahib of Dewsbury and a few others with him who did not break their fast. Nevertheless, everybody celebrated Eid together on the following day.

Jamiatul Ulama Britain & Hizbul Ulama UK became annoyed at Moulana Yaqub Kawi's حفظه اللهُ refusal to break his fast. Mufti Saeed Ahmad Palanpuri Sahib حفظه اللهُ sat down with both groups and attempted to resolve the dispute. However, of the two groups, none was willing to back down therefore reconciliation was not possible. In the end, Mufti Saeed Ahmad Palanpuri Sahib حفظه اللهُ returned to India and the dispute remained unresolved. Instead of the matter being resolved or some compromise being reached, the division became more exacerbated. In opposition, to Molana Yaqub Kawi, Jamiatul Ulama Britain & Hizbul Ulama UK, stubbornly announced that they would follow the Saudi government sightings whatever the circumstances. This marked the beginning of the adherence of Saudi Arabia's moon sighting in England which continues to this present day. It is only due to the stubbornness of Jamiatul Ulama Britain & Hizbul Ulama UK that a great Fitnah endures. This is even after, the Scholars from all quarters and groups fully understand the reality of the Shariah deficiencies of the Saudi moon sighting announcements. Remember, there are numerous references in the Holy Qur'an of stubbornness and its potential to corrupt the Deen.

There are also many Imams of Masjids and large Islamic centres that state that they cannot oppose the committees and trustees of their areas. These Imams themselves state that they make Qadha of their Ramadhan fast, and why shouldn't they? They are after all obligatory fasts. Even to observe them after their

fixed time without reasonable excuse is a grave sin. The responsibility of the entire Muslim community lies on the shoulders of the Imam and Management committee, to remain silent on such matters may be the easier option today, but will no doubt prove difficult to explain tomorrow on the day of Judgement (Qiyamah).

In 2009, a meeting was held in Batley, UK between Wifaq ul Ulema and Jamiat Ulema Britain for Uniting the Moon Sighting Announcements of the UK:

In Batley, there was a meeting held of 70 Scholars from the UK to unite the moon sighting announcements of the UK regions before Ramadhan 2010. This meeting was held for the Scholars specifically associated to the teachings of Darul Uloom Deoband. It was unfortunate that the representatives of Hizbul Ulema UK refused to turn up for the meeting. Mufti Aslam stated: 'Our companions at Hizbul Ulema UK have failed to turn up, at the same time, they sought to prevent us (Jamiat Ulema Britain) from attending also. However, we seek a resolution to this problem (moon sighting announcement), for this reason we are here.'

A meeting was called on 5 different occasions. There was an agreement on a number of points of the criteria to establish the moon sighting announcements. The points that were left to be discussed included: Jame Ghafeer, Muhqaq Ruy'at e Basari etc. It was agreed that these points would be decided by sending letters to the large centres of the Deoband Scholars throughout the World. In all, 19 centres were chosen. Alhamdulillah, letters were prepared by the 3 large groups which represent the Scholars of the UK (Jamiat Ulema Britain, Wifaq Ul Ulema, Batley Ruy'at Hilal Committee). These 3 letters were prepared and days before they were due to be sent out, Mufti Aslam of Jamiat Ulema Britain phoned Mufti Yusuf Sacha Sahib in Batley requesting that no letters be sent out. Mufti Aslam stated that Jamiat Ulema Britain will continue with the current situation.

Due to this, the entire Muslim Ummah in the UK has suffered again this year. This proves that the representative of Jamiat Ulema Britain and Hizbul Ulema UK are in no way inclined to follow a united moon sighting criteria for the UK Muslims. These are the very same groups which, after making a promise and oath, by signing their names to an agreement of 350 Scholars in 1984 they broke it. And in 2010, the promise they made in front of 70 Scholars was also broken. Their only desire is to follow the moon sighting criteria of the birth of new moon (Umm Ul Qura calendar) and make others act upon it also. The reality in the UK is that there apart from the moon sighting criteria and announcements there are numerous issues to be tackled. Even in these additional matters the groups of Jamiat Ulema Britain and Hizbul Ulema UK do not come forward for the sake of the Ummah.

A Sincere Advice to the Muslims in the UK from the Scholars of Darul uloom Deoband:

عن عمر رضي الله عنه قال قال رسول الله صلى الله عليه وسلم إذا أقبل الليل من ههنا وأدبر النهار من ههنا وغربت الشمس فقد أفطر الصائم (متفق عليه)

Sayyidina Umar رضي الله عنه narrated that The Prophet ﷺ stated: 'When night falls from this direction (pointing to the eastern horizon) making it dark and the day break finishes from that direction (pointing to the western horizon). And the sun has completely set, then the fasting person should (with certainty) break his fast. (Jami Tirmidhi, Vol 1, p150 also in Saheeh Bukhari)

As the Arabian Peninsula consists of mountainous regions (the Two Blessed Cities of Makkah and Madinah lie within mountainous areas) some doubt is created for observers on when the time of sunset actually occurs. Due to this, the Prophet ﷺ has given us the criteria to observe the darkness setting in from the eastern horizon and the daylight receding from the western horizon for the fasting person to break his fast. Shari'ah states the issues in which doubt is created, according to Islamic jurisprudence should not be adopted. The Prophet ﷺ has stated 'Leave that which is doubtful for that which has no doubt.' (Al-Tirmidhi and Al-Nasai)

On the basis of this Hadith, today in the UK in order to remove all doubts, the Ulama of Deoband have put forth this guidance. When Saudi makes an announcement regarding the sighting of the moon, we should not as a matter of convenience follow them. Instead of deciding upon the matter in haste we should rather be patient and observe the condition in our Country and those near to us geographically. This is because; as the sun sets observers around the world especially in the continent of Africa can clearly sight the moon straight after the Saudi sunset. If the information received from the African continent is reliable (Muhqaq Ruy'at e Basari) and in line with the Saudi announcement then it is acceptable for us to adopt this sighting in the UK. However, usually after Saudi has made their announcement the moon is neither sighted in the entire African or American continents as well as the Indian sub continent. Sometimes the period between Saudis sighting and that of other countries differ by up to 12 hours or a whole day whereby no sighting of the moon is witnessed in nearby lands and continents, whereas the moon should be sighted the next day. There are also known reports of Individuals living within Saudi Arabia who testify to seeing the moon two days after the Saudi announcement has been made. It is also reported and encouraged by the Sahih Hadith that 'Ruy'at e Aamah' (sighting by a large group) is a condition of accepting a sighting of the crescent moon. This criterion of sighting by a large group is never found in Saudi Arabia. In such a situation, those who do not live under the authority of Saudi Arabia's Islamic jurisprudence should not destroy their fast, Eid and Qurbani/Adhiyah.

