

## CHAPTER 2

### ANALYSIS

In view of this discussion, let us analyze the main arguments put forward for actual moonsighting.

#### THE QUR'AN NEVER REQUIRED NAKED-EYE SIGHTING OF THE MOON

The Qur'an is the normative authority, yet nowhere in it does Allah unequivocally require that the month of Ramadan be determined by naked-eye sighting. As the Qur'an is revealed in a clear, plain, and very straightforward Arabic, the linguistic meanings of most of its terms are obvious. The two consecutive verses in *Surat al-Baqarah* about the month of Ramadan and the act of fasting are so clear that their basic meaning and their true essence cannot be misunderstood.

(شَهْرُ رَمَضَانَ الَّذِي أُنزِلَ فِيهِ الْقُرْآنُ هُدًى لِّلنَّاسِ وَبَيِّنَاتٍ مِّنَ الْهُدَىٰ وَالْفُرْقَانِ فَمَن شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ وَلِتُكْمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَىٰ مَا هَدَاكُمْ وَلَعَلَّكُمْ تَشْكُرُونَ.) (البقرة: 185-186)

Ramadan is the [month] in which was sent down the Qur'an, as a guide to humankind, also Clear [Signs] for guidance and judgment [between right and wrong]. So whosoever witnesses the month among you should fast in it [spend it in fasting], but if anyone is ill, or on a journey, the prescribed period [should be made up] by days later. Allah intends ease for you; He does not want to put you in difficulties. [He wants you] to complete the prescribed period, and to glorify Him in that He has guided you; and perchance you shall be grateful. (2:185)

The phrase “So whosoever witnesses the month among you should fast in it” requires witnessing as a prelude and prerequisite for fasting Ramadan. Qur'anic exegetes and grammarians have reached a consensus that *fā* in *faḷ yaṣumhu* is causative; meaning that the clause “then let him fast” is causative and not descriptive. For instance, Shihab al-Din al-Alusi states:

ولذا ذهب أكثر النحويين إلى أن الشهر مفعول به فالفاء للسببية أو للتعقيب لا للتفصيل.<sup>1</sup>

That is why most of the philologists maintain that the month is the object. Therefore, the *fā* is causative or appellative and not descriptive.

It is clear that the Qur'an establishes "witnessing the month" as the sole cause (*sabab*) of fasting Ramadan. Allah has not left it to us to determine this process of witnessing, for the Qur'an itself ascertains and establishes its meanings.

The linguistic meanings of *shahida* are "presence, knowledge, and announcement (informing others)." In his *Maqāyīs al-Lughah*, Ahmad ibn Faris states:

شهد الشين والهاء والدال أصل يدل على حضور وعلم وإعلام، لا يخرج شيء من فروعه عن الذي ذكرناه.<sup>2</sup>

The original meanings of *shahida* are confined only to three: Presence, knowledge, and announcement. None of the word's derivatives go beyond these three meanings, as we have mentioned.

Linguistically, this phrase can have only three meanings:

- 1: Whoever was present in the month of Ramadan should fast [it].
- 2: Whoever had knowledge of the month of Ramadan should fast [it].
- 3: Whoever received knowledge of the month of Ramadan should fast [it].

In no way can it be translated as "Whoever physically sights the moon of the month of Ramadan, let him/her fast it," for this would contradict all of Arabic's established grammatical rules. Thus, all Qur'anic exegetes, without exception have translated and understood this phrase's meaning as "Whosver was present in (or knew of) the month of Ramadan, let him/her fast the month."

#### THE QUR'ANIC USE OF *SHAHIDA*

The Qur'an has used *shahida* in all the above-mentioned three meanings without resorting to any requirement for actual physical sighting. For instance:

(شَهِدَ اللَّهُ أَنَّهُ لَا إِلَهَ إِلَّا هُوَ وَالْمَلَائِكَةُ وَأُولُو الْعِلْمِ قَائِمًا بِالْقِسْطِ لَا إِلَهَ إِلَّا هُوَ الْعَزِيزُ الْحَكِيمُ.)  
(آل عمران: 18)

There is no god but He: that is the witness of Allah, His angels, and those endued with knowledge, standing firm on justice. There is no god but He, the Exalted in Power, the Wise. (3:18)

Neither Allah nor the angels witness with actual eyes. Al-Razi explains that the witnessing of Allah and the angels in this verse can have only two meanings: “the news that is bolstered with proof of knowledge” or “witnessing means the demonstration and exposition” of Allah’s unity.

أن تجعل الشهادة عبارة عن الإخبار المقرون بالعلم. فالفهم الإظهار والبيان.<sup>3</sup>

The witnessing of Allah means that He “explains or knows.”

Al-Suyuti explains the same implications of the divine act of witnessing by using the following words:

شَهِدَ اللَّهُ بَيِّنَ لَخَلْقِهِ بِالدَّلَائِلِ وَالآيَاتِ.<sup>4</sup>

*Shahida* here means that Allah had explained to His creatures by the signs and arguments [that He is One].

The Qur’an uses the same word to denote such human faculties as hearing and seeing. However, these human faculties do not possess actual physical eyes in order to witness things.

(حَتَّىٰ إِذَا مَا جَاءُوهَا شَهِدَ عَلَيْهِمْ سَمْعُهُمْ وَأَبْصَارُهُمْ وَجُلُودُهُمْ بِمَا كَانُوا يَعْمَلُونَ وَقَالُوا لِجُلُودِهِمْ لِمَ شَهِدْتُمْ عَلَيْنَا قَالُوا أَنْطَقَنَا اللَّهُ الَّذِي أَنْطَقَ كُلَّ شَيْءٍ وَهُوَ خَلَقَكُمْ أَوَّلَ مَرَّةٍ وَإِلَيْهِ تُرْجَعُونَ.)  
(فصلت: 20-21)

At length, when they reach the [Fire], their hearing, their sight, and their skins will bear witness against them, as to [all] their deeds. They will say to their skins: “Why do you bear witness against us?” They will say: “Allah has given us speech, He Who gives speech to everything: He created you for the first time, and unto Him were you to return.” (41:20-21)

In these verses, the witness of “their hearing, their sight, and their skins” is explained by *shahida*. No one can say that these faculties will witness with their eyes. Instead, this means that they will explain or give knowledge of what the person did while in the world.

The following verse uses *shahida* for truth:

(وَلَا يَمْلِكُ الَّذِينَ يَدْعُونَ مِنْ دُونِهِ الشَّفَاعَةَ إِلَّا مَنْ شَهِدَ بِالْحَقِّ وَهُمْ يَعْلَمُونَ). (الزخرف: 86)

And those whom they invoke besides Allah have no power of intercession; only he who bears witness to the Truth, and they know [him]. (43:86)

Here again, the witness of truth cannot be explained with the naked eye. If it could, then truth would have to be a physical entity. Since this is not the case, it means to stand by the truth or acknowledge it wholeheartedly.

In light of the clear Qur’anic and linguistic meanings, Qur’anic exegetes interpret 2:185 to mean: “Whoever was present in the month of Ramadan and was not traveling or sick should fast it.”

Al-Qurtubi reports that ‘Ali, Ibn ‘Abbas, ‘A’ishah, and other well-known Companions maintained that *shahida* means “be present” in the month of Ramadan:

فقال عليّ ابن أبي طالب وابن عباس وسويد بن غفلة وعائشة أربعة من الصحابة وأبو مجلز لاحق بن حميد وعبيدة السلماني: من شهد أي من حضر دخول الشهر وكان مقيماً في أوله في بلده وأهله فليكمل صيامه...، ومن أدركه حاضراً فليصمه.<sup>5</sup>

‘Ali ibn Abi Talib, Ibn ‘Abbas, Suwayd ibn Ghafalah, and ‘A’ishah, four of the Companions, and Successors such as Abu Mijlaz, Lahiḳ ibn Humayd, and ‘Ubaydah al-Salmani have said, “*Shahida* means whosoever was present when the month started and was resident in his city and among his family, let him complete his fasting...Whosoever was present in the month of Ramadan, let him fast.”

Ibn Kathir says:

(فَمَنْ شَهِدَ مِنْكُمْ الشَّهْرَ فَلْيَصُمْهُ) فَأَنْتِ اللَّهُ صِيَامَهُ عَلَى الْمُقِيمِ الصَّحِيحِ، وَرَخِصَ فِيهِ لِلْمَرِيضِ وَالْمَسَافِرِ.<sup>6</sup>

By this verse, Allah required the resident and healthy to observe fasting, while giving a concession to the sick and traveling persons.

Al-Suyuti says that *shahida* means being “present.”

(فَمَنْ شَهِدَ) حَضَرَ.<sup>7</sup>

Al-Nasafi gives the same interpretation:

(فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ) فمن كان شاهداً أي حاضراً مقيماً غير مسافر في الشهر فليصم فيه ولا يفطر.<sup>8</sup>

Al-Razi gives the same meanings as well and states that *al-shuhūd* means “being present.”

(شَهِدَ) أي حضر والشهود الحضور.<sup>9</sup>

Qur’anic exegetes provide no second opinion about this meaning. In other words, they have reached a consensus that witnessing the month means nothing more than being present in the month الشهود / الحضور.

The same meanings of “presence” are also conveyed by the context in which this phrase occurs, for immediately after it the Qur’an states: “Whoever is sick or traveling should make up for the missed days.” Imam al-Alusi observes:

ولا يحسن أن يقال من علم الهلال فليصم ومن كان مريضاً أو على سفر فليقض لدخول القسم الثاني في الأول والعاطف التفصيلي يقتضي المغايرة بينهما... ولذا ذهب أكثر النحويين إلى أن الشهر مفعول به — فالفاء — للسببية أو للتعقيب لا للتفصيل.<sup>10</sup>

Linguistically, it is not appropriate to say, “whosoever knew [saw] the moon, let him fast, and whosoever is sick or traveling, let him make up for when the second category enters the first category” (meaning when the sick or traveling person knows the new moon). The detailed conjunction “and” demands difference and variety... that is why the majority of the grammarians view *al-shahr* as the object and maintain that the word *fa* is causative, meaning “as a result” or “consequently” [the person should fast], and it is not descriptive.

