

----- Original Message -----

Subject: Re: What is the basis of Global Moon Sighting - South Africa

Date: 2017-07-04 11:33

From: "The Mujlisul Ulama of South Africa M.U.S.A"

To: Qamar Uddin UK

ASSALAMU ALAIKUM

8 Shawwaal 1438 (3 July 2017)

Qamaruddin UK

Respected Brother,

Your e-mail dated 2 July 2017 refers.

Those in the U.K. who had contravened the Shariah by bypassing Morocco and accepting the baseless Nigerian announcement have erred grievously. It appears that they did so solely to celebrate Eid on Sunday which is very convenient for most people. In the process, they deemed it appropriate to override the Shariah.

We believe that Morocco is the nearest to the U.K., and a valid arrangement exists with Morocco for hilaal information. As such, those who usually follow Morocco have sinned by going to Nigeria where the authorities are submissive to Saudi Arabia which does not accord the proper Shar'i importance to hilaal-sighting.

Furthermore, there is no need and no goodness for the U.K. to follow South Africa which is 8,000 miles away. When people seek to override the Shariah, they invite problems, difficulties and controversies. The global sighting theory is bunkum. It has no validity in the Shariah.

Was-salaam

A.S.Desai

Mujlisul Ulama of S.A.

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On 02/07/2017, Qamar Uddin UK wrote:

Salam Mufti AS Desai Sahib,

I wish to inform you that based on the global moon sighting theory, many of our UK Masajids who normally follow UK/Morocco regional sighting reports (because of persistently cloudy weather in the UK) have now found a new source of moon sighting news from all the way to Nigeria, and celebrated Eid-ul Fitr on Sunday 25th June 2017, even though we have received NEGATIVE sighting reports from Morocco Awqaf Ministry (with 278 sighting points).

However, we have later obtained confirmation from the Chairman of Lagos Hilal Committee (Sheikh AbdulRasaq Isola) that it was NOT possible to sight the 15 hrs old moon by naked eye from Nigeria on Saturday 24th June 2017 and none of their Hilal Committees saw it even with the help of telescopes. However, since some (inexperience) people have claimed a sighting by naked eye and it matched the announcement from SAUDI ARABIA, the head of their "Supreme Council of Islamic Affairs", the Sultan of Sokoto was "compelled" to accept their sighting and make an announcement for Eid on Sunday 25th June 2017!

From your previous comment that "global sighting is baseless", would you agree that the UK Muslims should NOT go as far as Saudi Arabia or Nigeria and most certainly not across to the opposite Hemisphere to your own country, South Africa (even if your sightings reports are most reliable) on the basis of global sighting theory (as it is baseless)?

To reiterate, kindly clarify, if it's valid for UK Muslims to borrow moon sighting news from South Africa on the opposite hemisphere, over 8,000 miles away (rather than confine to UK/Morocco region only) on the basis of global sighting theory?

Your valued comments will be much appreciated.

Wassalam,  
Qamar Uddin, UK

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On 2017-06-20 08:41, The Mujlisul Ulama of South Africa M.U.S.A wrote:  
ASSALAMU ALAIKUM 25 Ramadhaan 1438 (20 June 2017)

Qamaruddin U.K.

Respected Brother,

Your e-mail dated 15 June 2017 refers.

Perhaps you did not see our booklet, MOON SIGHTING: THE BAATIL FATWA OF THE NEW YORK DARUL IFTA. In this booklet your query is answered. We reproduce the relevant section:

On the issue of Ikhtilaaf-e-Mataali' Hadhrat Maulana Yusuf Binnori (Rahmatullah alayh) whom the Darul Ifta has awarded the lofty title of "Ustaazul Muhadditheen" said:

"Sometimes the distance is so great that in reality, difference in horizons is possible, e.g. Peshawar and Dhaka. Therefore the (following) condition should be added: 'On condition that the distance between the two lands is not so great as to result in the reality of difference of horizon.'"

The validity of Ikhtilaaf-e-Mataali' relative to distant lands is an Ijmaee mas'alah (on which there is Consensus) as Ibn Abdul Barr and others have explicitly stated. (Badayatul Mujtahid of Ibn Rushd, Fathul Baari of Ibn Hajar). Even according to the Hanafiyyah, in distant lands Ikhtilaaf-e-Mataali' is valid, Refer to Badaai', Al-Ikhtiyaar Sharh Al-Mukhtaar and Tabyeenul Haqaaq of Az-Zailaee. When Ijmaa' is established then the other marjoooh view is automatically negated. The statement of the Aimmah, namely: 'Ikhtilaaf-e-Mataali' is not valid', is exclusive with such cities where such distance cannot be covered from the centre or end of the city (for difference of horizons to develop in reality). The latitude adopted by the Muta-akh-khiseen Hanafiyyah does not accord with the intention of the Aimmah nor is it factually correct."