عن ابن عمر رضي الله عنهما أن رسول الله ﷺ قال: الشهر تسع وعشرون ليلة فلا تصوموا حتى تروه، فإن غمّ عليكم فأكملوا العدة ثلاثين (صحيح بخاری ص306 صحيح مسلم ص347)

Sayyidina Ibn Umar رضي الله عنهما relates from Nabi ﷺ that there are twenty-nine nights in a month, do not fast until you see it (the Hilal), if it is hidden from you then complete thirty days. (Sahih Bukhari p,306/ Sahih Muslim p,347)

The word in the Hadith فلا تصوموا حتى تروه which can mean that when a lot of people sight it (the Hilal) then fasting should begin. Throughout the lifetime of Prophet ﷺ 'Ruy'at e A'amah' i.e. a large group as could be understood by this Athar (speech of Sahabah or Tabi'een) was practised. Only on one occasion in Madina moon was not sighted and Rasulullaah ﷺ accepted the witnessed statement of a Nomad Arab, but consideration needs to be taken that the person who accepted the testimony was the Messenger of Allah and the witness himself was a just Sahabi (in essence, both parties have no element of doubt). The practise of our Pious Salaf us Saliheen clearly indicates that they insisted upon the 'Ruy'at e A'amah'.

قلت لعطاء: أرأيت لو أن رجلا رأى هلال رمضان قبل الناس بليلة أيصوم قبلهم أو يفطر قبلهم؟ قال لا، إلا أن يراه الناس، أخشى أن يكون شبه عليه. (مصنف عبدالرزاق، باب كم يجوز من الشهود على رؤية الهلال ج4 ص130)

Ataa bin Abi Riba (Tabi'i) رحمه الله was asked that if a person was to see the Hilal of Ramadhan a night before the others were able to, should he fast before them, or should he celebrate Eid before them? He replied 'No, not until the people (يراه الناس) see it. I fear that he is mistaken'. (Musannaf Abdur Razzaq vol 4, p130)

Ataa bin Abi Riba (Tabi'i) رحمه الله was that personality and Scholar of Islam upon whose verdict and statement Saydina Ibn Umar رضي الله عنهما and Ibn Abbas رضي الله عنهما would rely. This is the very same Ataa bin Abi Riba رحمه الله who was the teacher of Imam Abu Hanifa رحمه الله. Imam Abu Hanifa رحمه الله said of Ataa رحمه الله: 'I have not seen a person more God Fearing or Knowlegable than Ataa bin Abi Riba رحمه الله.'

Hadhrat Mufti Sayed Abdur Raheem Lajpuri رحمه الله writes: If the skies are clear the testimony of the two or four people will not be enough. A testimony of such a large group is essential to the extent that the Qadhi, Aalim or Mufti is fully confident and satisfied that the Hilal has been sighted, and No doubts remain. (Fataawa Fataawa Rahimiyah vol 10, p 169/ 21 جلد5 ص129/ اوجز المسالك شيخ الحديث محمد زكريا جلد5 ص21/ 418-417 فتاوى محموديه جلد3 ص129/ احسن الفتاوى جلد4 ص417-418)

وقيل بلا علة جمع عظيم يقع العلم الشرعي وهو غلبة الظن (بخبرهم وهو مفوض إلى رأى الإمام من غير تقدير بعدد) على المذهب. (درمختار كتاب الصوم- جلد 3 ص410/ مختصر القدوري مع الشرح ص224، لعلامه احمد القدوري هجرى 428)

وإذا لم تكن بالسماء علة لم تقبل الشهادة حتى يراه جمع كثير يقع العلم بخبرهم.. لأن التفرد بالرؤية في مثل هذه الحالة يوهم الغلط فيجب التوقف فيه حتى يكون جمعا كثيرا. (هدايه- جلد1 ص125، لعلامه على بن أبى بكر المرغيناني هجرى 592/ نورا لإيضاح ص167، لعلامه حسن بن عمار شرنبلالى هجرى 1069/ مراقى الفلاح ص236)

وإذا لم تكن بالسماء علة لم تقبل الشهادة حتى يراه جمع كثير يقع العلم بخبرهم لأن التفرد بالرؤية في مثل هذه الحالة يوهم الغلط فيجب التوقف فيه حتى يكون جمعا كثيرا.... ثم قيل في حد الكثير أهل الملة وعن أبى يوسف رحمه الله خمسون رجلا اعتبارا بالقسامة... (فتح القدير جلد2 ص328، لعلامه ابن همام حنفى 861 هجرى)

شريعة مقدسه میں چاند کی رؤیت کیلئے قانون یہ ہے کہ اگر (29) انتیس کی رات کو مطلع بالکل صاف ہو تو پھر جم غفیر کی رؤیت روزہ اور عید کیلئے ضروری ہے۔ جم غفیر کی تعداد کے بارے میں مختلف اقوال ذخیرہ فقہ میں درج ہیں بعض سے پچاس اور بعض سے پانچ سو وغیرہ مروی ہیں البتہ امام علامہ ابن عابدین شامی رحمه الله نے تعداد سے قطع نظر کر کے قاضی کے مطمئن ہونے کو ترجیح دی ہے لیکن قاضی کا اطمینان بھی دو شرائط کے ساتھ مشروط ہے (1) امکان رؤیت (2) کثرت شہود۔ اسلئے صاف مطلع کے دوران تین یا چار آدمیوں کی گواہی نا قابل قبول ہے۔ کذا فی ردالمختار جلد2 ص101 (فتاوی حقایق جلد4 ص137)