Al-Alusi shows that in linguistic terms, the phrase cannot violate the two established meanings. It has to mean presence in person or from knowledge or an announcement. These meanings do not give a sense of actual naked-eye sighting regardless of whether we consider *al-shahr* as *maf’ūl fihi* or *maf’ūl bihi*.

(شَهِدَ) من الشهود والتركيب يدل على الحضور إما ذاتاً أو علماً، وقد قيل: بكل منهما هنا.<sup>11</sup>

He concludes:

فمن حضر في الشهر ولم يكن مسافراً فليصم فيه أو من علم هلال الشهر وتيقن به فليصم.<sup>12</sup>

Whoever was resident during the month of [Ramadan] and not traveling or knew the start of the new moon of the month with certainty should fast.

Al-Razi also states that in either case, the meaning will be “presence,” not “witnessing the new moon with the eye.”

ثم ههنا قولان: أحدهما: أن مفعول شهد محذوف لأن المعنى: فمن شهد منكم البلد أو بيته بمعنى لم يكن مسافراً وقوله: (الشَّهْرُ) انتصابه على الظرف وكذلك الهاء في قوله: (فَلْيُصُمْهُ). والقول الثاني: مفعول (شَهِدَ) هو (الشَّهْرُ) والتقدير: من شاهد الشهر بعقله ومعرفته فليصمه وهو كما يقال: شهدت عصر فلان، وأدركت زمان فلان.<sup>13</sup>

There are two views [regarding this phrase]. First is that the object of witnessing is omitted because the meaning is that “whoever witnessed his residence [city or house] and was not traveling [should observe fasting]”. ... The second view is that the object of witnessing is the month, meaning “whoever witnessed [knew] the month from his knowledge and intellect should fast it.” It is just like saying phrases such as “I witnessed such and such person’s era...”

It is a common Arab practice to say “I witnessed the Friday prayers” or “I witnessed the hajj.” That does not mean that either event is something physical and the person saw it with his/her own eyes; rather, it means that one was present during the Friday prayers or the hajj of a particular year.

Al-Razi concludes that witnessing the month can be done with two methods: actual sighting or hearing about it.

أن شهود الشهر بماذا يحصل؟ فنقول: إما بالرؤية وإما بالسمع.<sup>14</sup>

How is *shuhūd al-shahr* (“witnessing the month”) accomplished? We say that it is achieved by either physical sighting or hearing.

#### SOME WRONG INTERPRETATIONS

The above analysis shows the true meaning of *shahida* and its essence within the Qur’anic context. The verse, which is “decisive in its transmission and unequivocal in its meaning,” is not limited to naked-eye sighting, although some contemporary Muslims claim that such sighting is the only acceptable etymology of this word. For instance, Zaheer Uddin, Coordinator for the Hilal Sighting Committee of North America, along with the approval of “the great Ulema of the Shura of the Hilal Sighting Committee of North America,” argues: “The first evidence we rely on is based on the Qur’an.” After quoting 2:185, he observes:

The critical term in this verse is “*faman shahida minkum as-shahra*,” which means to the effect “those from you who have witnessed the month.” This verse

has also been suggested to mean “those who are present at their home.” The meaning is still pointed towards presence and witnessing the month.

He further contends:

The root meaning of the critical term “*shahida*” refers to a **witnessing which takes part in a physical form, as a form of proof**. Scholars of Arabic grammar agree on this by unanimous consensus. Ibn Abbas (r), who was the first man to collect Arabic words and elaborate its meaning, also clearly holds this view. Khalil, who used Ibn Abbas’s collection to formulate the world’s first dictionary in any language (this of course being in Arabic), published this fact in his works, “*Ayn*”. Scholars who study grammar consider this work to be the most authoritative in understanding the depths of meaning of Arabic words. “*Shahada*” cannot happen in a simulated environment. It has to occur in a physical form as a form of proof. Of course, the result of “*shahida*”, i.e., the witnessing can be recorded, and this should not be misunderstood with the witnessing itself.<sup>15</sup>

Unfortunately, sometimes we get so carried away by our positions that we make sweeping statements that are both unwarranted and unsubstantiated by the actual texts. I have yet to see the above statement attributed to Ibn ‘Abbas in any authentic Islamic source, for it does not exist in the way it has been presented.<sup>16</sup> There is no reference to *shahida* as meaning “a witnessing which takes part in a physical form, as a form of proof” in Khalil’s compilation called *Al-‘Ayn* either. It is always good to quote the original texts to avoid any mishap or misrepresentation, for they can guide the reader to the originally intended meanings.

#### ABU BAKR AL-JASSAS AND IBN AL-‘ARABI’S INTERPRETATIONS

Both Abu Bakr al-Jassas and Ibn al-‘Arabi have interpreted *shahida* in the light of authentic prophetic reports to mean “sighting the new moon.” I reiterate here that these classical jurists strongly opposed calculations due to the historical facts prevalent during their time and their desire to protect the ordinary Muslims’ ‘*aqidah*’ (belief) from dereliction:

As for the second reason, it is not permissible [wrote Ibn al-‘Arabi] to rely on astronomers and mathematicians, not because their findings are not true but because people’s beliefs must be protected from an association with celestial motions and future occurrences of conjunctions and separations. Indeed, that is a vast ocean should people be pulled into it.<sup>17</sup>

Their intended goal was to attain certainty in those matters connected with our acts of devotion, as Abu Bakr al-Jassas has rightly explained.

<sup>18</sup> حَتَّى يَدْخُلَ فِي الْعِبَادَةِ بَيِّقِينَ ، وَيَخْرُجَ عَنْهَا بَيِّقِينَ.

This is in order that we enter our [time-dependent] acts of worship with *certainty* and end them with *certainty*.<sup>19</sup>

During the early centuries of Islam, actual sighting or the completion of thirty days were the only two methods available to ascertain the month. Thus, these scholars closely adhered to these methods to attain certainty. Physical sighting was not an end in itself, but rather a method to reach the goal of required certainty. Al-Qurtubi summarized this point, as Hamza Yusuf has highlighted it:

God says, “Whoever witnesses the month, let him fast” (2:185). He means, and God knows best, “Whoever among you knows, *with a knowledge that is certain*, that the month has indeed begun must fast it.” And knowledge that is certain is [based on] either a clear and widespread sound sighting or the completion of thirty days of the previous month.<sup>20</sup>

I also believe that the classical scholars would have reacted very differently had astronomy and calculations reached the same level of precision as that of the twenty-first century.

With due respect to the scholarship of Abu Bakr al-Jassas and Ibn al-ʿArabi, both of them tried to deduce possible Islamic rules (*ahkām*) from the Qur’an based upon their knowledge, *fiqhī* dispositions, and culture. Their interpretations cannot possibly be granted the divine authority enjoyed by the Qur’an. In addition, neither of them ever asserted that their understanding and interpretation of *shāhid* as meaning “to see the new moon” was the only possible etymology of the word’s original sense. Both of them clearly stated that *shāhid* in the Ramadan verse, in light of the prophetic reports, means “sighting the new moon.” They never asserted that naked-eye sighting was the definitive original (linguistic) meaning of *shahida*.

Ibn al-ʿArabi states:

الْمَسْأَلَةُ الثَّلَاثَةُ: قَوْلُهُ تَعَالَى: (فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ): مَحْمُولٌ عَلَى الْعَادَةِ بِمُشَاهَدَةِ الشَّهْرِ، وَهِيَ رُؤْيَةُ الْهِلَالِ.<sup>21</sup>

The third inquiry regarding the divine statement “whoever witnesses the month, then let him fast” is that [this phrase] is usually carried [to mean] witnessing the month, which is sighting the new moon.

I was a little surprised by Hamza Yusuf’s translation of this statement:

The next point is God’s word in the verse, “So whoever witnesses the month, let him fast” (2:185). This is normally understood to mean, “see it with one’s eyes” – in other words, sighting the crescent moon.<sup>22</sup>

Perhaps this is an unintended oversight, given his expertise in classical Arabic, for it is quite challenging to translate Ibn al-‘Arabi’s rendition *مَحْمُولٌ عَلَى الْعَادَةِ بِمَشَاهِدَةِ الشَّهْرِ* as “is normally understood to mean ‘see it with one’s eyes’” in the absence of a commanding clause.

Al-Jassas equates actual sighting with “witnessing the month” of Ramadan, as we can read in the chapter describing the “Mode of Witnessing the Month” *بَابُ كَيْفِيَّةِ شُهُودِ الشَّهْرِ*, and not in the actual meanings of the Qur’anic verse. Like Ibn al-‘Arabi, he interprets that phrase to mean an “actual sighting,” based upon the prevailing understanding of the above-mentioned verse and the relevant prophetic reports available during his time.<sup>23</sup> Below is his actual quote:

قَوْلُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: “صُومُوا لِرُؤْيَيْهِ” مُوَافِقٌ لِقَوْلِهِ تَعَالَى: (يَسْأَلُونَكَ عَنِ الْإِهْلَةِ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ) وَاتَّفَقَ الْمُسْلِمُونَ عَلَى مَعْنَى الْآيَةِ وَالْخَبَرِ فِي اعْتِبَارِ رُؤْيَةِ الْهِلَالِ فِي إِجَابِ صَوْمِ رَمَضَانَ، فَدَلَّ ذَلِكَ عَلَى أَنَّ رُؤْيَةَ الْهِلَالِ هِيَ شُهُودُ الشَّهْرِ.<sup>24</sup>

The statement of the Prophet “Fast by sighting it” is in line with the Qur’anic verse that says, “They ask you about the new moons. Say: ‘They are timings for people and for hajj.’” The Muslims have agreed that the verse and the hadith mean considering the sighting of the crescent moon in requiring the fasting of Ramadan. It leads to [the fact] that sighting the new moon is witnessing the month.

This statement could be misleading if taken out of its original context, for it must be understood in relation to his overall understanding of “whoever witnesses the month should fast it.” His linguistic understanding and its implications are identical with the detailed exegetical positions given above. In addition, he confines the original meanings of *shahida* to “residence, knowledge, and *taklif*, that is, commissioning fasting with an announcement.”

وقَوْلُهُ تَعَالَى: (فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ) يَعْتَوِرُهُ مَعَانٍ، مِنْهَا: مَنْ كَانَ شَاهِدًا يَعْنِي مُتِمِّمًا غَيْرَ مُسَافِرٍ.<sup>25</sup>

The divine statement “Whoever witnesses the month should fast [it]” lends itself to a number of meanings. One of them is that “whoever witnesses means that he/she is resident and not traveling.”

