Sighting the Moon for Ramadan and Eid: An Exploration of Diverse Islamic Legal Views and Practices of Muslims in Australia

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CERTIFICATE OF AUTHORSHIP

I declare that this submission is my own work and to the best of my knowledge and belief, understand that it contains no material previously published or written by another person except where due acknowledgement is made in this submission, as appropriate. Any contribution made to this submission by any person at Charles Sturt University or elsewhere is fully acknowledged.

I declare that this submission contains no material which to a substantial extent has been accepted for the award of any other qualification at Charles Sturt University or any other educational institution. I declare that I have made all reasonable efforts to obtain copyright permission for any third-party content included in this submission and I have not included such content in this submission without the copyright owner's permission.

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I certify that human ethics approval was obtained to carry out an online survey. Ethics Protocol number: H23574. The thesis complies with University requirements for a thesis as set out in the related University policies and procedures.

Ikramullah Ahmed

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TRANSLITERATION AND DATES

All dates in this research are given according to the Gregorian calendar (CE).

The transliteration system used follows Brill's simple Arabic transliteration method.

a, i, u =		ا	z	=	ز	q	=	ق
b	=	ب	s	=	س	k	=	ك
t	=	ت	sh	=	ش	l	=	ل
th	=	ث	ṣ	=	ص	m	=	م
j	=	ج	ḍ	=	ض	n	=	ن
ḥ	=	ح	ṭ	=	ط	h	=	ه
kh	=	خ	ẓ	=	ظ	w	=	و
d	=	د	ʿ	=	ع	y	=	ي
dh	=	ذ	gh	=	غ	ʾ	=	ء
r	=	ر	f	=	ف			

Long vowels: آ = ā, ي = ī, و = ū

PUBLICATIONS RESULTING FROM THE RESEARCH

The online survey conducted as part of this research resulted one publication:

Ahmed Ikramullah, Mehmet Ozalp and Suleyman Sertkaya. *The Practice of Australian Muslims on Moonsighting: Beginning of Ramadan and Eid*. Islamic Sciences and Research Academy Limited, 2023. https://www.isra.org.au/wp-content/uploads/2023/07/Moon-Sighting-Report-v6.pdf.

ABSTRACT

The beginning and ending of lunar months hold significant religious importance for Muslims, particularly for determining the beginning and ending of Ramadan. However, establishing lunar months has become complex, especially in modern, globalised societies. Diverse interpretations of Islamic jurisprudence and technological advancements have introduced new methods of moonsighting, particularly in Western countries.

In Australia, where the Muslim population is diverse, opinions vary on the best approach for moonsighting. Some scholars advocate for physical moonsighting (local, regional, or global), while others support astronomical calculations or following countries like Saudi Arabia. Physical moonsighting is advocated by some scholars as they believe it aligns with the authentic teachings of the Prophet and the clear wording of the *ahadith* that talk about sighting the moon. On the other hand, proponents of astronomical calculations argue that there is flexibility in understanding these prophetic narrations and interpreting them in light of technological advancements. This leads to discrepancies in the start of Ramadan and Eid celebrations, affecting the unity of the Australian Muslim community and causing confusion among non-Muslims.

This research examined the historical and contemporary sources of Islamic jurisprudence related to moonsighting and explored how Australian Muslim practices and perspectives have evolved. The study gathered data from early Muslim organisations in Australia and analysed how their moon sighting methodologies, such as those of AFIC and ANIC, developed over time in an effort to unite Australian Muslims. Additionally, a survey was conducted to understand the methodologies followed by Australian Muslims and their preferences when it comes to moonsighting. The research also explored the root causes of differing scholarly opinions on moonsighting, both in classical and modern contexts, analysing how interpretations of Islamic texts have led to these differences.

This study finds that the diversity of moonsighting methodologies in Australia reflects a combination of theological, jurisprudential, and social factors that have influenced the moonsighting discourse. While classical Islamic sources predominantly supports physical sighting, modern interpretations have introduced astronomical calculations as an alternative method.

These differences are also reflected in the survey results, which indicate that Australian Muslims remain divided in their approach. While many adhere to local moonsighting, others follow regional or global sighting, and others rely on decisions made by ANIC and AFIC who use astronomical calculations to determine the beginning and ending of Ramadan. This division highlights the ongoing challenges in establishing a unified moonsighting practice in Australia. The research concludes that while scholarly differences on moonsighting are well-established, organisational decisions, technological advancements, and community influences continue to shape the way Australian Muslims determine the beginning and end of Ramadan today.

INTRODUCTION

Ramadan is a sacred time for Muslims around the world and is considered the holiest month of the year in Islam. During this month, Muslims commemorate the revelation of the Qur'ān and fast from dawn to sunset for 29 or 30 days to fulfil the obligations of one of the pillars of Islam, thereby engaging themselves in increased acts of worship. However, a significant challenge arises each year when determining the start and end of Ramadan due to differing opinions among various Islamic scholars and jurists regarding the sighting of the moon.

The Islamic calendar is lunar, so follows the phases of the moon. The beginning and end of each month are determined by sighting the moon. However, there are disagreements about Ramadan, regarding when it begins and concludes, due to varying interpretations of Prophetic statements related to sighting the moon. Some scholars, including Ahmad Muhammad Shakir (d. 1958), Mustafa al-Zarqā (d. 1999), Yusuf al-Qaradāwi (d. 2022), Zulfiqar Ali Shah (b. 1977) and Dr. Khalid Shaukat (b. 1943), argue that scientific knowledge, specifically astronomical data, which is published by observatories, includes the moon's birth, age, elongation, altitude and visibility as well as other details that confirm its phase. Since this astronomical information is readily available, theoretically, there is no harm in using it to determine when Ramadan should commence and conclude.

However, many scholars, including Ibrahim Memon Madani (b. unknown), Mokhtar Maghraoui (b. 1955), Hamzah Yusuf (b. 1958) and Dr. Wahbah Zuhayli (d. 2015), oppose using scientific calculations to determine the start and end of Ramadan. They argue that the clarity of the Prophetic statements about sighting the moon leave no room for interpretation. This difference of opinion not only affects Islamic scholars, but also the wider community as it creates social divisions within Muslim families and populations. The discrepancies in observing Eid, a

significant celebration that marks the end of Ramadan, causes disappointment and distancing among family members who celebrate this special occasion on different days.[1]

This issue is particularly pronounced in Australia due to its varied Muslim population and cultural diversities. The disagreement over the start and end of Ramadan leads to multiple start dates for Ramadan, further complicating unity within the Australian Muslim community. Thus, this research explores the possibility of finding a principle to minimise disputes and offer a unified approach to determining the beginning and end of Ramadan. This research primarily addresses two questions: What are the underlying methodological conflicts that Muslim jurists have when it comes to moonsighting and calculation, and what are the reasons behind these conflicts? And what methodology is adopted by Australian Muslims when determining the beginning and ending of Ramadan?

Furthermore, this research will delve into the historical background of differing opinions among scholars and examine their interpretations of Prophetic texts as well as the roots and causes of these differences. It will also analyse the five methodologies currently followed in Australia: local sighting, regional sighting, global sighting, following Saudi Arabia's decision about the commencement and conclusion of Ramadan, and astronomical calculations.[2] By focusing on the Australian context and tracing the evolution of moonsighting practices from as early as the 1970s, this study aims to uncover the ways in which moonsighting has been approached and understood within the Australian Muslim community over time. This research specifically examines the practices of different religious authorities, including the Australian National Imams Council (ANIC) and Australian Federation of Islamic Councils (AFIC).

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1 Ikramullah Ahmed, Mehmet Ozalp and Suleyman Sertkaya, *The Practice of Australian Muslims on Moonsighting: Beginning of Ramadan and Eid* (Islamic Sciences and Research Academy Limited, 2023), 14, https://www.isra.org.au/wp-content/uploads/2023/07/Moon-Sighting-Report-v6.pdf.

2 Omar el Banna, *Moon Sighting Explained* (Omar el Banna, n.d.), 21, http://www.masjidqubaa.org.au/mq_downloads/Moon%20Sighting-Sheikh_Omar_El_Banna.pdf.

Additionally, the study gathers insights on the practices of Australian Muslims in determining the beginning and end of Ramadan. This was conducted through an online survey that targeted Muslims across the states in Australia.[3] The survey explored the various methodologies, beliefs and challenges related to moonsighting within the Australian Muslim community. By analysing the survey data alongside existing literature, this research analyses the complexities and variations in moonsighting practices and their implications for the social lives and religious practices of Australian Muslims.

Overall, this research contributes to the understanding of moonsighting by examining historical perspectives, analysing differing fiqh and methodological interpretations, and exploring how these differences impact Australian Muslims. The study investigates how varying approaches to determining the start and end of Ramadan result in Muslims commencing and concluding Ramadan on different days and how this, in turn, affects social relations between individuals and groups. By addressing these dynamics, the research highlights the broader impact of moonsighting disputes on communal unity and the ongoing division of the Australian Muslim community.This research comprises seven chapters that examine moonsighting practices within the domain of the Islamic tradition and has a focus on the methodologies adopted by Australian Muslims. Each chapter explores different aspects of the topic ranging from historical background, primary sources, modern developments, case studies, survey analysis and concluding discussions. Together, these chapters provide a thorough explanation of the subject.

Chapter 1 investigates moonsighting practices in the Islamic tradition, focusing on primary sources, which include the Qur'ān, ḥadīth and *fiqh*. It examines these sources to understand the historical development and theological foundations of moonsighting. It highlights interpretations

[3] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*.

and understandings from various scholars of *tafsīr* and ḥadith, thereby elucidating their impact on determining the beginning and ending of Ramadan. This chapter concludes that the predominant view within the classical Sunni schools favours physical moonsighting. However, a minority position, represented by scholars like Subki, allows for the possibility of using astronomical calculations as an alternative.

The second chapter discusses the evolution of moonsighting practices in the modern period. It analyses the advent of using calculation methods to determine the beginning and end of Ramadan and the related perspectives of its proponents and critics. Further to this, the chapter explores the underlying reasons behind the acceptance or rejection of calculation as a method for determining the beginning of Ramadan and the dates of the two annual Eids.

Chapter 3 explores the reasons behind juristic disputes in Islamic law, focusing on scholarly disagreements on moonsighting. It begins with a discussion on understanding ikhtilāf (dispute) in Islamic jurisprudence, outlining key factors that contribute to legal differences. These include variations in Qurʾānic recitation, authenticity of Prophetic texts, differences in interpreting texts, conflicting evidence, and polysemous expressions. This chapter also examines the historical divide between text-based and reason-based methodologies, particularly in relation to moonsighting and astronomical calculations. It also addresses the limitations of applying these categories to contemporary scholarly views.

Chapter 4 presents a case study focused on moonsighting practices in Australia. It explores the methodologies employed by different organisations and religious authorities in Australia, including the ANIC, the AFIC and Moonsighting Australia. The chapter examines the contributing factors that lead to the different approaches to moonsighting practices in the Australian context and evaluates how their varying methodologies affect the Australian Muslim community.

Chapter 5 comprehensively analyses the findings from the online survey conducted among the Australian Muslim population. It presents the results and explores the responses of participants regarding their moonsighting practices, beliefs and perspectives. The analysis identifies common themes, trends and variations in the survey data, providing insights into the diversity of viewpoints within the Australian Muslim community.

Observing the extensive feedback obtained from two open-ended questions present in the survey, Chapter 6 delves into the responses of participants. The first question focuses on whether participants had changed their methods for determining the start and end of Ramadan in the past five years. Those who responded affirmatively were then prompted to elaborate on the reasons shaping their decision. With responses exceeding over 1,000 individuals, the significance of this data for the research study cannot be overstated. Exploring the motives behind these changes is essential to gain insight into the preferred methodologies within the Australian Muslim community.

Additionally, this chapter analyses, understands and codes the 2,787 comments received in the final open-ended question of the survey. Due to the substantial number of comments and themes that emerged from the comments section, it was necessary to separate the analysis of the closed-ended survey questions from the two largely answered open-ended questions.

The concluding chapter synthesises the key findings from each of the preceding chapters and discusses their implications. It reflects on the research question, theoretical framework and methodologies used in the conduct of this study. The chapter also explores the contributions of the thesis to the existing body of literature on moonsighting and provides recommendations for prospective research studies. It concludes by summarising the main arguments and highlighting the significance of studying moonsighting practices. It also emphasises the need to educate the

broader Muslim population on the importance of accepting diverse perspectives on the multifaceted issue of moonsighting.

Theoretical Framework

The theoretical framework for this research includes a multidisciplinary approach to explore the issue of moonsighting when it comes to determining the beginning and end of Ramadan and the implications this has on the Australian Muslim community. While the primary objective of this research revolves principally around Islamic jurisprudence (*fiqh*), it is not limited to it as the framework also incorporates sociology of religion, *ijtihad* (use of reasoning) and a three-phase theory to explore the complexities of moonsighting and its implications for contemporary practice in Australia. By analysing these pivotal concepts, this study aims to provide comprehensive understanding of the diverse perspectives and methodologies concerning the commencement and conclusion of Ramadan, as well as the establishment of the dates of the two Eids.[4]

Islamic Jurisprudence (Fiqh)

To understand the complexities of moonsighting, it is incumbent to consider the sources of *fiqh*. This research examines classical texts from the Qur'ān and ḥadith to delve into the different interpretations and viewpoints of scholars from the classical and modern periods. The typologies of opinions on moonsighting are categorised into *ahl al-ḥadith* (people of ḥadith) and *ahl al-ra'y* (people of opinion). This represents scholars who advocate physical sighting of the moon in the classical and contemporary eras, as well as those who endorse the use of calculations. The objective is to investigate the underlying reasons behind differing opinions on moonsighting and explore how scholars, historical and current, have shaped their perspectives through their

[4] Eid is an important religious celebration (holiday) for Muslims worldwide. There are two major Eids in the Islamic calendar: Eid al-Fitr and Eid al-Adhaa.

understanding and interpretations of Prophetic texts. When the companions of the Prophet dispersed to multiple cities, there was a major movement towards the methodology used in understanding Prophetic texts; thus, the two principal methodologies became apparent: the school of Kufah in Iraq (*ahl al-ra'y*) and the school of Madinah in Hijaz (*ahl al-ḥadith*).[5]

Ahl al-ḥadith refers to the group of scholars who understand Qur'ānic verses and prophetic texts in line with other verses and narrations without resorting to logical and rational meanings of the texts. Daniel Brown defines them as 'partisans of tradition':

> The traditionists were dedicated to the proposition that traditions from the Prophet represent the only viable basis for *sunna* – that *sunna* and authenticated prophetic *ḥadith* are, in fact, coextensive.[6]

On the contrary, *ahl al-ra'y* refers to the group of scholars and *fuqaha* (jurists) who use reason and logic to interpret Prophetic texts rather than solely relying on supporting narrations to determine the meaning of a particular verse or ḥadith. Brown defines them as legal pragmatists:

> They upheld the conclusions of their own methods of legal reasoning in the face of contradictory *ḥadith*. For the *ahl al-ra'y*, coherent application of their own doctrine took precedence over systematic reliance on the Qur'ān and prophetic *sunna*.[7]

Additionally, Salah Muhammad asserts that *ahl al-ḥadith* rely solely on divine texts when understanding legal rulings while *ahl al-ra'y* rely on analogy due to the lack of *aḥādith* (pl. ḥadith) that reached them.[8]

This distinct categorisation between *ahl al-ḥadith* and *ahl al-ra'y* appeared during the time of the Prophet. Some companions comprehended prophetic statements based on their apparent

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5 Manna' al-Qattan, *Tarikh al-Tashree' al-Islami* [Historiography of Islamic Law] (Maktabah al-Ma'ārif lil nashr wa al-Tawzee', 1996), vol. 3. 289.

6 Daniel W. Brown, *Rethinking Tradition in Modern Islamic Thought* (Cambridge University Press, 1996), 13.

7 Ibid., 13.

8 Salah Muhammad, *Al-madkhal al-wajiz fi al-dirasat al-fiqh al-Islami* [A Brief Introduction to the Study of Islamic Jurisprudence] (Markaz Anwar al-Ulamaa li al-Dirasat, 2020), 43.

meanings, while others resorted to a deeper understanding of the text and employed some form of analogy to interpret the ḥadith. An example of this is evident from the ḥadith:

> When the Prophet returned from the battle of Al-Ahzab (the confederates), he said to us: "None should offer the 'Asr prayer but at Bani Quraizah." The 'Asr prayer became due for some of them on the way. Some of them decided not to offer the prayer but at Bani Quraizah while others decided to offer the prayer on the spot and said that the intention of the Prophet was not what the former party had understood. And when that was told to the Prophet, he did not blame anyone of them.[9]

From the above narration, it becomes evident that the companions who performed the 'Asr prayer on reaching Banu Quraizah understood the Prophetic command "none should offer the 'Asr prayer but at Bani Quraizah." Conversely, the companions who prayed 'Asr on the way (before reaching Banu Quraizah) pondered the meaning of the Prophetic command and used reasoning.

Moreover, the meaning of *ra'y* refers to *ijtihad* (reasoning), which is within the field of *fiqh,* whereas the meaning of *ahl al-ḥadith* refers to the study of ḥadith and its narrators.[10] Based on this categorisation, it is evident that, while the distinction between *ahl al-ḥadith* and *ahl al-ra'y* was discernible as early as the time of the Prophet, the definition of these two classifications evolved over time.

While the distinction between *ahl al-ḥadīth* and ahl *al-raʾy* provides insight into different approaches to interpreting Islamic texts, it is important to recognise that these classifications were not originally developed concerning moonsighting debates. Instead, they emerged in the 2nd-3rd century AH as part of broader juristic methodologies related to Islamic law and textual interpretation.

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9 Muhammad al-Bukhari, *Sahih al-Bukhari*, trans. M. Muhsin Khan, book 12, ḥadith no. 5, accessed August 24, 2022, https://sunnah.com/bukhari:946.

10 Muhammad, *Al-madkhal al-wajiz*, 45.

Historically, both *ahl al-ḥadīth* and *ahl al-raʾy* scholars relied on visual moonsighting, as there were no alternative methods available at the time. The early discussions on moonsighting were primarily legal rulings based on eyewitness reports, rather than debates on whether astronomical calculations should be used. Consequently, applying these classifications rigidly to moonsighting debates today may not fully capture the diversity of scholarly perspectives.

For instance, scholars such as al-Subkī (d. 1355) and al-Qarāfī (d. 1285) integrated both ḥadīth -based and reason-based methodologies, demonstrating that juristic approaches are not always strictly divided. Similarly, Ibn Taymiyyah (d. 1328) accepted ijtihād (rational reasoning) while still emphasising a strong commitment to Prophetic Traditions. More recently, Yūsuf al-Qaraḍāwī has shown how rational analysis can be applied within a ḥadīth -based framework, further demonstrating that scholarly approaches exist along a spectrum rather than in fixed categories.In the conflict regarding moonsighting and calculation, it can be concluded that those who advocate for physical sighting can be classified as *ahl al-ḥadith*. They base their position on the literal understanding of the Prophetic texts regarding moonsighting while interpreting the words such as ‘sighting’ (*ruʾyah*) and ‘enumerate/calculate’ (*uqdurū lahu*) in their apparent meanings. *Ahl al-raʾy* consists of scholars who argue that the meaning of these prophetic words can be subject to different interpretations in the modern era, considering scientific advancements. They employ *ijtihad* (reasoning) to derive alternative understandings and methodologies for determining the commencement and conclusion of Ramadan.

Sociology of Religion

The framework of this research also recognises the importance of social sciences to examine the social and cultural dimensions of moonsighting in Australia. This incorporates examining the roles and responsibilities of Islamic organisations and religious authorities across Australia and

understanding the relationship between moonsighting and the general Muslim community. This is carried out by investigating the impact of technological advancements on the traditional method of physically sighting the moon. To facilitate this study, an anonymous online survey has been conducted to comprehend the methodologies and viewpoints of Australian Muslims, while simultaneously exploring their predisposition towards fostering unity on the issue or embracing the varying opinions and living harmoniously with these differences.[11]

The theoretical framework of this thesis also includes the field of sociology of religion to understand the complex social dynamics and implications of moonsighting within the Australian Muslim community. William Swatos, a modern sociologist, defines this science as:

> Sociology of Religion is the study of the beliefs, practices and organisational forms of religion using the tools and methods of the discipline of sociology. This objective investigation may include the use of both quantitative methods (surveys, polls, demographic and census analysis) and qualitative approaches such as participant observation, interviewing, and analysis of archival, historical and documentary materials.[12]

The sociology of religion is a broad topic that discusses different religious traditions and their social characteristics. However, the sociology of Islam specifically examines the social dimensions, structures and dynamics of Islam as a religion. According to Charles Kurzman, the sociology of Islam arguably emerged with the work of Abd al-Rahman Ibn Khaldun, a North African social scientist of the 14th century.[13] Ibn Khaldun also investigated theories of society, the basis of sovereignty or *'asabiyah* (social solidarity), and the rise and fall of states.[14] The practice

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11 Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting.*

12 William H. Swatos, Jr., ed., "The Sociological Study of Religion," in *Encyclopedia of Religion and Society* (AltaMira Press, 1998), accessed July 12, 2023, http://hirr.hartsem.edu/sociology/about_the_field.html.

13 Charles Kurzman, "Sociologies of Islam," *Annual Review of Sociology* 45 (2019), accessed July 12, 2023, https://doi.org/10.1146/annurev-soc-073018-022641.

14 Mehmet Soyer and Paul Gilbert, "Debating the Origins of Sociology: Ibn Khaldun as a Founding Father of Sociology," *International Journal of Sociological Research* 54, no. 1-2 (2012).

of moonsighting, which is an important tradition in Muslim communities, can be seen as a reflection of *'asabiyah*, where collective participation and agreement are key. This sense of social solidarity not only guides the process of moonsighting but also strengthens the communal atmosphere during the celebrations of the two Eids.

At the same time, moonsighting practices can both reinforce unity and expose divisions within the Muslim community. Historically, moonsighting was a shared activity, where scholars and community members came together to confirm the sighting of the new crescent. This collective approach strengthened ties within the Muslim community, aligning with Ibn Khaldūn's view that common traditions reinforce group cohesion. However, in contemporary settings, differences in moonsighting methodologies, such as whether to follow local or global sighting, or whether to rely on astronomical calculations instead of physical sighting, have led to divisions within communities. Ibn Khaldūn explains that when internal disagreements weaken a group's ʿaṣabiyyah, it becomes vulnerable to external influences.[15]

This idea is highly relevant to contemporary moonsighting debates. When Muslims within the same country fail to reach a consensus on moonsighting, their communal unity is weakened, and many begin deferring to external authorities rather than maintaining local decision-making structures.

Furthermore, the practice of moonsighting is not only religious but also a social phenomenon that is embedded within the lives of Muslim communities, particularly when it comes to celebrating the festivities of the two Eids, which are marked by communal joy and familial celebrations. The integration of the sociology of Islam into this research helps understand the social

[15] Ibn Khaldun, *The Muqaddimah*. Translated by Franz Rosenthal (Princeton University Press, New Jersey, 2005), 188.

dynamics and cultural influences that affect moonsighting practices. It also explores the evolving methodologies among religious authorities as well as within the Muslim community.

The practice of moonsighting during the time of the Prophet was shaped by the social and technological limitations of the era. At that time, the primary means of determining the start of Islamic months was through direct visual observation of the moon with the naked eye. There were no telescopes, advanced astronomical models, or mathematical calculations that could provide precise predictions of moon visibility. The reliance on physical sighting was not only a religious directive but also a practical necessity given the available means of observation at that time.

As Islamic civilisation advanced, Muslim scholars and astronomers such as al-Bīrūnī (d. 1048), al-Tūsī (d. 1274), and Ibn al-Shāṭir (d. 1375) made significant contributions to astronomy and celestial calculations. By the medieval period, Muslims had developed sophisticated methods for predicting moon phases and planetary movements, demonstrating that Islamic science had the capacity to determine lunar cycles with precision. Despite these advancements, the practice across the Muslim world remained visual sighting, as Islamic legal thought continued to prioritise direct ruʾyah (sighting) over alternative methods.

The invention of the telescope in the 17th century marked another technological milestone in astronomical observation. However, even after telescopes became widely accessible, the majority of Islamic scholars and jurists upheld the practice of naked-eye sighting, demonstrating that the acceptance of technological advancements in moonsighting has been gradual and contested. This is particularly relevant in modern debates, where some scholars advocate for the use of telescopes and astronomical calculations, while others continue to uphold the necessity of direct human observation as an essential part of Islamic legal tradition.