Hadhrat Aqdas Moulana Ashraf Ali Thanvi قدس سرہ writes: "If the skies are clear then the testimony of two or four people will not be sufficient, whether it is for Ramadhan or whether it is for Eid. On the other hand, if so many people came forward with testimonies, that it becomes clear that they are not lying, nor can such a large group lie, then the testimonies will be accepted and the new month will commence. (Bahishti Zewar part 3 p6/ Ilm ul figh vol 3 p425/ Ta'limul Islam vol 4, p69)

'If the skies are clear, a large group is essential for determining Ramadhan and Shawwal.' (Ma La Budh Minh P93) 'Imam Abu Hanifa رحمه الله states that a large group is essential when the skies are clear.' (Rowdat un Naddiyah vol 1, p292)

To sight the moon is Wajib alal Kifaayah, hence when the skies are clear, not cloudy, and sighting the moon is possible (Imkan e Ru'yat), then one should practise upon the Wajib alal Kifaayah, and not remain sitting idle, content on the Moonsighting news of Saudi Arabia. (Fatwa Darul Uloom Kantharia, Mufti Abdullah Kavi)

Our Fuqahah (Jurist), Mutaqudimeen and Salaf us Saliheen have been unanimous on the 'Ruy'at e A'amah' principle. In this time of Fitnah the requirements of adopting Muhaqqaq Ru'yat e Basari and Jamme Ghafeer holds great importance.

سیدنا عمر رضی اللہ عنہ سے روایت ہے رسول اللہ ﷺ نے ہمیں خطاب کرتے ہوئے فرمایا تھا کہ: - اوصیکم بأصحابی ثم الذین یلونہم ثم الذین یلونہم ثم یفشیوا الذب حتی یحلف الرجل ولا یستحلف ویشهد ولا یستشهد... الخ (جامع ترمذی ج 2 ص 48، صحیح بخاری ج 2 ص 1049، مستدرک حاکم ج 1 ص 114، حاکم وذہبی وقالہما صحیح علی شرط الشیخین)

The Prophet ﷺ has said: 'I advise you to follow my Companions and then of those who come after them and those who come after them. After this, lies will spread until a person will swear an oath yet nobody will have requested it from him. A person will witness yet nobody will have requested it from him. (Jami Tirmidhi, vol 2, p48/ Saheeh Bukhari vol 2, p1049/ Hakim, vol 1, p114)

In the famous Islamic monthly booklets known as 'Al-khair' Multania 2005' (Ramadhan Hijri 1426) the senior Scholars of the sub continent have written extensively regarding the incorrectness of the Saudi announcement of moon sighting marking the start of Ramadhan and Eid. In this booklet an article makes mention of an individual who has now joined the effort of Da'wat e Tabligh. This person before joining this effort, knowingly used to give false testimony, testifying to the sighting of the crescent moon in the Sarhad province (in Pakistan), however after joining this effort he accepted his mistake and has done Tauba/Istighfar as well as notified the Ulama requesting Du'a for his and his group's mischief. (Al-khair, p14)

From the above mentioned incident it is clear how this type of false testimony and its propaganda creates confusion unifying people on the incorrect moon sighting of Saudi Arabia. This explains how this new Fitnah has taken hold across the world since the initiation of the Umm ul Qura calendar.

The Islamic Centres of the World that follow the Hanafi Fiqh as taught by the Deoband Scholars have a spiritual and scholarly connection with three respected institutes: Darul Uloom Deoband, Mazahir ul Uloom Saharanpur, Jamia Islamia Dabhel, the senior Ulama at these institutions have unanimously and continuously stated the following:

'To look for ease and decide upon the Saudi sighting decision for Ramadhan and Eid is not correct, even if a Fatwa permitting this was obtained, it would be against the principles of the Shari'ah, never should one blindly follow the sighting of Saudi Arabia. (Fatawa Darul Uloom Deoband, Mazahir ul Uloom Saharanpur, Jamia Islamia Dabhel, (18/Safar/1424 AH) 20/4/2003)

Hadhrat Shaykh UI Hadith Moulana Muhammad Zakaria نور اللہ مرقدہ Witnessing of the Saudi Moon Sighting:

Shaykh UI Hadith Moulana Zakaria *Kandhalwi* نور اللہ مرقدہ is that personality, who dedicated his entire life in attaining the very high ranks of Knowledge and Taqwa, he spent the last 10 years of his life in Madinah Munawarrah and was blessed with passing away there. Whilst residing in Saudi Arabia, Hadhrat has detailed the inaccuracies of the Saudi moon sighting announcements in his writings, there are numerous beneficial advices, both spiritual and pertaining to knowledge in these writings of Hadhrat Shaykh نور اللہ مرقدہ.

Hadhrat Shaykh UI Hadith Moulana Muhammad Zakaria *Kandhalwi* رحمہ اللہ has written in one of his letters addressed to Hadhrat Moulana Yusuf Motala Sahib حفظہ اللہ dated 2nd Shawwal 1393AH (1973): 'Today, Monday the 29th of Ramadhan, after Fajr, Moulana Ehsan Sahib حفظہ اللہ (grand scholar and director of Darul Uloom Raiwind, Markaz Pakistan) brought the news that the moon is high and very easily visible in the sky. We all became satisfied that we had one more day of Ramadhan, but when Moulana Aftaab bin Moulana Badr e Alam Meerathee رحمہ اللہ heard the news, he said immediately that the manner of thinking of India/Pakistan does not work here (in Saudi). He said: 'I have been here for 28/30 years; there was only one Eid after the 28th fast, only one after the 30th, and all the rest after the 29th. I had heard that it is common for Ramadhan to last for 29 days here (in Saudi), but I was satisfied with the Indian way of thinking'. (The Indian way being; if you have seen the moon in the morning of the 29th day, then that moon cannot be sighted in the same evening. This is an unalterable fact.) Hadhrat goes on to say: 'I felt a bit strange whilst performing the Nawaafil after Maghrib, and Salat ul Isha was delayed for ten minutes compared to Ramadhan, after the Fardh Salat I quickly started with my Sunnah prayer, but in my first Rakaat I heard the head Qadhi ul Qudhat (head Judge) here, make an announcement beginning with Salam and some other words, at once I understood that the rule of the government here (Saudi Arabia) has prevailed (Over the truth)'. (Muhabbat Naamay Vol 2, P539)