He clearly maintains that *شُهُودُ الشَّهْرِ* (witnessing the month) is the residence in presence (*الاقَامَةُ فِي الْحَضَرِ*) and knowing about the coming of the month:

وَقَدْ أُرِيدَ بِشُهُودِ الشَّهْرِ الْعِلْمُ بِهِ.<sup>26</sup>

Witnessing the month here meant knowing [arrival of] the month.

and that *shuhūd al-shahrī* means “whoever knew the month.”

وَيَحْتَمِلُ قَوْلُهُ: (فَمَنْ شَهِدَ مِنْكُمْ الشَّهْرَ فَلْيُصُمْهُ) أَنْ يَكُونَ بِمَعْنَى شَهِدِ الشَّهْرَ أَيَّ عِلْمُهُ، وَيَحْتَمِلُ قَوْلُهُ: (فَمَنْ شَهِدَ مِنْكُمْ الشَّهْرَ) فَمَنْ شَهِدَهُ بِالتَّكْلِيفِ؛ لِأَنَّ الْمَجْنُونِ، وَمَنْ لَيْسَ مِنْ أَهْلِ التَّكْلِيفِ فِي حُكْمٍ مَنْ لَيْسَ بِمَوْجُودٍ فِي انْتِفَاءِ لُزُومِ الْفَرْضِ عَنْهُ، فَأُطْلِقَ اسْمَ شُهُودِ الشَّهْرِ عَلَيْهِمْ، وَأَرَادَ بِهِ التَّكْلِيفَ.<sup>27</sup>

It is possible to render this divine statement as meaning, “knowing the month or knowing it while in the state of *al-taklif* (where it is obligatory for him to fast. A traveler or a sick or insane person is not in a state of *al-taklif*)... He [Allah] here applies the phrase “witnessing the month” to them, but in essence means the *taklif* itself.

وَالْإِحْكَامُ الْمُسْتَفَادَةُ مِنْ قَوْلِهِ: (فَمَنْ شَهِدَ مِنْكُمْ الشَّهْرَ فَلْيُصُمْهُ) إِزَامُ صَوْمِ الشَّهْرِ مَنْ كَانَ مِنْهُمْ شَاهِدًا لَهُ، وَشُهُودُ الشَّهْرِ يُنْقَسِمُ إِلَى أَنْحَاءٍ ثَلَاثَةٍ: الْعِلْمُ بِهِ، مِنْ قَوْلِهِمْ: شَاهَدْتُ كَذَا وَكَذَا؛ وَالْإِقَامَةُ فِي الْحَضَرِ، مِنْ قَوْلِكَ: مُقِيمٌ وَمُسَافِرٌ وَشَاهِدٌ وَغَائِبٌ؛ وَأَنْ يَكُونَ مِنْ أَهْلِ التَّكْلِيفِ عَلَى مَا بَيَّنَّا.<sup>28</sup>

Following is the ruling deduced from the divine statement “Whoever witnesses the month, let him fast.” It requires the one who witnesses the month among them to observe fasting. The “witnessing of the month” is divided into three areas. (1) Knowledge of it [the month], for they say, “I witnessed such and such” (meaning knew such and such). (2) The residence in presence, for it is said “resident and traveling, present and absent.” (3) And, as we have already explained, that the person must be of those people who are commissioned to fast.

In fact, al-Jassas would be wrong even if he insisted upon equating witnessing the month with only naked-eye sighting. Faysal Mowlawi states:

نخلص من ذلك أنَّ شهود الشهر عند اللغويين وجمهور المفسرين يعني حضوره: أما قول الجصاص بأنَّ (رؤية الهلال هي شهود الشهر) فغير مسلم، لأنَّ رؤية الهلال تحدد بداية الشهر لا أكثر، وهي أمر يتعلق بالحلال وبالشهر، أما الشهود فهو أمر يتعلق بالإنسان المكلف ومتى يجب عليه الصيام.<sup>29</sup>

From [the previous discussion] we conclude that, according to lexicographers and the majority of Qur’anic exegetes, the phrase “witnessing the month” means “being present in the month.” The statement of al-Jassas that “sighting the new

moon is in essence witnessing the month” is unacceptable because the moon sighting does nothing but to indicate the beginning of a month. The sighting is connected with the new moon as well as the month, while the act of witnessing is connected with the person who is obliged to fast and the timings when fasting becomes obligatory upon that person.

Mowlawi further observes that the true meanings of the Qur’anic verse indicate that the sole legally binding cause for Ramadan is the coming of the month.

وإذا كان شهود الشهر يعني حضوره، فإن مقتضى ذلك أن السبب الشرعي لوجوب صيام رمضان حسب الآية الكريمة هو (دخول الشهر)، وهو السبب الموضوعي الذي يتعلق بالمسلمين جميعاً. أما الشروط المطلوبة من كل منهم حتى يجب عليه الصيام، فهي أن يكون مقيماً غير مسافر، سليماً غير مريض، عاقلاً غير مجنون، بالغاً غير صغير، (طاهرة غير حائض إذا كانت امرأة).<sup>30</sup>

If “witnessing the month” means “being present in the month” then the legal Islamic cause of Ramadan fasting obligation, according to the Qur’anic verse, is “arrival of the month [of Ramadan]. This arrival is the situational cause addressed to all the Muslims. The specific required conditions [causes] for fasting obligation include that the person be resident and not traveling, healthy and not sick, sane and not insane, adult and not a child, in the state of purity and not during her monthly cycle [in case of a female].”

Ibn al-‘Arabi maintains the same position as that of al-Jassas. They both explain that the mode of witnessing the month as leading to physical sighting, based upon arguments external to the wording of the Qur’anic phrase itself, namely, in light of the supporting evidence from the hadiths.

The Qur’anic text does not require naked-eye sighting to begin observing the Ramadan fast. In fact, it requires presence in the month, knowledge of the month, the commissioned status of a Muslim during this month, and the announcement of the month as the prelude to fasting. Actual moon sighting or *ikmāl* have always been the two established modes of achieving certainty in this regard. But they are just the means, not options or replacements. It would be disastrous to confine this particular Qur’anic command to naked-eye sighting alone, for doing so would mean that only those who actually saw the new moon would be required to fast the month of Ramadan. Those who had not seen it would be exempt, for the cause of fasting would not have been realized in their case. Moreover all Muslims, regardless of whether they were traveling, sick, chronically ill, children, or pregnant and nursing women who had actually seen the new moon would be required to fast the month of

Ramadan, because translating “witnessing” as “sighting” means that the cause (*sabab*) would have already occurred in their case. No jurist can require such a burdensome demand of those Muslims to whom Allah has granted a concession. Such legal injunctions are clear and thus beyond any other interpretation or compromise.

Consequently, after this lengthy analysis of *shahida* and all of its pursuant philological implications, I conclude that the Qur’an requires presence, knowledge of the month, and the commissioned status of a Muslim as the cause of fasting Ramadan, as opposed to actual physical sighting.

Al-Qarafi, a Maliki, summarizes a discussion about the meanings of *shahida* in the following quotation:

وَأَمَّا قَوْلُهُ تَعَالَى (فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ) فَلَا دَلَالَهَ فِيهِ عَلَي هَذَا الْمَطْلُوبِ قَالَ أَبُو عَلِيٍّ؛ لِأَنَّ شَهِدَ لَهَا ثَلَاثُ مَعَانٍ شَهِدَ بِمَعْنَى حَضَرَ وَمِنْهُ شَهِدْنَا صَلَاةَ الْعِيدِ، وَشَهِدَ بَدْرًا، وَشَهِدَ بِمَعْنَى أَخْبَرَ وَمِنْهُ شَهِدَ عِنْدَ الْحَاكِمِ أَيَّ أَخْبَرَهُ بِمَا يَعْلَمُهُ، وَشَهِدَ بِمَعْنَى عَلِمَ وَمِنْهُ قَوْلُهُ تَعَالَى (وَاللَّهُ عَلَي كُلِّ شَيْءٍ شَهِيدٌ) أَيَّ عَلِيمٌ وَهُوَ فِي الْآيَةِ بِمَعْنَى حَضَرَ قَالَ وَتَقْدِيرُ الْآيَةِ فَمَنْ حَضَرَ مِنْكُمُ الْبَصْرَ فِي الشَّهْرِ فَلْيَصُمْهُ أَيَّ حَاضِرًا مَقِيمًا اجْتِرَازًا مِنَ الْمَسَافِرِ فَإِنَّهُ لَا يَلْزَمُهُ الصَّوْمُ، وَإِذَا كَانَ شَهِدَ بِمَعْنَى حَضَرَ لَا بِمَعْنَى شَاهَدَ وَرَأَى لَمْ يَكُنْ فِيهِ دَلَالَةٌ عَلَي اعْتِبَارِ الرُّؤْيَا وَلَا عَلَي اعْتِبَارِ الْحِسَابِ أَيْضًا فَإِنَّ الْحُضُورَ فِي الشَّهْرِ أَعْمٌ مِنْ كَوْنِهِ ثَبَتَ بِالرُّؤْيَا أَوْ بِالْحِسَابِ.<sup>31</sup>

There is no proof of that [physical moon sighting or mathematical calculations] in the divine statement “whoever witnesses the month, then let him fast.” Abu ‘Ali stated that *shahida* consisted of three meanings: (1) “he witnessed,” meaning that he was present, for it is said, “we witnessed the ‘Id prayer” and [so and so] witnessed [the Battle of] Badr; (2) “he was informed,” for it is said that “he bore witness in front of the judge [ruler],” when he informed the ruler about what he knew; (3) “he knew or had knowledge.” The verse that says “And Allah witnesses everything” means that He possesses knowledge of everything. [The word *shāhid* in the Qur’anic verse 2:185 means “whoever was present.” He [Abu ‘Ali] maintained that the meaning of the verse was “whoever was present in the city [of residence] during the month [of Ramadan] then let him fast. It means whoever was present in residence and not traveling because the traveler is not required to fast. Therefore, if the meaning of the word *shahida* is to be “present” and not the act of “witnessing by the actual sighting,” then it proves that there is no consideration given to the actual sighting [of the new moon] or to calculation in this verse. The presence in the month covers much more than what could be confined only to actual sighting or calculation.