A critical aspect of the sociology of religion is understanding how religious practices evolve in response to scientific and technological advancements. In the case of moonsighting, technological progress has not necessarily led to the abandonment of traditional methods. Instead, the interaction between science and religious law has led to continued debate over the role of calculations, visual aids, and human observation in determining the Islamic calendar. By examining this historical trajectory, it becomes clear that the persistence of naked-eye moonsighting is not simply a matter of rejecting science, but rather a reflection of how religious traditions navigate scientific advancements while staying true to religious tradition.

Moreover, the sociology of religion highlights the role of religious authority and power within the context of moonsighting in Australia. Prominent religious authorities, such as the ANIC[16], AFIC[17] and Moonsighting Australia,[18] have a substantial following, with many relying on their statements about the beginning and conclusion of Ramadan. By investigating the influence of these organisations and community leaders in determining the commencement and end of Ramadan, this research seeks to understand how authority is constructed and maintained in relation to moonsighting observances within the Australian context. It further examines how the various religious authorities affect either unity or diversity of opinions among Australian Muslims, while exploring the social consequences of differing views on moonsighting.Lastly, the sociology of religion allows an understanding of how social changes and technological advancements affect moonsighting practices in Australia. This study is an analysis of the impact of globalisation, such as efforts to establish a unified global Islamic calendar based on astronomical calculations by the

16 "Home Page," Australian National Imams Council, accessed September 29, 2024, https://www.anic.org.au/.
17 "Home Page," Australian Federation of Islamic Councils, accessed September 29, 2024, https://afic.com.au/.
18 "Home Page," Moonsighting Australia, accessed September 29, 2024, https://moonsightingaustralia.info/.

Fiqh Council of North America rather than relying on local or regional moonsighting.[19] Further to this, migration contributes to the three-phase theory, which will be discussed later in the theoretical framework. The study also sheds light on the influence of digital technologies, such as astronomical data, on the beliefs and practices of Australian Muslims. One of the key objectives is to uncover the ways in which these social transformations affect moonsighting in Australia. By examining these social aspects that influence moonsighting practices in Australia, this research aims to discover the social elements that contribute to the diversity of opinions and practices observed.

Three-phase Theory

The methodologies employed to determine the commencement and conclusion of Ramadan among Australian Muslims have evolved over time, having been influenced by various factors. This aspect of the research explores the evolution of moonsighting methodologies in Australia through the lens of a three-phase theory. The three-phase theory is a descriptive framework that categorises the evolution of moonsighting practices in Australia into three distinct historical phases based on observable shifts in methodology, community engagement, and religious authority. It is not a formalised theoretical model but rather a structured approach to understanding how Australian Muslims have transitioned in their moonsighting practices over time.

These phases represent periods in time that have shaped the ways in which Australian Muslims navigate the determination of Ramadan and the two Eids. By examining these phases, the research investigates the dynamic nature of moonsighting practices in Australia and the factors that have shaped their development over time. This three-phase theory is predominantly my observation and hypothesis.

[19] "Islamic Calendar," Fiqh Council of North America, accessed September 29, 2024, https://fiqhcouncil.org/calendar/.

The first phase took place in the 1970s and 1980s, when Australian Muslims mostly followed the moonsighting practices of their countries of origin. This group of people were primarily immigrants or first generation individuals who had migrated to Australia from different countries. During this period, cultural factors played a significant role in shaping the methodologies adopted by Muslim communities in Australia. The practice of relying on the moonsighting announcements from their home countries served as a means of connection to their countries of origin. This behaviour aligns with the patterns observed among first generation migrants, who often maintain strong transnational connections and continue to practice cultural traditions from their countries of origin as a way of preserving their identity in a new environment.[20]

The second phase occurred in the 1990s and 2000s, contributing to a significant shift in moonsighting practices among Australian Muslims. As Muslims began to become more proficient in the English language and access to academic resources became widespread, Muslims in Australia began to engage in critical discussions and debates about moonsighting methodologies. This phase saw an emergence of religious authorities and scholars who engaged in scholarly debates on the topic. With increased understanding of the sources of Islamic jurisprudence and methodologies employed by scholars, there was a gradual shift towards adopting more localised approaches to moonsighting. This included practices such as sighting the moon within the boundaries of Australia or regions that share the same time zone as Australia.

In fact, the first national conference of imams took place in Melbourne on 21 November 1998. This event was inaugurated by the participation of over 50 imams and leaders from throughout Australia, with a focus on the moonsighting issue in the nation. During this conference, the scholars collaboratively decided to adopt regional sighting as their methodology, aided by

[20] Jolien Klok et al., "Comparing Generations of Migrants' Transnational Behaviour: The Role of the Transnational Convoy and Integration," *Comparative Migration Studies* 8, art. 46 (2020), https://doi.org/10.1186/s40878-020-00206-0.

imkan al-ru'yah (the possibility of sighting the moon). There was unanimous consensus between the imams that confirmed there existed no contradiction between *Sharīʿah* and astronomical science; hence, astronomical data could be used as an aid to determine the beginning and conclusion of Ramadan. In addition, the imams agreed to acknowledge and accept the sighting in countries within a 'five-hour zone,' which included Australia, Indonesia, Malaysia, Brunei, Singapore, Bangladesh, Sri Lanka and India.[21]

The third phase, covering the 2010s and 2020s, saw the Australian Muslim community face a new set of challenges related to moonsighting. One of the key issues in this phase was the delegation of authority and determining the authoritative position responsible for deciding the commencement of Ramadan and celebration of the two Eids within the Australian Muslim community. With Australia's growing and diverse Muslim population and multiple Islamic organisations, there emerged a need to institute leadership and establish consensus. The issue of authority became more relevant as Muslims sought clarity as well as unity on significant events like the beginning of Ramadan and the dates of the two Eids. This gives birth to the pivotal question of whom Australian Muslims should follow and what rubric constitutes the trust and acceptance of these authorities. As Shaheen Whyte notes, the fatwa landscape in Australia is marked by a plurality of voices, with local imams, online platforms and various organisations issuing religious rulings. This diversity, although enriching, also leads to challenges in establishing a unified religious authority, particularly in a context where diverse groups may adhere to different scholarly opinions and methodologies.[22]

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[21] Amjad Ali Mehboob, First National Conference of Imams, meeting minutes, Melbourne, November 21-22, 1998.

[22] Shaheen Whyte, "Are Fatwas Dispensable? Examining the Contemporary Relevance and Authority of Fatwas in Australia," *Oxford Journal of Law and Religion* 11, no. 2-3 (2022): 320-21, https://doi.org/10.1093/ojlr/rwac015.

Consequently, to address the issue of authority, various issues need to be considered. These include assessing the qualifications and credentials of scholars who are part of the authoritative body, evaluating the level of community recognition and support they accumulate, examining their adherence to established Islamic principles and methodologies, considering their transparency and clarity when they make decisions, and scrutinising their ability to justify the adopted moonsighting methodologies. Hence, establishment of a trusted and reliable authority in moonsighting practices is crucial if unity and consistency within the Muslim community in Australia is to be achieved.

By understanding the historical perspective of moonsighting in Australia within the context of this three-phase theory, the factors that have influenced the evolution of methodologies become even more apparent when it comes to moonsighting. It is vital to comprehend these evolving methodologies and practices to facilitate discussions on unity and consensus within the Australian Muslim community. Additionally, it opens opportunities to explore the viability of establishing a reliable and dependable authority for determining moonsighting methods in Australia.

Given the complexity of this research topic, an interdisciplinary approach has been adopted. This includes integrating knowledge from a plethora of fields such as *fiqh* (Islamic jurisprudence), sociology of religion and the three-phase theory defining the evolution of moonsighting practices in Australia since the 1970s. The theoretical framework will provide a thorough understanding of the issues pertaining to moonsighting from a classical viewpoint as well as through a focused study of the Australian context.

Methodology

This research focuses on investigating the complex issue of moonsighting by using a qualitative research method. The primary sources of Islam – the Qur'ān, Prophetic Ḥadith and *fiqh* – are analysed in depth to gain insights into this multifaceted topic. The research begins with a

comprehensive study of interpretations of Qur'ānic verses related to moonsighting. This involves explaining the opinions and interpretations provided by scholars of *tafsīr* (interpretation). The objective is to investigate the intricacies of their standpoints and analyse the underlying rationales that have shaped their methodological approaches. By studying their explanations and viewpoints, this study unravels the varying opinions of moonsighting and gains deeper understanding of the interpretations of these verses.

Further, the research delves into the Prophetic texts related to the complex subject of moonsighting. It incorporates precise analysis that explores the explanations and meanings of the terminologies found in the Prophetic texts, such as *ru'yah* (sighting) and *aqdirū* (enumerate/calculate). By thoroughly examining the insights presented by classical and modern scholars on these terms, the objective is to compare and evaluate the interpretations and varied opinions related to moonsighting and to identify the majority and minority juristic positions.

To further develop the understanding of the issue of moonsighting, this research comprehensively observes major texts authored by classical and modern scholars, including books of *fiqh.* These texts, which are often substantial in size and scope, offer a wealth of information and are found within voluminous books. Provided these texts largely fall under the scope of *fiqh,* arranged into relevant chapters addressing a mixture of jurisprudential topics, this study carefully selects and examines sections dedicated to moonsighting through the lens of a content analysis method. Through the study of these selected texts, the underlying objective is to attain a deeper understanding of the diverse viewpoints and methodologies adopted by scholars and jurists from different periods, thereby exploring the relationship between moonsighting and Islamic jurisprudence.

Another important aspect of the research involves a survey of secondary sources: analysis of articles and conferences on moonsighting. These sources provide a valuable opportunity to explore

current discussions, debates and scholarly opinions on the topic. By analysing the literature and conferences, the research endeavours to gather additional insights and perspectives that have been discussed by modern scholars to comprehend how the issue of moonsighting has been understood and interpreted by current scholars in light of technological advancements.

Since the research includes a mixed methods approach, it comprises a comprehensive review of the literature on moonsighting from classical sources and Islamic jurisprudence. This review examines the issue from a theological and legal framework perspective, thereby identifying various methodologies employed to establish the determination of the beginning and conclusion of Ramadan. In addition, the research study incorporates an evaluation of publicly available data sourced from the archives of organisations, such as the ANIC, AFIC and Moonsighting Australia. These archives contain statements issued by these organisations over the last decade regarding the beginning and end of Ramadan. A comparative analysis is carried out to pinpoint and assess any disparities in the methodologies employed by these organisations.

To support this analysis, this research draws on the principles of qualitative comparative analysis as proposed by Charles Ragin in the comparative method.[23] Ragin's work emphasises the importance of integrating qualitative and quantitative approaches to better understand complex social phenomena. By applying qualitative comparative analysis, this study not only highlights differences in moonsighting methodologies but also seeks to provide a complete understanding of how these methodologies reflect broader socio-cultural and religious contexts.

Data Collection

The primary sources for this research include Prophetic texts from various books of ḥadith as well as classical and modern books of *fiqh* that discuss the issue of moonsighting. In terms of

[23] Charles C. Ragin, *The Comparative Method: Moving Beyond Qualitative and Quantitative Strategies* (University of California Press, 1989), 185.

the classical *fiqh* sources, the analysis will predominantly involve four major books that represent the four Sunni schools of thought. From the Ḥanafi school, Al-Mawsili's *Al-Ikhtiyār*[24] will be the main source, while Al-Qayrawani's *Al-Nawadir wa al-Ziyadat*[25] will be analysed as the major source from the Māliki school. In Shāfi'i jurisprudence, the major source to be studied will be Al-Mawardi's magnum opus *Al-Hawi al-Kabir*[26] and from the Ḥanbali school, Ibn Qudamah's *Al-Mughni*[27] will be the core source of analysis. For the modern period, a vast range of books, articles and seminars related to moonsighting will be analysed. Two significant resources from this period are Zulfiqar Ali Shah's book[28] and Hamza Yusuf's article.[29]

Additionally, an online survey was conducted to gather data for this research. The survey was designed to understand the perspectives and experiences of Australian Muslims regarding moonsighting practices and its implications on individuals and their families. To ensure a representative sample of the entire Australian Muslim population, the survey was distributed to a diverse group of respondents, including people from various backgrounds and states across Australia. This approach was deliberately undertaken to affirm thorough comprehension of diverse perspectives. The survey was distributed through a range of multiple channels, including renowned Islamic organisations, various social media platforms and comprehensive email lists to ensure a diverse sample of respondents.

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24 Abdullah bin Mahmood Al-Mawsili, *Al Ikthiyar li Ta'lil al Mukhtar* [Explanation of the Chosen] (Dar el-Marefah, 2015).

25 Ibn Abi Zaid Al-Qayrawani, *Al-Nawadir wa Al-Ziyaadaat* [Anecdotes and the Increases] (Dal al-Gharb al-Islami, 1999).

26 Abil Hasan Ali bin Muhammad Al-Mawardi, *Al-Hawi al-Kabeer fi Fiqh Madhab al-Imam al-Shāfi'i* [The Comprehensive Book in the Fiqh of Shāfi'i] (Dar al-kutub al-ilmliyyah, 1994).

27 Abu Muhammad Abdullah bin Ahmad bin Muhammad bin Qudamah, *Al-Mughni* [The Enricher] (Dar Alam al-Kutub, 1986).

28 Zulfiqar Ali Shah, *The Astronomical Calculations and Ramadan* (The International Institute of Islamic Thought, 2009).

29 Hamza Yusuf, *Cesarean Moon Births* (Fons Vitae, 2006).

The proposed sample size considered the percentage distribution of Australian Muslims across different states. It was initially estimated that approximately 1,000 participants will take part in the survey. This sample size was deemed attainable as the significance of the beginning of Ramadan is important for all Muslims and the survey was planned to be conducted immediately after Ramadan, when the response rate was expected to be high. However, the actual response to the survey surpassed initial expectations, with 5,584 individuals across Australia actively participating.[30]

Participant recruitment was carried out through multiple strategies. Islamic organisations, including the ANIC, AFIC, Moonsighting Australia and Victorian Ulama Council, were contacted and asked to distribute the survey to their members. Social media platforms, such as Facebook, X (Twitter) and Instagram, were also used to spread the survey's reach to Australian Muslims. The survey also spread rapidly through WhatsApp messages, which were swiftly circulated among family groups and organisations. Participants were informed of the voluntary nature of their participation and their right to withdraw at any time. Data obtained from incomplete surveys was discarded and, once surveys were completed, withdrawal was not possible due to the anonymity of the collected data. The recruitment period of 4-6 weeks was sufficient as it allowed for a diverse range of participants to respond. Additionally, the survey included a landing page that provided contextual information about the research and offered potential participants the option to proceed with the survey, signifying their consent. Data collection was conducted using NVivo, a qualitative data analysis computer software package produced by Lumivero.

By using an amalgamation of primary and secondary sources, including classical texts, modern books, scholarly articles, participation in seminars and administration of an extensive online survey, this research delivers a comprehensive analysis of moonsighting practices. This

[30] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting.*

multifaceted approach not only anticipates the various methodologies employed in moonsighting, but also seeks to uncover the implications and impact of these diverse practices on the Australian Muslim community. It is, without doubt, the composition of these varying sources that affirms a deeper understanding of moonsighting, incorporating classical and contemporary factors, thereby fostering enrichment of this study.

Data Analysis

The data analysis for this research consists of three key methods. First, content analysis is used to achieve the research objectives. Content analysis, as described by Hsiu-Fang Hsieh, is a widely used qualitative research technique.[31] It is an effective research tool to determine the presence of certain words or concepts within texts or sets of texts.[32] In this study, content analysis is applied to understand the interpretations of Qur'ānic verses relevant to moonsighting and the meanings of selected Prophetic wordings that are subject to dispute among scholars. These interpretations have played a key role in shaping varied opinions regarding the determination of the beginning and conclusion of Islamic months, particularly Ramadan.

Additionally, textual analysis will be incorporated to a large extent to understand the language employed in the primary sources. The focus will be on comprehending the terminologies used in the Prophetic texts that are subject to different interpretations by scholars. This difference in understanding of key terms and related explanations contributes to disagreements on the topic of moonsighting. This can be further exhibited through the explanation given by Jason A. Smith, who affirms:

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[31] Hsiu-Fang Hsieh and Sarah E. Shannon, "Three Approaches to Qualitative Content Analysis," *Qualitative Health Research* 15, no. 9 (2005).

[32] Colorado State University, *An Introduction to Content Analysis*, PDF4PRO, accessed February 8, 2021, https://pdf4pro.com/view/an-introduction-to-content-analysis-d4109.html.

> Textual analysis is a method of study utilised by researchers to examine messages as they appear through a variety of mediums. The data generated for textual analysis can come from documents, films, newspapers, paintings, web pages, and so forth.[33]

By employing textual analysis, this study will explore differences in meanings and interpretations present in the primary sources related to moonsighting.

Lastly, in-depth comparative analysis will be conducted to examine the two principal viewpoints on moonsighting: calculation and physical sighting. This research will compare data collected from various sources[34] to gain insights into the differences in understanding and interpreting texts from the primary sources of Islam. By conducting a comparative analysis, this study evaluates the juxtaposed views and methodologies regarding the issue of moonsighting.

In addition to these analytical methods, the survey conducted as part of this research will contribute valuable insights. The survey encompassed a diverse range of Australian Muslim participants nation-wide and focused on the moonsighting practices and associated beliefs related to the beginning and conclusion of Ramadan. The responses from the survey are analysed to identify common themes, trends and perspectives among the participants.

The data analysis process of the survey involved organising and categorising the data collected through content analysis, textual analysis, comparative analysis and survey responses. This was achieved by identifying themes and patterns, and interpretations were derived to address the research questions and objectives. The findings of the survey have been presented in a comprehensive manner. The final question of the survey was open-ended, which yielded over 2,500 responses. These responses and comments were analysed using thematic analysis to identify recurring themes and patterns within the responses. Comments were then organised and filtered

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[33] Jason A. Smith, *Textual Analysis* (George Mason University, 2017), 731-742.
[34] This includes books of *tafsīr*, ḥadith and *fiqh*.

based on their general suggestions and feedback on the issue of moonsighting. By incorporating qualitative analysis and quantitative data, comprehensive understanding of participants' perspectives and experiences regarding moonsighting practices will be gained.

Strengths and Limitations of the Thesis

Like every research endeavour, this study has its strengths and limitations. Among the several strengths of this research is that it adopts a comprehensive approach by amalgamating analysis of authentic primary sources (the Qur'ān, ḥadith and *fiqh*), thematic analysis of the survey data and analyses of scholarly literature. This comprehensive approach effectively facilitates a detailed explanation of moonsighting practices. Additionally, the thesis is grounded in a strong theoretical foundation as it delves into the primary sources of Islamic law and analyses the scholarly interpretations (*sharh*) regarding these laws. The theoretical background provides a solid framework for examining and analysing moonsighting practices.

Furthermore, the thesis is strengthened as it uses a mixed methods approach that includes qualitative and quantitative data. By employing this approach, it develops the strength and scope of the research findings. Additionally, the inclusion of a substantial online survey enhances the strength of the thesis, aiming to capture a representative sample of perspectives from the Australian Muslim population. This methodology contributes to the applicability and relevance of the findings within the context of Australian Muslims.

However, despite the multiple strengths of this research, the findings cannot be generalised beyond the Australian Muslim population. The research conducted on various religious authorities and data gathered from the survey primarily focused on the Australian Muslim community. It may not fully capture the diversity of perspectives related to moonsighting found in other countries and cultures. In addition, as the research has been conducted within a specific timeframe, it may not

account for potential changes or shifts in new or different methodologies that can be employed in moonsighting practices.

CHAPTER 1:MOONSIGHTING IN THE ISLAMIC TRADITION

The concept of moonsighting is initially referred to in the Qur'ān and Prophetic Traditions, then discussed in classical juristic sources in detail. Most of the literature addressing the subject of moonsighting is found in chapters of larger works, such as *Majmūʿ Fatāwā*,[35] and prominent books from the four Sunni schools of thought,[36] which include Al-Mawsili's *Al-Ikhtiyār*[37] and Al-Subki's (d. 1356) *Fatāwā*.[38] These volumes include concise chapters that discuss the topic of moonsighting in detail. It is pivotal to note that the physical aspect of sighting the moon and calculations method will be discussed distinctively in this research due to the difference of expert opinion on the matter in the four schools of thought.

This chapter will begin with an analysis on moonsighting in the primary sources of Islam, which are the Qur'ān and Prophetic Traditions. Following that, the development of the topic of moonsighting (*ru'yat al-hilāl*) in juristic sources within the classical period among various *Fiqhi* (juristic) schools (*madhhabs*) will be explored at length. The chapter highlights that, although the Qur'ān mentions the moon multiple times, there is no conclusive evidence that sighting of the moon must be carried out physically. Similarly, no verses in the Qur'ān discuss the unity and difference of horizons nor is there specification of a requisite number of witnesses to ascertain the commencement and conclusion of Ramadan.

However, akin to numerous aspects not explicitly covered in the Qur'ān but expounded in authentic Prophetic Traditions, the subject of moonsighting stands as a prime example of such matters. However, the Prophetic Traditions highlight the importance of sighting the moon as a crucial factor in determining the beginning and conclusion of Ramadan, the number of witnesses

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35 Ahmad ibn Taymiyyah, *Majmūʿ Fatāwā* [Compilation of Fatāwā] (King Fahad Complex for the Printing of the Holy Qur'ān, 2004).

36 Ḥanafi, Māliki, Shāfi'i and Ḥanbali.

37 Al-Mawsili, *Al Ikthiyar*.

38 Taqi al-Din al-Subki, *Fatāwā Al-Subuki* [Subki's Fatāwā] (Dar al-Ma'ārif, 2004).

required to make this physical observation as well as considerations regarding the diversity of horizons. This chapter conducts a thorough evaluation of the doctrines within the four respective Sunni schools of thought, with a focus on the requirements for physical moonsighting and considerations regarding the diversity of horizons. By examining these issues distinctively with respect to the perspectives of each corresponding school, a deeper understanding will be attained regarding their nuanced approaches to moonsighting practices, the number of witnesses required and the account of diverse horizons in the context of Ramadan.

1.1 Moonsighting in the Primary Sources

1.1.1 *The Qur'ān*

The Qur'ān mentions the word "moon" (*al-qamar)* 27 times.[39] However, the use of the word is generally broad in most instances and their interpretations are unanimously agreed by all scholars. Only three verses[40] are explicitly related to the topic of moonsighting and scholars differ in their interpretations of these references, thereby leading to differed opinions when it comes to determining the beginning and conclusion of Ramadan.

The Qur'ān states, in the sight of God, there are 12 lunar months:

> God decrees that there are twelve months – ordained in God's Book on the Day when He created the heavens and earth – four months of which are sacred.[41]

This declaration underlines the sanctity of four months each year, but it is the interpretation of these verses that sparks differences among scholars and consequently influences varying perspectives, particularly regarding the month of Ramadan. According to al-Nasafi (d. 1310), a

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[39] Muhammad Fuaad Abdul Baqi, *Al-Mu'jam Al-Mufahras Li Alfaadh Al-Quran Al-Karim* [Dictionary for Words of the Qur'ān] (Dar Al-Ḥadith, 1944), 553.

[40] Qur'ān 2:185, 2:189 and 10:5. All translations of Qur'ānic verses will be from Muhammad A. S. Abdel Haleem, *The Qur'ān: A New Translation* (Oxford University Press, 2004) unless stated otherwise.

[41] Qur'ān 9:36.

theologian and exegete, this verse serves "to clarify that the legal rulings in *Sharīʿah* [Islamic law] are to be determined by lunar months that are calculated by the crescent moons irrespective of the solar calendar."[42] According to this interpretation, the Qur'ān orders Muslims to use the lunar months for religious matters. Additionally, Al-Wāhidi (d. 1075), one of the earliest scholars of Qur'ānic sciences, writes about the occasion of its revelation (*sabab al-nuzūl*):

> The number of months of worship for Muslims is that they would make their year twelve months on the mansions of the moon and the sighting of the crescents, not as the Romans and Persians considered it.[43]

One of the most critical verses on the topic of moonsighting is verse 185 of the second chapter of the Qur'ān, where God states:

> It was in the month of Ramadan that the Qur'ān was revealed as guidance for mankind, clear messages giving guidance and distinguishing between right and wrong. So, any one of you who is present (*shahida*) that month should fast.[44]

There are differences of opinion among scholars regarding the interpretation and understanding of the Arabic word *shahida*. Ibn Abd al-Barr (d. 1070), a Māliki scholar and judge, states, whoever knows with certain knowledge that the month has begun must fast and this can either be a clear and widespread sound sighting or completion of 30 days of the previous month.[45] Further to this, Hamza Yusuf, a contemporary American scholar, asserts: "This is normally understood to mean, 'see it with one's eyes'—in other words, sighting the crescent moon."[46]

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42 Abdullah bin Ahmad bin Mahmood Al-Nasafi, *Madarik al-Tanzil wa Haqaaiq al-Ta'wil (Tafsīr al-Nasafi*) [The Perceptions of Revelation and the Truths of Interpretation] (Maktabah Nazar Mustafa al-Baz, 2009), 425.