On 7th October 2010 I (Muhammad Yusuf Danka) met Hadhrat Moulana Ehsan Sahib in Darul Uloom London, Chislehurst. I asked for more detail in respect of the above mentioned incident, since Moulana Ehsan was present and mentioned by Hadhrat Shaykh UI Hadith Moulana Muhammad Zakaria نور اللہ مرقدہ in Muhabbat Naamay. Moulana Ehsan Sahib confirmed that the narration of the incident was indeed true and informed me, that it was only at the behest of Hadhrat Shaykh نور اللہ مرقدہ that he and a number of his companions went out to sight the moon. If they were able to witness the moon on the 29th Ramadhan then it was not possible for the authorities to announce Eid for the following day. However, an announcement was made later that day

declaring Eid to be on the following day as mentioned above, this caused Hadhrat Shaykh Ul Hadith Moulana Muhammad Zakaria نورالله مرقده a great deal of concern (*due to the fact that the moon of the month of Ramadhan was still visible and the announcement for Eid was made. How could it be that these Pious Scholars of Truth, who were elevated in knowledge, piety and Taqwa have peace of heart and mind. They had deep concern for the principles of Islam and the worship of the Masses*).

Hadhrat Shaykh Ul Hadith نورالله مرقده has also written in Aap Beeti in clear words that the announcement the Saudi government are not subject to the sighting of the crescent moon, but are in fact based upon and conform to their Umm ul Qura calendar. The entire world is aware of the fact that to make announcements according to the 'birth of the new moon' is not the way of Islam, but of Judaism.

Hadhrat Shaykh نورالله مرقده writes: 'On the 1st Dhul Hijjah 1396H, 23 November 1976 in the Umm ul Qura (Saudi governments Birth of the New Moon) Calendar, it is written that Monday will be the 1st Day of Dhul Hijjah and Hajj (day of Arafat) will be on the Tuesday. In Saudi, the Umm ul Qura calendar is followed. However, upon reaching Madinah (a few days later) it was announced that Hajj will be on Wednesday. Then on Friday, it was announced again that Hajj (day of Arafat) would be on Tuesday. (Aap Beeti, vol 7, p211)

The same incident occurred in 2005 also, when after 4 days the announcements were made in conformation with the Umm ul Qura calendar. Upon this alteration the Scholars of the Muslim World asked what evidence they had to support their change in announcement of the new moon. Due to the pressure from the Scholars, the government presented two witnesses, both of whom were older than 80 years old and needed strong spectacles to see clearly. (الوطن سعودي - وقد وجدتهما كبيرين في السن يتجاوز عمر كل واحد منهما الثمانين). From this incident it is apparent that the Saudi Government uses such people to substantiate their claims who cannot even see the road in front of them clearly. How then can such a person see the new crescent moon to establish the commencement of the new Islamic month?

Hadhrat Shaykh Moulana Zakaria Kandhalwi نورالله مرقده writes: (In India) 'The witnessing of the crescent moon occurred on Tuesday night and Ramadhan commenced on Wednesday, however, In Saudi Ramadhan commenced on Monday' (a two day difference). (Aap Beeti) Also Hadhrat Shaykh نورالله مرقده writes in another place: 'on the 27th Ramadhan 1398H (1978), Qadhi Sahib (Abdul Qadir) left Madinah to celebrate Eid in Chawariya Pakistan. After performing Eid in Makkah, he got on a plane the same day to Karachi Pakistan. Upon reaching Pakistan, it was the 28th Ramadhan there. (Aap Beeti, vol 7, p249)

These types of incidents have unfortunately become common place. Meaning, the Saudi government moon sighting announcements are falling two days ahead of nearby Islamic countries that follow the Shariah moon sighting criteria. Allah ﷻ has kept the path of the moon such that throughout the world, a difference of one day is common and possible. However, a delay in two days is impossible. The root cause of these discrepancies is the inaccurate announcements that are being made by the Saudi government and those countries or areas that follow the Saudi criteria/sighting.

Today, the select representatives of Hadhrat Shaykh Ul Hadith نورالله مرقده even while living in Madinah Munawarrah have continued to express their concern for the Saudi moon sighting announcements.

The Concern of the Elders of Nizamudeen Markaz for the Muslims in the UK:

Ameer Tablighi Hadhratjee Moulana Inaamul Hassan Kandhalwi رحمه الله wrote in a letter addressed to the Dewsbury Tablighi Markaz Shooraa: 'The Month of Ramadhan and Eid are among the Symbols of Islam. Therefore we should be very cautious and fearful regarding the decision that is made in regards to these. As people regard the Jamat e Tabligh as a sincere Jamat, people look for the ruling passed by the Markaz to formulate their decisions. The entire nation's fasting is dependant upon the moon being sighted correctly. The fixed orbits of the sun and moon are clearly mentioned in the Qur'an, where Allah ﷻ states 'the sun and the moon run on their fixed calculated courses (exactly).' (Surah 55, Ayat 6). When claims of moon sighting are made before there is the slightest possibility of sighting, no credit should be given to these claims and this position is in accordance with the actions of Jamhoor/the majority of Ulama.' (Hadhratjee Moulana Inamul Hassan Saheb, Banglawali Masjid, 15th Sha'baan 1407AH(1987)

Hadhrat Moulana Hassan Sahib Walsall حفظه الله stated in 1995 he went to perform Hajj. In the vicinity of Baitullah (Makkah) he met the Da'ee (caller to Islam), Moulana Umar Sahib رحمه الله Palanpuri. Hadhrat Moulana Hassan Sahib Walsall complained to him: 'We are performing Eid on 3 days in the UK. Please do something about this.' Moulana Umar Sahib Palanpuri replied: 'I have written to the Dewsbury Shooraa via Moulana Inamul Hassan رحمه الله. If they do not accept this reasoning now, they will be the ones to answer for their actions on the Day of Qiyamah.' (Britannia mi Ruy'at Hilal, p59)

From this we can decisively conclude that all the respected elders of Deoband as well as Hadhrat Shaykh Ul Hadith Moulana Muhammad Zakaria نورالله مرقده, Moulana Inaamul Hassan رحمه الله and Moulana Umar Palanpuri رحمه الله are of the opinion that, to follow the criteria and announcement of Saudi in the UK is incorrect. It is very unfortunate and regrettable that we have allowed the advice of the pious and knowledgeable to fall on deaf ears and due to a conflict of interest amongst a few people, we remain divided. It is a very sad fact indeed,

that as a result of the alliance between Jamiatul Ulama Britain & Hizbul Ulama, the UK, collectively has been denied ability (Toufeeq) to act upon the correct Shari'ah guidance.