Have you read our other booklet: THE HOGWASH OF GLOBAL MOON-SIGHTING?

Was-salaam

A.S.Desai  
Mujlisul Ulama of S.A.

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On 15/06/2017, Qamar Uddin UK <qamar.uddin@uk2.net> wrote:  
Salam Mufti A.S. Desai Sahib,

Many thanks for your valuable comment. Kindly see the attached article where the author write, "Imam Abu Hanifa (r) states that there is no consideration for ikhtilaaf al mataali - multiple horizons (individual local regional sighting)." \_

Later in the article, the author states that moon sighting news coming from 20 miles outside Madina was accepted by the Prophet (s), hence that is basis of global moon sighting!

The circumference of the earth is over 24,900 miles so 20 miles does not make a fraction of 1% distance round the earth. Hence, I fail to understand how this analogy gives evidence of global moon sighting?

Any clarification on why so many eminent scholars attribute global sighting to be the opinion of Imam Abu Hanfia (RA), will be much appreciated.

Wassalam,

Qamar Uddin, UK

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On 2017-06-13 10:58, The Mujlisul Ulama of South Africa M.U.S.A wrote:

ASSALAMU ALAIKUM 18 Ramadhaan 1438 (13 June 2017)

Qamaruddin UK

1) Global moon-sighting is not the view of Imaam Abu Hanifah (Rahmatullah alayh). It is the baseless opinion of liberal molvis and sheikhs of the current age. There has never been any global moon sighting practice in the Ummah at any time in this Ummah's history.

Was-salaam

A.S.Desai

Mujlisul Ulama of S.A.

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On 10/06/2017, Qamar Uddin UK wrote: Respected Mufti A.S. Desai Sahib,

Assalamu Alaykum Wr Wb. Many thanks for taking the time to reply to my email inquiry promptly.

I have been doing moon sighting research in Shariah and Science for many years and fully agree with your conclusion.

However, I am unable to persuade our UK Muslims to adopt UK/Morocco regional moon sighting reports, which are very reliable.

My question still remains unanswered: (to repeat), *"if the global sighting rule is the opinion of Imam Abu Hanifa (رحمه الله, d. 772 CE) HIMSELF or was it decided later by other scholars of the Hanafi school".\_*

Therefore, please let me know *\_if the global sighting rule is the opinion of Imam Abu Hanifa HIMSELF \_ (if written in any of his books)?*

Wassalam,

Qamar Uddin, UK

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On 2017-06-10 10:04, The Mujlisul Ulama of South Africa M.U.S.A wrote:

ASSALAMU ALAIKUM 15 Ramadhaan 1438 (10 June 2017)

Engineer Qamaruddin

Your e-mail refers.

Global moon sighting is baseless. It is not an Islamic teaching. See attachment.

Was-salaam

A.S.Desai

Mujlisul Ulama of S.A.

On 08/06/2017, Engineer Qamar Uddin wrote:

This is an enquiry e-mail via <http://themajlis.co.za/>  
from: Engineer Qamar Uddin

What is the basis of Global Moon Sighting in Hanafi Madhab?

There is an ongoing debate on moon sighting for Ramadan and Eid in the UK due to the differences of opinion on local sighting or global sighting.

Those who follow local sighting opinion say it is closest to Sunnah of the Prophet (صلى الله عليه وسلم) and the Sahabah (رضي الله عنهم).

Those who follow the global sighting opinion, say it is the ruling of the Hanafi Madhhab, which is mentioned in a book from the Indian subcontinent called, "Bahisthi Zewar" by Maulana Ashraf Ali Thanvi (رحمه الله, d. 1943 CE), under the chapter of Fast (Saum), subheading: Visibility of Moon (Mas'ala 10). This point may be inferred from the famous Hanafi book of Fiqh called, "Radd al-Muhtar ala Ad-Durr al-Mukhtar" by Imam Ibn Abedin Ash-Shami (رحمه الله, d. 1836 CE), under the subheading: Requirement for Difference of horizon (مطلب في اختلاف المطالع).

I wish to know if the global sighting rule is the opinion of Imam Abu Hanifa (رحمه الله, d. 772 CE) himself or was it decided later by other scholars of the Hanafi school, such as Imam Ibn Abedin Ash-Shami? A detailed explanation with references from books by Imam Abu Hanifa will be much appreciated.

Qamar Uddin, York (UK),  
Dated 3 June 2017 (8 Ramadan 1438 AH)

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