43 Ali ibn Muhammad Al-Wāhidi, *Al Wasit fil Quran al-Majid* [The Mediator in the Interpretation of the Qur'ān] (Dar al-Kutub al-Ilmiyyah, 1994), 494.

44 Qur'ān 2:185.

45 Abdullah ibn Muhammad ibn Abd al-Barr, *Al-Istidhkar* [The Recollection] (Dar al-Wagha, 1993), vol. 10, 15.

46 Yusuf, *Cesarean Moon Births*, part 1, 15.

On the contrary, Al-Qurtubi (d. 1272), a famous Andalusian scholar who is well known for his commentary of the Qur'ān, says: "Any of you who are resident (*muqim*) for the month should fast it. This qualifies the command to fast. Whoever is present at the beginning and end of the month should fast as long he is resident."[47] Similarly, Ibn Kathir (d. 1372), a Syrian historian and Qur'ān exegete, mentions in one of the most popular interpretations of the Qur'ān, "This *ayah* [verse] requires the healthy persons who witness the beginning of the month, while residing in their land, to fast the month."[48] Likewise, Mufti Muhammad Shafi (d. 1976), a contemporary Pakistani scholar, indicates in his *tafsīr* that the word *shahida* derives from *shuhud*, which means presence. He further asserts the word *al-shahr* denotes the month of Ramadan. This judgment thus explains it is obligatory for one who is 'present' in Ramadan to fast throughout the month.[49]

Furthermore, some linguistic interpreters of the Qur'ān have highlighted that the meaning of *shahida* refers to being present in the month. Al-Baydawi notes in his *tafsīr*, under the interpretation of this verse, that whoever is present in the month and not travelling should fast.[50] Similarly, al-Nasafi affirms in his *tafsīr* that whoever is present and a resident at the beginning of the month while not travelling must fast.[51]

While some scholars affirm the perspective that the term *shahida* means "sighting the moon," the principal view particularly among scholars of *tafsīr* (classical and modern) is that *shahida* means to witness or be present in the month of Ramadan. This interpretation leads to discussions of moonsighting and calculation, shaping how different opinions are formed as a

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47 Abu Abdullah Al-Qurtubi, *Tafsīr Al-Qurtubi* [Qurtubi's Interpretation], trans. Aisha Bewley (Dar al-Taqwa, 2003), 473.

48 Safi-ur-Rahman al-Mubarakpuri, *Tafsīr ibn Kathir (Abridged)* [Ibn Kathir's Interpretation] (Darussalam, 2000), vol. 1, 501.

49 Muhammad Shafi Usmani, *Ma'āriful Quran* [The Wisdom of the Holy Qur'ān] (Maktaba-e-Darul-Uloom, 1998), 460.

50 Nasir al-Din al-Baydawi, *Anwar al-Tanzeel wa Asrar al-Ta'weel* [The Lights of Revelation and the Secrets of Interpretation] (Dar Ihya al-Turath al-'Arabiyy, 1998), vol. 1, 125.

51 Abul Barakat al-Nasafi, *Madarik al-Tanzeel wa Haqaa'iq al-Ta'weel* [Tafsīr Al-Nasafi] (Dar al-Kalim al-Tayyib,1998), 99.

consequence of these understandings. This verse, alongside its commentary, serves as a key aspect of the thesis to understand the origin of the opinions regarding moonsighting and calculation based on the most important primary source in Islam.

An additional verse mentioned in the Qur'ān on the topic of moonsighting is: "They ask you [Prophet] about crescent moons. Say, 'They show the times appointed for people, and for the pilgrimage."[52] In his interpretation of this verse, Ibn Kathir states the Prophet was asked about the crescent moon and this verse was revealed as a response.[53] Many classical exegetes, including Ibn Kathir, have argued that the times appointed to people mentioned in this verse also refers to other acts of worship, which include almsgiving, fasting, '*iddah*[54] and pilgrimage. Ibn Kathir elaborates, stating, "So that they mark their acts of worship, the '*iddah* (the period of time a divorced woman or a widow is required to wait before remarrying) of their women and the time of their Hajj (pilgrimage to Makkah)."[55] From this, it is sufficient to conclude that the crescent moon serves not only as a guide for the commencement and conclusion of Ramadan, but also plays a role in signalling other key acts of worship.

Sayyid Qutb (d. 1966), a modern Egyptian scholar and exegete, further discusses this verse thoroughly in his commentary of the Qur'ān, engaging into a lengthy discussion on the Qur'ān and scientific truth. He illustrates that, according to certain reports, the Prophet was questioned about the moon's various phases, while other reports suggest the enquiry was about why crescent moons were created. The latter assertion aligns more closely with the answer given in the *surah*: "They are signs for people to mark fixed periods of time, and for the pilgrimage."[56] Qutb then elaborates

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52 Qur'ān 2:189.
53 Al-Mubarakpuri, *Tafsīr ibn Kathir*, vol. 1, 501.
54 Waiting period for a divorced woman or widow before she can remarry.
55 Al-Mubarakpuri, *Tafsīr ibn Kathir*, vol. 1, 524.
56 Sayyid Qutb, *In the Shade of the Quran*, trans. M. Adil Salahi and A. A. Shamsi (The Islamic Foundation, 2002), 218.

on various religious acts of worship other than Hajj by stating, "They serve as a means by which people fix and measure the time of important religious events and activities such as travel, pilgrimage, fasting, marriage and divorce, as well as trade transactions and loan periods."[57]

However, unlike Qutb, Mawdudi (d. 1979), another modern exegete, in his *tafsīr*, does not go into detail of the other acts of worship associated with the verse. Rather, he contends the phases of the moon are nothing but a natural celestial calendar in the sky, indicating dates of the month to the people simultaneously throughout the world. Mawdudi further denotes the reason Hajj has been singled out in this verse is due to its religious, cultural and economic importance to the Arab community.[58]

Another extremely important discussion in this verse centres on the word *ahillah*, which is not only interpreted differently by scholars of *tafsīr*, but is also subject to varying translations. Muhammad Marmaduke Pickthall (d. 1936), a British Muslim scholar, renders the word *ahillah* as "new moons" in his translation.[59] This rendition was also adopted by some modern translators of the Qur'ān, including Muhsin Khan[60] and Mufti Taqi Usmani.[61] However, some scholars offer a different translation for the term. Abdel Haleem, for instance, states in his translation, "They ask you [Prophet] about crescent moons."[62] *Ahillah* has also been translated as phases of the moon by other translators, such as Mawdudi[63] and Mustafa Khattab.[64]

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57 Ibid., 219.

58 Sayyid Abul A'laa Maududi, *Towards Understanding the Qur'ān (Abridged Version of Tafhim al Qur'ān)*, trans. Zafar Ishaq Ansari (The Islamic Foundation, 1988), 150, accessed July 7, 2020, http://www.islamic studies.info/tafheem.php.

59 Muhammad Marmaduke Pickthall, *Roman Transliteration of the Holy Qur'ān* (Qudrat Ullah Co., 2011), 32.

60 Muhammad Taqi-ud-Din al-Hilali and Muhammad Muhsin Khan, *Translation of the Meanings of the Noble Qur'ān in the English Language* (King Fahd Complex for the Printing of the Holy Qur'ān, 1996), 52.

61 Taqi Usmani, *Quran-e-Karim English Translation*, Noor-e-Hidayat, accessed July 1, 2020, http://www.noorehidayat.org/index.php?p=alquran.

62 Abdel Haleem, *The Qur'ān*, 21.

63 Maududi, *Towards Understanding the Qur'ān*, 150.

64 Mustafa Khattab, *The Clear Qur'ān*, accessed July 1, 2020, https://quran.com/2/189-199?translations=20,85,17, 101,102,84,18,19,95,22.

Consequently, numerous interpretations are provided on the word *ahillah*. These interpretations are not only limited to scholars of *tafsīr*; but scholars from other fields have also offered detailed discussions on this matter. Ibn Taymiyyah (d. 1327), a Sunni Muslim scholar, explains in his seminal work, *Majmūʿ Fatāwā*, that the new moon is called *hilāl* because it is witnessed and sighted by the eyes, and information obtained through the eyes, or visual observation, is considered the most accurate.[65] He adds that its root word leads to appearance and announcement, either through listening or sighting.[66]

On the contrary, Khalid Shaukat, a modern scientist and astronomer as well as the founder of moonsighting.com and the Moonsighting Committee Worldwide, argues that the Qur'ān does not mention the word *hilāl* at all; rather, the word *ahillah* is found.[67] He affirms the term *ahillah* refers to the waxing and waning shapes of the moon, and has been wrongly translated as "new moons" in most 20th century translations.[68] Hence, according to Shaukat, *ahillah* does not mean "new moons" nor is it the first moon of different months (which is called *hilāl*). Shaukat's view challenges the classical understanding of the word *hilāl* and contradicts lexical works. From this, most scholars who have explored the concept of *hilāl* do not mention the varying shapes of the moon in their definition.

The final verse that will be discussed here is verse 5 of chapter 10, where Allah states: "It is He who made the sun a shining radiance and the moon a light, determining phases for it so that you might know the number of years and how to calculate time."[69] Similar to the previous verse and differences in understanding *ahillah*, the word *hisāb* in this verse has been translated and

65 Ibn Taymiyyah, *Majmūʿ Fatāwā*, 136.
66 Ibid.
67 Qur'ān 2:189.
68 Khalid Shaukat, "Moon in Quran, Sunnah, & Fiqh," in *Frequently Asked Questions about Moon-sighting,* accessed July 2, 2020, https://www.moonsighting.com/faq_ms.html#Fiqh.
69 Qur'ān 10:5.

interpreted differently by scholars. Some scholars recognise the term *hisāb* as reckoning, while others interpret it as calculation. Arthur J. Arberry (d. 1969), a British Orientalist and scholar in Arabic and Islamic studies, translates this verse as: "It is He who made the sun a radiance, and the moon a light, and determined it by stations, that you might know the number of the years and the reckoning."[70] This translation is supported by Edward Henry Palmer,[71] Pickthall,[72] Muhammad Muhsin Khan,[73] Mawdudi[74] and various others. However, Taqi Usmani[75] and Mustafa Khattab[76] have translated *hisāb* as the calculation of time. It is evident that scholars have ascribed different connotations to specific words in their interpretations.

Khalid Shaukat takes a different stance, emphasising the importance of using the knowledge bestowed on humanity by God, including science and mathematics, to determine the timing of lunar months. He argues that abandoning calculations would be akin to abandoning other forms of knowledge that God has granted for the benefit of mankind as he writes:

> We should give up writing too if we were asked to give up calculations. Think rationally, that Allah has given us the knowledge which we must use for the benefit of mankind and for establishing the truth and justice, in the way Allah and His Rasool please. We must not remain blind from the facts of existence of science, mathematics, and all other *ʿulūm* that Allah has bestowed upon us.[77]

Shaukat sees the verse as endorsing the use of these tools to establish truth and justice in a manner pleasing to God and His Messenger. This interpretation provides a rationale for the use of astronomical calculations in determining the beginning and end of lunar months, a point that will

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70 Arberry, *The Holy Koran*, 89.
71 Palmer, *The Qur'ān*, 193.
72 Pickthall, *Roman Transliteration*, 230.
73 Al-Hilali and Khan, *Translation of the Meanings*, 270.
74 Maududi, *Towards Understanding the Quran.*
75 Usmani, *Quran-e-Karim.*
76 Khattab, *The Clear Qur'ān*, accessed July 7, 2020, https://quran.com/10.
77 Shaukat, *Frequently Answered Questions about Moonsighting*.

be further explored in Chapter 2, where moonsighting practices in the modern period are discussed. While Shaukat's interpretation challenges common translations, it does not override the well-established juristic and lexical consensus that *hilāl* refers to the crescent as a sign of the new month.

The verses and evidence above demonstrate that moonsighting plays a significant role in Islamic rituals, serving as a marker for religious observances, including fasting and pilgrimage. However, while the Qurʾān mentions the moon, months, and the concept of timekeeping, it does not explicitly mandate a specific method for determining the start and end of Ramadan. The interpretation of key terms such as *ahillah* and *hisāb* has led to differing scholarly views, some advocating for naked-eye moonsighting, while others support the use of astronomical calculations. As a result, the *Qurʾānic* text provides the foundational principles for determining lunar months but leaves room for interpretative flexibility, which has influenced the diversity of *fiqhi* opinions on moonsighting. Despite the Qur'ān's frequent mentions of the moon, *hilāl* and months, there is no conclusive evidence that stipulates the sighting of the moon must be carried out physically to determine the commencement or conclusion of lunar months, particularly the month of Ramadan.

1.1.2 Prophetic Traditions

Unlike Qur'ānic verses, there are numerous Prophetic Traditions regarding moonsighting and subsequent interpretations of these texts. In fact, Ibn Taymiyyah quotes 32 traditions of the Prophet in his book pertaining to moonsighting.[78] However, most of these traditions carry the same meaning but are expressed in different terms by their narrators. This analysis will focus on a few of these prominent texts. The different interpretations and understandings of the Prophetic texts are the primary cause for disputes on the issue of moonsighting, thus many opinions have emerged

[78] Ahmad ibn Taymiyyah, *Ru'yatul Hilāl Wal Hisāb Al-Falaki* [Sighting the Moon and Astronomical Calculations] (Dar Tayyibah lin Nashr wat Tawzee,' 1992).

as a result of these divergent interpretations. The first primary ḥadith relevant to this study is accompanied by its Arabic text.

صُومُوا لِرُؤْيَتِهِ وَأَفْطِرُوا لِرُؤْيَتِهِ فَإِنْ غُمِّيَ عَلَيْكُمْ فَأَكْمِلُوا الْعَدَدَ

Muslim, in his *Sahih*, narrates: "Observe fast on sighting it (the new moon) and break (fast) on sighting it (the new moon), but if the sky is cloudy for you, then complete the number (of thirty)."[79]

Similar traditions are found in multiple other books of ḥadith by different narrators. Among these are:

صُومُوا لِرُؤْيَتِهِ، وَأَفْطِرُوا لِرُؤْيَتِهِ، فَإِنْ غُبِّيَ عَلَيْكُمْ فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثَلاَثِينَ

> Observe fast on sighting it (the new moon) and break (fast) on sighting it (the new moon), and if clouds prevent you from seeing it, complete thirty days of *Sha'bān*.[80]

لا تَصُومُوا قَبْلَ رَمَضَانَ صُومُوا لِرُؤْيَتِهِ وَأَفْطِرُوا لِرُؤْيَتِهِ فَإِنْ حَالَتْ دُونَهُ غَيَايَةٌ فَأَكْمِلُوا ثَلاَثِينَ يَوْمًا

Similarly, it is narrated by Tirmidhi: "Do not fast before Ramadan. Fast with its sighting, and break fast with its sighting, and if it is obscured from you, then complete thirty days."[81]

Prophetic Traditions, explicitly documented in Bukhari and Tirmidhi, respectively align with the reports found in Muslim and have mutual understandings about moonsighting. They not only corroborate one another, but also provide a cohesive affirmation about the significance of moonsighting when it comes to determining the commencement of the Ramadan fasting month. The consensus within these revered collections of *aḥādith* reinforces the principle that fasting in

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79 Muslim, *Sahih Muslim*, book 13, ḥadith no. 21, trans. Abdul Hamid Siddiqui, accessed July 7, 2020, https://sunnah.com/muslim/13/21.

80 Bukhari, *Sahih al-Bukhari*, book 30, ḥadith no. 19, trans. M. Muhsin Khan, accessed August 25, 2020, https://sunnah.com/bukhari/30/19.

81 Tirmidhi, *Jami` at-Tirmidhi*, book 8, ḥadith no. 7, accessed August 25, 2020, https://sunnah.com/tirmidhi/8/7.

Ramadan is intrinsically linked to visual observation of the moon, illustrating the precise guidance provided in classical texts.

The Arabic word used in the Prophetic Traditions for sighting the new moon is *ru'yah*. It is the interpretation of this word from which disagreement on physical sighting and calculation stems. However, classical scholars of ḥadith have harmoniously construed this word to mean visual sighting. One such scholar is Māliki Ibn Al-Arabi (d. 1148), who explains the ḥadith "fast when the crescent is sighted" and points out the text is clear and decisive. According to him, the obligation of fasting in Ramadan, including determining its beginning and conclusion, is contingent on the physical sighting of the moon. Al-Arabi further justifies this perspective by asserting that sighting is the unambiguous criterion given for the obligation of fasting and its determined length.[82]

Additionally, Imam Nawawi (d. 1277), a Shāfi'i scholar, has compiled a chapter in the book of fasting titled "Obligation of Fasting Ramadan upon Sighting the Crescent." He references 18 *aḥādith* and addresses a plethora of issues derived from these texts.[83] These issues will be explored in Chapter 2. As for the word *ru'yah,* which appears in multiple narrations, Imam Nawawi writes that its meaning refers to sighting by some Muslims, not obligating every individual to personally sight the moon. Thus, it is deemed sufficient for the entire community if two just people were to sight the moon. Further to this, Ibn Qayyim Al-Jawziyyah (d. 1350), a Ḥanbali scholar, presents multiple narrations of the Prophet in his book regarding moonsighting in conjunction with the narrations quoted earlier. He argues that, among the traditions of the Prophet, it is explicitly stated that he would not begin the month of Ramadan unless there was a confirmed sighting or the

[82] Abu Bakr ibn al-Arabi, *'Āridat al-Ahwadhi bi Sharh Sahih al-Tirmidhi* [A Model of Al-Ahwadhi in the Explanation of Sahih al-Tirmidhi] (Dar al-Kutub al-'Ilmiyyah, 2006), 203-205.

[83] Abu Zakariya Yahya bin Sharaf Al-Nawawi, *Sharh Al-Nawawi 'Alā Muslim* [Nawawi's Explanation of Sahih Muslim] (Baytul Afkaar Al-Dawliyyah, 2009), 680-681.

testimony of someone who witnessed the crescent. In the absence of a sighting or credible witnesses, the Prophet would complete the full 30 days of the month of Sha'bān.[84]

Although studies on this Prophetic tradition have examined the differences of opinion among scholars about the meaning of the word *ru'yah*, there has been no discussion on whether the act of sighting the moon must be undertaken with the naked eye or if an apparatus can be used. As such, this study aims to shed additional insight into these aspects, acknowledging that the complexities of the subject of moonsighting go beyond the realm of physical sighting or calculation.

Another extremely important *ḥadith* on the topic of moonsighting that is debated by scholars is the following saying of the Prophet:

لاَ تَصُومُوا حَتَّى تَرَوُا الْهِلاَلَ وَلاَ تُفْطِرُوا حَتَّى تَرَوْهُ فَإِنْ أُغْمِيَ عَلَيْكُمْ فَاقْدِرُوا لَهُ

> Do not fast till you see the new moon, and do not break fast till you see it; but if the weather is cloudy calculate (*aqdiru*) about it.[85]

A similar narration is found in *Muwatta* by Imam Mālik:

> Do not begin the fast until you see the new moon, and do not break the fast (at the end of Ramadan) until you see it. If the new moon is obscured from you, then work out (when it should be).[86]

To thoroughly analyse these traditions, it is important to reference other similar narrations, as most of the arguments presented by scholars revolve around these narrations collectively and are not focused on merely one. It is stated in another variation of the ḥadith by Al-Nasa'i: "Do not fast before Ramadan. Fast when you see it and stop fasting when you see it, and if clouds prevent

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84 Ibn Qayyim al-Jawziyyah, *Zād al-Ma'ād fi hadyi khayril 'Ibād* [Provisions of the Hereafter in the Guidance of the Best of Servants] (Mu'assasah al-Risalah, 2009), 186.

85 Muslim, *Sahih Muslim*, book 13, ḥadith no. 4, accessed July 27, 2020, https://sunnah.com/muslim/13/4.

86 Malik, *Muwatta Malik*, book 18, ḥadith no. 1, accessed July 28, 2020, https://sunnah.com/malik/18.

you from seeing it, then complete thirty (days)."[87] This narration differs from the previous two in that it explicitly mentions the completion of 30 days of the month of Sha'bān. A corresponding narration reported by Imam Bukhari confirms a similar perspective: "Allah's Messenger said: The month (can be) 29 nights (i.e. days), and do not fast till you see the moon, and if the sky is overcast, then complete Sha'bān as thirty days."[88]

Consequently, the above narrations introduce two key points for further discussion. First, the discussion revolves around the word 'see' (*ru'yah*), which has already been highlighted in the analysis of the first narration. Second, the discussion centres on the Arabic words *aqdirū*, which is translated as enumerate or calculate, and *akmilū*, which means to complete. The arguments related to these terms are intricately linked with the text of the ḥadith "if the sky is cloudy." There have been disputes between scholars about what the term *aqdiru* mentioned in these narrations refers to, leading to varying translations and interpretations. These disputes will be covered in detail in Chapter 2.

Furthermore, there are two Islamic schools of thought when it comes to an overcast sky and the non-sighting of the moon due to obscurity. A minority of classical scholars have deployed mathematical calculations in confirming or negating the month of Ramadan in case of obscurities. In fact, the first person to adopt this opinion traces to the generation of Muslims who followed the companions of the Prophet (referred to as *tabi'ūn*), known as Mutarrif bin Abdullah al-Shikhir.[89] Qadi Iyad (d. 1149), a Moroccan scholar, writes in his explanation on *Sahih Muslim* that Mutarrif

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87 Ahmad an-Nasa'i, *Sunan An-Nasa'i*, book 22, ḥadith no. 41, accessed July 28, 2020, https://sunnah.com/nasai/22/41.

88 Bukhari, *Sahih al-Bukhari*, book 30, ḥadith no. 17, accessed July 29, 2020, https://sunnah.com/bukhari/30/17.

89 Jamal Al-Din Al-Mizzi, *Tahdhibul Kamāl fi Asmā al-Rijāl* [Refinement of Perfection in Men's Names] (Mu'assasah al-Risalah, 1992), vol. 28, 70.

held the opinion of using calculation in case it was cloudy on the 29th of Sha'bān.[90] Other classical scholars that held this opinion are Ibn Surayj, Ibn Qutaybah and Al-Subki.[91]

Conversely, the second view is that the text refers to the completion of 30 days of Sha'bān in the case of cloudy weather. This opinion is endorsed by the majority of scholars (*jumhur*) as stated by the Shāfi'i scholar Zayn Al-Din Al-Iraqi (d. 1403).[92] Furthermore, Ibn Taymiyyah elaborates on this matter as he mentions a number of scholars alongside the four scholars of Sunni thought who reject the use of calculation and argue that the phrase "*aqdirū lah*" refers to the completion of 30 days.[93]

Lastly, Al-Jaziri (d. 1941), an Egyptian scholar and author of a comprehensive and contemporary *fiqh* book that entails the four Sunni schools of thought, elaborates on this matter by explaining that, if the sky is clear, the commencement of Ramadan depends on sighting the new moon and fasting may not begin unless the new moon has been sighted. However, if there are clouds in the sky, a complete 30 days for Sha'bān should be observed.[94] He adds the viewpoint of the four schools of thought by stating this ruling is adopted by the Ḥanafis, Mālikis and Shāfi'is. The Ḥanbalis differ from the other three schools if there are clouds in the sky based on the other Prophetic ḥadith that has been mentioned earlier: "And if you are unable to see it (due to cloud cover, etc.), then make (an estimated) allowance for it." The Ḥanbalis take the phrase "Then make (an estimated) allowance for it" to mean "make provision for it by fasting."[95]

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90 Qadi Ayyad, *Ikmaalul Mu'lim Bi Fawaa'id Muslim* [Commentary of Sahih al-Bukhari by Qadi Ayyad] (Darul Wafaa littaba ati wan Nashri wat Tawzee,' 1998), vol. 4, 8.

91 Abu Zakariya Yahya bin Sharaf Al-Nawawi, *Al Majmu' Sharh al-Muhadhab* [The Complete Explanation of the Muhadhab] (Maktbatul Irshad, 2008), 276.