Today, from the main centre of the Tablighi Jamat in Nizamudeen Delhi, India. The Scholars of India are still trying to explain the matter to the responsible individuals here in Dewsbury, England. On 31st October 2010, I (Muhammad Yusuf Danka) met Salman Zafar Shaikh from New York, who is a very knowledgeable personality in the field of Astronomy (www.hilalsighting.org) as well as being closely associated with the work of the Da'wah (Tablighi Jamat). I asked him why, due to his close association with Nizamudeen centre in Delhi, he did not ask them to correct the view of the Dewsbury Markaz Shura, regarding the following of the Saudi moon sighting announcements. Brother Salman Zafar Shaikh stated: 'I (Salman Shaikh) explained in March 2009, he attended a conference (Jhor) hosted for the North American Tablighi Jamat workers, in Nizamudeen, Delhi. There he presented Fataawa and proofs from the Senior Ulema Deoband that go against following the Saudi moon sighting announcements, as well as views from Saudi Astronomers and Saudi Scholars in his paper at www.hilalsighting.org/papers/salman.pdf to some of the Shura at Nizamudeen, Delhi. To these Fataawas, a respected elder of Nizamudeen, Hadhrat Moulana Ahmed Laat Sahib حفظه الله mentioned that he had personally strongly advised Ameer Hafiz Patel Sahib حفظه الله to seek Allaah's ﷻ help and correct the situation in UK and if they are not prepared to resolve the situation, then they should completely take leave of this issue (and not oppose the effort of those who are trying to correct it).

The Jamiatul Ulama Britain & Hizbul Ulama UK do not act upon the ruling of the Shari'ah in respect of the moon sighting, nor do they adopt the teachings of the Hanafi Fiqh with respect to the moon sighting criteria. Their effort by all means is to try to unite the entire Muslim population of the UK upon the incorrect 'birth of the new moon' criteria adopted by the Saudi government. The evidence for the inaccuracies of the Saudi moon sighting announcements are well documented above in the writings of Hadhrat Shaykh UI Hadith Moulana Muhammad Zakaria نور الله مرقدہ and others from amongst his students, these are first hand eye-witnesses. This is extremely serious, as it ruins the worship of hundreds and thousands of Muslims in the UK and thus has the potential of destroying the Akhirah of those individuals. If the moon sighting of the Saudi government was correct, the great centres of the Indian Subcontinent (which are the closest to Saudi Arabia geographically) such as : Darul Uloom Deoband, Mazahir ul Uloom Saharanpur, Jamia Islamia Dabhel, Nizamuddin Delhi Markaz and Raiwind Markaz would have been the first to follow it. These are the very teachers and elders of the Jamiatul Ulama Britain & Hizbul Ulama UK. Why is it then that the Jamiatul Ulama Britain & Hizbul Ulama UK wish to enforce the Saudi sighting upon the Muslims of the UK when the great Scholars at the centres mentioned above do not follow the Saudi Government, they have expressly stated their reason for not following the Saudi sighting is that they 'do not wish to ruin their worship, and nullify their fast.' To the extent that they take the name of Hadhrat Mufti Rashid Ahmed Ludhyanwi رحمه الله, using it to justify their principle of it not being permissible to use calculations for the commencement of the new Islamic month. However, at the same time they themselves follow Saudi Arabia leaving aside the advice of their elders mentioned below:

People should not blindly follow Saudi and invalidate their obligatory fast – Sheikh-ul-Hadith Darul Uloom Deoband, Mufti Saeed Ahmad Palanpuri حفظه الله, (Tuhfatul Al Ma'ee Sharah Sunan Tarmidhi vol 3, p57).

Hadhrat Mufti Rashid Ahmed Ludyanwi رحمه الله stated: 'The news of the moon sighting in Saudi Arabia reaching the status of 'Istifaadha' (beneficial) is questionable and further, due to the sighting in Saudi Arabia being against the principles of the Hanafi Fiqh and true logic; it is unacceptable to be accepted for Pakistan. According to the Hanafi Fiqh, when the skies are clear a large group (Jamme Ghafeer) of witnesses is a condition. The government of Saudi Arabia in all conditions decide upon one or two witnesses in Ramadhan, Shawwal and Dhul Hijjah.' (**Ahsan ul Fataawaa Volume 4 Page 426**)

Hadhrat Mufti Taqi Usmani Sahib حفظه الله stated; 'If the Saudi Ruy'at was correct I would have accepted it for Pakistan, but in reality (Haqiqat) there (in Saudi) they say 'we will look at Shahadat', irrespective of the fact that logically the sighting is impossible as the moon is not even born, and the difference between Saudi and other countries is of two days, as I (Mufti Muhammad Taqi Uthmani) do not agree with this opinion, I don't act upon it," he states further "otherwise we would have agreed with the Saudi judgement".

(http://www.deeneislam.com/ur/horiz/halate_hazra/RUY'AT_E_HILAL/article.php?CID=74&cp=1)

Further in a letter dated 19th Rabi us Thani 1412AH Mufti Taqi Usmani Sahib حفظه الله stated: 'I have replied to your letter and I hope that you have now received the earlier letter. In summary, I would like to say that the inhabitants of Britain in the present circumstances should not consider the moon sighting of Saudi Arabia as sufficient and they should contact Morocco in case of the weather not being clear. In Saudi Arabia the sighting of the moon has been accepted before even the birth of the moon on many occasions which is impossible in my view. I have discussed the situation with many Saudi Scholars and they are also disturbed with these occurrences. However, since this is in the hands of the Majlisul Qadha Al-A'la (**Saudi Supreme Court Riyadh**) they are helpless.' (To Shaykh UI Hadith Moulana Samiruddeen, From Mufti Taqi Usmani Darul Uloom Karachi)

It is clear from the statement of Mufti Taqi Uthmani that the Scholars of Saudi Arabia are not subdued in this matter of moon sighting. There Scholars of Haq in Saudi Arabia have always been against the inappropriate and incorrect announcements of the government. There Scholars have on numerous occasions met in Abu Dhabi (UAE) to discuss the incorrect criteria utilised by the Saudi government to announce the new Islamic month.