Unfortunately, people sometimes try to impose their sincerely held (but mistaken) positions, and very often culturally bound dispositions, upon the

Qur'an. At times, some of them even do not let the Qur'an speak to us. We venture to inflict our reading and understanding of a given issue upon the unambiguous and self-explanatory Qur'anic texts and then, perhaps even sincerely, present it with the divine propriety. The current question is a good example of how Muslims sometimes try to compel the Qur'an to say what we think is right and should have been said. Ibn Abi Malika reminds us:

وعن ابن أبي مليكة قال: سئل أبو بكر الصديق رضي الله عنه عن تفسير حرف من القرآن فقال: أَيُّ سماء تُظَلِّي، وأَيُّ أرض تُقَلِّي وأين أذهب وكيف أصنع إذا قلت في حرف من كتاب الله بغير ما أراد تبارك وتعالى.<sup>32</sup>

Ibn Abi Malika narrates that Abu Bakr was once asked about the interpretation of a word in the Qur'an. He replied, "Which heaven will cover me and which earth will carry me and where will I go and what will I do if I end up saying a word in [explaining] the Qur'an that Allah had not intended (for that Qur'anic word).

Surprisingly, the word Abu Bakr was asked to explain was not very complicated.

سئل أبو بكر الصديق رضي الله عنه عن تفسير الفاكهة والأب فقال: أَيُّ سماء تُظَلِّي، وأَيُّ أرض تُقَلِّي إذا قلت: في كتاب الله ما لا أعلم.<sup>33</sup>

Asked about the meanings of such simple words as *fākiha* and *al-ab*, both found in *Surat 'Abasa*, Abu Bakr replied that he was unsure of their exact meanings in that specific context. Therefore, he was afraid and hesitant to give an interpretation that might differ from the one intended by Allah. If such was the case with him, then what about us and our finite expertise?

#### THE VARIOUS MEANINGS OF *AL-HILĀL* IN ARABIC

The definition of *hilāl* as the new moon of Ramadan's first two or three nights is based upon customary or cultural meanings, not its original linguistic roots. Its linguistic meanings or etymology is not intrinsically linked with light or physical sighting; rather, it is connected with an "announcement," "raising the voice," or "the beginning" of something. The first light of the new moon, when people see it and talk about it, is also called *hilāl*. Al-Fayruzabadi informs us that a male snake, a spearhead, a small amount of water, a feeble camel, dust, a handsome young man, paved stones, and the onset of a shower are all called *hilāl* in Arabic.<sup>34</sup>

*Al-hilāl* is the new moon's shining white crescent seen at the beginning of the new month. It is said that the new moon is called *hilāl* for the

first two nights, after which it is called *qamar*; that it is called *hilāl* for the first three nights only; that it is called *hilāl* until it is a quarter moon; that it is called *hilāl* until its glitter stands out brightly against the night's darkness, something that cannot happen until the seventh night; and that moon of the month's last two nights (26 and 27) is also called *al-hilāl*. Al-Fayruzabadi has this to say about the noun *al-hilāl*.

الهِلَالُ غُرَّةُ الْقَمَرِ أَوْ لِلْبَيْتَيْنِ أَوْ إِلَى ثَلَاثٍ أَوْ إِلَى سَبْعٍ، وَلِلْبَيْتَيْنِ مِنْ آخِرِ الشَّهْرِ، بَيْتٌ وَعِشْرِينَ وَسَبْعَ وَعِشْرِينَ، وَفِي غَيْرِ ذَلِكَ قَمَرٌ، وَالْمَاءُ الْقَلِيلُ، وَالسِّنَانُ، وَالْحَيَّةُ، أَوْ الذَّكْرُ مِنْهَا، وَسَلْخُهَا، وَالْجَمَلُ الْمَهْزُولُ ... وَالغُبَارُ، ... وَالغَلَامُ الْجَمِيلُ، ... وَالْحِجَارَةُ الْمُرْصُوفَةُ. ... وَالذَّفْعَةُ مِنَ الْمَطْرِ جُ أَهْلَةٌ وَأَهَالِيلُ.<sup>35</sup>

Originally, *hilāl* is derived from the root *hallala*. Jamal al-Din ibn Manzur, the authoritative source on the Arabic lexicon, elaborates on that particular root's meanings:

هلل: هل السحاب بالمطر وهل المطر هلاً وأنهل بالمطر أنهلاً واستهل: وهو شدة انصبابه. وفي حديث الاستسقاء: فألف الله السحاب وهللتنا. قال ابن الأثير: جاء في رواية لمسلم، يقال: هل السحاب إذا أمطر بشدة، والهلل الدفعة منه، وقيل: هو أول ما يصيبك منه، والجمع أهلة على القياس، وأهاليل نادرة. وأنهل المطر أنهلاً: سأل بشدة، واستهل السماء في أول المطر، والاسم الهلال. وقال غيره: هل السحاب إذا قطر قطراً له صوت.<sup>36</sup>

The cloud poured down rain...the [verb] means the pouring forth of rain... The cloud gushes forth when it rains with intensity and *al-hilāl* is the [first] burst [or the gush] from it. [It is also said that *al-hilāl* is the first gush], that is, "what you receive from that rain." Based upon this analogy, its plural form is *ahillah* and, very rarely, *ahātil*... Others say, "The cloud *halla*," when the rain falls in noisy drops [that rain is also called *hilāl*].

This word's root mainly has two basic meanings: to shout or to raise one's voice and begin. Ibn Manzur explains this clearly:

أهلت السماء إذا صببت، واستهلت إذا ارتفع صوت وقعها، وكان استهلال الصبي منه. وفي حديث النابغة الجعدي قال: فتيف علي المائة وكان فاه البرد المنهل؛ كل شيء انصب فقد أنهل، يقال: أهلت السماء بالمطر ينهل أنهلاً وهو شدة انصبابه. قال: ويقال هل السماء بالمطر هلاً، ويقال للمطر هلل وأهلول. والهلل: أول المطر. يقال: استهلت السماء وذلك في أول مطرها. ويقال: هو صوت وقعه. واستهل الصبي بالبكاء: رفع صوته وصاح عند الولادة. وكل شيء ارتفع صوته فقد استهل. والإهلال بالحج: رفع الصوت بالتلبية. وكل متكلم رفع

صوته أو خفضه فقد أهلَّ واستهلَّ وفي الحديث: الصبيُّ إذا وُلِدَ لَمْ يُورَثْ وَلَمْ يَرِثْ حتى يَسْتَهْلَ صارحاً. وفي حديث الجَينين: كيف نَدِي مَنْ لَا أَكَلَ وَلَا شَرِبَ وَلَا اسْتَهْلَ.<sup>37</sup>

When the rain falls heavily from the sky, when someone talks loudly, when a baby cries lustily, when the pilgrim raises his voice [in declaring] *talbiyah*, all these acts are described with the same root verb *halla*. *Ihlāl* is simply the “raising of the voice,” as all the Qur’anic exegetes, hadith interpreters, grammarians, and philologists unanimously maintain. These linguistic usages of the word *halla* and *ahlāl*, meaning “raising of the voice,” coincide with the exact use of the word in many Qur’anic verses and prophetic hadiths, as Ibn Manzur elaborates.

وَأَصْلُهُ رَفَعُ الصَّوْتِ. وَأَهْلَّ الرَّجُلُ وَاسْتَهْلَّ إِذَا رَفَعَ صَوْتَهُ. وَأَهْلَّ الْمُعْتَبِرُ إِذَا رَفَعَ صَوْتَهُ بِالتَّلْبِيَةِ، وَتَكَرَّرَ فِي الْحَدِيثِ ذِكْرُ الْإِهْلَالِ، وَهُوَ رَفَعُ الصَّوْتِ بِالتَّلْبِيَةِ. أَهْلُ الْمَحْرَمِ بِالْحَجِّ يُهْلُ إِهْلَالًا إِذَا لَبَّى وَرَفَعَ صَوْتَهُ. وَالْمُهَلُّ، بِضَمِّ الْمِيمِ: مَوْضِعُ الْإِهْلَالِ، وَهُوَ الْمَيْقَاتُ الَّذِي يُحْرَمُونَ مِنْهُ، وَيَقَعُ عَلَى الزَّمَانِ وَالْمَصْدَرِ. اللَّيْثُ: الْمَحْرَمُ يُهْلُ بِالْإِحْرَامِ إِذَا أُوجِبَ الْحُزْمُ عَلَيْهِ نَفْسَهُ؛ تَقُولُ: أَهْلٌ بِحِجَّةٍ أَوْ بَعْمَرَةٍ فِي مَعْنَى أَحْرَمَ بِهَا، وَإِنَّمَا قِيلَ لِلْإِحْرَامِ إِهْلَالٌ لِرَفَعِ الْمَحْرَمِ صَوْتَهُ بِالتَّلْبِيَةِ. وَالْإِهْلَالُ: التَّلْبِيَةُ، وَأَصْلُ الْإِهْلَالِ رَفَعُ الصَّوْتِ. وَكُلُّ رَافِعٍ صَوْتَهُ فَهُوَ مُهْلٌ.<sup>38</sup>

Here, Ibn Manzur shows that the origin of *hilāl* is “raising the voice.” The same verb is used to define a person who raises his/her voice while declaring the *talbiyah* (chanting specific *takbīrāt* after putting on one’s *iḥrām* for *hajj* or *‘umrah*). Anything that is noisy can be called *muhill*.

#### THE *HILAL* IS CALLED *HILAL* BECAUSE PEOPLE ANNOUNCE ITS SIGHTING

After a lengthy discussion of the various usages of the root word, Ibn Manzur concludes that the origin of *hilāl* is “raising the voice,” not the actual sighting:

قال أبو العباس: وسمي الهلال هلالاً لأن الناس يرفعون أصواتهم بالإخبار عنه.<sup>39</sup>

Abu al-‘Abbas said that the *hilāl* [new moon] is named *hilāl* because the people raise their voices to inform one another about it [the new moon].