92 Zain al-Deen al-Iraqi, *Tarh al-Tathrīb fi Sharh al-Taqrīb* [Subtracting the Algorithm to Explain the Approximation] (Daar Ihyaa al-Turaath al-Arabiyy, 2008), 107.

93 Ibn Taymiyyah, *Ru'yatul Hilāl Wal Hisāb Al-Falaki*, 29-32.

94 Abd al-Rahman al-Jaziri, *Islamic Jurisprudence according to the Four Sunni Schools*, trans. Nancy Roberts (Fons Vitae, 2009), 735.

95 Ibid.

The discussion based on the above narrations highlights the differences of opinion on whether it is permissible to use astronomical calculations to determine the beginning and conclusion of Ramadan. It is evident that some scholars permit the use of calculations in their entirety, while others permit them only during overcast weather conditions. Conversely, there are also scholars who categorically and completely prohibit the use of calculations and insist the moon must be sighted as a mandatory obligation.

Another critical ḥadith that is often discussed on the issues around moonsighting is the narration from *Sahih Bukhari*:

إِنَّا أُمَّةٌ أُمِّيَّةٌ، لاَ نَكْتُبُ وَلاَ نَحْسُبُ الشَّهْرُ هَكَذَا وَهَكَذَا

> Narrated Ibn `Umar: The Prophet said, "We are an illiterate nation; we neither write, nor know accounts. The month is like this and this, i.e. sometimes of 29 days and sometimes of thirty days."[96]

This ḥadith is used as evidence for some scholars who argue that astronomical calculations can be used to determine the beginning and ending of Ramadan. Shaykh Ahmad Shakir, an early 20th century Egyptian scholar, advocates for the use of astronomical calculations. In his work, he argues that the prohibition in the ḥadith was specific to the context of the time when most people were illiterate and unable to use calculations accurately. He believed, with the advancements in astronomy, calculations could be used to determine the start of the lunar months.[97]

Additionally, Shaykh Yusuf al-Qaradāwi (d. 1444), a contemporary scholar, supports the use of astronomical calculations. He interprets this ḥadith as referring to a specific historical context,

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[96] Bukhari, *Sahih al-Bukhari*, book 30, ḥadith no. 23, accessed September 3, 2024, https://sunnah.com/bukhari: 1913.

[97] Ahmad Muhammad Shakir, *Awa'il al-Shuhur al-'Arabiyyah Hal yajuzu Shar'an Ithbātuha bil hisab al falaki* [The Beginning of Islamic Months: Is it Permissible according to Islamic Law to Confirm the Beginnings of the Arabic Months using Astronomical calculations?] (Mostafa Bab Halabi & Sons Press, 1939), 13.

arguing that modern technological advancements allow for precise calculations that were not possible at the time of the Prophet.[98]

Mustafa al-Zarqā (d. 1420) also highlights the original reasoning behind Prophet Muhammad's instruction to rely on physical sighting of the moon for the start and end of Ramadan was due to the fact that Muslims were an unlettered community with no knowledge of precise astronomical calculations. However, al-Zarqā argues that, if reliable and accurate astronomical knowledge becomes available, allowing for certain and precise determination of the moon's phases, there would be no *Sharīʿah* objection to relying on such calculations. He suggests this approach could resolve the recurring issues and confusion around moonsighting, which sometimes leads to differences of up to three days in the start of Ramadan across different Muslim countries.[99]

On the contrary, scholars who argue that sighting the moon is necessary to determine the start and end of Ramadan have also commented on this ḥadith and explained that it cannot be used as evidence to permit the use of calculation. Ibn Taymiyyah mentions in his *Fatāwā* that some of the companions knew how to write and calculate.[100] Ibn Hajar further states this narration negates the concept of calculation and therefore strengthens the opinion for the necessity of sighting.[101]

Furthermore, the Central Hilāl Committee of North America compiled a book *Moonsighting Essentials*, which states:

> The ḥadith is not referring to the legal rationale (*'illah*) behind avoiding calculations, but rather the wisdom (*hikmah*) as to why the *ummah* (nation) does not need to pursue any

98 Yusuf al-Qaradawi, *Taysir al-fiqh* [Simplification of Fiqh] (Mu'assasah al-Risalah, 1993), 29-30.

99 Mustafa al-Zarqā, *Hawl i'timad al-hisab al-falaki li-tahdid bidayat al-shuhur al-qamariya, hal yajooz shar'an aw la yajooz?* [Regarding the Adoption of Astronomical Calculations to Determine the Beginning of Lunar Months: Is it Permissible according to Islamic Law or not?], accessed September 3, 2024, https://shamela.ws/book/8356/855.

100 Ibn Taymiyya, *Majmūʿ Fatāwā*, vol. 25, 207.

101 Ibn Hajar al-'Asqalani, *Fathul Bari* [Grant of the creator], (Darussalam, 2000), vol. 4, 163.

other method for determining their months. There is a vast difference between *ʿillah* and *hikmah*, namely, that the former necessitates a ruling while the latter does not.[102]

This clearly differentiates between *ʿillah* (legal rationale) and *ḥikmah* (wisdom) in the context of moonsighting. It clarifies that the ḥadith does not prohibit calculations due to illiteracy as some argue, but rather emphasises that the ummah does not need to rely on them. This distinction is used as evidence for the necessity of physical sighting over astronomical calculations.

The Prophetic Traditions clearly stipulate that the moon needs to be sighted to begin the month of Ramadan. However, an important question arises: does this requirement demand physical sighting with the naked eye, or can it be fulfilled using optical aids? Additionally, can astronomical calculations be used as an alternative method for determining the start of the month?Prophetic TraditionsOne ḥadith, "We are an illiterate nation; we neither write, nor know accounts," has been cited by scholars like Yusuf al-Qaradāwi, Ahmad Shakir and Mustafa al-Zarqā to justify the use of calculations. However, the majority of classical scholars do not interpret this ḥadith as evidence for using calculations. Instead, they view it as a directive to avoid calculations and rely on physical sighting of the moon.

This is further supported by the fact that the majority of ḥadith on this topic emphasise the necessity of physically sighting the moon, according to the consensus of scholars. Only a few scholars use a single ḥadith to support the notion of calculation, making it a minority view. This discussion on the physical aspect of moonsighting and permissibility of calculations will be further explored in Chapter 2.

[102] Central Hilal Committee of North America, *Moonsighting Essentials* (Zakhira Books, 2024), 81.

1.1.3 Moonsighting in Islamic Jurisprudence

As stated earlier, most of the literature on the topic of moonsighting is found within chapters of larger volumes, which are discussed in classical juristic sources under specific titles. These books were mostly written during the classical period. This section will analyse the topics associated with moonsighting within the framework of the four Sunni jurisprudential schools of thought (Ḥanafi, Māliki, Shāfi'i and Ḥanbali).

1.1.3.1 The commencement and termination of Ramadan by sighting the moon

The Ḥanafi school of thought stipulates that sighting the moon is necessary for determining the commencement and conclusion of Ramadan. The 13th century Ḥanafi scholar Al-Mawsili writes in his book *Al-Ikhtiyār*,[103] which serves as a manual for Ḥanafi jurisprudence and has been an authority for centuries, that it is incumbent on people to sight the moon on the 29th night of Sha'bān at sunset.[104] Another significant Ḥanafi source in Islamic jurisprudence, Al-Marghinani (d. 1197), states that sighting the moon for Ramadan is obligatory. He asserts in his book *Al-Hidayah*[105] that it is an obligation on people to sight the moon on the 29th of Sha'bān and if they see the moon, they must begin fasting, but if they do not sight the moon, the 30 days of Sha'bān should be completed.[106]

In addition, the 12th century scholar Al-Kasāni's (d. 1191) *Badā'i al-Sanā'i*[107] clearly states that entering the month of Ramadan is only confirmed by sighting the moon if the sky is clear; however, if it is overcast, the 30 days of Sha'bān must be completed based on the Prophetic ḥadith.

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103 Al-Mawsili, *Al Ikthiyar li Ta'leelil Mukhtaar*.
104 Ibid., 166.
105 Burhanuddin Abil Hasan al-Marghinani, *Al-Hidayah Sharh Bidayatul Mubtadi* [The Guidance: An Explanation of Bidayatul Mubtadi] (Idaratul Qur'ān wal Uloom al-Islamiyyah, 1996).
106 Ibid., vol. 2, 244-45.
107 Alaa' Ul-Deen Abi Bakr ibn Mas'ood Al-Kasāni, *Badā'i Al-Sanā'i* [Unseen Artistry] (Dar al Kutub al Ilmiyyah, 2003).

If the moon of Shawwal is also not seen due to obscurities in the sky, the full 30 days of Ramadan need to be completed.[108]

As such, it is evident there is no dispute among the Ḥanafi scholars that the decision pertaining to the commencement and conclusion of the month of Ramadan should only be made by sighting the moon. However, there is no clear indication about whether this sighting necessitates physical observation or optical aids is permitted. The key factor contributing to this ambiguity is the unavailability of equipment during the classical period that could have facilitated the practice of moonsighting.

Similarly, the Māliki school of thought also stipulates that sighting the moon is necessary for determining the beginning and end of Ramadan. In his book, Al-Qayrawani discusses this issue thoroughly as he asserts that Ramadan does not begin until the moon has been sighted. He further stipulates, if the weather is overcast, the 30 days of Sha'bān need to be completed. Similarly, the same methodology is to be followed at the conclusion of Ramadan.[109]

The 12th century Andalusian Māliki scholar, Ibn Rushd (d. 1198), reinforces in his work *Bidayat al-Mujtahid*[110] that the criterion for the determination of Ramadan is based on sighting the new moon.[111] He provides further clarification, stating that "by 'sighting' here is meant the first appearance of the new moon after the declining sun."[112]

Thus, this is another key evidence that reinforces the role of physically sighting the moon when determining the beginning of Ramadan. However, Egyptian Māliki scholar al-Qarafi (d. 1286) expresses this matter in a unique manner by enumerating six ways of confirming the moon:

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108 Ibid., 573.
109 Al-Qayrawani, *Al-Nawadir wa Al-Ziyaadaat*, 3/5.
110 Muhammad bin Ahmad bin Muhammad ibn Rushd, *Bidayatul Mujtahid wa Nihayatul Muqtasid* [The Distinguished Jurist's Primer] (Maktabah ibn Taymiyyah, 1994).
111 Ibid., 142.
112 Ibid.

a person sights it, a public sighting, a sighting in front of a *hakim* (ruler), the news of one person's sighting in a place where there is no Muslim leader or there is a leader but he does not attend to the needs of his people, or the sighting of the moon is taken from another country where the moon was sighted.[113] Each of these six points given by al-Qarafi require the moon to be sighted for determining the beginning of Ramadan.

Another important Māliki source also stipulates that the moon must be sighted for Ramadan to commence. In fact, al-Hattab (d. 1548) discusses this issue in his book *Mawahib al-Jalīl*[114] under a separate subheading, "Ramadan begins with the completion of Sha'bān." In this section, al-Hattab discusses various issues pertaining to determining the beginning of Ramadan. He states that Ramadan commences with one of two things: sighting the moon or completion of the previous month due to cloudy weather.[115]

Based on the above views from major scholars of the Māliki school of thought, it is evident that sighting the moon for the commencement and conclusion of Ramadan is deemed an essential requirement. However, akin to the Ḥanafi school, there are no clear indications whether this sighting needs to be carried out with the physical eye or if technological aids can be used.

Similar to the Ḥanafi and Māliki schools of thoughts, the Shāfi'i school also emphasises that Ramadan should only begin once the moon has been sighted. A comprehensive encyclopedia on Shāfi'i jurisprudence, written by the 11th century Shāfi'i scholar al-Mawardi (d. 1059), emphasises the Shāfi'i viewpoint on sighting the moon for Ramadan by stating "Ramadan does not become obligatory until the moon has been sighted or 30 days of Sha'bān have been completed.[116]

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113 Shihab al-Deen Ahmad bin Idrees al-Qarafi, *Al-Dhakheerah* [The Ammunition] (Dar al-Gharb al-Islami, 1994), 488.

114 Abu Abdullah Muhammad bin Muhammad Al-Māliki Al-Hattab, *Mawahib al-Jalīl fi sharh Mukhtasar al-Shaikh Khalīl* [An Explanation of Khalil's Concise Text] (Dar al-Ridwan, 2010).

115 Ibid., 145.

116 Al-Mawardi, *Al-Hawi al-Kabeer fi Fiqh*, vol. 3, 407.

This point is further emphasised by Al-Shirazi (d. 1084), who was a prominent Shāfi'i Iraqi scholar and considered a great jurist of his time. His book *Al-Muhadhab*[117] is deemed a comprehensive manual of Islamic law in the Shāfi'i school. Al-Shirazi writes that Ramadan does not become mandatory until the moon has been sighted and, if the sky is obscured, then the 30 days of Sha'bān are to be completed.[118] Al-Nawawi (d. 1277), a 13th century Shāfi'i scholar, also writes similarly that the fasting of Ramadan begins by the completion of 30 days of Sha'bān or sighting the moon.[119]

It is clear from the above discussion and summary that the Ḥanafi, Māliki and Shāfi'i schools collectively stipulate that Ramadan only commences after the moon has been sighted. However, akin to others, the Shāfi'i school also does not indicate whether the sighting is required physically or technology can be used.

Lastly, the Ḥanbali school also asserts that Ramadan begins with the sighting of the moon. Numerous major resources from the Ḥanbali jurisprudence emphasise this point. Ibn Qudamah (d. 1224) writes in *al-Mughni*[120] that, on the 29th of Sha'bān, the moon needs to be sighted and if the weather does not permit sighting, fasting should not begin.[121] Nonetheless, al-Mardawi (d. 1223) presents two views of the Ḥanbali school pertaining to the commencement of Ramadan. He states, if the moon is not sighted due to cloudy weather, fasting should begin the following day; however, in another narration, fasting does not begin until the moon has been sighted.[122] This differs from what Ibn Qudamah states in his book regarding the beginning of Ramadan as the view of the

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117 Abu Ishaq Ibrahim bin Ali Al-Shirazi, *Al-Muhadhab fil fiqh al-imam al-Shāfi'i* [The Rarefaction on the Jurisprudence of Imam al- Shāfi'i] (Dar al-Qalam, 1992).

118 Ibid., vol. 2, 592.

119 Abu Zakariya Yahya bin Sharaf al-Nawawi, *Minhaj al-Talibeen wa 'Umadtul Muttaqeen* [Platform for Students and Mayor of Muftis] (Dar al-Minhaaj, 2005), 178.

120 Ibn Qudamah, *Al-Mughni*.

121 Ibid., vol. 4, 325.

122 'Alā' al-Deen Abil Hasan Ali bin Sulaiman al-Mardawi, *Al-Insaaf fi mar'ifat al-Raajih minal Khliaaf* [Fairness in Knowing the most Correct of the Disputed Matters] (Matba'ah al-Sunnah al-Muhammadiyyah, 1955), vol. 3, 269.

Ḥanbali school is explicit in this matter, maintaining that, when the moon is not sighted due to overcast conditions, fasting does not begin the next day. Al-Mardawi nevertheless quotes the 14th century Egyptian Shāfi'i scholar Taqi al-Deen (d. 1355), who clarifies this by writing there is no proof that Imam Ahmad, the originator of the Ḥanbali school of thought, stated fasting should begin the day after the moon is not sighted due to clouds.[123]

Ibn Taymiyyah (d. 1328), a prominent Ḥanbali scholar, quotes 32 traditions of the Prophet in his book pertaining to moonsighting[124] in an attempt to emphasise the importance of sighting the moon for Ramadan. After quoting numerous Prophetic Traditions, Ibn Taymiyyah mentions a few points that are derived from these traditions, with the most important being that all the Prophetic texts regarding moonsighting emphasise that Ramadan begins only by sighting the moon and it ends by sighting the moon of Shawwal.[125] This is further reinforced by Ibn Muflih, who asserts the beginning of Ramadan is marked by sighting the moon or completion of the 30 days of Sha'bān.[126]

There is clear evidence to assert that the consensus among all four Sunni schools of thought is that the moon needs to be sighted to determine the commencement and conclusion of Ramadan. However, the scholars of the classical era did not discuss whether this sighting should be conducted with the naked eye or if any technology, such as optical aid, could be used. The prime reason for this gap in discussion is that technological advancements, such as telescopes or other equipment, had not advanced to a level where they could aid in determining the beginning and end of Ramadan.

123 Ibid.
124 Ibn Taymiyyah, *Ru'yatul Hilāl Wal Hisāb Al-Falaki*, 16-27.
125 Ibid., 27.
126 Shamsuddin Muhammad ibn Muflih, *Al-Furoo'* [The Branches] (Mu'assasah al-Risalah, 2003), vol. 4, 409.

1.1.3.2 Number of witnesses required for the beginning and end of Ramadan

Besides sighting the new moon, some *aḥādith* indicate that a certain number of witnesses are required for establishing the beginning and end of Ramadan. As this is a factor connected to sighting the moon, this section will analyse these *aḥādith* and the corresponding juristic opinions. When it comes to the requisite number of witnesses expected to determine the beginning and end of Ramadan, there are differences between the four Sunni schools of thoughts. These discrepancies arise due to the different Prophetic Traditions each school relies on for its evidence. One tradition states: "Ibn 'Umar said that the people tried to see the new moon and he informed God's Messenger that he had seen it, so he fasted and commanded the people to observe the fast."[127]

Another narration from al-Tirmidhi states:

> Ibn 'Abbas narrated: "A Bedouin coming to the Prophet and saying he had seen the new moon, i.e. the new moon of Ramadan. He asked him whether he testified that there is no god but God and he replied that he did. He then asked if he testified that Muhammad is God's messenger, and when he replied that he did he said, Bilal, announce to the people that they must fast tomorrow."[128]

Both reports indicate only one witness is required. However, al-Nasa'i (d. 303) quotes a ḥadith where there is a requirement of two witnesses:

> Abdur-Rahman bin Zaid bin Al-Khattab addressed the people on the day concerning which there was doubt (as to whether the month had begun) and said: "I sat with the Companions of the Messenger of Allah and asked them, and they narrated that the Messenger of Allah said: 'Fast when you see it and stop fasting when you see it, and

[127] Khatib Al-Tabrizi, *Mishkat al-Masabih* [A niche for lamps], book 7, ḥadith no. 23, trans. James Robson, accessed March 2, 2022, https://sunnah.com/mishkat:1979.

[128] Abu `Isa Muhammad At-Tirmidhi, *Jami` at-Tirmidhi* [*Tirmidhi's* collection], book 8, ḥadith no. 23, accessed March 2, 2022, https://sunnah.com/tirmidhi:691.

perform the rites on that basis. If it is obscured, then complete thirty days, and if two witnesses testify then fast and stop fasting.'"[129]

Due to the differences in these narrations, scholars of the four Sunni schools of thought require different numbers of witnesses in determining the beginning and conclusion of Ramadan.

In fact, within the Ḥanafi school, there are differences in the number of witnesses required and these variations extend to determining the commencement and conclusion of Ramadan, as well as the weather conditions. According to Al-Mawsili (d. 683), if the sky is cloudy or obscured due to any other reason, the testimony of one just (*adl*) person is sufficient, and if the sky is clear, the testimony of a larger group of people is required.[130] He adds that it is compulsory for people to search for the moon of Shawwal on the 29th of Ramadan, but if the sky is overcast, the testimony of two men or one man and two women is accepted.[131] This is different to the beginning of Ramadan where the testimony of a man or woman can be accepted in the event of an obscured sky.[132] Although Al-Mawsili specifies the number of witnesses required in an obscured or overcast condition, the number of a larger group is not clearly stipulated.

Contrary to Al-Mawsili, Al-Marghinani elaborates on the size of the larger group required to commence Ramadan. He writes, if there are no obstructions in the sky, a testimony will not be accepted unless it is conducted by a large group of people whose reliance cannot be rejected.[133] He further states that accepting the testimony of a sole person in such a situation may lead to errors. Hence, the testimony of a large group of people is required.[134] Al-Marghinani explains a "large group of people" refers to people within the same locality. He establishes, according to Abu Yusuf

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129 an-Nasa'i, *Sunan an-Nasa'i*, book 22, ḥadith no. 27, accessed March 2, 2022, https://sunnah.com/nasai:2116.
130 Al-Mawsili, *Al Ikhtiyar*, 167.
131 Ibid., 168.
132 Muhammad bin Abdul Rahman al-Ḥanafi al-Haskafi, *Durr al-Mukhtār fi Sharh Tanwīr al-Absār* [The Chosen Pearl: A Commentary on 'Illumination of the Eyes], (Dar al-Kutub al-Ilmiyyah, 2002), 144.
133 al-Marghinani, *Al-Hidayah*, II/102.
134 Ibid.

(d. 799), a disciple of Abu Ḥanifah, the number of people sighting the moon in clear conditions is 50, irrespective of whether they are from the same locality.[135]

Similarly, Al-Kasāni explains the criteria for initiating Ramadan, stating that if the sky is clear, the testimony of one person is insufficient; rather, there needs to be testimony from a group of people. According to Abu Yusuf, this group should consist of 50 people but, according to Khalf bin Ayyub (d. 821), a prominent scholar of the Ḥanafi school of thought, the number should be 500. Alternatively, some sources state one or two people must testify from each mosque.[136] One important addition by Al-Kasāni is that he quotes a verdict from al-Hasan (Hasan bin Ziyad, d. 820), who was a student of Abu Ḥanifah, and he narrated from Abu Ḥanifah that the testimony of one fair person is acceptable. This perspective aligns with one of two narrations attributed to Imam Shāfi'i. However, Al-Kasāni explores this matter further, affirming that the reason the testimony of one person is acceptable is because it pertains to *khabar* (news) rather than testimony, as the number of people required is only a condition for testimony. Nevertheless, if the sky is obscured, Ḥanafi jurisprudence accepts the testimony of one reliable person, whereas the Shāfi'i jurisprudence dictates that two reliable individuals must testify.[137] This is because the sighting by only a few people on a clear night is intrinsically questionable, making the requirement for a large number mandatory.

Although the Ḥanafi school agrees that sighting the moon is a condition for entering the month of Ramadan, it is understood that the number of required witnesses varies between the Ḥanafi scholars when the sky is clear.

However, the Māliki viewpoint on the number of witnesses required to commence Ramadan does not differentiate between a clear or obscured sky. Al-Qayrawani (d. 996) writes in one of the

135 Ibid., II/102-103.
136 Al-Kasāni, *Badā'i Al-Sanā'i*, 573.
137 Ibid., 574.

major resources of the Māliki school of thought that Ramadan does not begin or end unless two fair witnesses have testified to sighting the moon.[138] He further asserts, if the witnesses are not just or fair, their testimony is not to be taken and the same applies to the testimony of a forgetful individual or child.[139]

Ibn Rushd (d. 1198), a Māliki scholar, also emphasises that it is not permitted to commence or cease fasting based on the testimony of less than two trustworthy men.[140] The Māliki view on this matter is further emphasised by al-Qarafi, who states if a single person sights the moon, his testimony is not accepted; however, he must fast by himself and if he does not fast, he will be penalised (*kaffarah*).[141]

In fact, the Māliki view states that even a leader who sights the moon cannot make it obligatory on his people to begin fasting based solely on his sighting. As articulated by al-Hattab, who writes the moon must be sighted by two fair individuals, the testimony of a single person is not accepted even if a leader sighted the moon. The leader cannot instruct or mandate his people to commence fasting until a second witness comes forward to corroborate his sighting.[142]

The Shāfi'i school differs slightly from the Māliki school. Imam al-Shāfi'i articulated a book within Shāfi'i jurisprudence in which he asserts, if the general public does not sight the moon of Ramadan but it is sighted by one fair person, the testimony of that individual should be accepted.[143] This is the view of the Shāfi'i as well as the Ḥanafi school, which differs from the Māliki jurisprudence in which two fair people are required to sight the moon and the testimony of one is

[138] Al-Qayrawani, *Al-Nawadir wa Al-Ziyaadaat*, 3/5.
[139] Ibid., 3/7.
[140] Ibn Rushd, *Bidayatul Mujtahid wa Nihayatul Muqtasid*, 145.
[141] Al-Qarafi, *Al-Dhakheerah*, 492.
[142] Al-Hattab, *Mawahib al-Jalīl*, 152.
[143] Muhammad ibn Idrees al-Shāfi'i, *Al-Umm* [The Mother] (Dar al-wafaa, 2001), 232.

rejected. However, according to the Shāfi'i school, the conclusion of Ramadan requires two witnesses to testify sighting the moon.[144]

Nevertheless, according to certain scholars within the Shāfi'i school, the testimony of one person can be acknowledged. Al-Shirazi outlines two views when it comes to sighting the moon for determining the beginning of Ramadan. The first view implies that two testimonies are required, while the second view maintains that a single testimony is sufficient, with the latter being considered correct.[145] He further asserts there are two views if the testimony comes from a slave or woman. First, the testimony of a slave or woman is acceptable and falls under the category of a single testimony, and the second opinion, deemed the correct one, argues against its acceptance. Additionally, al-Shirazi states that two witnesses are essential to sight the moon to determine the end of Ramadan.[146]

Another classic primer in Shāfi'i jurisprudence, *Minhaj al-Talibīn*, written by al-Nawawi, stipulates there are two valid views when it comes to the number of witnesses required to commence Ramadan. He elaborates this by stating the sighting needs to come from one fair person and, according to some opinions, two individuals. However, a crucial condition is stressed concerning the person making the sighting – he must be known to be just.[147]

Although the Shāfi'i school stipulates that two witnesses are required to sight the moon for the commencement of Ramadan, some scholars within the school argue that the testimony of one fair person is also acceptable.