To follow the Saudi moon sighting is granting freedom in interpreting the Holy Qur'an and the Sunnah without proof or knowledge. This in the manner that the Ghair Muqalideen are accustomed to. In 11 months of the year, these two Jamaats (Jamiat ul Ulama Britannia and Hizbul Ulema UK) propagate the teachings of the Hanafi Fiqh. When the time for Ramadhan comes they seek to blindly follow the Saudi moon sighting announcement. These originate from Government officials in Riyadh who are acting upon the birth of the new moon sighting to establish Ramadhan and the Eids! These same officials have taken the unanimous agreement of the Companions of the Prophet ﷺ – Ijma Sahaba - of 20 Rakats Taraweeh and replaced it with 8 Rakats everywhere in Saudi except the Haramain! The same people (Ghair Muqalideen) who have taken the announcement of 3 Talaqs and made it one...making what is impermissible, acceptable!

Are Jamiatul Ulama Britain & Hizbul Ulema UK against the theory of Astronomical calculation?

Verily, these two groups Jamiatul Ulama Britain Jamiat & Hizbul Ulema UK, state verbally and in their writings that they do not accept the theory of Astronomical calculations. However, in reality following of Saudi equates to the contrary, they so completely and uncompromisingly follow Saudi as to leave no room for the sighting of the crescent moon with the naked eye (Muhaqaq Ru'yat Basari) and witnessing by a large group (Jamme Ghafeer) to take any precedence. The Saudi moon sighting announcements over the past 30 years have never once been subject to the mandatory criteria mentioned above. Further to this, the Saudi moon sighting criteria is fully based upon the Astronomical calculations of the Umm ul Qura calendar. These two groups do not make any effort to ascertain whether the moon sighting of the Saudi government is correct. Rather, they act upon it blindly without any hesitation.

المملكة العربية السعودية
مدينة الملك عبدالعزيز
للعلوم والتقنية

مقدمه

على المستويين الرسمي والشخصي .. فإنه يسر المدينة أن تصدر هذا التقويم الهجري – لاثنتين سنة – من 1409 حتى 1440 هجري بنا على الحسابات العلمية التي تعتبر التوقيت العالمي لولادة الهلال الفلكية أساساً لدخول الشهر.

د. صالح بن عبدالرحمن العزل، رئيس مدينة الملك عبدالعزيز للعلوم والتقنية

Above, the Saudi government has written in the Introduction of the Umm ul Qura calendar that they are pleased that a calendar has been prepared for the Islamic months from 1409 to 1440. The basis of the commencement of the Islamic month in this calendar is upon the **'birth of the new moon.'**

The issue is not that we follow Saudi or not; rather the reality is that Saudi is incorrect and hence we must avoid following them in this matter. This is because by making the decision according to Saudi (where the birth of the new moon is set as a criterion) is in fact adopting the teachings of Judaism and Hinduism not Islam.

Despite knowledge of the issues above, the groups of Jamiatul Ulama Britain & Hizbul Ulama UK still prevent people from discussing the matter of moon sighting in respect of the astronomical calculation. This is due to the fact that, from amongst the practising Muslims in the World, there are very educated and knowledgeable individuals in the field of Astronomy. Even if the Saudi government had not distributed the Umm ul Qura calendar, these people would be able to deduce the basis the Saudi moon sighting employs. To hide the reality of the Saudi moon sightings, which they follow, the Jamiatul Ulama Britain & Hizbul Ulema UK have prevented people from entertaining any discussion which involve astronomical calculations. The astronomical calculations that have been formulated by the Muslim specialists in the field are based on the possibility of sighting of the crescent moon. As this is the basis upon which Islam has established the commencement of the new month. However, the occurrence of Jamme Ghafeer is still the deciding factor and ascertains the correctness of the calculations; the astronomers accept this and amend their calendar in accordance with it. The difference of the Saudi way is that no matter how wrong their announcements and calculations are they never accept it. Jamiatul Ulama Britain & Hizbul Ulema UK too, never accept that the Saudi announcement is flawed or unacceptable.

To be wary of those that claim not to follow Astronomical calculation, claiming it to be against Islamic Principles. Shaykhul Hadith Mufti Saeed Palampuri of Darul Uloom Deoband writes: 'It is necessary to mention this point that in respect of the Moon, calculations are not to be relied upon. It is understood that some mischievous Muslims do falsely testify to seeing the new moon to facilitate the Saudi announcement. In such a

situation, the calculation is only to be used to prove that a false testimony is made, where in reality it was not possible to sight the crescent moon. In this instance, a testimony will not be accepted. And Allah knows best. (Tuhfatul Al Ma'ee Sharah Sunan Tarmidhi vol 3, p57 by Shaykh-ul-Hadith Mufti Saeed Ahmad Palanpuri, Darul Uloom Deoband)

Shaykhul Hadith Mufti Saeed Khalid Saifullah Rahmani writes: 'One may benefit from Astronomical research to the extent that if on any day, there is no possibility of sighting, then on that day a testimony should only be accepted with great care and research, and so many people must sight the moon that it is not possible to reject their testimonies...' (Jadeed Fiqhi Masaail vol 2, p 28)

قمری ماہ کا شروع ہونا چاند دکھنے پر موقوف ہے، فلکیات کے فن سے اسمیں اتنی مدد تولی جاسکتی ہے کہ آج چاند ہونے کا امکان ہے یا نہیں۔ (آپ کے مسائل اور ان کا حل ج 3 ص 261، حضرت مولانا مفتی محمد یوسف لدھیانوی رحمہ اللہ)

