

Preface

The work before you is an important contribution to Islam's body of knowledge in at least three ways. Firstly, it attempts to answer, quite exhaustively I might add, some of the main arguments against the Fiqh Council of North America's decision to determine holy days through computation rather than actual moon sightings. This is a particularly onerous task, not simply because it breaks from scholarly tradition, but because tradition, being remarkably familiar with both computation's method and logic, was able to vigorously argue against it centuries ago. In those arguments, an example of which appears in the *Fatawa* of Ibn Taymiyyah (d.1263 c.e.) scholars go only so far as to admit that lunar phases can indeed, be computed accurately; they all hasten to add however, that the same is not true of predicting physical sightings, which for them was the only criterion for establishing Islamic dates. As will be shown in the chapters ahead, some very notable scholars, Ibn Qutaybah (d. 889 h) , Ibn Surayj (d.772 h), and Taj al-Din al-Subki (d.1370 c.e.) among them, were advocates of computation in one form or another, but for them calculations were no more than a corroboration of an actual sighting, and not an independent alternative to it. The arguments that follow therefore differ in that they are meant to show the juridical validity of the computational method, as well as the practical and social benefits it offers.

Which brings me to computation's other benefit, that of reducing the uncertainties of religious life in the West particularly with regard to the holy days. For Muslims in the past as well as for the large majority today that still lives as a majority, waiting for news of the moon is part of the festivities of these holy days, and not seeing it means no more than the first fast being delayed one day—and that's not problematic because it affects the nation as a whole. The social disruptions that occur as a result affect everyone equally, in the work force, at school, and on travel. The same is not true of Muslims who live in the West. In addition to all of the foregoing inconveniences they shoulder waiting for 'news of the moon', there is also the added embarrassment of explaining to their friends and colleagues one additional oddity about their faith. This shift to computation as the method of determining the holy days of Islam, will definitely be welcomed by such people.

Two further contributions this work makes are more academic than social, and apply as such to the enhancement of the overall literacy of Muslims today. The first of these is in its comprehensive citation of the classical sources, and the second, in its accurate and pithy analysis of the major scholarly arguments vis-à-vis computation. The author has done readers a great service by digging deep into the Qur'an as well as the apostolic traditions to quote verbatim the evidence relevant to this issue, and to then translate such evidence into English. This is a tedious task but one that is quite necessary, I might add, if only because it helps reassure the reader that no shred of textual evidence relevant to

this discussion has been overlooked. Any scholar or lay person wanting to know what the Qur'an and the Traditions say on moon-sighting will find easy access to both the Arabic texts as well as their translations.

As for the arguments of Muslim scholarship: these give readers unfamiliar with Muslim scholarship a meaningful glimpse into the method and rationale of the traditional scholar. It introduces them to the building blocks of Islamic law, to juridical consensus or *ijma`*, for instance, to its multiple iterations within scholarly circles, and to its various usages in this discussion, as well as in others in the past. It includes discussions on the etymological and syntactical aspects of language, to the use of words in their literal and allegorical senses, and to the differences between exclamatory statements and declarative statements. Such discussions should serve not only to educate Muslims as to the complexities of the interpretative process but also to caution them against hastily drawing legal conclusions without the requisite training and skill.

This current discussion on computation which touches almost all Muslims to some degree has succeeded in sucking in opinions even from those otherwise disinclined to speak their minds. And this is particularly true in the western world where Muslims are generally more independently minded, better educated, but lacking in political authority. Those who do weigh in go all the way from theologians perturbed by this latest sacrifice of tradition at the altar of modernity to lay Muslims who'd much rather abandon that tradition than spend another sleepless night awaiting lunar confirmation. On the other hand, those in Karachi, Istanbul, and Damascus who live their religious lives as a majority, for them such discussions are either academic, and arcane, or superfluous, and inconsequential to their daily grinds. In such countries, it is the state, with or without the concurrence of the scholars, that determines the beginning and the end of Ramadan. Even in case where scholarship enjoys limited autonomy, or where multiple legal opinions on moon sighting are tolerated, official government announcements that endorse one opinion over all others helps remove the cloud of uncertainty found in the West.

Scholars worry however, that this effort towards greater unity through computation is, if anything, making the effort itself all the more elusive. Abandoning tradition in determining the beginning and end of Ramadan, they argue, means breaking from the juridical consensus of posterity, and from the sacred teachings of the Prophet (s). But such breaks are far from unique, I would argue; if anything, they occur so frequently in the past as to become a defining feature of our juridical legacy. In early times, for instance, scholars differed in their interpretation and application of the *sumu* hadith. One group, following a rule that came to be known as *ikhtilaf al-matali`*, restricted sightings to people of that specific vicinity, whilst another extended any single sighting to apply to all parts of the world. Today that same regional difference has undergone a further adjustment in accordance with the political changes Muslim countries have undergone since colonialism. Sightings today follow fault lines that are almost exclusively political; as such it matters not that parts of Saudi Arabia and Yemen share the same longitudinal space and ought to be treated, scientifically speaking, as a single geographical unit. But political borders established during colonial times by the British, for example, or the French, or the Dutch, are what act as de jure cut off points beyond which sightings will

not apply. There is no scriptural evidence to support such rulings and yet, even the most conservative of scholars seems to find nothing untoward about this interpretation of the *sumu* hadith!

And it doesn't end there: rulings on moon sighting today are as unprecedented and innovative as the times in which we live. Take the Eid after Hajj ruling, for instance: never in the history of Islamic law has any scholar even remotely suggested that eid al-adha be performed on the day after actual Arafah in Saudi Arabia! And yet, a sizeable group of prominent scholars is doing just that by advocating that Muslims celebrate eid al-adha in accordance with the hajj ceremonies in Mecca. The ruling itself, in my opinion, is a step in the right direction, and not because it tracks perfectly with some moment in our early history, but because it more adequately addresses the challenges we as a community now face in this global village. It helps unite Muslims around their high holy days at a time when the community is more diverse and widely distributed than ever in the past. This attempt at unity, most scholars would agree, is as much a religious responsibility as is the fulfillment of the ritual obligations themselves. All the core rituals of Islam, in fact, serve as much as symbols of man's quest for proximity to his fellow man than they do as symbols of his quest for proximity to God. Which is why the daily prayer is almost always more meritorious when performed in congregation; why Friday congregational prayers cannot but be performed in congregation; why such prayers must be performed facing Mecca; and why they must conform more or less, to the same physical movements. With all this emphasis on the symbolic value of unity one finds inexplicable the tendency in scholarly circles to reduce unity to no more than a supererogatory ideal to be pursued only if particular rules and regulations remain inviolate. This then is the challenge legal scholarship faces: how best to interpret the secondary elements of the law such that they hamper not the pursuit of the greater objectives of this faith?

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