144 Ibid.
145 Al-Shirazi, *Al-Muhadhab*, 595.
146 Ibid., 596.
147 Al-Nawawi, *Minhaj al-Talibeen*, 178.

The Ḥanbali school of thought also has multiple views when determining the beginning of Ramadan based on number of witnesses. There are also differences of opinion regarding a single person who sights the moon –- should they begin fasting based on their sighting or fast with others?

Ibn Taymiyyah explains the dispute among jurists pertaining to a sole person who sights the moon at the beginning or end of Ramadan. He asserts there are three views in the Ḥanbali school as well as others. First, the sole sighter should begin and end fasting alone; second, they should begin and end fasting with the people; and third, they should begin fasting alone but end it with the people.[148]

On the contrary, al-Mardawi (d. 885) states the testimony of one person is sufficient to determine the beginning of Ramadan. However, he asserts an alternative opinion suggesting that two witnesses are required, as a minimum of two witnesses is required for the rest of the months.[149]

All four Sunni schools of thought agree that the month of Ramadan begins and ends by sighting the moon. However, they differ on the number of required witnesses due to the various narrations of the Prophet. The disagreement among the schools about the number of witnesses required also confirms the notion that sighting the moon is a physical requirement, otherwise the number of witnesses would not matter. The scholars also disagree regarding the ruling of a person who sights the moon alone. Additionally, the Ḥanafi school differentiates between a clear and obscured sky. The reason for these differences is due to the diverse Prophetic texts in relation to the issue. The differences of opinions among the four Sunni schools of thoughts are further heightened in countries characterised by diversity, where numerous Muslims adhering to different schools of thought live, such as Australia, America, Canada and the UK. The number of witnesses required to begin Ramadan may not align across different schools; what may be deemed sufficient

[148] Ibn Taymiyyah, *Majmūʿ Fatāwā*, 25/103.
[149] Al-Mardawi, *Al-Insaaf*, vol. 3, 274.

in one school may fall short in another. This implies that Ramadan may not begin or end on the same day due to these differences. Figure 1 summarises the number of witnesses required according to each school.

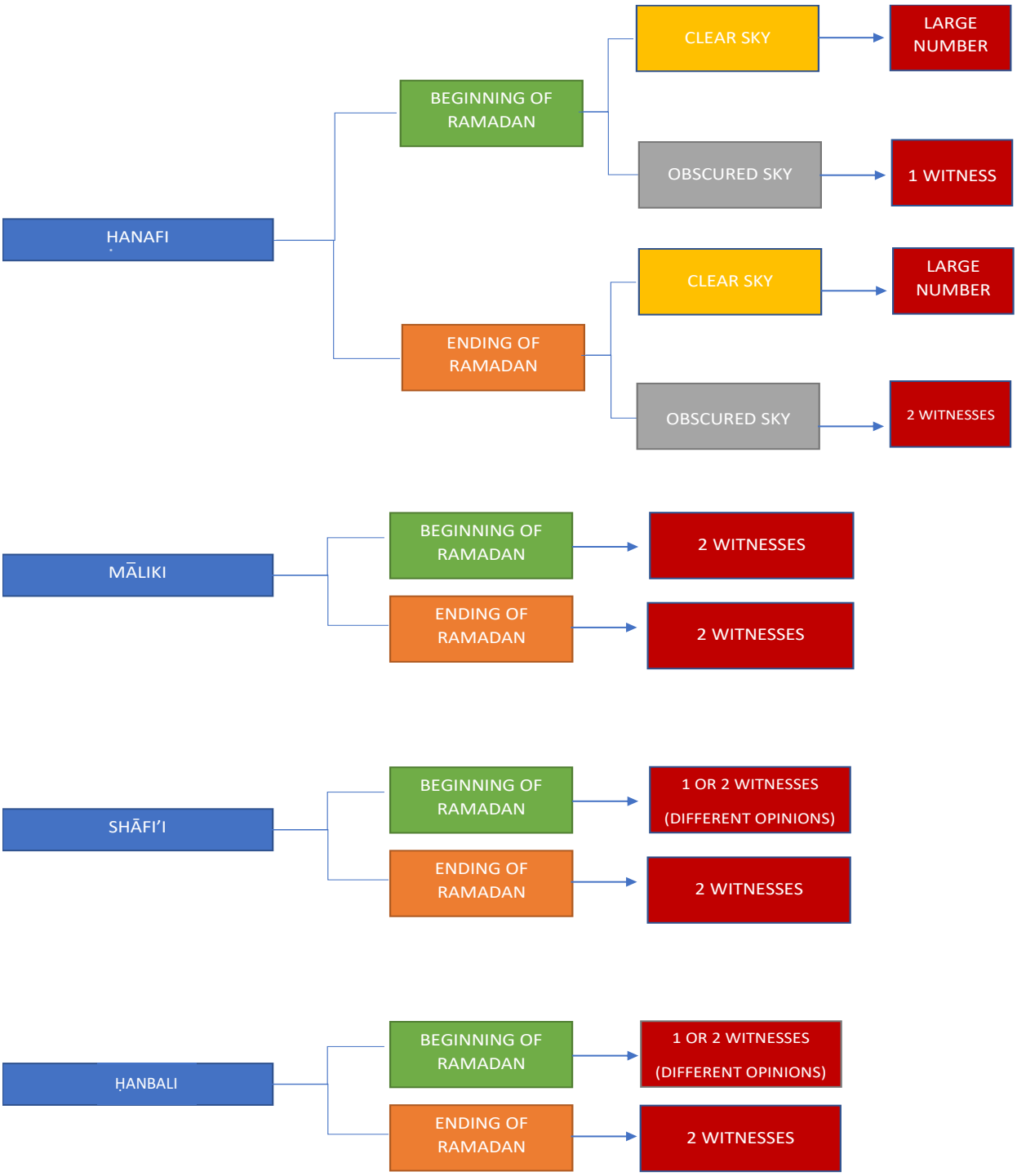

Figure 1. Summary of witness requirements for the four Sunni schools of thought

This figure shows that, across all Sunni schools of thought, there is general agreement on the requirement of one or two witnesses to confirm the sighting of the moon for the beginning and end of Ramadan. The Ḥanafi school is unique in requiring a larger number of witnesses when the sky is clear but calls for just one witness for the start and two for the end of Ramadan if the sky is obscured. These differences highlight the careful thought that Islamic scholars have put into this issue, showing the importance placed on ensuring accuracy and community agreement in the practice of moonsighting. The variety of opinions also reflects the depth of consideration given to this matter in Islamic law, emphasising its significance in religious observance.

1.1.3.3 Unity and difference of horizons

Another extremely important topic relevant to moonsighting, discussed by classical scholars, is the issue of difference in horizons (*ikhtilaful matali'*) and unity of horizons (*ittihadul matali'*). This is also referred to as global and local moonsighting. For example, if the moon is sighted in Australia, does it mandate the rest of the world to follow the sighting from Australia or does each country conduct its own sighting? Although this topic has been discussed by scholars of the classical period, scholars in the modern era have major disputes about global and local sighting.

The prominent verdict in the Ḥanafi school of thought is that, if the moon is sighted in one country, it mandates all other countries to follow its sighting. Al-Mawsili states, if the moon is sighted in any country, it becomes obligatory on everyone to begin fasting, irrespective of their location.[150] He also affirms that this is the view of Qadi Khan[151] and al-Sarakhsi[152] (prominent Ḥanafi jurists). Further to this, Ibn ʿAbidin (d. 1252) asserts that a sighting by one country mandates all other countries to follow their sighting irrespective of where they are located and this

[150] Al-Mawsili, *Al Ikthiyar*, 168.
[151] Full name: Al-Hasan ibn Mansur al-Farghani Qadi Khan (d. 1196).
[152] Full name: Muhammad bin Ahmad al-Sarakhsi (d. 1090).

is the view of the Ḥanafi school of thought as well.[153] The evidence presented by the Ḥanafi school from the ḥadith – "Fast upon its sighting" – is general and does not address a locality, thus addressing all Muslims.[154]

Although the majority of the classical Ḥanafi scholars agree in the unity of horizons, some later scholars of the school accepted the concept of different horizons. These include al-Zayla'i and Al-Kasāni, who assert that, if the distance between the two countries is close, there is unity of horizons; however, if the distance is far, there is no concept of unity of horizons.[155]

The Māliki school of thought also agrees with the notion of global sighting. This is evident from al-Qayrawani, who writes in *Al-Nawadir wa al-Ziyadat* that if a certain country begins fasting on a specific day and comes to know that another country had begun fasting before them, it becomes necessary for them to make up the fast of a missed day (after attaining certainty).[156] Ibn Rushd further clarifies this matter by posing a question:

> Is it obligatory upon the people of one region, if they have not sighted the moon, to adopt the sighting of another region or is sighting necessary for every region?[157]

He then quotes the verdicts of some prominent scholars who concluded that one region may take the sighting of another region and make up a day of fast if it was missed. However, he also includes the views of some scholars, such as Ibn al-Majishun and Al-Mughira (both disciples of Imam Mālik), who assert that a sighting based on a report does not bind other regions to follow them unless their leader instructs them to do so.[158] Similarly, Al-Qarafi emphasises the Māliki

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153 Muhammad Amin ibn Umar Abidin, *Radd al-Muhtaar ala al-Durr al-Mukhtaar* [Guiding the Baffled to the Exquisite Pearl] (Daar Aalam al-Kutub, 2003), 364.
154 Hasan bin 'Ammar bin Ali al-Shurunbali, *Maraqi al Falah sharh Nurul Idah* [The Ascension to Success: A Commentary on 'The Light of Clarification], (Dar Qubaa, 2002), 370.
155 Al-Kasāni, *Badā'i Al-Sanā'i*, 2/573.
156 Al-Qayrawani, *Al-Nawadir wa Al-Ziyaadaat*, 3/7.
157 Ibn Rushd, *Bidayatul Mujtahid wa Nihayatul Muqtasid*, 148.
158 Ibid.

view on global sighting by stating, if the moon is sighted in a particular country, all other countries that come to know of this sighting must follow that country.[159]

The Ḥanafi and Māliki schools stipulate that sighting for one country mandates all other countries to follow. However, the Shāfi'i school holds a different opinion from the Ḥanafi and Māliki schools. Al-Mawardi states three opinions are formed if one country sights the moon and another country is not able to sight it. The first view is that it becomes incumbent on all countries to begin fasting based on the sighting of any country. The second view is that one country is not obliged to follow the sighting of another country due to the diversity of horizons.[160] Al-Mawardi also provides an example to strengthen this argument by articulating that the sun sets and rises at different times in different countries; hence, the moonsighting will vary from one country to another. The third view is that if the countries are from one province (*iqlīm*), they can follow the sighting of their neighbour; however, if they are not a part of the same province, it does not become mandatory on them to follow the sighting.[161]

In contrast, a slightly different view is presented by the Shāfi'i scholar al-Shirazi, who writes, if the moon is sighted in a particular country and is not sighted in another country, then several considerations should be taken into account: if the countries are close in terms of their geographical proximity, their ruling is unified and they must begin fasting. However, if the countries are situated at a considerable distance, the obligation to begin fasting does not extend to the country where the moon was not sighted.[162] This view is similar to the view of the later Ḥanafi scholars, such as Zayla'i and Al-Kasāni.

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159 Al-Qarafi, *Al-Dhakheerah*, 492.
160 Al-Mawardi, *Al-Hawi al-Kabeer*, vol 3, 409.
161 Ibid.
162 Al-Shirazi, *Al-Muhadhab*, vol. 2, 593.

Al-Nawawi elaborates on what constitutes a distant country by stating the distance is similar to that which abridges the mandatory prayers (*qasr*). In another account, he describes it as a significant distance within the horizons.[163] This is also the view of Ibn al-Qasim, Ibn Wahb and al-Muzani.[164] The evidence for this view is the ḥadith of Kuraib, where he says:

> I saw the crescent moon in Syria on Friday night, and I came to Madinah where Ibn Abbas questioned me about it. He then asked, "Did you see the moon?" I said, "Yes, I saw it." He said, "But we saw it on Saturday night, so we will continue fasting until we complete thirty days or until we see it ourselves." I said, "Isn't the sighting of Muawiyah and his fasting sufficient for you?" He replied, "No, this is how the Messenger of Allah commanded us."[165]

Unlike the Shāfi'i school, the Ḥanbali view on global sighting is evident in the major resources of the school. Ibn Qudamah asserts, if the moon is sighted in one country, all other countries need to begin fasting.[166] He further elaborates by stating, according to other views, if the distance between the countries is near, such as the proximity between Baghdad and Basrah,[167] then it becomes incumbent on them to fast based on the sighting of one. However, if the distance is considerable, such as the distance between Iraq, Hejaz and Syria, then each country relies on its own moonsighting.[168] This suggests the Ḥanbali school includes global and regional sighting considerations, depending on the views of its scholars. While some Ḥanbali scholars advocate for

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163 Al-Nawawi, *Minhaj al-Talibeen*, 178.

164 Sayyid Sabiq, *Fiqhus Sunnah* [The Jurisprudence of the Sunnah], (Dar al-ḥadith, 2004), 291.

165 Al-Nasā'i, *Sunan al-Nasā'i*, book 22, ḥadith no. 22, accessed September 1, 2024, https://sunnah.com/nasai:2111.

166 Ibn Qudamah, *Al-Mughni*, vol. 4, 328.

167 Both are cities in Iraq and the distance between them is approximately 530km.

168 Ibn Qudamah, *Al-Mughni*, vol. 3, 328. The distance between Iraq and Hejaz is approximately 1,023km and between Hejaz and Syria is roughly 1,107km. "Hejaz is a geographical region that comprises most of the western part of modern-day Saudi Arabia and is centred on the two holiest Muslim cities—Mecca and Madina. William Ochsenwald, "Hijaz," *Oxford Bibliographies*, July 24, 2018, accessed September 29, 2020, https://www.oxfordbibliographies.com/view/document/obo-9780195390155/obo-9780195390155-0085.xml.

a global sighting approach, others emphasise the importance of local or regional moonsighting when significant distances are involved.

Ibn Taymiyyah also explains this view in further detail by stating there is uncertainty as to whether the sighting at one place is valid for all places. However, Ibn Abd al-Barr narrates there is *ijmā'* (consensus) that the disagreement is restricted to places with similar horizons, whereas for places such as Andalusia and Khurasan, there is no disagreement that the sighting in one place is invalid for the other.[169] Nonetheless, the view presented by Ibn Taymiyyah, in accordance with the Ḥanbali school, is that one sighting is sufficient for all regardless of distance.

Ibn Taymiyyah goes beyond articulating his perspectives and refutes the arguments presented by scholars who claim that each country has its own sighting or scholars who limit moonsighting to different horizons. Ibn Taymiyyah contends these views are inherently weak and presents his own arguments to counter them.[170]

The Ḥanafi, Māliki and Ḥanbali schools agree that a sighting in one country mandates all other countries to follow. However, the Shāfi'i school and one opinion from the Ḥanbali school varies by differentiating between neighbouring countries and those that are distant. The difference among the schools further heightens in the modern era due to the broad followership of each school of thought in most Western countries. For example, in Australia, there are followers of each Sunni school of thought. The Muslims in Australia grapple with the challenge of consensus on whether to accept the moonsighting of a neighbouring country, given the variations present in the given school of thought. This issue further intensifies even within the Ḥanafi school as a group of people follow the classical viewpoint that mandates one country follow the sighting of others while others follow the view of the later scholars who accept the notion of differing horizons. Despite the Ḥanafi

[169] Ibn Taymiyyah, *Majmūʿ Fatāwā*, 25/103.
[170] Ibid.

view's clear emphasis on the unity of horizons as derived from classical sources, there are major disputes in the modern era when it comes to global and local sighting. These disputes will be further examined in Chapter 2.

1.1.3.4 The use of calculation to determine the beginning and ending of Ramadan

Many of the classical scholars did not discuss the permissibility or impermissibility of the use of calculation to begin and end Ramadan. It is clear that all four Sunni schools of thought require the moon to be sighted in order to determine the commencement and termination of Ramadan. However, the method of sighting was not elaborated by most of the scholars because physical sighting was the only method available at the time. Despite this, there are references in the texts of the four Sunni schools from later scholars that address the use of calculations.

The Ḥanafi view on calculation is clear from what Ibn Abidin writes:

> The statement of the astronomers is not taken into consideration. Furthermore, the book Al-Mi'raj states: Their sayings are not taken into consideration by scholarly consensus and it is not permissible for the astronomer to fast relying on his own calculation.[171]

Muhammad Ali al-Sabuni (d. 1442), a modern Ḥanafi scholar, writes: "The month of Ramadan is established by sighting the crescent moon, even if it is seen by just one trustworthy person, or by completing the count of Sha'ban to thirty days. Calculations and astronomy are not to be considered."[172]

Similarly, the Māliki viewpoint on calculation is the same. In fact, Imam Mālik has stated that if an imam chooses to begin and end their fast not by sighting the moon, but by calculations,

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171 Ibn Umar Abidin, *Radd al-Muhtaar ala al-Durr*, vol. 3, 354.

172 Muhammad Ali al-Sabuni, *Rawā'iʿ al-Bayān Tafsīr Āyāt al-Aḥkām* [The Splendours of Elucidation: An Exegesis of Verses of Legal Rulings] (Mu'assasah Manahil al-'Urfan, 1980), vol. 1, 210.

they are not to be obeyed or followed in prayers.[173] Qadi Abul Waleed (d. 1080) further asserts that one should make up the days of fast that began based on calculations, rather than sighting.[174] Sheikh Ahmad Zarruq (d. 1493), another Māliki scholar, says in his commentary on *Risalat ibn Abi Zayd*: "It is apparent from his words that no attention should be given to those who follow astronomical calculations, and this is the truth."[175]

The classical Shāfi'i view also rejects the notion of using calculations. Al-Ramli (d. 1671), a 17th century Shāfi'i scholar, writes in his comprehensive book of fatwa that:

> The Prophet did not depend upon calculations at all but absolutely negated it by his statement that we are an unlettered nation, we neither write nor calculate. Ibn Daqiq al-Eid stated that calculations cannot be the source of confirming the fasting (of Ramadan).[176]

Imam al-Nawawi provides the rationale for rejecting the calculations method in his book by stating it will cause people difficulty if it was required. He maintains the method of calculation is known only to a few people living predominantly in large cities. Consequently, he asserts that the majority position aligns with the correct view and any other position contradicts the authentic sayings of the Prophet.[177] However, the reason given by al-Nawawi regarding the use of calculations may no longer be applicable in today's time and age as the accessibility of information has changed. Perhaps, at the time of Imam al-Nawawi, it was well known that knowledge of calculations was scarce and not many people were equipped with this skill; hence, it would have been extremely difficult for the public to access such information.

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173 Abul Waleed Sulaiman bin Khalaf al-Baji, *Al-Muntaqa Sharh al-Muwatta Imam Malik* [The Selected Explanation of the Muwatta of Malik] (Matba'ah Sa'aadah, 1914), 38.

174 Ibid.

175 Muhammad al-Dusuqi, *Hashiyat al-Dusuqi 'ala al-Sharh al-Kabir* [Al-Dusuqi's Commentary on Al-Sharh Al-Kabir] (Dar Ihya al-Kutub al-Arabiyyah, 2013), vol. 1, 509-510, https://archive.org/details/HashiyatDassughi/addassou9i-1/page/n553/mode/2up.

176 Shihab al Din Ahmad bin Ahmad Al-Ramli, *Fatāwā al-Ramli* [The Fatwas of al-Ramli]. (Al-Maktabah al-Islamiyyah, 1971), vol. 2, 59.

177 Al-Nawawi, *Al Majmoo' Sharh al-Muhadhab*, vol 6, 276.

Ibn Hajar Al Haitami (d. 974) further asserts in *Tuhfatul Muhtaj*: "Fasting in Ramadan becomes compulsory through completing Sha'bān or the sighting of the Crescent, not according to an astrologer or a *Hasib* (one who calculates), and it is not permitted for anyone to follow them."[178] Another Shāfi'i jurist, Shamsud-din Ar-ramli (d. 1005), writes:

> We can also understand from the words of the author (*Al-Nawai*) that the sighting of the crescent can be established by sighting even if astronomical calculations state that there is no possibility of sighting because the legislator (Allah and His Prophet) did not depend on astronomical calculations but in fact totally ignored it, and this is the truth as my father (Ash-shihab Ar-ramli) gave a Fatwa accordingly.[179]

Despite the views presented by prominent Shāfi'i scholars such as Imam al-Nawawi, there was a shift in accepting the method of calculation as valid and even binding in the classical period. The first person associated with this transition in the Shāfi'i school was Imam Taqi al-Din al-Subki (d. 1370). Al-Subki writes in his *Fatāwā* that *Sharīʿah* has established the determination of the lunar month by either sighting the moon or completing 30 days, based on consensus among the scholars. There is no disagreement on this matter. Another issue arises when astronomical calculations suggest the moon has been born and the time elapsed indicates its potential visibility. Can we then commence fasting based solely on the moon's potential visibility? Scholars have debated this issue. Those who argue against commencing the fast solely based on astronomical calculations rely on ḥadith, which is the correct opinion among the scholars. Conversely, those who support the permissibility of starting the month based on the potential visibility of the moon argue analogously to accepting an astronomer's testimony for prayer times when the sky is obscured. Although this opinion has been endorsed by some prominent scholars, the more accurate

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[178] Ibn Hajar Al-Haythami, *Tuhfatul Muhtaj* [The Gift for the Needy] (Matba'ah Mustafa Muhammad, 2016), vol. 3, 373-374.

[179] Shmsud-din al-Ramili, *Nihayat al-Muhtaj ila Sharh al-Minhaj* [The Ultimate Need for the Explanation of Al-Minhaj] (Dar al-Fikr, 1984), vol. 3, 153.

view is to rely on ḥadith. Calculations are not entirely dismissed; they serve to estimate the likelihood of visibility. The commencement of a new month, however, is mandated by *Sharīʿah* and established through direct sighting. Unlike prayer times, where the margin of error is relatively small, moon visibility calculations have a broader margin of error. When calculations suggest the moon is extremely close to the sun, making sighting improbable, any contrary testimonies are considered dubious. In such cases, the calculated impossibility is deemed decisive (*qaṭʿi*), while the testimony of moonsighting is considered speculative (*zanni*) unless substantiated by clear evidence.[180]

This statement from Subki has been interpreted by some modern scholars, such as Yusuf al-Qaradāwi, to justify the use of astronomical calculations in determining the beginning and ending of Ramadan. Al-Qaradāwi emphasises this point by stating: "So how would it be if Subki lived in our time and saw the advancements in astronomy—or *'al-Hay'ah'* as they used to call it—some of which we have hinted at?"[181] This suggests that if Subki was aware of the sophisticated tools and methods available today, he might have endorsed the use of calculations even more strongly.

In support of this view, Ahmad Shakir, also cites Subki's *fatwa* in his writings. Shakir, who initially disagreed with the reliance on calculations, eventually conceded that Subki's position was correct. He went further, advocating for the obligatory use of astronomical calculations in all cases where they can be accurately applied.[182] This represents a significant shift from the reliance on naked-eye sighting, demonstrating how contemporary scholars are re-evaluating classical jurisprudence in light of modern scientific advancements.