Hadhrat Mufti Yusuf Ludyanwi رحمہ اللہ write: 'The sighting of the crescent moon is the basis of the commencement for the new Islamic month. The knowledge of Astronomy can be utilised to ascertain the possibility of sighting the new crescent on a particular day. (Aap ke Masa'il aur un kaa hal, vol 3, p261)

Every Muslim regards scientific development and instrument such as telephones, computers, telescopes etc as a favour and blessing of Allah ﷻ. Using these blessings correctly, is a sign of gratitude to Allah ﷻ. However, these blessings should not be used in incorrect ways or for wrong purposes: Allah ﷻ says: 'He (Allah) it is who created for you all that is on Earth...' (s2,v29)

Hadhrat Mufti Muhammad Shafi Sahib Uthmani رحمہ اللہ writes: 'Upon the issue of the moon, if there is an advancement of technology to assist in the field of Astronomy to the point where there is no deviation from the Islamic principles, then there is no reason to reject it. (Ru'yat Hilal, p10)

شہادت کی روسے چاند کی عمر کا پہلا دن پہلی تاریخ قرار پارہا ہے یہ بدیہی البطلان ہے اسلئے کہ اسکا مطلب تو یہ ہوا کہ ہلال پدائش سے بھی قبل نظر آسکتا ہے۔ (احسن الفتاویٰ جلد 4 ص 418، حضرت مفتی رشید احمد لدھیانوی رحمہ اللہ)

It is necessary to mention that the practise of Astronomy and Astrology are completely different spheres of knowledge. The Shariah of Islam does not prohibit the use of science and technology to support the rulings and principles of Islam, as one can clearly see that these calculations are used to establish the time of Subh Sadiq at 18 degrees, and Maghrib throughout the World. However, the matter of Astrology has been prohibited through authentic Ahadith of Nabi ﷺ. The matter of Astrology has many contradictions and inaccuracies. Due to this the Scholars of Islam have stated that Astrology is prohibited in all aspects. The ruling in the Arabic texts showing the permissibility of Astronomy and prohibition of Astrology are as follows:

(لايجوز تقليد المنجم في حسابہ، لا عبرة بقول المنجمين، لا عبرة بقول الموقتين، صرح به علماءنا من عدم الإعتماد علي قول أهل النجوم)

The opinions of the reliable Astronomical researchers and calculation can be used to ascertain whether it is possible to sight the crescent moon on a specific night. This information can be used to discredit and disapprove any false testimonies that may result in this age. However, the commencement of Ramadhan and the announcement of Eid will only be upon the clear sighting of the crescent moon with the naked eye (Muhaqqaq Ru'yat Basari). This is the way of the Shariah and Sunnah and whosoever chooses another way is not upon the Sunnah of the Prophet ﷺ.

The Umm ul Qura calendar is also based upon the knowledge of Astronomy. However, they have deviated from the Shariah and Sunnah in the manner that they have disregarded the possibility of sighting the crescent in their region to establish their announcements. The issue here is that they have in fact made the 'birth of the new moon' their basis for establishing the new Islamic month and this is against the principles Islam. The Muslims of the rest of the world who follow the Saudi announcement for ease and unity are not acting upon the correct principles.

Due to the blind following of the Umm ul Qura calendar in some countries and not adhering to the Qur'an and Sunnah in others, on occasion Eid is celebrated over two or three different days. This causes disunity amongst the Muslims where sometimes even the husband follows a different day and the wife a different day.

There is also another form of propaganda that simple Muslims often become a victim of. This propaganda plays on the common mans reverence for the Haramain Shareefain and declares the moon sighting announcement from the Haramain Shareefain in Saudi Arabia, cannot be rejected. It is known to any moderately knowledgeable Muslim that the basis of Islam is upon: 'And whatsoever the Messenger ﷺ gives you, take it; and whatsoever he forbids, abstain from it...' (Surah: 59, Verse 7)

We are taught by the Holy Qur'an and Sunnah that the direction to face while praying is towards the Ka'ba. In the matter of establishing the Islamic month, we are taught to sight the crescent moon with the naked eye (Muhaqqaq Ru'yat Basari) by means of a large group (Jamme Ghafeer). Those who go to Hajj obtain the reward of 100,000 for each Salah prayed in the Haram of Ka'ba. However, when the time for Hajj comes, the Muslims are ordered to leave Haram. This has been clearly stated by the Holy Qur'an and Sunnah of the Prophet ﷺ and to uphold the teachings of the Holy Qur'an and Sunnah that those performing the Hajj have to leave the vicinity of Ka'ba. There are those who give themselves the title of protesters of the Taqaddus Al

Haramain, seeking to join the masses on the Saudi moon sighting, stating that those who do not follow the Saudi announcements are disrespectful of the Haramain.

However the issue is that we as Muslims follow the ruling of Shari'ah when it is given, for instance when on the 9th of Dhul Hijjah, the day of Arafat, the Hajis leave the Ka'ba to go to Arafat this does not mean that they are disrespecting the Ka'ba but rather following a ruling to complete their Hajj. You cannot argue at that point that it is more rewarding to not go to Arafat as you will miss the reward of praying in the Ka'ba as this is required by the Sunnah of the Prophet ﷺ at that time. Similarly at this injunction we should not regard the statement of the people who are not complying by the ruling of moon sighting but rather following the ruling of Taqaddus Haramain when it is not due.

Allah ﷻ has stated in the Holy Qur'an: "And hold fast, all of you together, to the Rope of Allah (i.e. this Qur'an), and be not divided among yourselves." (s3, v103)

Indeed being united is very important. However, in this Ayah, Allah ﷻ has clearly mentioned that we should unite on the method as prescribed by Allah ﷻ, as it is Haq' (righteous to do so). Even the enemies of Islam unite against Islam; this does not mean that their purpose of being unified is correct. Those who do not follow the righteous teachings and rather base their ruling on the birth of the new moon are going against the propagation of Shariah and are bringing a new modernization in Deen. How can the disregard for the Truth (Haq) attain the pleasure of Allah, solely for unification?