Abu Hayyan Muhammad ibn Yusuf al-Andalusi maintains the following about the word’s root:

وسمي هلالاً لارتفاع الأصوات عند رؤيته من قوهم: استهل الصبي، والإهلال بالحج، وهو رفع الصوت بالتلبية، أو من رفع الصوت بالتهليل عند رؤيته.<sup>40</sup>

The [new moon] was called *hilāl* owing to people raising their voices on seeing it. It is derived from their expressions such as “the baby cried.” The *ihlāl* for the hajj means raising the voice when declaring *al-talbiyah*. It is [also called *hilāl* because they] say out loud: “God is Great” on sighting the new moon.

The phrase *رفع الصوت* (the origin of *hilāl* is “raising the voice”<sup>41</sup>) appears so often in the hadith literature and all known Arabic dictionaries that it is not hard to deduce that the origin of *hilāl* is that of people raising their voices and informing one another about the new month’s beginning, not of the new moon’s appearance. Since pre-modern people had no way of knowing the moon at the new month’s beginning or the month’s end and no way of passing this information on except by naked-eye sighting, sighting the new moon became correlated with the word’s original linguistic meanings. As a result, the new moon of one to seven nights, as well as the last two nights of each month, were called *al-hilāl*. At this early stage it is still called *qamar*, for the Arabs used to say “*ahall al-qamar*” (the moon [qamar] appeared). Al-Layth even argues that the moon of the first or second night must not be referred to as *ahalla al-hilāl*, but as *ahalla al-qamar*:

قال: وإهلال عُرَّة القمر حين يُهله الناس في أول الشهر. تقول: أهل القمَر. ولا يقال أهل الهلال.<sup>42</sup>

Others, among them al-Azhari, have disagreed.

Al-Zamakhshari, the authority on Arabic as well as *tafsīr*, differentiates between the active and passive use of the word’s root. In the passive sense, it means “they raised their voices on seeing the new moon,” and in the active sense, it means “the new moon appeared; that is, it was seen.”

وأهلوا الهلال واستهلوه: رفعوا أصواتهم عند رؤيته، وأهل الهلال واستهل إذا أبصر. وأهل الصبي واستهل إذا رفع صوته بالبكاء. وأهلت السماء بالمطر واستهلت وهو صوت المطر. وتهلل السحاب بالبرق: تاللاً.<sup>43</sup>

I am not denying that seeing the new moon and the participation of people in sighting it are part of the meaning of *al-hilāl*. Rather, I am arguing that they are secondary meanings that became culturally popular due to pre-modern Arabs’ dependence upon naked-eye sighting of the new moon to begin and end their months. The *hilāl* was called *al-hilāl* because

of its original meanings: leading to an announcement and talking about something loudly. Al-Alusi makes this point concisely when explaining the verse “they ask you about the new moons.”

والأهلة جمع هلال واشتقاقه من استهل الصبي إذا بكى وصاح حين يولد ومنه أهل القوم بالحج إذا رفعوا أصواتهم بالتلبية، وسمي به القمر في ليلتين من أول الشهر، أو في ثلاث أو حتى يحجر وتحجيره أن يستدير بخط دقيق وإليه ذهب الأصمعي أو حتى يبهر ضوءه سواد الليل، وغيا ذلك بعضهم بسبع ليال وسمي بذلك لأنه حين يرى يهل الناس بذكره أو بالتكبير؛ ولهذا يقال: أهل واستهل ولا يقال هل،<sup>44</sup>

*Al-ahillah* is the plural of *hilāl*. The word is derived from the crying and screaming of the newborn baby at its birth. From this root the *ihlāl* of the hajj took its name, and that happened when people began saying the *talbiyah* out loud. The moon of the first two, three... seven nights of the month was given this name also. The moon was thus named because people, when it is seen, rejoice by talking about it or by chanting the *takbīr* (*Allāhu Akbar*: God is Great). That is why it is called “*ahalla wa istahall*” and not “*halla*” (meaning “it appeared”).

That is why the month is also referred to as *al-hilāl*, الْهِلَالُ هُوَ الشَّهْرُ بِعَيْنَيْهِ، “the month itself is *al-hilāl*.”<sup>45</sup>

The crux of the matter is that this word’s original root meanings are intrinsically linked to raising the voice, informing about something publicly, and talking about something loudly. The new moon acquired its name from the fact that, metaphorically speaking, it was sighted and talked about. These culturally based metaphorical meanings became popularity owing to the pre-modern Arabs’ total dependence upon the new moon’s light to determine the beginning and end of their lunar months. Naked-eye sighting was the only method that achieved certainty. Gradually, the word’s metaphorical meanings took over its original root meanings.

#### PUTTING THE CART BEFORE THE HORSE

After a detailed discussion of the subject, however, Hamza Yusuf draws a conclusion that is the exact opposite of the one maintained by the overwhelming majority of exegetical works and Arabic lexicons: “It appeared” (*halla*) or “It was seen” (*uhilla*) both entail witnessing, which means its birth is not an active event but entails, in this case, witnessing. “The moon was born” (*uhilla*) literally means, “It was seen.”<sup>46</sup> He quotes al-Raghib al-Aṣfahani: “[*Ihall*] can also refer to the cry one makes upon sighting the cres-

cent, which was later used metaphorically to refer to a baby's cry upon being born (*ihlāl al-ṣabī*).<sup>47</sup>

It is pertinent to note that al-Raghib al-Asfahani is perhaps the only exegete and linguist who goes against the opinion, which has reached consensus, outlined above: he interprets "sighting of the moon" according to the original meanings of *al-hilāl* and makes the announcement or raising of one's voice part of the secondary meaning. The overwhelming majority of exegetes and linguists maintain the absolute opposite. They maintain that the original meanings of the term *al-hilāl* revolve around announcement while the actual sighting is secondary. This understanding goes very well with other derivatives of the root verb. For instance, a snake is not something beautiful to look at and people do not await its appearance. Nevertheless, when it is seen everybody runs and the news spreads very quickly. Thus a snake is also called *al-hilāl*.

Hamza Yusuf's selective insistence upon the term's secondary and metaphorical sense as the primary meaning is problematical. For example, although he quotes Ibn Manzur's *Lisān al-ʿArab*, "the *hilāl* got its name from the cry of joy that those who saw it uttered upon seeing it,"<sup>48</sup> he draws a conclusion that contradicts that of this scholar. Ibn Manzur, representing the overwhelming majority, states that the *hilāl* acquired its name from the cry of joy made upon seeing the new moon, not from the act of "seeing" the new moon or its light. Therefore, Hamza's conclusion, "Clearly, according to the above evidence, the crescent moon is something that is seen. It is a physical phenomenon that upon seeing it people tend 'to cry for joy,' which is another accepted meaning of *ahalla/yuhillu*"<sup>49</sup> is mistaken.

Moreover, his translation of al-Khalil ibn Ahmad's statement in *Al-ʿAyn* also reflects his selective understanding of the term, although it was not necessarily the original intent of this scholar, who was a very scientifically minded and precision-oriented philologist.

Al-Khalil writes:

هَلَّ السَّحَابُ بِالْمَطَرِ هَلًّا، وَأَهْلَلَ بِالْمَرِّ اهْتِلَالًا، وَهُوَ شِدَّةُ أَنْصَابِهِ، وَيَتَهَلَّلُ السَّحَابُ بِبَرْقِهِ أَيْ: يَتَلَأَلُ. وَيَتَهَلَّلُ الرَّجُلُ فَرَحًا. قَالَ: تَرَاهُ إِذَا مَا جِئْتَهُ مُتَهَلِّلًا ... كَأَنَّكَ تُعْطِيهِ الَّذِي أَنْتَ سَائِلُهُ.<sup>50</sup>

(*Halla*) The rain poured down from the cloud – *hallan* – a real downpour... meaning the intensity of its gush; the cloud gleamed with its lightning: meaning it shone or flashed; and the man beamed with joy as [the poet said]: "You see him overjoyed when you come to him with a request as if you are at the giving end

of what you actually are asking of him.” (This means that the person alluded to is extremely generous and enjoys giving).

He continues:

والاستهلال: الصّوت. وكلُّ مُتَهَلِّلٍ رافع الصوت أو خافضه فهو مُهَلٌّ ومُسْتَهَلِّلٌ. وأنشد: وألْفَيْتُ  
الخصومَ فهم لديه ... مُبْرِئِثَمَّةٌ أهْلُوا ينظروننا والهِلالُ: الحَيَّةُ الذُّكْر.<sup>51</sup>

And *al-istihlāl* is the voice. Every *mutahallil*, whether he shouts or lowers his voice, is called *muhill* and *mustahill*. It has been chanted: “And I found the enemy [defeated] nailed down by him, beginning to look at us [hysterically as if they were affixed or tacked to the earth]. *Al-hilāl* is also the male snake.” (Here the meanings of voice, beginning and fear are emphasized.)

Bearing this multifaceted understanding in mind, let’s now look at what he says about the new moon.

والهِلالُ: عُزَّةُ القَمَرِ حين يُهله النَّاسُ في عُزَّةِ الشَّهْرِ. يقال: أهلَّ الهلالُ ولا يُقال: هل.<sup>52</sup>

*Al-hilāl* is the first day [beginning] of the moon [blaze, white spot, the finest part of the moon], when people rejoice over it [talk about it, see it] at the beginning of the month. It is said, *uhilla al-hilāl*, not *halla*.

Clearly, al-Khalil’s statement does not confine the meanings of *al-hilāl* to mere naked-eye sighting of the new moon. A thorough study of his treatment of the term proves that he ascribed the following meanings to the verb *halla* – *yahillu*, among them rejoicing, announcing or raising the voice, beginning, shining, gleaming, and pouring down with intensity. Therefore, Hamza Yusuf’s translation of his above-quoted statement as “when people actually see the crescent at the outset of the month” appears to be a selective insistence upon certain meanings at the expense of others.