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[180] Taqi al-Din Subki, *Fatāwā al-Subki* [Subki's Fatwas] (Maktabatul Qudsi, 1937), vol. 1, 218-219.

[181] Yusuf Al-Qaradawi, *Al-Hisāb al-Falaki wa Ithbaat Awaai'l al-Shuhoor* [Astronomical Calculations and Confirmation of the Months' Beginnings], 1, accessed September 2, 2022, https://www.cia.gov/library/abbottabad-compound/index_converted_documents.html.

[182] Shakir, *Awa'il al-Shuhur*, 9-10.

Moreover, Zulfiqar Ali Shah expands on this interpretation by noting that Imam Taqi al-Din al-Subki regarded calculations as potentially more reliable than naked-eye sighting.[183] Shah's analysis reinforces the argument that, given the precision of modern astronomical methods, the reliance on calculations could be seen as a more accurate and dependable method for determining the beginning of lunar months in Islam. These perspectives collectively highlight a trend among contemporary scholars to reconsider traditional methods in the light of technological advancements, acknowledging the evolving nature of Islamic jurisprudence in response to new knowledge and tools.

While numerous modern scholars have endorsed Subki's *fatwa* and used it to justify the use of astronomical calculations, a significant number of scholars do not accept this interpretation. Some of these scholars outright reject Subki's *fatwa*, while others provide alternative explanations, arguing that Subki's intent was not to fully endorse the use of calculations but to address specific contexts or circumstances.

The Central Hilāl Committee of North America discusses the *fatwa* of Subki in detail. They assert that Subki's detailed discussion shows how important it is to understand the full context of scholarly opinions. Misunderstandings can occur if quotes are taken out of context. For example, while Subki does recognise that calculations offer solid (*qaṭ'i*) data and that testimonies might be less certain (*zanni*), he only applies this to situations where sighting the moon is impossible based on calculations. His point is not to favour calculations over testimonies, but to address cases where moonsighting is not possible.[184]

Allamah al-Baji further discusses this in his book and clarifies that Subki's *fatwa* goes against the consensus (*ijmā'*) of the scholars: "And we do not know anyone who said this, except

[183] Shah, *The Astronomical Calculations*, 16.
[184] Central Hilal Committee of North America, *Moonsighting Essentials*, 87.

for some of the companions of Al-Shāfi'i who considered that to be the opinion of the astronomers, but consensus (*ijmā'*) was considered a proof against it."[185]

In addition to al-Baji's comment, Hafiz Ibn Hajar provides a critical assessment of the proponents of astronomical calculations, quoting Allamah al-Baji, who asserts that the consensus (*ijmā'*) of the Salaf opposes this approach.[186] In addition, Ibn Taymiyyah states that Muslims have unanimously agreed on sighting the moon and no ancient or modern disagreement is known on this matter. However, some of the later scholars, who emerged after the third century, claimed, if the moon is obscured, it is permissible for the astronomer to rely on calculations for themself. If the calculation indicates the possibility of sighting the moon, they should fast; otherwise, they should not. Although this opinion is restricted to situations of obscured skies and specific to the person making the calculations, it is a rare opinion that goes against the consensus. As for following this in clear skies or generalising this ruling, no Muslim has said this.[187]

Lastly, the Central Hilāl Committee emphasises:

> As for the stance of those advocating for calculations without any conditions, this has been clearly rejected as anomalous (*shadh*), as demonstrated by the views of the scholars previously cited. This divergence, despite its presence, does not overshadow the authoritative consensus that upholds sighting as the primary method for determining lunar months. Thus, adhering to the consensus of the '*Ulama* (scholars) remains paramount, as it reflects the established practice and understanding of the *Sharīʿah*.[188]

Although one view favours the use of astronomical calculations to determine the beginning of lunar months, which can be traced to the classical period with scholars like Imam Taqi al-Din al-Subki, it has been met with significant opposition. Many prominent scholars, including Allamah

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185 Al-Baji, *Al-Muntaqa Sharh Muwatta Malik*, vol. 3, 9.
186 Al-'Asqalani, *Fathul Bari*, vol. 4, 152.
187 Ibn Taymiyyah, *Majmūʿ Fatāwā*, vol. 25, 133.
188 Central Hilal Committee of North America, *Moonsighting Essentials*, 88.

al-Baji, Hafiz Ibn Hajar and Ibn Taymiyyah, have rejected this approach, emphasising that the consensus (*ijmā'*) among the early scholars was firmly in favour of relying on physical sighting of the moon without resorting to any form of astronomical calculations.

The Ḥanbali view on calculations is presented by Ibn Taymiyyah. He strongly opposes the use of astronomical calculations for determining the beginning and end of lunar months:

> The mainstream scholars of *Sharīʿah* agree that using calculations in determining the new moon is forbidden. The wise astronomers also agree that there is no way to authentically determine the crescent through calculations. That is why the expert astronomers do not indulge in calculations but deny it. Only a group from the posterity, out of ignorance, has indulged themselves in that. This is basically changing the *Din* of Allah by misleading people and by following the misguidance of the Jews in this matter.[189]

Ibn Muflih Al-Ḥanbali (d. 763) writes: "Whoever fasts according to astrology or astronomical calculations his fasting is invalid, even if he turns out to be correct, and no confirmation of sighting should be based on either, even if they are usually correct."[190] Ibn Qudamah (d. 620), another prominent Ḥanbali scholar, asserts:

> And if someone depends on the statements of astrologers and those who have the knowledge of calculation, and it turns out that he was right, his fasting is invalid, even if they are usually correct, because it is not a legal proof that one can depend on, or act upon, so its presence is equal to its non-presence.[191]

It is evident from all four Sunni schools of thought that the prominent view rejects the use of calculations to begin and end Ramadan. Despite the lack of confidence in the precision and accuracy of astronomical calculations in the classical period, there were considerable opinions

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189 Ibn Taymiyyah, *Majmūʿ Fatāwā*, vol. 6, 590.

190 Shamsuddin Muhammad bin Muflih al-Maqdisi, *Al-Furu'* [The Branches], (Mu'assasah al-Risalah, 2003), vol. 4, 413-14.

191 Abu Muhammad Abdullah bin Ahmad bin Muhammad ibn Qudamah, *Al-Mughni* [The Enricher] (Maktabatul Qahirah, 1979), vol. 3, 112.

among early jurists and scholars that favoured and allowed calculations as a viable alternative during adverse weather conditions. Among the first of these classical scholars, tracing to the generation of Muslims who followed the companions of the Prophet (referred to as *tabi'ūn*) was Mutarrif bin Abdullah al-Shikhir.[192] Qadi Iyad (d. 1149), a Moroccan scholar, writes in his explanation on *Sahih Muslim* that Mutarrif held the opinion of using calculation in case it was cloudy on the 29th of Sha'bān.[193] Other classical scholars that held this opinion include Ibn Surayj, Ibn Qutaybah and Al-Subki.[194]

Mutarrif's statement stems from the understanding of the phrase *faqdiru lahu* from the Prophetic tradition mentioned before: "Do not fast till you see the new moon, and do not break fast till you see it; but if the weather is cloudy calculate (*aqdiru*) about it."[195] This means that, if the weather is cloudy, the Prophetic tradition commands to calculate (*faqdiru*) it. The phrase *faqdiru* and its implications on the permissibility on the use of calculations will be discussed in detail in Chapter 2. However, according to some classical scholars, including Mutarrif, if the sky is obscured, the use of calculations is permissible to determine the beginning and end of Ramadan. Ibn Hajar al-'Asqalani writes that this is the opinion of Ibn Surayj from the Shāfi'i school, Mutarrif from the *tabi'ūn* and Qutaybah from the scholars of ḥadith (*muhaddithun*).[196]

1.1.4 Conclusion

It cannot be deduced from the Qur'ān that sighting the moon for Ramadan must be carried out physically nor are there any verses that highlight the significance of the number of witnesses required to determine the commencement and conclusion of Ramadan. Further, there is no explicit

[192] Al-Mizzi, *Tahdheebul Kamaal*, vol. 28, 70.
[193] Ayyad, *Ikmaalul Mu'lim Bi Fawaa'id Muslim*, vol. 4, 8.
[194] Al-Nawawi, *Al Majmu' Sharh al-Muhadhab*, 276.
[195] Muslim, *Sahih Muslim*, book 13, ḥadith no. 4, accessed July 27, 2020, https://sunnah.com/muslim/13/4.
[196] Al-'Asqalani, *Fath al Bari*, vol. 6, 290.

mention on the issue of the diversity of horizons. However, the Prophetic Traditions stipulate that the moon must be sighted to begin and end Ramadan, and there are numerous texts that discuss the number of witnesses required. However, it remains unclear from the Prophetic Traditions whether it is permissible or impermissible to use astronomical calculations to determine the beginning and end of Ramadan.

The consensus of scholars from the classical period is that use of astronomical calculations is not a legitimate means of determining the commencement and conclusion of lunar months, particularly for Ramadan and Shawwal. This further provides solid ground and context to understand from where all the schools are coming and how they differ in their reasoning. However, the later scholars of the four schools elaborate on the use of calculations and some scholars even allow the use of calculations to determine the beginning and end of Ramadan. These views, in the context of moonsighting in the modern era, will be further analysed in the next chapter.

CHAPTER 2:MOONSIGHTING IN THE MODERN PERIOD

Modern discussions on moonsighting are more comprehensive and detailed because they not only incorporate the Qur'ān, Prophetic texts and classical *fiqh* from the four Sunni schools but also discuss advancements in astronomical knowledge and technological tools that were not available in the classical period. This chapter will discuss the opinions and legal arguments of scholars who advocate the permissibility of the use of astronomical calculations to begin and end the month of Ramadan. Additionally, the opinions and arguments of scholars who oppose the use of calculations based on clear Prophetic commands in the modern era will be examined.

Chapter 1 discussed the viewpoint of classical scholars, with a focus on the four Sunni schools of thought and their stance on the use of calculations to begin and end Ramadan. As a result of scientific and technological advancements, there has been a push towards universal acceptance of the use of technology in the modern era to foster global unity so Muslims can begin Ramadan and celebrate Eid on the same day. This chapter will analyse arguments presented by scholars who argue in favour of the use of calculations. Despite modern advancements in technology, a large group of scholars continue to reject the use of calculations, asserting that Ramadan should only begin and end with observance by the naked eye in accordance with the Prophetic texts and traditions. The arguments of these scholars will also be analysed in this chapter.

2.1 The Permissibility of the Use of Calculation

Many modern scholars have adopted the use of calculations to begin and end Ramadan. Among the most prominent of these scholars are Ahmad Muhammad Shakir, Mustafa al-Zarqā, Yusuf al-Qaradāwi, Zulfiqar Ali Shah and Dr. Khalid Shaukat as well as various religious organisations and institutes. These scholars have all argued it is permissible to use calculations to determine the beginning and conclusion of Ramadan in their respective research, articles and

books. However, their rationales vary as some scholars justify the use of calculations based on the understanding of the word *aqdiru*, while others argue that the word *ru'yah* does not necessarily mean to physically sight the moon; rather, it means to achieve certainty. This chapter will delve into the underlying rationale behind their reasoning.

Additionally, numerous Islamic bodies and organisations locally and internationally have adopted the view of using calculations to begin and end Ramadan. These bodies include the ANIC, Turkey's Diyanet and the Fiqh Council of North America. The arguments of these bodies will be discussed in Chapter 3 to understand why Islamic organisations have inclined towards accepting calculations as a valid means to determine the initiation and conclusion of Ramadan.

2.1.1 Astronomical Calculations: A Valid Means to Determine the Beginning of the Month

To enter the month of Ramadan, classical scholars assert the requirement of sighting the moon or completing 30 days of Sha'bān. However, modern scholars have argued that astronomical calculations is also a valid means to enter the month of Ramadan. This is highlighted by Yusuf al-Qaradāwi, who writes in an article titled *al-Hisāb al-Falaki wa ithbaat Awaa'il al-Shuhur* (Astronomical Calculations and the Determination of the Beginnings of the Months) that the use of astronomical calculations is a means to establish the months, which must be considered through *qiyās awlā* (superior analogy).[197] He adds that the actual sighting of the moon may carry some doubt[198] whereas this is not the case with calculations, and the *Sunnah* would not refuse a method that is superior and more precise to attain the desired goal. Accepting calculations can potentially

[197] Al-Qaradawi, *Al-Hisāb al-Falaki*, 2.

[198] Yusuf al-Qaradawi argues that actual sighting of the moon may carry some doubt due to the possibility of human error, false testimonies, and atmospheric conditions affecting visibility. Factors such as mistaking other celestial objects for the crescent, miscalculations in local sighting reports, or conflicting testimonies can create uncertainty.

bring the *ummah* (nation) out of this severe controversy, which often takes place at the times of confirming Ramadan, Eid al-Fitr and Eid al-Aḍhā.[199]

Additionally, Zulfiqar Ali Shah quotes Ahmad Shakir in his book:

> In 1939, the famous *muhaddith* (authority on ḥadith) Shaikh Ahmad M. Shakir had the courage to take another step forward. He maintained that the modern-day astronomical calculations were certain enough to ascertain the arrival and end of the month of Ramadan without necessarily resorting to the physical Moon sighting. He, with his entire life span service to ḥadith literature and great deal of depth in ḥadith sciences, concluded that confirming the month of Ramadan based upon the birth of new Moon was the position which was the closest to the Prophetic *aḥādith*.[200]

Hence, one of the main arguments presented by modern scholars who permit the use of calculations is that physically sighting the moon with the naked eye to determine the beginning and conclusion of lunar months is not a *Sharīʿah* requirement; rather, the main objective is certainty, which can now be achieved through scientific calculations. This is further emphasised by Shah, who writes:

> There is no *ijmā'* (consensus of the scholars of the Muslim *Ummah*) on the view that using astronomical calculation in confirming or negating the month of Ramadan is illegal (*haram*) especially in case of obscurities.[201]

Classical scholars assert that entering the month of Ramadan depends solely on sighting of the moon or, in the event of obscured weather, completing the full 30 days of Sha'bān. However, as time has progressed and technology advanced, scholars have argued that entering the month of Ramadan is not confined to moonsighting alone. They argue that the method of astronomical calculations not only serves as a means that can be used to enter the month of Ramadan, but is

199 Ibid.
200 Shah, *The Astronomical Calculations*, 80.
201 Ibid., 3.

more superior and precise than relying on actual and physical sighting of the moon, which may carry some doubts and uncertainties.

2.1.2 Discussion on a Critical Phrase: '*Faqdirū Lahū*' (فاقدروا له)

The phrase *faqdiru lahu* (calculate it) from the Prophetic Texts is a critical phrase when analysing the arguments of scholars of the past and present on the issue of moonsighting. One of the arguments of the proponents of calculations is that the phrase *faqdiru lahu* – from the Prophetic text 'Do not fast till you see the new moon, and do not break fast till you see it; but if the weather is cloudy calculate (*aqdiru*) about it'[202] – refers to shortening the month by considering the moon under the clouds. Most of the classical scholars have argued that the phrase *faqdiru lahu* (calculate it) refers to the completion of 30 days of the month. The arguments presented by modern scholars are also in line with the classical understanding of this Prophetic text. However, scholars who approve the use of calculations have argued that the phrase *faqdiru lahu* (calculate it) does not mean to complete 30 days; rather, it refers to shortening the month by considering the moon under the clouds. This is the view of Imam Ahmad and a few others, as reported by al-Nawawi.[203]

Further, Shah writes that this was the practice of Imam Ahmad: "That is why Imam Ahmad contends that fasting should be observed the next day, the day after the 29th of Sha'bān, if due to obscurity the Moon is not sighted on the evening of 29th of Sha'bān."[204] This was also the practice of Ibn 'Umar, as Abu Dawud reports:

> Ibn 'Umar reported that the Messenger of Allah (peace and blessings be upon him) said: "The month is twenty-nine days, so do not fast until you see it (the new moon), and do not break your fast until you see it. But if it is cloudy, then calculate (complete) it as thirty days." He (Ibn 'Umar) said: "When the month of Sha'bān was twenty-nine days, he would

[202] Muslim, *Sahih Muslim*, book 13, ḥadith no. 4, accessed July 27, 2020, https://sunnah.com/muslim/13/4.
[203] Al-Nawawi, *Al Majmu' Sharh al-Muhadhab*, 276.
[204] Shah, *The Astronomical Calculations*, 104.

> look for it (the new moon). If it was seen, then that was it (he would act accordingly). If it was not seen, and no cloud or dust prevented its sighting, he would break his fast the next morning. But if a cloud or dust did prevent its sighting, he would fast the next morning."[205]

Ibn Qudamah further elaborates the meaning of *faqdiru lahu* (calculate it) by affirming that it refers to restricting the counting, which is evident from other Qur'ānic verses. Additionally, the meaning of the ḥadith was explained by Ibn 'Umar through his practice as he is considered to be the original narrator of the ḥadith and has a better understanding of its meaning.[206]

This was not only the view of Ibn 'Umar. Many other scholars and companions of the Prophet have adopted the view of Ibn 'Umar on fasting the next day in the case of obscurities in the sky. These include 'Amr ibn al-'As (d. 664), Abu Hurayrah (d. 678), Anas ibn Mālik (d. 709), Mu'awiyah (d. 680), Aishah (d. 678), Asma bint Abi Bakr (d. 692), Bakr bin Abdullah (d. 632), Abu Uthman al-Nahdi (d. 713), Ibn Abi Maryam (d. 838), Mutarrif (d. 891), Maymun bin Nahran (d. 734), Tawus (d. 724) and Mujahid (d. 722).[207]

Therefore, the view of many scholars who interpret *faqdiru lahu* as completing 30 days is refuted by the practice of Ibn 'Umar alongside others. Shah raises a critical enquiry by raising pertinent questions: "How could someone claim that there is a consensus among the *jumhur* (majority) that the interpretation 'complete 30 days' is the true meaning of the Prophetic phrase "count for it"?[208] There has been no consensus among the Companions or their successors that the phrase 'complete 30 days' is explanatory for the Prophetic phrase 'count or estimate for it.' Had this been an accepted standard, as claimed by al-Nawawi and many others, then Ibn 'Umar, Aisha,

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[205] Abu Dawud, *Sunan Abi Dawud*, book 14, ḥadith no. 8, accessed May 17, 2022, https://sunnah.com/abudawud:2320.

[206] Abu Muhammad Abdullah bin Ahmad bin Muhammad ibn Qudamah, *Al-Mughni* [The Enricher] (Dar Alam al-Kutub, 1986), vol. 4, 331-32.

[207] Ibid., 330.

[208] Shah, *The Astronomical Calculations*, 107.

Asma, Imam Ahmad and many others would not have violated it by fasting after the 29th day of Sha'bān in the event of cloudy weather.[209]

Consequently, the practice of Ibn 'Umar and Imam Ahmad of fasting on the 29th of Sha'bān without the actual sighting of the moon refutes the arguments of scholars who contend the month only begins after physical sighting of the moon or completion of 30 days. Dr. Ahmad Shafaat also summarises the context of *faqdiru lahu,* by asserting:

> The words *Faqdiru lahu* were meant to say what they say: estimate the duration. The actual method of estimation was left unspecified, since that would depend on the available information and analytical tools, which can change from place to place and time to time. However, people tried to make the phrase more specific and establish a simple rule applicable in all situations.[210]

On the contrary, scholars who reject the use of calculations also refuse to interpret the word *faqdiru lahu* (calculate it) to justify the method to determine the beginning and end of Ramadan. The imperative verb used in the Prophetic text (*uqduru*) is termed a homonym (*mushtarak*) in legal analysis, i.e. a word that carries two or more meanings with equal probability. Such a word cannot be definitively asserted to contain only one meaning. In a different narration, the Prophet uses another word for the same process: "Complete (*akmilū*) (the counting to thirty (days)."[211] The word employed here is *akmilū* or complete. *Uqdurū* could therefore mean "*akmilū*" or, more generically, a process of *ijtihād*.[212]

There was some difference among early companions and later scholars about the meaning of *uqdurū*. A minority, in particular Ibn 'Umar, the narrator of the text, interpreted it to mean that

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209 Ibid.

210 Ahmad Shafaat, *A Study of Aḥadith about the Determination of Islamic Dates* (Islamic Perspectives, 2003), 16, https://asimiqbal2nd.wordpress.com/wp-content/uploads/2009/06/ḥadith-dates.pdf.

211 Muslim, *Sahih Muslim,* book 13, ḥadith no. 21, accessed August 1, 2022, https://sunnah.com/muslim:1081b.

212 Mokhtar Maghraoui, *An Islamic Legal Analysis of the Astronomical Determination of the Beginning of Ramadan* (n.p., 2007), 9, accessed September 30, 2024, https://alhidayastudent.wordpress.com/wp-content/uploads/2009/08/paper-analysis_of_the_astronomical_calculation_of_ramadan.pdf.

if the moon was obscured from vision, the next day should be considered the commencement of fasting as a precaution. His choice of the meaning of *uqdurū* was to "think and reflect to resolve the matter." This opinion is also held by proponents of the calculations method to justify its use based on the Prophetic text. Maghraoui further asserts:

> The majority of scholars disagreed with him. Proponents of unconditional calculation conclude that "the fasting on the cloudy day of the 30th without actual sighting of the crescent, categorically refutes the argument of the so-called majority that either actual sighting by a naked human eye or completing 30 days is the only prescribed method for confirming the month of Ramadān as well as the other Islamic months.[213]

Ibn 'Umar's practice does not discuss sighting and only addresses a conditional circumstance – when the crescent is obscured from view. Additionally, the only contestable issue is the appropriate course of action if the crescent is obscured from view: should one fast the next day as a precaution, as Ibn 'Umar did, or should the month simply be completed to 30 days? This is the only point of difference.

Furthermore, is the observation that the imperative of *uqdurū* is conditional on the moon being obscured from vision? The texts are explicit (*sarīh*). *Uqdurū* is a response to a specific condition (*shart*) and is not an unrestricted dispensation. Even if *uqdurū* means to calculate in Arabic etymology, it can only be used when physical sighting is impossible. To advance calculation over sighting is therefore indefensible, logically and legally.[214]

Consequently, the phrase *faqdiru lahu* must be understood in line with other similar narrations that refer to the completion of 30 days of Sha'bān, rather than using it as a justification to endorse the use of calculations for determining the beginning of Ramadan. This is the view held by many classical scholars as well as modern scholars who reject the notion of calculation.

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213 Ibid., 9-10.
214 Ibid., 10.

However, scholars who permit the use of calculations to begin Ramadan argue that the practice of Ibn ‘Umar as well as numerous other companions, of fasting the next day if the cloud was obscured, indicates that *faqdiru lahu* refers to calculate about the moon being under the clouds rather than completing 30 days. Although this view may seem logical to justify the calculations method, it does not clearly substantiate the argument for using calculations based on the practice of Ibn ‘Umar and others who adopted it, as it was confined to a specific condition. The condition was an obscured and overcast sky. If this condition was not met, sighting the moon was the only method to begin Ramadan. To justify the use of calculation unreservedly irrespective of any conditions based on the phrase *faqdiru lahu* is, as a matter of fact, untenable.

2.1.3 Does *Ru’yah* (رؤية) Mean Physical Sighting Only?

The term *ru’yah* (*رؤية*) frequently appears in Prophetic Texts concerning sighting of the new moon. Below are a few narrations that illustrate how this term is used. The first ḥadith, reported in several authentic sources, states:

صُومُوا لِرُؤْيَتِهِ، وَأَفْطِرُوا لِرُؤْيَتِهِ، فَإِنْ غُبِّيَ عَلَيْكُمْ فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثَلاَثِينَ

> Observe fast on sighting it (the new moon) and break (fast) on sighting it (the new moon), and if the sky is overcast (and you cannot see it), complete thirty days of Sha‘bān.[215]

Another ḥadith with a similar wording, but slight variations in the transmission, emphasises:

صُومُوا لِرُؤْيَتِهِ وَأَفْطِرُوا لِرُؤْيَتِهِ فَإِنْ غُمِّيَ عَلَيْكُمْ فَأَكْمِلُوا الْعَدَدَ

> Observe fast on sighting it (the new moon) and break (fast) on sighting it (the new moon), but if the sky is cloudy for you, then complete the number (of thirty).[216]

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[215] Bukhari, *Sahih al-Bukhari*, book 30, ḥadith no. 19, accessed May 17, 2022, https://sunnah.com/bukhari/30/19.
[216] Muslim, *Sahih Muslim*, book 13, ḥadith no. 21, accessed May 17, 2022, https://sunnah.com/muslim/13/21.