Allah ﷻ has stated in the Holy Qur'an: "Verily, those who conceal the clear proofs, evidences and the guidance, which we have sent down, after we have made it clear for the people in the Book, they are the ones cursed by Allah and cursed by the cursers." (s2, v159)

The Prophets of Allah ﷻ proclaimed and propagated the message of Allah ﷻ, whether the masses accepted it or not. The example of the propagation of Sayyidina Nuh ﷺ spanned some 950 years and the majority of his community did not accept his message. He ﷺ did not leave the Truth or alter it to appease the masses and gain followers, if there is disunity caused due to the propagation of the Truth, there is no harm or evil in this. Those that claim it is a Fitna are placing blame on the Prophets and Messengers of Allah ﷻ. When nations were united on the wrong, the Prophets and Messengers were sent to proclaim the message of Allah ﷻ. This caused disunity and some were guided and some remained astray. The mission of the Prophets was only to proclaim the Truth; the acceptance of their message was the choice of their individual communities. Remember, if a community unites upon the wrong, then that community is preparing itself for the punishment of Allah ﷻ.

The laws and restrictions of obeying the order of a Judge (Qadhi) in an Islamic court:

The Shari'ah has placed restrictions upon a judge appointed by the Ameer of an area or country. These restrictions apply both to regions (vicinity of a town or country) and in specific fields (Zakat, Talaq, Iddat etc). The Judge can only decide matters upon topics that he has been appointed to the position for. Further, his ruling will only be enforceable and binding in the area that he is appointed over. A Judge will not have the jurisdiction to enforce a ruling in an area that is not within their appointed dominion, nor will the ruling be established outside of the appointed region. (Fathul Qadir, vol 7, p254 / Al Bahrur Raiq, vol 6, p259 / Fatawa Hindiya, vol 3, p315 / Adhahul Nawadir, vol 2, p124)

If there is no other way to encourage the masses to follow the Saudi moon sighting, the laymen are told that the order of the Chief Judge in Saudi Arabia has to be followed and it is Wajib to do so. This is incorrect, in accordance to the Islamic teachings and rulings. A layman should not be blackmailed emotionally in this manner by those who hold more knowledge and a better understanding of the Deen.

The Chief Judge of Riyadh is appointed by the King of Saudi Arabia. The King does not call himself the Khalifah of the Muslims of the World, nor do the Muslims accept him as such. Together with this, the ruling of the Chief Judge of Riyadh is applicable and enforceable only within Saudi Arabia and does not apply to the Muslims elsewhere around the world, such as England (UK).

The reality is that there is no real Shari'ee witness behind the moon sighting announcements of the Saudi government. The Muslims of the UK who readily accept the sightings of the Saudi moon sighting place themselves in a number of problems:

1. To offer an act of worship before its appointed time does not fulfil that act. I.e. you cannot pray Maghrib before the sun sets.
2. To keep the fast of Ramadhan in Sha'baan (30th day). This day is known as Yaum ul Shuq (the day of doubt), to keep a fast on this day is Makruh Tahrimiee.
3. Usually instead of fasting in Ramadhan which is Fardh, Eid is celebrated.
4. The punishments that have been mentioned in the Shariah for purposely leaving a Fardh fast are disregarded.

5. Those who rush to keep the 6 fasts of Shawaal after Ramadhan, end up keeping their fasts on the day of Eid ul Fitr which is Haram.
6. The performance of Eid before its ascertained time, disregarding the rulings of Shariah and Sunnah in doubtful situations. The Prophet ﷺ has ordered us to refrain from that which is doubtful for that which has no doubt.
7. In Shariah, an action is enacted in a very careful and cautious manner which is the best of manners at the same time. These requirements are not seen in the actions and announcements of the Saudi government.
8. Qurbani/Adhiyah is performed on the 9th of Dhul Hijjah, obviously not acceptable, as the time of Qurbani (Sacrifice) commences on the 10th of Dhul Hijjah.

Beware! those that are propagating the following of the Saudi 'birth of the new moon' sighting as proof for the entire Muslims World, are those that are turning the people away from the Pious Elders, Scholars and the Masjid, Markaz and Khanqahs. They are encouraging the layman to base their decisions of Ramadhan, Eid and religious matters etc from information they easily obtain from the internet and TV.

Throughout the Muslim World wherever communities of Muslims are present, they are usually connected and taught in accordance with the teachings of the Scholars of the Darul Uloom Deoband & Nizamudeen and hold firm to these teachings. In the countries where the Scholars follow this way, it is seen that the general masses readily accept their advice and recommendations. Through this, the Muslims in that country are saved from the tribulations of disunity and division. Regretfully, it is unfortunate that those in a position of authority like Jamiatul Ulama Britain & Hizbul Ulama UK do not act upon the teachings of the Pious Predecessors and as a result the Imaan and actions the Muslims in the UK is negatively affected.

We have laid bare for you the reality of the situation in the UK, what has preceeded it and what has happening now. The Muslim community in the UK is an equal partner and stakeholder in the development of Islamic institutions, Madariss and Masajid together with the Ulema. Tomorrow on the day of judgement let no Mulsim say, that the Ulema kept us in the dark with regards to this grave mistake pertaining to an obligatory act of worship. The rest is in Allah's ﷻ hands, he whom Allah guides none can misguide and he whom Allah ﷻ leaves astray none can guide.

What shall we do? Now that we understand what is right, it becomes incumbent upon us, to not only propagate this to other Muslims, but also to prevent this mistake from being repeated. While observing Islamic etiquettes we must advice our local management committees and Imams to follow the truth. If we can not unite on the truth on this issue, if we can not put aside our petty rivalry and sectarianism on this one issue, how will we confront the thousands of issues that lie before us, it is one thing to build Masajid and Madariss, what is more important is that these institutions operate in accordance with the divine laws of Allah ﷻ and his Messenger ﷺ.

May Allah ﷻ unite us in this time of Fitnah; grant us the correct understanding of the Deen. May Allah ﷻ forgive all wrongs that have been committed by us and join us upon righteousness which leads to His pleasure and nearness. آمين! Ameen!

والله وحده هو المسؤول والمستعان وهو الهادي إلى سبيل الخير والسلام .

مفتى محمد يوسف دُنْكَا (عفا الله عنه)

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Croydon Masjid & Islamic Centr