He writes:

In determining the crescent moon, an important question arises: what exactly does “crescent” (*hilāl*) mean in the classical Arabic language? Furthermore, does our modern understanding of this word differ from the Arab understanding of the seventh century? The earliest and one of the most authoritative lexicons in the Islamic tradition is that of the linguist, al-Khalil b. Ahmad, of Oman. His book, *al-‘Ayn*, is the first scientific lexicon in human history. In it, he defines the word “crescent” (*hilāl*) as, “The first light of the moon, when people actually see the crescent at the outset of a month.... It is said, ‘The crescent was seen’ (*uhilla l-hilāl*) and not ‘The crescent appeared’ (*halla l-hilāl*).”<sup>53</sup>

IMAM IBN TAYMIYYAH AND THE MEANINGS OF *HILĀL*

Ibn Taymiyyah clarifies this point:

وَدَلِّكَ أَنَّ الْهِلَالَ أَمْرٌ مَشْهُودٌ مَرْتَبِيٌّ بِالْأَبْصَارِ. وَمِنْ أَصَحِّ الْمَعْلُومَاتِ مَا شُوهِدَ بِالْأَبْصَارِ وَلِهَذَا سَمَّوْهُ هِلَالًا؛ لِأَنَّ هَذِهِ الْمَادَّةَ تَدُلُّ عَلَى الظُّهُورِ وَالْبَيَانِ: إِمَّا سَمْعًا وَإِمَّا بَصْرًا كَمَا يُقَالُ: أَهْلٌ بِالْعَمْرَةِ وَأَهْلٌ بِالذَّبِيحَةِ لِغَيْرِ اللَّهِ إِذَا رَفَعَ صَوْتَهُ وَيُقَالُ لَوْعِ الْمَطَرِ الْهَلَلُ. وَيُقَالُ: اسْتَهَلَّ الْخَبْنُ إِذَا خَرَجَ صَارِحًا. وَيُقَالُ: تَهَلَّلَ وَجْهُهُ إِذَا اسْتَنَارَ وَأَضَاءَ. وَقِيلَ: إِنَّ أَصْلَهُ رَفَعَ الصَّوْتِ. ثُمَّ لَمَّا كَانُوا يَرَفَعُونَ أَصْوَاتَهُمْ عِنْدَ رُؤْيَيْهِ سَمَّوْهُ هِلَالًا.<sup>54</sup>

[It is called *hilāl*] because the new moon is a matter witnessed and sighted with the eyes. Since the information obtained from the eyes is the most accurate, that is why [the new sighted moon] is called a *hilāl*. [This is] because its root word leads to appearance [conspicuousness] and announcement (manifestation), either from listening or from sighting, for it is said: *ahalla* for umrah and *ahalla* for the slaughtered animal [raised one's voice to chant the name of other than Allah at the time of slaughter], meaning that [he] raised his voice. Pouring rain is called *al-halal*, and when the newborn baby comes out crying, it is referred to as *istahalla*. It is said: his face *tahallala* when the face gleams and shines. It is said that the origin of this [root] is raising the voice, and since the people used to raise their voices on sighting the new moon, they called [the new moon] a *hilāl*.

Al-Tabari also states that *ihlāl* is an “announcement”:

والاهلال: رفع الصوت، يقال: أهل بكذا، أي رفع صوته.<sup>55</sup>

Ibn Hajar al-Asqalani asserts that the new moon was called *al-hilāl* because people used to raise their voices [announce their sighting] upon sighting the new moon.

قَالَ الطَّبْرِيُّ: الْاَهْلَالُ هُنَا رَفَعَ الصَّوْتِ بِالتَّلْبِيَةِ وَكُلُّ رَافِعِ صَوْتِهِ بِشَيْءٍ فَهُوَ مُهَلَّلٌ بِهِ، وَأَمَّا أَهْلُ الْقَوْمِ الْهِلَالَ فَأَرَى أَنَّهُ مِنْ هَذَا لِأَنَّهُمْ كَانُوا يَرَفَعُونَ أَصْوَاتَهُمْ عِنْدَ رُؤْيَيْهِ.<sup>56</sup>

It should be clear by now that *hilāl*'s original meanings are connected with raising the voice, loud rejoicing, the beginning of something, and so on, not with the shining light of the new moon. The new moon was called *hilāl* because it was the first sure sign of the new month and because those who saw it raised their voices to inform others about the new month's arrival. The interpretation of the new moon being sighted as opposed to being announced was based upon customary Arab use (*urf*), which gradu-

ally took over this word's original linguistic meaning.<sup>57</sup> Since there was no accurate method other than naked-eye sighting, as Ibn Taymiyyah has mentioned in a quote above, the Arabs of the Prophet's time defined the new moon as something "seen" rather than "known." Moreover, as this phenomenon happened only during the first few days of the new month, the new moon was called *hilāl*. If this word had designated the new moon because of its light or shine, then the full moon would have had more right to be called *hilāl* because it is shinier, contains more light, and is seen by more people than the crescent. The moon toward the end of the month, specifically during the last two nights, has always been called *al-hilāl* because the Arabs used to talk about the end of the month and the arrival of a new month. Naked-eye sighting was just a means to ascertain the beginning and end of a lunar month.

Linguistically, the astronomically calculated new moon (even without light) could, in principle, be called *hilāl* if its beginning (arrival) could be clearly ascertained via calculations and announced so that people could raise their voices about its arrival and talk about it. Such a definition would cover almost all of the original aspects and attendant corollaries of the root word *halla*. Undoubtedly, the pre-modern Arabs used naked-eye sighting as the most reliable technique and mode of ascertaining the new month's beginning and end of a new month, as Ibn Taymiyyah stated, and that is why they called it *hilāl*.

I am not asserting here that Ibn Taymiyyah accepted the use of calculations regarding this matter. In fact he rejected this approach on the grounds that calculations were not precise enough to be employed in such an important devotional matter and that they were the products of astrology and fortune telling, both of which were prohibited professions that conflicted directly with Islam's pristine *ʿaqīdah* (belief system). All I am saying here that the cultural meanings of *al-hilāl* gradually became so customary that people started equating them with the original linguistic meanings. Now, if we can attain the same degree of certainty from calculations and announce the arrival of the new month and new moon, we can possibly call it *hilāl*.

#### MEANINGS OF *AL-ʿURF*

Some jurists maintain that Allah has commanded us to accept the *ʿurf* (customs of people) as long as they do not contradict an established Islamic text, such as consuming intoxicants. They substantiate their position with the following verse:

(حُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ وَأَعْرِضْ عَنِ الْجَاهِلِينَ.) (الأعراف: 199)

[O Prophet]: “Hold on to forgiveness, command what is known [good, customary] and ignore the ignorant.” (7:199)

(حُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ): إِنَّ مَعْنَى الْعُرْفِ: كُلُّ مَا عَرَفَتْهُ النُّفُوسُ مِمَّا لَا تَرُدُّهُ الشَّرِيعَةُ، قَالَ ابْنُ ظَفَرٍ فِي الْبَيْتِ “الْعُرْفُ” مَا عَرَفَهُ الْعُقَلَاءُ بِأَنَّهُ حَسَنٌ.<sup>58</sup>

Adopt forgiveness and command *urf*. *Urf* means “whatever is approved of by the people and is not prohibited by the Shari‘ah.” Ibn Zafar, in *Al-Yanbu‘a*, states: “*Urf* is what the thoughtful people consider to be good.”

The exegete Ibn Ghalib ibn ‘Atiyah<sup>59</sup> explains the verse as: “[C]ertainly *al-urf* here means those practices to which people became accustomed from among those practices which are not rejected by the Shari‘ah.”

The Prophet accepted and incorporated numerous *jāhiliy* customs, such as the *diyyah* (indemnity for bodily injury or blood money) of one hundred camels, *qasāmah* (making the male members of a clan responsible for blood money), lighting a fire at Muzdalifah to guide the pilgrims, and proceeding from Arafah. Even some verses and rulings gave great weight to local customs when promulgating social rules. For instance, the Qur‘an requires slaves and pre-pubescent children to seek permission before entering a house at three specific times: before *fajr*, during the afternoon siesta when “you take off your clothes” and after *‘ishā’*.

(يا أيها الذين آمنوا ليستأذنكم الذين ملكت أيمانكم والذين لم يبلغوا الحلم منكم ثلاث مرات من قبل صلاة الفجر وحين تضعون ثيابكم من الظهيرة ومن بعد صلاة العشاء ثلاث عورات لكم ليس عليكم ولا عليهم جناح بعدهن طوافون عليكم بعضكم على بعض كذلك بين الله لكم الآيات والله عليم حكيم.) (النور: 58)

O you who believe! Let your slaves, and those of you who have not reached puberty, ask leave of you on three occasions [before they come into your presence]: Before the dawn prayer, and when you take off your clothes during the heat of the afternoon, and after the night prayer. These are the three periods of privacy for you. It is no sin for them or for you at other times, when some of you go round to attend upon others [if they come into your presence without leave]. Thus Allah makes clear the revelations for you. Allah is the Knower, Wise. (24:58)

This social rule was based upon a custom of Madinah’s Arab/Muslim community. The ruling of “taking off one’s clothes off time during the

afternoon” would change along with any change in the people’s custom-ary practice.

One established *fiqhī* rule requires a jurist to try to look at the reason- ing behind a ruling and not just accept its literal sense. The rule could have been based upon a custom ‘*urf*’.

الْوَصْفُ الْمَعْلَلُ بِهِ قَدْ يَكُونُ عُرْفِيًّا.<sup>60</sup>

The reasoning factor [behind a rule] may be a custom (‘*urf*’).

Another *fiqhī* rule explains that if a ruling on a given subject is based upon ‘*urf*’, then that ruling will change along with any change in that partic- ular custom. Of course, any rulings founded upon such unequivocal Islamic texts as the Qur’an and the Sunnah are immutable, even if the cus- toms are in conflict with them.

إِنَّ الْأَحْكَامَ الَّتِي تَتَّعَبَّرُ بِتَغْيِيرِ الْأَزْمَانِ هِيَ الْأَحْكَامُ الْمُسْتَبَدَّةُ عَلَى الْعُرْفِ وَالْعَادَةِ؛ لِأَنَّهُ يَتَّعَبَّرُ الْأَزْمَانِ تَتَّعَبَّرُ أَحْتِيَاجَاتِ النَّاسِ، وَبِنَاءٍ عَلَى هَذَا التَّعَبُّرِ يَتَبَدَّلُ أَيْضًا الْعُرْفُ وَالْعَادَةُ وَيَتَّعَبَّرُ الْعُرْفُ وَالْعَادَةُ تَتَّعَبَّرُ الْأَحْكَامُ ...، بِخِلَافِ الْأَحْكَامِ الْمُسْتَبَدَّةِ عَلَى الْإِدْلَةِ الشَّرْعِيَّةِ الَّتِي لَمْ تُبْنِ عَلَى الْعُرْفِ وَالْعَادَةِ فَإِنَّهَا لَا تَتَّعَبَّرُ.<sup>61</sup>

The rulings/injunctions that change as times change are those which are based on custom (‘*urf*’). This is because, as times change, so do people’s needs, and, based on these changes, the custom (‘*urf*’) changes too. As a result, the rulings change. Nevertheless, text-based Islamic rulings that are not originally based upon custom (‘*urf*’) do not change.