In a narration recorded by Tirmidhi, the Prophet provided further guidance on the timing of fasting:

لا تَصُومُوا قَبْلَ رَمَضَانَ صُومُوا لِرُؤْيَتِهِ وَأَفْطِرُوا لِرُؤْيَتِهِ فَإِنْ حَالَتْ دُونَهُ غَيَايَةٌ فَأَكْمِلُوا ثَلَاثِينَ يَوْمًا

> Similarly, it is narrated by Tirmidhi: "Do not fast before Ramadan. Fast with its sighting, and break fast with its sighting, and if it is obscured from you, then complete thirty days."[217]

The Arabic word for sighting the new moon in these Prophetic Traditions is *ru'yah*. The classical ḥadith scholars have interpreted this word to mean actual sighting. Ibn Al-Arabi explains the ḥadith "Fast when the crescent is sighted" and points out the text is clear and decisive, meaning one cannot avoid sighting the moon for fasting or ending the fast. He also provides the reason that sighting is the criterion given for the obligation and its determined length.[218] Likewise, Ibn Qayyim Al-Jawziyyah argues that, among the traditions of the Prophet, it is stated he would not begin the month of Ramadan unless there was a confirmed sighting or the testimony of someone who witnessed the crescent. If there was no sighting or witnesses present, he would complete the 30 days of Sha'bān.[219]

Unlike classical scholars, some modern scholars argue that the practice of sighting the moon is not an act of Islamic worship. Abdul Ghani al-Nabulsi writes:

> It is an established fact that sighting the new Moon in itself is not an act of Islamic worship ,*ibādah*. It is just a mean to know the time. It was the only way available to a nation which knew not how to write or calculate. Its unlettered status was the sole reason for it to be

[217] Tirmidhi, *Jami` at-Tirmidhi*, book 8, ḥadith no. 7, accessed May 17, 2022, https://sunnah.com/tirmidhi/8/7.
[218] Ibn al-Arabi, *'Āridat al-Aḥwadhi*, 203-5.
[219] Al-Jawziyyah, *Zād al-Ma'ād*, 186.

> dependent upon the naked eye. This is precisely what the text of the ḥadith, which is the original source of this ruling (fast by sighting), states.[220]

Based on the *aḥādith* above alongside others that include the word *ru'yah*, classical scholars have argued that the verb, which is derived from *ru'yah* (*ra'ā* or *yarā*), only refers to physical sighting; hence, no other meaning can be derived from it. However, modern scholars argue that physical sighting of the moon is not the only means for the Islamic months to begin or end, nor is the word *ru'yah* only confined to the meaning of 'seeing or sighting.'

The verb *ra'ā* can be found numerous times in the Qur'ān as well as Prophetic texts. The meanings derived from the context of the verses or *aḥādith* do not always denote physical sighting. The Qur'ān has mentioned the verb *ra'ā* (to see) and its derivatives 328 times. On several occasions, the verb is used in the context of pondering and establishing without resorting to physical sighting or seeing with one's eyes.[221]

Shah, a proponent of the multiple meanings of the verb *ra'ā*, argues that the context often dictates a non-literal interpretation. To support his view, he presents a ḥadith of the Prophet that uses one of the derivatives of the verb *ra'ā*. The ḥadith states:

> We were traveling with Allah's Messenger and he was fasting, and when the sun set, he said to (someone), "Get down and mix *Sawiq* (a broth made of parched barley and wheat) with water for us." He replied, "O Allah's Messenger! (Will you wait) till it is evening?" The Prophet again said, "Get down and mix *Sawiq* with water for us." He replied, "O Allah's Messenger! It is still daytime." The Prophet said again, "Get down and mix *Sawiq* with water for us." So, he got down and carried out that order. The Prophet then said,

[220] Abdul Ghani al-Nabulsi, *Rashahatul Aqlam Sharh Kifayatul Ghulam* [A Book of Ḥanafi Jurisprudence] (Dar al-Kutub al-Ilmiyyah, 2005), 193.
[221] Shah, *The Astronomical Calculations*, 64.

> "When you see (*idha ra'aytum*) night falling from this side, the fasting person should break his fast," and he beckoned with his finger towards the east.[222]

In the ḥadith above, the word *ra'aytum* (رأيتم) is used in connection with breaking the fast of Ramadan. Based on the phrase "When you see the night approaching from there," one must go outside every day to see the night before breaking the fast. Currently, no one practices this. Rather, Muslims all over the world just follow their watches, which are astronomically calculated to determine when it is time to break their fast. At the time of the Prophet, the only means to determine whether it was time to break the fast was to go outside and physically see the night as this was the most accurate method available. Presently, the method has changed to rely on watches and clocks to break the fast and no jurist argues that Muslims must go and physically search for the night without relying on their watches or clocks.[223]

Although the classical works predominantly favour a single perspective due to the limited availability of methods, the word *ru'yah* was understood as physical sighting only. However, the modern age of technological advancements now challenges this notion.

The classical ḥadith scholars have interpreted the word *ru'yah* to mean actual sighting. Modern scholars who reject the notion of calculations have also argued that the word *ru'yah* must be interpreted in its legal sense, rather than dwelling into other interpretations. Maghraoui explains this by asserting:

> The word seeing (*ru`yah*) in the second text ("Do not fast until you sight the crescent and do not break (end) the fast until you sight it") must be interpreted in its literal (*haqīqī*) sense in accordance with the basic rule in legal hermeneutics: a word must be taken in its

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222 **سِرْنَا مَعَ رَسُولِ اللَّهِ صلى الله عليه وسلم وَهُوَ صَائِمٌ، فَلَمَّا غَرَبَتِ الشَّمْسُ قَالَ " انْزِلْ، فَاجْدَحْ لَنَا ". قَالَ يَا رَسُولَ اللَّهِ، لَوْ أَمْسَيْتَ. قَالَ " انْزِلْ، فَاجْدَحْ لَنَا ". قَالَ يَا رَسُولَ اللَّهِ، إِنَّ عَلَيْكَ نَهَارًا. قَالَ " انْزِلْ، فَاجْدَحْ لَنَا ". فَنَزَلَ، فَجَدَحَ، ثُمَّ قَالَ " إِذَا رَأَيْتُمُ اللَّيْلَ أَقْبَلَ مِنْ هَا هُنَا فَقَدْ أَفْطَرَ الصَّائِمُ ". وَأَشَارَ بِإِصْبَعِهِ قِبَلَ الْمَشْرِقِ.**

Bukhari, *Sahih al-Bukhari*, book 30, ḥadith no. 63, accessed May 18, 2022, https://sunnah.com/bukhari/30/19.

223 Shah, *The Astronomical Calculations*, 65.

> literal and not metaphorical (*majāzī*) meaning unless it is impossible to understand it literally and there is a circumstantial reason (*qarīnah*) for assigning it a metaphorical meaning. It is not impossible to understand *ru'yah* to mean seeing. The physical sighting of the moon was always the practical understanding of the word *ru`yah*.[224]

In 2007, a national moonsighting conference was held in California with the purpose of developing sound criteria for validating moonsighting reports. A summary of this conference was produced by Hamood Aleem under the supervision of Imam Tahir Anwar. The article summarises the main points and ideas presented in the conference.

The third session of the conference focused on the issue of *ru'yah* and it was conducted by Shaykh Manzarul Islam and Shaykh Dr. Ghulam Zarquani. The focus of this session dealt with the need for *ru'yah* and physical sighting of the moon. The basic issue at this point is whether *ru'yah* means *'ilm* (knowledge) of the crescent moon or mandates the actual physical sighting of the crescent moon. Shaykh Manzarul Islam said there is a need to have knowledge of the *ru'yah* in order to begin Ramadan, and based on this knowledge coupled with the actual sighting, the month of Ramadan begins.[225]

He further asserts that the emphasis on looking for the crescent moon is strong (from authentic Prophetic narrations). It is evident that *ru'yah* does not only mean to have knowledge of the moon, but also means to physically sight the crescent. This meaning is established by the Qur'ān and Prophetic texts. He adds, "From a historical perspective, no scholars have derived the meaning of *'Ilm* (knowledge) from *ru'yah* rather they have always sighted the moon physically."[226] The Shaykh went on to ask the question, "Is *ru'yah* needed or not?"

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[224] Ibid., 71.
[225] Hamood Aleem, *National Moonsighting Conference: A Summary of the Conference* (South Bay Islamic Association, 2007), 9.
[226] Ibid., 9.

The *uṣūl* (principles) explained by the jurists are that if something is used to determine a *wājib* (necessary) and *farḍ* (obligatory) act, it, in turn, becomes *wājib* and some scholars in Islamic law contend it becomes *mustahab* (recommended). He adds, even if one was to accept the findings of astronomical science, the physical sighting of the crescent moon is still required. According to Ḥanafi *fiqh,* it is *wājib* to sight the moon physically, while the Shāfi'i and Ḥanbali schools of law consider it *mustahab* and the Māliki school deem it *wājib* as well. He concludes by citing that Ibn Rushd mentions there is '*ijmā'* (consensus) from the Muslim scholars on sighting the crescent moon physically to determine the Islamic months.[227]

Dr. Ghulam Zarquani also discusses the meaning of *ru'yah* by stating there are two basic meanings derived from the Qur'ān. First is the *ru'yah* with the eyes and second is the *ru'yah* with the *'aql* (intellect). It can be deduced from the practice of the Prophet that the meaning of *ru'yah,* as evident in texts pertaining to moonsighting, is that of using the eyes, i.e. physically sighting the crescent moon. He further quotes Shaykh Ibn Baz (d. 1999), who concluded a research study by saying that when *ru'yah* refers to two objects, it means *ru'yah* with *'aql*; when it refers to one object, then it is *ru'yah* with the eyes; and it must be kept in mind that Islam is not against using astronomical calculations.[228]

The classical ḥadith scholars have interpreted *ru'yah* to mean actual sighting. It is clear that classical and modern scholars who hold the opinion that Ramadan should begin and end with the sighting of the moon understand the word *ru'yah* to mean physical sighting rather than knowledge or using intellect. However, scholars who argue that astronomical calculations are a definite and legal means to determine the beginning and conclusion of Ramadan have stated the word *ru'yah* is not confined to physical sighting only as this was the only method available at the time. The

[227] Ibid.
[228] Ibid., 9-10.

objective of Sharīʿah is to ensure people enter and leave the month of Ramadan with absolute certainty. The only accurate method available at the time of the Prophet was physical sighting of the moon. Hence, past scholars have understood the word *ru'yah* to mean physical sighting. However, with the progress of science and technology, one can achieve a higher level of certainty through calculation.

2.2 Rejecting the Use of Calculations

Despite the significant inclination and scholarly works in support of the calculations method in the modern period, numerous scholars have a general tendency or classical standpoint of physical moonsighting in this period. These scholars either outright reject the notion of the use of science completely or do so partially. At the same time, certain religious organisations refuse to rely on calculations to determine the beginning and ending of Ramadan.

Ibrahim Memon Madani, a modern scholar who established Darul Uloom Canada, presents an article on moonsighting in which he supports the notion of physical sighting, while rejecting the use of astronomical calculations.[229] Madani begins his article by mentioning five views when it comes to determining the beginning of Ramadan. First, he discusses the approach of relying on astronomical calculations. Second, he explores the viewpoint that a moon sighted anywhere in the world is sufficient for all other countries to follow. The third perspective involves following the moon sighted in Saudi Arabia. The fourth perspective suggests following the moon sighted by Saudi Arabia for Dhul Hijjah[230] only, while following local sighting for all other months. Finally, the fifth perspective advocates adhering to local moonsighting only.[231]

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229 Ibrahim Memon Madani, *Moonsighting*, accessed June 23, 2022, https://www.moonsighting.org.uk/docs/MoonSighting_byShaykhIbrahimMemon.pdf.

230 The last month of the Islamic lunar year.

231 Madani, *Moonsighting*, 2.

Madani then discusses each of these five perspectives in detail. Under the discussion of astronomical calculations, he wholeheartedly rejects the method. He asserts:

> Determining the beginning and the end of a new month through astronomical calculations is unfounded in the Qur'ān and the *Sunnah*. The standard in the Sharīʿah for discerning the beginning of a new month and the end of the last month is based on actual moonsighting.[232]

He quotes a few Prophetic texts to support his view on the matter, asserting that these *aḥādith* point out the simplicity of the issue. He further contends that Islam is a universal religion that can be followed by anyone, no matter where they may be.[233]

However, he raises an important question: if Islam prioritises simplicity, "why do we use timetables for *Salah* and depend on the calculations that produce those timetables?"[234] This is a vital question that is posed by proponents of the calculations method. Numerous scholars have given different responses to this question. Madani addresses it succinctly by affirming, "In Islam, the beginning and the end of each month rely on the sighting of the moon, while the salah timings are based on the movement of the sun."[235]

In his conclusion, Madani asserts that only two of the five views are correct when determining the commencement and end of Islamic months. The first is that, wherever the moon is sighted in the world, it becomes incumbent on all other countries to follow its sighting. The second view is to follow local moonsighting.[236] Madani then gives his preference on this issue by stating that local moonsighting is much simpler and a continuation of the Prophetic Traditions as well as those who followed him throughout the history of Islam.

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232 Ibid., 3.
233 Ibid.
234 Ibid.
235 Ibid.
236 Ibid., 8.

Mokhtar Maghraoui, a modern Algerian scholar, wrote an extensive article to address the concerns raised by the Fiqh Council of North America, which opted to use astronomical calculations to determine the beginning of Ramadan. His article, titled "An Islamic Legal Analysis of the Astronomical Determination of the Beginning of Ramadan"[237] addresses these concerns and demonstrates that the conclusion provided by the Fiqh Council is incorrect.[238]

Maghraoui begins by quoting texts from the Qur'ān and *Sunnah* pertaining to the importance of sighting the moon. He then presents seven arguments presented by the Fiqh Council of North America, who allow the use of calculations to determine the beginning and end of Ramadan, and then he goes on to refute these arguments. However, he summarises the importance of sighting the moon in one passage:

> The Lawgiver explicitly connected by cause the beginning of the month of Ramadān to the sighting of the moon and the sighting of the moon only. We have no authority to connect the beginning of the month to anything else, including the birth of the moon.[239]

Wahbah Zuhayli's (d. 2015) *Al-Fiqh al-Islami wa Adillatuhu* (Islamic Jurisprudence and its Proofs) is a paramount study of the modern period that deals with moonsighting. His book is an extensive work on the respected schools of Islamic jurisprudence that addresses their differences as well as similarities on various legal issues.

In the chapter of fasting, Zuhayli writes about issues pertaining to fasting as well as moonsighting. Zuhayli writes that Ramadan is established by one of three things: sighting the moon, completion of 30 days of Sha'bān in the case of sky obscurities or fulfilment of a complete 30-day cycle of Sha'bān.[240] Zuhayli, as a modern scholar, also asserts the classical viewpoint in

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237 Maghraoui, *An Islamic Legal Analysis.*
238 Ibid., 1.
239 Ibid., 8.
240 Wahbah al-Zuhayly, *Al fiqh al Islami wa Adillatuhu* [Islamic Jurisprudence and its Proofs] (Dar al Fikr, 1985), vol. 2, 598.

determining the beginning and conclusion of Ramadan is the correct opinion. He affirms this through quoting the views of the four Sunni schools of thought regarding the rejection of using astronomical calculations.

2.3 Conclusion

The use of the calculations method to begin and end Ramadan has been dismissed by the majority of classical scholars as well as the four Sunni schools of thought. Their rationale is grounded in interpreting the word *ru'yah* to mean physical sighting, which is palpably consistent with the practice of the Prophet and his companions. As for the term *faqdiru lahu*, it is understood in line with other similar narrations that conclude with *akmilu* (complete) the 30 days of Sha'bān. There is no room for analogy or alternative interpretations on these Prophetic texts as their meanings are clear and decisive. Hence, one should not interpret these texts to mean anything other than to physically sight the moon to enter the month of Ramadan and sight it once again to end the month.

On the contrary, many scholars in the modern period have argued that determining the beginning and end of Ramadan is not confined to the physical sighting of the moon only. This argument extends beyond the technological limitations during the time of the Prophet. Instead, the word *ru'yah* and understanding of the phrase *faqdiru lahu* can and should be understood in line with current modern sciences. Additionally, they propose understanding these terms in light of what is better for the Islamic *ummah*, promoting unity in beginning their fast and celebrating Eid.

CHAPTER 3:METHODOLOGICAL EXAMINATION OF FIQHI (*JURISTIC*) DISPUTES

This chapter will investigate the causes of why there are various opinions on moonsighting and how scholars of the past and present have formed their views based on their understandings and interpretations of Prophetic Texts. It will analyse the *ahl al-ḥadith* and *ahl al-ra'y* schools of thought and evaluate whether the proponents of the calculations method fit into any of the above categories.

There will also be a detailed discussion on the use of *qiyās* (analogy) and its conditions, and what scholars have said regarding using *qiyās* to analyse Prophetic Texts on moonsighting. This chapter will further discuss whether *qiyās* is accepted when it comes to the use of astronomical calculations. The chapter also contributes to the overall purpose of the research by examining how the application of different interpretative methods, such as *qiyās* and reliance on astronomical calculations, influences the ongoing debate on moonsighting. This exploration sheds light on the broader implications of these methodologies for Islamic jurisprudence and contemporary practice.

3.1 Understanding *Ikhtilāf* (Dispute) in Islamic Jurisprudence

At the time of Prophet Muhammad, there was not much dispute in understanding the Qur'ānic verses as well as Prophetic texts. This was primarily due to the Prophet elucidating the meanings of the verses as they were revealed. Even after his death, during the time of the companions (*ṣaḥābah*), people would resort to their caliphs for further understanding of religious affairs. However, as time progressed, disagreements and opinions began to appear in various religious matters, even among the ḥadith scholars as well as Islamic jurisprudence (*fiqh*). The multiple reasons for these differences of opinions will be discussed below.

3.1.1 Difference in *Qirā'āt* (Qur'ān Recitation)

Dr. Mustafa Saeed (d. 2008), a prominent modern Shāfi'i scholar, writes that one of the reasons of *ikhtilaf* (difference of opinion) among jurists was the difference in the various methods of recitation of the Qur'ān (*Qirā'āt*). For example, verse of chapter 5 in the Qur'ān states:

> O you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles.[241]

The Arabic word for feet is *arjul*. The verse indicates the feet should be washed while one performs *wudū* (ablution). However, there are differences of opinions among scholars in the recitation of the word *arjul* in this verse. This difference in recitation leads to multiple understandings on the ruling of washing or wiping the feet. Nafi' (d. 169), Ibn 'Amir (d. 118) and al-Kisa'i (d. 189) have all recited the word as *arjulakum*, which means to wash the feet. However, Ibn Kathir (d. 665), Abu 'Amr (d. 153) and Hamzah (d. 156) read it as *arjulikum*, which means to wipe the feet, as it is linked with the preceding phrase that mentions wiping the head.[242]

3.1.2 Authenticity of Prophetic Texts

Another reason for the differences in opinion among jurists is the authenticity of the Prophetic texts. Ali al-Khafif, an Egyptian jurist, writes that while some jurists deem a ḥadith as authentic, others see it as weak.[243] He further asserts there are numerous reasons for this. First, a jurist may see the author of the ḥadith as authentic, while another may see him as weak. Second, a jurist may not trust that one narrator heard the ḥadith from the one narrating it, while another jurist may trust this link between the two narrators. Third, some jurists only accept ḥadith that fulfil

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241 Qur'ān 5:6.

242 Mustafa Saeed al-Khin, *Athar al-ikhtilaf fi al-qawa'id al-Uṣuliyyah fi ikhtilaf al-fuqahā'* [The Impact of the Differences in Fundamental Rules on the Differences of Jurists] (Mu'assasah al-Risalah, 1982), 38-39.

243 Ali al-Khafif, *Asbab Ikhtilaf al-Fuqahā'* [Reasons Behind Juristic Differentiation] (Dar al-fikr al-Arabi, 2020), 52, https://archive.org/details/20200715_20200715_0143/mode/2up.

various conditions, while others have more lenient conditions.[244] Based on this, the authenticity of a ḥadith varies among jurists. Hence, if a ḥadith is authentic according to a jurist, it will be used as strong evidence to substantiate their opinion. On the contrary, if a ḥadith is weak according to a jurist, their opinion on a matter will be perceived as weak by others due to the lack of authenticity for the reference provided.

3.1.3 Difference in Understanding Texts and Phrases

The difference in understanding a word or phrase from the Qur'ān or ḥadith leads to multiple opinions among jurists. An example of this is found in verse 6 of chapter 5, where Allah says:

> O believers! When you rise up for prayer, wash your faces and your hands up to the elbows, wipe your heads, and wash your feet to the ankles. And if you are in a state of ˹full˺ impurity, then take a full bath. But if you are ill, on a journey, or have relieved yourselves, or have been intimate with your wives and cannot find water, then purify yourselves with clean earth by wiping your faces and hands.[245]

This verse highlights the four compulsory acts of ablution and indicates a person being in the state of full impurity requires a *ghusl* (bath). The word *lams* is also used in this verse. Dr. Salah Muhammad writes that the Arabic word *lams* refers to touching something by hand, and in a figurative sense, it refers to intercourse.[246] Scholars have disagreed on the meaning of the word *lams.* According to Imam Abu Ḥanifah, *lams*, in this verse, refers to intercourse, but Imam Shāfi'i asserts that *lams* refers to mere touching.[247] In light of this difference, the Shāfi'i school implies that a person who merely touches a woman must perform ablution. In contrast, the Ḥanafi school

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244 Ibid., 52.
245 Qur'ān 6:5.
246 Salah Muhammad abu al-Haj, *Al-madkhal al-wajeez fi dirasat al-fiqh al-Islamiyy* [A Brief Introduction to the Study of Islamic jurisprudence] (Markaz Anwar al-Ulamaa li al-Dirasat, 2020), 147.
247 Kuwait Ministry of Awqaf and Islamic Affairs, *Al-mawsoo'ah al-fiqhiyyah* [Fiqh Encyclopedia] (Dar al-Safwah, 1992), 265-66.

affirms that merely touching a woman does not break one's *wuḍūʾ* (ablution); rather, the word *lams* in the verse relates to intercourse.

3.1.4 Conflicting Evidence

Al-Khin writes that another reason for *asbab al-ikhtilaf* (the causes of disagreement) is *ta'arud al-adillah* (conflicts between evidence). 'Alā al-Din al-Bukhari (d. 841), a prominent Ḥanafi jurist, explains the word *ta'arud* by writing that it refers to two equal arguments, with neither having an advantage over the other in two separate rulings.[248] Despite this definition of *ta'arud* as well as others given by jurists, Al-Khin says, in reality, there is no contradiction or conflict between evidences as their sources are one, which is God, whether they are from the Qur'ān or *Sunnah*.[249]

An example of this is the two conflicting narrations on cupping while fasting. These narrations have led jurists to different rulings on whether cupping breaks a person's fast. According to Imam Abu Ḥanifah, Imam Mālik and Imam al-Shāfi'i, cupping does not break the fast, while according to Imam Ahmad bin Hanbal, it does.[250]

The evidence provided by the Ḥanafi, Māliki and Shāfi'i schools of thought is the narration of Ibn Abbas that the Prophet was cupped while he was in the state of *ihram* (refers to the sacred state a Muslim enters when performing Hajj or Umrah, which involves specific rituals and prohibitions) and while observing a fast.[251] On the contrary, the Ḥanbali school argues that cupping

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248 Al-Bukhari, 'Alā al-Din Abdul Aziz bin Ahmad, *Kashf al-asrar 'an usooli fakhr al-Islam al-Bazdawi* [Revealing the Secrets about the Principles of Al-Bazdawi] (Dar al-Kutub al-Ilmiyyah, 1997).

249 Al-Khin, *Athar al-ikhtilaf*, 90.

250 Hussain bin Abdul Aziz Banajah, *Al-khilaf fi ta'thir al-Hijamah ala al-Sā'im* [Dispute over the Effect of Cupping on a Fasting Person), 2-3, accessed August 19, 2022, http://www.saaid.net/mktarat/ramadan/b1.pdf.

251 Al-Bukhari, *Sahih al-Bukhari*, book 30, ḥadith no. 45, accessed August 19, 2022, https://sunnah.com/bukhari:1938.

breaks the fast based on the Prophetic text: "The cupper and the one for whom cupping is done both break their fast."[252]

Based on these two conflicting narrations, jurists have disagreed with the ruling. One narration mentions the Prophet underwent cupping while he was fasting and the other narration states the cupper as well as the person getting cupped will break their fast. Although these two Prophetic statements may initially come across as contradictory, jurists have extensively discussed the two narrations and provided detailed insights on how to resolve this apparent conflict.