It is pertinent to note here that Abu Yusuf, the celebrated student of Abu Hanifah and the fundamental authority on Hanafi fiqh, maintains that if there is a conflict between the established text and the people’s customs, then it is essential to determine whether or not the original text was based upon previous customs and norms. In other words, existing customs are to be preferred over an established text (*naṣṣ*) if the text was based upon an earlier custom or norm.

عَلَى أَنَّ الْإِمَامَ أَبَا يُوسُفَ يَقُولُ: إِذَا تَعَارَضَ النَّصُّ وَالْعُرْفُ يُنْظَرُ فِيمَا إِذَا كَانَ النَّصُّ مَبْنِيًّا عَلَى الْعُرْفِ وَالْعَادَةِ أَمْ لَا؟ فَإِذَا كَانَ النَّصُّ مَبْنِيًّا عَلَى الْعُرْفِ وَالْعَادَةِ تَرَجَّحَ الْعَادَةُ وَبِتَرْكِ النَّصِّ.<sup>62</sup>

Imam Abu Yusuf states: If there is a conflict between the text and the custom (‘*urf*’), then it is necessary to check whether the text is based on custom (‘*urf*’)

or not. If the text is based upon custom (*ʿurf*), then the [current] custom (*ʿurf*) is preferred and the text is abandoned.

I conclude this part of the discussion by noting that Allah never used a word that required naked-eye sighting of the new moon of Ramadan or Dhu al-Hijjah in order to fast Ramadan or perform hajj. Had doing so been so important, He could have used such categorical terms as “whoever sights the new moon of Ramadan and Dhu al-Hijjah” and then granted exemption to those who were sick or traveling, for instance. But instead, He used a phrase like “whoever witnesses the month,” which means whoever knows the month of Ramadan and is healthy and resident, in order to leave the door open for the event to be seen or the news to be heard, not to mention other possible future interpretations.

The Qur’an, the eternal and literal Word of God, responds to peoples of all times. The phrase analyzed above permitted pre-modern Muslims to use the most reliable method of witnessing the month of Ramadan (viz., naked-eye sighting), and is flexible enough to resolve our current uncertainties and confusion. Should physical sighting be impossible, calculations based upon the “meticulously calculated” stages of the moon can be used. After all, the ultimate goal is certainty about the month, not its physical sighting.

The Prophet commanded Muslims to start and end Ramadan according to naked-eye sighting because of the existent constraints of his time. In the final analysis, it is clear that this was not the only method he used to attain certainty in this matter. For instance, he gave us the alternative of completing thirty days of Ramadan or Shaʿban in the event of such natural obscurities as clouds. He never required us to look for the new moon on 30 Shaʿban or 30 Ramadan because the new month would certainly start after the thirtieth day. Such an approach proves that certainty, not actual sighting, is the prerequisite for fasting Ramadan.

Any detailed discussion of the relevant prophetic narrations will prove that the Prophet required naked-eye sighting only if we were to start Ramadan after 29 Shaʿban or start Shawwal after fasting only twenty-nine days during Ramadan. Since naked-eye sighting was the only method that gave certainty, he required its use on the twenty-ninth day of the month. His accompanying words, “We are an unlettered people; we neither write nor calculate,” pinpointed the real reason for this requirement.

By his time, the Jews had fully adopted the use of calculations or intercalations to synchronize their lunar calendar with the solar calendar. The

pre-Islamic Arabs followed this innovation of adding days to lunar months and an extra thirteenth month to the twelve-month lunar year. As this caused hajj and other sacred rituals to occur not at their divinely prescribed times, but at the times suited to the people's financial and political needs, the Prophet restored the original schedule and reconnected the months to the new moon's arrival.

The Qur'an addresses intercalation in the following verses.

(إن عدة الشهور عند الله اثنا عشر شهرا في كتاب الله يوم خلق السماوات والأرض منها أربعة حرم ذلك الدين القيم فلا تظلموا فيهن أنفسكم وقاتلوا المشركين كافة كما يقاتلونكم كافة واعلموا أن الله مع المتقين إنما النسيء زيادة في الكفر يضل به الذين كفروا يحلونه عاما ويحرمونه عاما ليواطؤوا عدة ما حرم الله فيحلوا ما حرم الله زين لهم سوء أعمالهم والله لا يهدي القوم الكافرين.) (التوبة: 36-37)

Behold, the number of months, in the sight of God, is twelve months, [laid down] in God's decree on the day when He created the heavens and the earth; of these, four are sacred: this is the ever true law of God. Do not, then, sin against yourselves with regard to these [months]... The intercalation [of months] is but one more instance of [their] refusal to acknowledge the truth: [a means] by which those who are bent on denying the truth are led astray. They declare this [intercalation] to be permissible in one year and forbidden in [another] year, in order to conform [outwardly] to the number of months that God has made sacred: and thus they make lawful what God has forbidden. Goodly seems unto them the evil of their own doings, since God does not grace with His guidance people who refuse to acknowledge the truth. (9:36-37)

According to most exegetes, these verses refer to the pre-Islamic Arabs' arbitrary intercalations as regards the lunar months and the lunar years.<sup>63</sup> Al-Razi elaborates upon this point:

إن القوم علموا أنهم لو رتبوا حسابهم على السنة القمرية، فإنه يقع حجهم تارة في الصيف وتارة في الشتاء، وكان يشق عليهم الأسفار ولم ينتفعوا بما في المراجعات والتجارات، لأن سائر الناس من سائر البلاد ما كانوا يحضرون إلا في الأوقات اللائقة الموافقة، فعلموا أن بناء الأمر على رعاية السنة القمرية يخل بمصالح الدنيا، فتركوا ذلك واعتبروا السنة الشمسية، ولما كانت السنة الشمسية زائدة على السنة القمرية بمقدار معين، احتاجوا إلى الكبيسة وحصل لهم بسبب تلك الكبيسة أمران: أحدهما: أنهم كانوا يجعلون بعض السنين ثلاثة عشر شهراً بسبب اجتماع تلك الزيادات. والثاني: أنه كان ينتقل الحج من بعض الشهور القمرية إلى غيره، فكان الحج يقع في بعض السنين في ذي الحجة وبعده في المحرم وبعده في صفر.<sup>64</sup>

The [pre-Islamic Arab] people knew that following the lunar year would cause the hajj to fall sometimes during the summer and sometimes during the winter. It was hard for them to travel and this [movement of the hajj between seasons] was not financially profitable...Consequently, they replaced the lunar year with a solar year. They had to use intercalation because the [days in a] solar year were more than [the days in a] lunar year. This intercalation resulted in two problems. Firstly, they had to add a 13th month owing to (the synchronization) with the extra days of the solar year. Secondly, the hajj had to revolve between various lunar months. The hajj would fall in some years in the actual month of Dhu al-Hijjah and in other years in the month of al-Muharram or Safar.

Given this reality, Allah warned them and declared their moving of hajj from the sacred months to other ordinary months as tantamount to *kufir* (disbelief), as al-Razi explains:

فلهذا السبب عاب الله عليهم وجعله سبباً لزيادة كفرهم، وإنما كان ذلك سبباً لزيادة الكفر، لأن الله تعالى أمرهم بإيقاع الحج في الأشهر الحرم، ثم إنهم بسبب هذه الكبيسة أوقعوه في غير هذه الأشهر.<sup>65</sup>

The pre-Islamic Arabs, who used to postpone, name, and rename the months in accordance with their political, economic, and military situations, had no scientific way to ascertain the exact time of when for the moon's, as well as the sun's, rising and setting. In addition, there is no proof that Madinah's Jewish community had such developed and precise mathematical calculations. As will be discussed later on, the Jews' calculations were based upon a fixed average lunar month rather than any astronomical calculation of actual moon births. Tracy R. Rich clarifies this point:

Note that the calculated *molad* (birth) does not necessarily correspond precisely to the astronomical new moon. The length of time from one astronomical new moon to the next varies somewhat because of the eccentric orbits of the Earth and moon; however, the moladot of Rabbi Hillel's calendar are set using a fixed average length of time: 29 days, 12 hours, and 793 parts (or in Hebrew, *chalakim*). The amount of time is commonly written in an abbreviated form: 29d 12h 793p.<sup>66</sup>

This was the main reason why the Qur'an and the Prophet rejected the Jewish approach to the lunar months. The Qur'an discarded such intercalations and restored the calendar to its original form, a point clearly emphasized by the Prophet in his last sermon: "Today, certainly the calendar has returned to its original form as God had created it to be at the times of creation of the heavens and the earth." Al-Razi states that by doing so, the Prophet restored the sacred months to their original schedule.

(ألا إن الزمان قد استدار كهيئته يوم خلق السموات والأرض السنة اثنا عشر شهراً) وأراد أن الأشهر الحرم رجعت إلى مواضعها.<sup>67</sup>

“Certainly the time has taken its original form as it was meant to be at the time of creation of the heavens and earth, the year is twelve months.” He meant that the sacred months have returned to their (original) right timings.

All of the prophetic hadiths that stress naked-eye sighting for confirming or negating the month of Ramadan must be understood against this background. The prophetic insistence upon this method sought to restore the sacred months to their original schedule. In fact, his statement that “We are an unlettered people; we neither write nor calculate” clearly refers to the arbitrary intercalations discussed above, not to the calculations produced by modern-day experts. The Qur’anic argument actually supports the latter type of calculations by stating that Allah has fixed the moon’s phases so that people will have an accurate basis upon which to derive a precise calendar.

#### THE MAWĀQĪT ARGUMENT

The following Qur’anic verse is frequently quoted to prove that the Qur’an demands the actual sighting of the moon to confirm the lunar months. This verse in reality is refuting the arbitrary intercalations and has little connection with the subject of moon sighting or astronomical calculations. The Qur’an states:

(يَسْأَلُونَكَ عَنِ الْأَهْلِ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ وَلَيْسَ الْبِرُّ بِأَنْ تَأْتُوا الْبُيُوتَ مِنْ ظُهُورِهَا وَلَكِنَّ الْبِرَّ مَنِ اتَّقَى وَأْتُوا الْبُيُوتَ مِنْ أَبْوَابِهَا وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ.) (البقرة: 189)

They ask you about the (*ahillah*) new moons; say: “They are appointed times for the people and for the hajj. It is not righteousness to enter houses through the back doors; righteousness consists of *taqwā*. So enter houses through their [front] doors and fear Allah so that you may attain felicity.” (2:189)

In the above verse, the Qur’an scolds the pre-Islamic Arabs for their misplaced priorities. For example, they used to enter or leave their houses or tents through a hole in the back or down a ladder after putting on their hajj garments (*iḥrām*). Allah rebukes them for worrying so much about that which is external to the hajj at the expense of its true timings and essence.

Hamza Yusuf recognizes this context by quoting al-Qurtubi:

Hajj is specifically mentioned in this verse [as opposed to Ramadan] because it is among the devotional months; the knowledge of its commencement is essential, and [determining it using] intercalation is not permissible, as doing so displaces it from its proper time. *This is in opposition to what the Arabs considered acceptable at the time, as their practice was to perform hajj based upon calculation ('adad) and alteration of the months. Thus, God nullified their words and deeds.*<sup>68</sup>

He also realizes that this divine command came “in preparation for the final prohibition on determining the hajj based upon intercalation and not sighting, as the pre-Islamic Arabs sometimes predetermined hajj, so they did not need to look for the moon during the hajj season.”<sup>69</sup>

Therefore, we conclude that this verse prohibits only the arbitrarily forced intercalations. We also reiterate that naked-eye sighting was the only known method that gave certainty that the new month had arrived. This is why the Prophet told Muslims to use it or complete thirty days, instead of using intercalation to synchronize the lunar year with the solar year in order to derive financial and other worldly gains. He wanted to ascertain that Ramadan was observed during its sacred time. Given that naked-eye sighting was the only available method to attain certainty and not a goal in itself, any type of calculations (such as those of our own time) that provides the same level of certainty and do not compromise the true timing of Ramadan and Dhu al-Hijjah, are permissible.

#### MOON-SIGHTING SUPPLICATIONS ARE BASED UPON WEAK REPORTS

It is argued that some hadith compilations contain multiple supplications that are to be recited upon sighting the new moon. Their existence and the prophetic recommendation that they be recited at that particular time are used as arguments for suggesting (or even demanding) the necessity of naked-eye sighting.

While it is true that several hadith sources do narrate different formulas for such supplications, al-Bukhari and Muslim did not consider these reports worthy of their attention, mainly due to the serious doubts about their authenticity. Abu Dawud narrated two conflicting reports: one describes how the Prophet, at the first glance, would turn his face away from the new moon; the other states that he used to recite some form of supplication. In the conclusion of his narrations on the subject, Abu Dawud affirms that there is no relevant authentic report from the Prophet. His two conflicting reports are given below:

حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ حَدَّثَنَا أَبَانٌ حَدَّثَنَا قَتَادَةُ أَنَّهُ بَلَغَهُ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا رَأَى الْهَيْلَالَ قَالَ هَيْلَالَ نَحِيرٍ وَرُشْدٍ هَيْلَالَ نَحِيرٍ وَرُشْدٍ هَيْلَالَ نَحِيرٍ وَرُشْدٍ أَمَنْتُ بِالَّذِي تَخَلَقَكَ ثَلَاثَ مَرَّاتٍ ثُمَّ يَقُولُ الْحَمْدُ لِلَّهِ الَّذِي ذَهَبَ بِشَهْرٍ كَذَا وَجَاءَ بِشَهْرٍ كَذَا.<sup>70</sup>

Musa ibn Isma'il reported on the authority of Aban on the authority of Qatadah that the Prophet at seeing the new moon would say, "a new moon of goodness and guidance (thrice), I believe in the One who created you (thrice), then he will say, "thanks be to Allah who took such and such month away and brought forth such and such month."

Ahmad ibn Hanbal narrates that:

حدثنا عبد الله حدثني أبي ثنا أبو عامر ثنا سليمان بن سفيان المدايني حدثني بلال بن يحيى بن طلحة بن عبيد الله عن أبيه عن جده: (أن النبي صلى الله عليه وسلم كان إذا رأى الهلال قال: اللهم أهله علينا باليمن والإيمان والسلامة والإسلام ربي وربك الله).<sup>71</sup>

Upon seeing the crescent moon, the Prophet would say: "O God, cause this new moon to come upon us in safety and sound faith, security and submission. My Lord and your Lord is Allah."

Al-Tirmidhi, Ibn Habban, and others narrate this hadith. Abu Dawud narrates that the Prophet used to turn his face away upon sighting the new moon.

حدثنا مُحَمَّدُ بْنُ الْعَلَاءِ أَنَّ زَيْدَ بْنَ مَجَابٍ أَخْبَرَهُمْ عَنْ أَبِي هَيْلَالَ عَنْ قَتَادَةَ: (أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا رَأَى الْهَيْلَالَ صَرَفَ وَجْهَهُ عَنْهُ).<sup>72</sup>

Qatadah reports that the Prophet would turn his face away on sighting the new moon.

Abu Dawud concludes his chapter on "What a Person Should Say on Seeing the New Moon" by observing that none of the hadiths narrated in the chapter are authentic.

قَالَ أَبُو دَاوُدَ: لَيْسَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي هَذَا الْبَابِ حَدِيثٌ مُسْنَدٌ صَحِيحٌ.<sup>73</sup>

Ibn al-<sup>c</sup>Arabi, commenting on this question of supplicating upon seeing the new moon, shows the contradictory nature of these reports:

أَمَّا إِنَّهُ رَوَى أَبُو دَاوُدَ وَغَيْرُهُ عَنْ قَتَادَةَ بِأَلْفَا عَنْ النَّبِيِّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - حَدِيثَيْنِ مُتَعَارِضَيْنِ: أَحَدُهُمَا: (أَنَّ النَّبِيَّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - كَانَ إِذَا رَأَى الْهِلَالَ أَعْرَضَ عَنْهُ). الثَّانِي: (أَنَّهُ كَانَ إِذَا رَأَهُ قَالَ: هِلَالٌ خَيْرٌ وَرُشْدٌ، أَمَنْتُ بِالَّذِي خَلَقَكَ ثَلَاثَ مَرَّاتٍ ثُمَّ يَقُولُ: الْحَمْدُ لِلَّهِ الَّذِي ذَهَبَ بِشَهْرٍ كَذَا وَجَاءَ بِشَهْرٍ كَذَا). قَالَ الْقَاضِي: وَلَقَدْ لُكِنْتَهُ فَمَا وَجَدْتُ لَهُ طَعْمًا. وَقَدْ أَخْبَرَنَا الْمُبَارَكُ بْنُ عَبْدِ الْجَبَّارِ، أَخْبَرَنَا ابْنُ زَوْجِ الْحُرَّةِ أَتَانَا النَّجِيُّ، أَتَانَا ابْنُ مَحْبُوبٍ، أَتَانَا ابْنُ سُوْرَةَ، أَتَانَا مُحَمَّدُ بْنُ بَشَّارٍ، أَتَانَا أَبُو عَامِرٍ الْعَقَدِيُّ، أَتَانَا سُلَيْمَانُ بْنُ سُفْيَانَ الْمَدِينِيُّ، أَتَانَا بِلَالُ بْنُ يَحْيَى بْنِ طَلْحَةَ بْنِ عُبَيْدِ اللَّهِ عَنْ أَبِيهِ عَنْ جَدِّهِ طَلْحَةَ بْنِ عُبَيْدِ اللَّهِ (أَنَّ النَّبِيَّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - كَانَ إِذَا رَأَى الْهِلَالَ قَالَ: اللَّهُمَّ أَهْلُهُ عَلَيْنَا بِالْإِيمَانِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - كَانَ إِذَا رَأَى الْهِلَالَ قَالَ: اللَّهُمَّ أَهْلُهُ عَلَيْنَا بِالْإِيمَانِ وَالسَّلَامَةِ وَالْإِسْلَامِ). قَالَ ابْنُ سُوْرَةَ: حَسَنٌ غَرِيبٌ.<sup>74</sup>

Abu Dawud and others have reported from the Prophet two contradictory reports. Firstly, the Prophet used to turn his face away at the first glance of a new moon. Secondly, that he would say, “a new moon of goodness and guidance [thrice], I believe in the One who created you [thrice],” then he will say, “thanks be to Allah who took such and such month away and brought forth such and such month.” Al-Qadi said, “I did not find this [second] report authentic at investigation.” ... Ibn Surah also found the following report as “*gharib*” [its chain of narrators is not authentic]. “O Allah bless us with good luck, faith, protection and Islam during this month.”

Even al-Tirmidhi, after narrating the hadith on these supplications, states that this is a “good but strange” hadith.

<sup>74</sup> رواه الترمذي وقال هذا حديث حسن غريب.

It is a well-known principle in hadith science that a weak hadith is accepted in matters of virtues (*faḍā'il*) but not in stipulating rules. This is why these supplications, which were originally based upon weak hadiths, have a wide circulation among Muslims. Although I believe that reciting these supplications upon sighting the new moon is rewarding, such weak hadiths cannot prove that naked-eye sighting is a prerequisite for fasting Ramadan. This reward can be achieved whenever one sees the new moon. In any case, not everyone can see the new moon on the first day. Such supplications can be recited whenever, during the first seven days of the new month, one sees the new moon, as the metaphorically oriented, linguistic meanings of *al-hilāl* denote. Reciting such supplications are irrelevant to

claiming that the month of Ramadan is solely dependent upon naked-eye sighting. Moreover, it is recommended that such supplications be made during all months, for the Prophet reportedly said that Muslims should recite them whenever they see the new moon. Should we stop doing so just because many people no longer engage in naked-eye sighting? The reward for doing so is granted and the Sunnah is fulfilled whenever someone recites them during the appropriate time. In no way does it prove that naked-eye sighting is the precondition for fasting Ramadan.