Conflicting narrations like these play a role in larger legal debates, with scholars or schools of thought focusing on different parts of the evidence. Understanding how jurists approach conflicting evidence (*ta'āruḍ*) helps explain why differences appear in rulings, such as in the case of cupping while fasting or moonsighting. In both cases, scholars carefully examine the evidence based on established legal principles, leading to different opinions.

3.1.5 Words with Polysemous Expressions

Another reason that causes conflict among jurists is *al-ishtirāk fi al-lafẓ* (a word that carries more than one meaning). Al-Khain defines *al-mushtarak* as a word that carries more than two meanings. For example, the word **عين** (*'ayn*) in Arabic refers to: eyes, a spring, a girl, gold and a thing that is liked. Similarly, the word **قرء** (*Qur'*) can mean menses or purity.[253] If a word carries more than one meaning, it is inevitable that the differences in meanings will cause disagreements among scholars and jurists. The evidence of such disagreements can be found from not just Qur'ānic verses, but also Prophetic Texts.

[252] Ibn Majah, *Sunan ibn Majah*, book 7, ḥadith no.42, accessed August 19, 2022. https://sunnah.com/ibnmajah:1679.
[253] Al-Khin, *Athar al-ikhtilaf*, 70.

It is understood there are numerous causes for disagreements among *tafsīr* scholars, ḥadith scholars and jurists. Consequently, it can be deduced that the issue of moonsighting and use of calculations is derived from these reasons. The two most prominent reasons for dispute among scholars on moonsighting are: *ishtirāk* (a word carrying more than one meaning) as well as different understandings on provided evidence.

The word *ru'yah*, which refers to sighting, is considered a *mushtarak* according to proponents of the use of calculations. Hence, determining the beginning and end of Ramadan is not only confined to the physical sighting of the moon as evident from the Prophetic text; rather, the word *ru'yah* can also refer to certainty rather than sighting.[254]

Regarding the disparity in interpreting the evidence, it is clear that both perspectives (the calculations method and practice of physical sighting) have distinct understandings of the Qur'ānic verses as well as Prophetic texts on moonsighting. This difference in understanding has resulted in disagreements on various issues concerning physical sighting and using calculations.

3.2 Ahl al-Ḥadith and Ahl al-Ra'y

When it comes to interpreting *aḥādith*, there are two schools of thought*: ahl al-ḥadith* and *ahl al-ra'y*. When the companions of the Prophet dispersed to multiple cities, there was a major movement to understand the Prophetic texts and this gave birth to two major methodologies: the school of Kufah in Iraq (*ahl al-ra'y*) and the school of Madinah in Hijaz (*ahl al-ḥadith*).[255]

Ahl al-ḥadith refers to the group of scholars who understand Qur'ānic verses and Prophetic texts in line with other verses and narrations without resorting to logical and rational meanings of the texts. On the contrary, *ahl al-ra'y* refers to the group of scholars and *fuqaha* (jurists) who use reason and logic to interpret Prophetic texts rather than solely relying on supporting narrations to

[254] This is discussed in section 2.1.3.
[255] al-Qattan, *Tarikh al-Tashree'*, vol. 3, 289.

determine the meaning of a particular verse or ḥadith. Additionally, the term 'the people of *ra'y*' refers to those who freely employ personal reasoning and prioritise consistency in purpose and meaning, rather than merely relying on *qiyās* (analogy) in all its forms.

Daniel Brown defines *ahl al-ra'y* as legal pragmatists, asserting that: "they upheld the conclusions of their own methods of legal reasoning in the face of contradictory ḥadith. For the ahl *al-ra'y*, coherent application of their own doctrine took precedence over systematic reliance on the Qur'ān and prophetic Sunna."[256] In contrast, he defines *ahl al-ḥadith* as "partisans of tradition," explaining that: "the traditionists were dedicated to the proposition that traditions from the Prophet represent the only viable basis for sunna – that sunna and authenticated prophetic ḥadith are, in fact, coextensive."[257]

These two definitions underscore the key difference between the two schools of thought: *ahl al-ra'y* emphasises logical consistency in legal reasoning, while *ahl al-ḥadith* strictly follows the textual evidence from Prophetic Traditions. Understanding this distinction is necessary for understanding the development of Islamic jurisprudence and the different methods used to interpret religious texts. Additionally, Dr. Salah Muhammad asserts that *ahl al-ḥadith* rely solely on divine texts when understanding legal rulings while *ahl al-ra'y* rely on analogy due to the lack of *aḥādith* that reached them.[258]

However, the categorisation of the two schools (*ahl al-ḥadith* and *ahl al-ra'y*) became prominent at the time of the successors (*tabi'ūn*) and those who followed. The definition of *ahl al-ḥadith*, nonetheless, was different at the time. The meaning of *ra'y* refers to *ijtihad* (reasoning) in the context of *fiqh*, while the meaning of *ahl al-ḥadith* refers to the study of ḥadith and its

256 Brown, *Rethinking Tradition*, 13.
257 Ibid., 15.
258 Muhammad, *Al-madkhal al-wajeez fi dirasat al-fiqh al-Islamiyy*, 43.

narrators.[259] Based on this, it is clear that, although the categorisation of *ahl al-ḥadith* and *ahl al-ra'y* dates to the time of the Prophet, their definitions have evolved over time.

The definition of *ahl al-ḥadith* at the time of the Prophet referred to those companions who understood Prophetic texts and commands literally, while *ahl al-ra'y* referred to companions who used reasoning and logic to understand certain texts. At the time of the successors (*tabi'ūn*), the definition of *ahl al-ḥadith* referred to the field of ḥadith, whilst *ahl al-ra'y* referred to *fiqh*.

The most prominent scholars from the *ahl al-ḥadith* were Mālik ibn Anas (d. 179), Imam al-Shāfi'i (d. 205), Sufyan al-Thawri (d. 161), Ahmad bin Hanbal (d. 241) and Dawud bin Ali al-Asfahani (d. 270). They were given this name due to their interest in collecting ḥadith, basing Islamic rulings on texts, and they did not resort to any sort of analogy in deducing Islamic rulings from texts.[260] As for *ahl al-ra'y*, they were from the people of Iraq, which include Imam Abu Ḥanifah and his students Muhammad bin Hasan, Abu Yusuf, Zufar, Hasan bin Ziyad and Ibn Suma'ah. *Ahl al-ra'y* were given this name due to their reliance on analogy and reasoning on Islamic texts (*nusus*).[261]

However, many scholars have criticised those who claim the attribution of *ahl al-ra'y* to Imam Abu Ḥanifah. Since the meanings of *ahl al-ḥadith* and *ahl al-ra'y* remain a matter of disagreement among scholars, it is not right to attribute Imam Abu Ḥanifah as the originator of *ahl al-ra'y*, as this school was already present at the time of the Prophet. Additionally, it is known among scholars that the school of Kufah in Iraq is referred to *ahl al-ra'y*. This is also refuted by many scholars. In fact, Ibn Qutaibah identifies a list of scholars under '*aṣḥāb al-ra'y*' that includes Rabi'ah bin Farrukh (d. 276), who was known as a scholar of Madinah; Al-Awzā'i (d. 157), a

[259] Muhammad, *Al-madkhal al-wajeez fi dirasat al-fiqh al-Islamiyy*, 45.
[260] Muhammad bin Abdul Karim al-Shahristani, *Al-milal wa al-Nihal* [Sects and Beliefs] (Dar al-Kutub al-Ilmiyyah, 1992), 217.
[261] Ibid., 221.

scholar of Syria; Sufyan al-Thawri (d. 161), who was among the jurists (*fuqahā*) and scholars of ḥadith (*Muḥaddithūn*) in Kufah; as well as Mālik ibn Anas, a scholar of Madinah.[262]

How is it possible that Imam Mālik, widely known as a scholar of Madinah, is classified as *ahl al-ḥadith*, while Rabi'ah bin Farrukh (d. 136), another prominent jurist of Madinah, is classified as *rabi'ah al-ra'y* due to his use of personal reasoning (*ra'y*), despite being one of the most knowledgeable in Prophetic texts?

It is clear that scholars have agreed that *ahl al-ḥadith* refers to the group of scholars who understood Prophetic texts and commands with their apparent meanings, while *ahl al-ra'y* was a name given to those who interpreted Prophetic texts by using analogy and reasoning. However, scholars disagreed on to whom *ahl al-ḥadith* and *ahl al-ra'y* refer.

Moreover, in the conflict between moonsighting and calculation, can it be inferred that those advocating for the moon being sighted physically be classified as *ahl al-ḥadith*, as they interpret the Prophetic texts in relation to moonsighting based on its apparent meanings? On the other hand, can *ahl al-ra'y* refer to scholars who argue that the meaning of the Prophetic words 'sighting' (*ru'yah*) and 'enumerate/calculate' (*uqduru lahu*) be interpreted differently in contemporary times due to scientific advancements, employing *qiyās* (analogy)?

From the above discussions, it becomes evident that scholars who argue in favour of physical sighting of the moon to determine the beginning and conclusion of Ramadan can fall under the category of *ahl al-ḥadith*, as they do not apply any analogy to Prophetic texts regarding moonsighting. As for those scholars who apply analogy and reasoning to Prophetic texts concerning moonsighting, can they be classified as *ahl al-ra'y* based on the definition of *ra'y*? To address this question effectively, it is important to understand the meaning of *ra'y* (analogy).

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[262] Abu Muhammad Abdullah bin Muslim ibn Qutaibah, *Al-Ma'ārif* [The Book of Knowledge], (Dar al-Ma'ārif), 650-52.

The Qur'ān and *sunnah* are undoubtedly the most essential sources of Islamic law. Dr. Abdul Karim Zaidan (d. 2014) writes that the sources of Islamic law ultimately trace to the divine revelation of Allah, whether they are in the form of the Qur'ān or *sunnah* (as the *sunnah* is also a form of revelation). The sources of Islamic law can be categorised into primary, which are the Qur'ān and *sunnah*, and secondary, which include *ijmā'* and *qiyās* (analogy).[263]

As for the literal meaning of *qiyās*, its root words are *qaf*, *yaa* and *seen* (*qais*), which refer to measurement. An example of this is:

قِسْتُ الَّشيْئَ بِالشَّيئِ

I measured the thing by another thing (similar to it).[264]

However, according to some lexicographers, the root words for *qiyās* are *qaaf*, *waw* and *seen* (*qaws*), which means to surpass.[265]

The word *qiyās* was used by Arabs to measure the depth of a wound in the head. *Qiyās,* which conveys the meaning of measurement and similarity, is also used figuratively in the meaning of a rule or manner already established.[266]

The literal meaning of *qiyās* influences its technical definition. According to some jurists, the word *qiyās* carries three meanings: first, to measure or evaluate *(taqdir*); second, equality (*musawah*); and third, an aggregate (*Majmūʿ*).[267] Further, 'Alā al-Din al-Bukhari (d. 730) writes in *Kashf al-Asrar* that the word *qiyās* is, at times, used in its figurative sense rather than its literal

263 Abdul Karim Zaidan, *Al-madkhal li dirasat al-Shari'ah al-Islamiyyah* [The Entrance to the Study of Islamic Law] (Resalah Publishers, 2005), 172-73.
264 Abu Nasr Ismail bin Hammad al-Jawhari, *Al-Sihah* [The Correct] (Dar al-Ḥadith, 2009), 979.
265 Abul Hussain ibn Faris, *Mu'jam maqayis al lughah* [Arabic Dictionary] (Dar al-Fikr, 1979), 40.
266 Ahmad Hasan, *The Definition of Qiyas in Islamic Jurisprudence* (Islamic Research Institute, International Islamic University, 1980), 2.
267 Ibid.

one, implying examination or even *ijtihad*, which is its method, by applying the term used for the cause to the resulting activity.[268]

As for the technical meaning of *qiyās*, numerous definitions are given by jurists. The Egyptian jurist Abdul Wahhab Khalaf writes that *qiyās* refers to the application of the *hukm* (ruling) of an existing case found in the texts (the Qur'ān, *sunnah* or *ijmā'* (consensus)) to a new case whose *hukm* is not found in these sources on the basis of a common underlying attribute called the *illah* of the *hukm*.[269] Another definition given by jurists is that *qiyās* refers to the equality of a case, whose *hukm* is not mentioned explicitly in the texts, with a case whose *hukm* is mentioned, on the basis of the equality between the underlying causes found in the two cases.[270]

Therefore, if the Qur'ān, *sunnah* or *ijmā'* contain a command on a matter whose *illah* (underlying reason) is known and there is another matter of concern that is not found in the texts, the *mujtahid* (an authority in Islamic law) may assign the same reasoning of the first matter with the second and give it a *hukm* (ruling). The following example helps to clarify what *qiyās* means:

> A *mujtahid* considers the reason for the prohibition of wine which is mentioned in the Qur'ān: "O believers! Intoxicants, gambling, idols, and drawing lots for decisions are all evil of Satan's handiwork. So shun them so you may be successful."[271]

In light of this, on recognising that wine is intoxicating, there is a clear ruling on alcohol in the Qur'ān (that it is impermissible). However, there is no ruling on other drugs or intoxicating drinks, which poses the question: is the use of these other drugs or drinks permissible or illegal? The *mujtahid* ponders this and discerns that the underlying cause for the prohibition of alcohol is intoxication and the same cause is found in other drugs. Consequently, he extends the prohibition

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[268] Al-Bukhari, *Kashf al-Asrar*, vol 3. 267

[269] Khalaf, Abdul Wahab, *Ilm Uṣul al-Fiqh* [Science of the Principles of *Fiqh*], (Maktabah al-Da'wah Shabab al-Azhar, 1956), 52.

[270] I. A. K. Nyazee, *Qiyas: Analogy in Islamic Jurisprudence* (International Institute of Islamic Thought, 2000), 214.

[271] Qur'ān 5:93.

to other drugs and drinks based on the ruling pertaining to *khamar* (alcohol). Thus, alcohol serves as the "original," while other drugs become the "sequels," and the prohibition is transferred from the original to the sequel.

An important element to be kept in mind is that *qiyās* is based on reason (*illah*) and not on mere wisdom. *Qiyās* has four aspects, which are all evident in the above example. First, *al-asl* (the original ruling); second, *al-far'* (the sequel or parallel case to the original); third, *al-illah* (reason behind the ruling); and last, *al-hukm* (the derived ruling). Dividing the aspects in the example above:

1. *Al-asl* = drinking wine/alcohol
2. *Al-far'* = taking drugs or other intoxicants
3. *Al-illah* = intoxication
4. *Al-hukm* = prohibition

Another example of *qiyās* can be derived from the Prophetic text: "The killer does not inherit."[272] This ḥadith clearly indicates that a murderer will not receive inheritance from someone they have murdered. This deprivation of inheritance serves as a punishment for the act of the murderer. However, a question arises: what about in the case of a *wasiyyah* (bequest)? Does the murderer inherit anything from a bequest, as this ḥadith only mentions inheritance? Through *qiyās*, it is inferred that the murderer likewise does not receive a share of the *wasiyyah*, as the underlying reason (*illah*) remains the same. The *illah* is: "hastening the benefit prior to its appointed time through a criminal act or unjustified enrichment."[273]

From these examples it is clear that *qiyās* is a valid and practical source of *Sharīʿah* that is often applied by jurists in certain cases, where necessary. However, multiple conditions of *qiyās*

[272] Ibn Majah, *Sunan ibn Majah*, book 23, ḥadith no. 17, accessed September 1, 2022, https://sunnah.com/ibn majah:2735.
[273] Nyazee, *Qiyas*, 216-17.

must be followed for the *qiyās* to be acceptable. The prominent Ḥanafi jurist, Nizam al-Din al-Shashi, mentions five conditions of *qiyās*:

فصل شُرُوط صِحَة الْقيَاس خَمْسَة أَحدهَا أَن لَا يكون فِي مُقَابلَة النَّص وَالثَّانِي أَن لَا يتَضَمَّن تَغْيِير حكم من أَحْكَام النَّص وَالثَّالِث أَن لَا يكون المعدى حكما لَا يعقل مَعْنَاهُ وَالرَّابِع أَن يَقع التَّعْلِيل لحكم شَرْعِي لَا لأمر لغَوِيّ وَالْخَامِس أَن لَا يكون الْفَرْع مَنْصُوصا عَلَيْهِ.[274]

First, it cannot go against a clear text (*nass*). Second, it cannot change an original ruling from the ruling of the *nass*. Third, the principles being used to derive the *qiyās* cannot be something that goes against logic. Fourth, the *illah* derived should be for a legal ruling and not to establish a linguistic rule. The final reason is that the secondary ruling must not have *nass* on it previously (because if that was the case, then *qiyās* would not be necessary).

Consider the following examples to further comprehend these conditions.

1. It cannot go against a clear text (*nass*). For example, it was reported that Hasan bin Ziyad was asked about the ruling of laughing aloud during prayer. He replied that it nullifies one's ablution (*wuḍū'*). The questioner then asked about a scenario where someone was to slander a chaste woman (*qadhf*) during prayer, arguing that such an act is more severe than laughing. The example illustrates invalid qiyās because it attempts to compare two actions of different legal categories while ignoring the presence of a clear textual ruling (naṣṣ) on one of them. Laughing aloud during prayer is explicitly addressed in a ḥadīth, where the Prophet commanded the companions to renew their ablution after laughing. In contrast, qadhf during prayer has no direct textual ruling specifying that it nullifies ablution. While one might argue that qadhf is a more severe sin than laughing, the presence of a clear text (naṣṣ) on laughing

[274] Nizam al-Din al-Shashi, *Uṣul al-Shashi* [The Principles of al-Shashi], (Dar al-Kutub al-Ilmiyyah, 2003), 196.

prevents any analogy (qiyās) from being made to other acts. Since qiyās cannot override an explicit ruling, this analogy is invalid..[275]

2. An example of the second condition is that logic says that *niyyah* (intention) is a condition for *wuḍūʾ* and *tayammum* (dry ablution), as per the Shāfi'i school. However, the Ḥanafi school argues that Imam Shāfi'i's understanding of the verse of *wuḍūʾ* transforms it from something that is *mutlaq* (non-conditional) to something that is *muqayyad* (conditional):

> O you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles.[276]

In this verse, the obligatory acts of *wuḍūʾ* are mentioned and do not include intention. Similarly, Allah says in another verse of the Qur'ān: "Then let them groom themselves, fulfil their vows, and circle the Ancient House."[277] In this verse, Allah clearly indicates the need of *ṭawāf* (circling of the Ka'bah) as it is during the ritual of Hajj. However, another narration adds a condition of the need to have *wuḍūʾ* during *ṭawāf*. Hence, the two are reconciled by the Ḥanafi school of thought to say that the *ṭawāf* is obligatory (*farḍ*), while the need to have *wuḍūʾ* during it is *wājib* (a level below obligatory). However, Imam Shāfi'i states that having *wuḍūʾ* is a requirement, which is why the Ḥanafi jurisprudence say he is interpreting a verse that is *mutlaq* into something that is *muqayyad*.[278]

3. The third condition of *qiyās* is that the principle must not defy logic. For example, a narration states the Prophet performed *wuḍūʾ* by using *nabidh* (water in which dates have been soaked):

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[275] Ibid., 197.
[276] Qur'ān 5:6.
[277] Qur'ān 22:29.
[278] Abdul Aleem, *Introduction to Uṣul al-Fiqh according to the Ḥanafi School: An Adapted Elaboration on the Uṣul ash-Shashi of Imam Nidham al-Din ash-Shashi* (Abdul Aleem, 2013), 139.

> Abdullah bin Mas'ud narrated: "The Prophet asked me: 'What is in your *idawah* (water skin)?' I said: '*Nabidh*.' He said: 'Dates are wholesome and water is pure.' He said: 'So he performed Wuḍūʾ with it.'"[279]

Abdul Aleem asserts that scholars have differed on what this means. The Ḥanafi jurisprudence affirms, since this is against logic (as the water is not pure), one can act on it, but cannot derive secondary rulings from it (*furu'*). Hence, if somebody was to say that *wuḍūʾ* is permissible with water that has been dipped or soaked with other things, it will not be permissible.[280]

4. The *illah* (cause) being derived is for a *shar'i* ruling and not to establish a linguistic ruling. For example, a thief in the Qur'ān is described as a *sariq*, who is a person who steals someone's property in a discreet manner. Therefore, according to the Ḥanafi view, a grave robber (*nabbash*) should not be considered a *sariq*, thus the hands of a *nabbash* should not be amputated (as amputating the hands of a *sariq* is the punishment). However, according to the Shāfi'i school of thought, the *nabbash* should face the same punishment, considering the act of taking something discreetly.[281]

   So, the Ḥanafi school of thought mentions that *Sharīʿah* has already given the definition of a thief who meets a specific condition. Hence, by extending this beyond its intended scope, the meaning may be misapplied to someone who does not align with the type that is mentioned in the Qur'ān, thus resulting in a different meaning of the word *sariq*.

5. The last condition of *qiyās* is that the ruling (*hukm*) must not have *nass* associated with it. An illustrative example of this condition is the difference of opinion between the Ḥanafi and

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279 At-Tirmidhi, *Jami' al-Tirmidhi*, book 1, ḥadith no. 88, accessed September 2, 2022, https://sunnah.com/tirmidhi:88

280 Aleem, *Introduction to Uṣul al-Fiqh*, 139.

281 Al-Shashi, *Uṣul al-Shashi*, 207-8.

Shāfi'i schools regarding the status of a *muḥṣar* (one who is prevented from performing Hajj and Umrah and must sacrifice an animal to free themself from the state of *ihram*). Imam Shāfi'i asserts that a *muḥṣar* is required to free themself from the state of *ihram* by analogising their situation to that of a *mutamatti'* (one who performs Hajj and Umrah together is required to sacrifice an animal, and if unable to do so, must fast three days before *Hajj* and seven days after they return).[282]

However, Ḥanafi scholars have objected this view, specifically the notion of a *muḥṣar* freeing themself through fasting. They assert the subsequent verse provides clarification on this issue, i.e. there is already *nass* on it, which negates the need for analogy:

> Complete the pilgrimage and minor pilgrimage for Allah. But if prevented ˹from proceeding˺, then ˹offer˺ whatever sacrificial animals you can afford. And do not shave your heads until the sacrificial animal reaches its destination.[283]

The proponents of physical moonsighting do not use reasoning or analogy in any Prophetic texts pertaining to moonsighting. The texts have been understood in their literal meanings and it has been clearly inferred that lunar months must begin with the physical sighting of the moon, thus negating the reliance on astronomical calculations. On the contrary, those who contend that astronomical calculations are a valid means to determine the start and conclusion of Ramadan present multiple arguments based on different Prophetic texts. While some of these arguments do not rely on *qiyās* and use reasoning to interpret and understand certain narrations, other arguments refer to *qiyās* being used to justify their positions.

For example, the interpretation of *faqdirū lahu*[284] does not require the use of analogy and *qiyās*; rather, it was the difference in understanding the Prophetic wordings that led to the argument

[282] Ibid., 209-10.
[283] Qur'ān 2:196.
[284] This is discussed in section 2.1.2.

in favour of supporting calculations. In fact, Shah asserts the interpretation of *faqdiru lahu* is more appropriate to use with calculations rather than the completion of 30 days. He writes:

> In view of these Prophetic reports, the interpretation of "*أقدروا له*" as calculating the month or the stages of the Moon is perhaps more appropriate than the other two interpretations. That is why some known authorities in the three schools of Fiqh have no problem in accepting the astronomical calculations for this matter.[285]

Similarly, verses 39-40 of Surah Yasin (Chapter 36) from the Qur'ān are used to describe astronomical calculations as a divine source of precise calculations.[286] However, some arguments presented by proponents of calculations rely solely on using analogy. The argument that sighting the moon physically was the only method available at the time of the Prophet and his companions, and the fact it was the only method to attain certainty, is definitely based on *qiyās*. Shah argues:

> Sighting the new Moon is not Ibadah in itself. It is a means to achieve the goal of certainty, as was elaborated above. Now, if the goal of certainty could be achieved through a different and more accurate method, then, following such a method will be as Islamic as sighting the Moon with the naked eyes. They believe that the astronomical calculations are currently more precise than the sighting method. Therefore, the Islamic months should be confirmed by the calculations and not by the actual sighting.[287]

To prefer the calculations method over physical moonsighting is a definite use of *qiyās* when it comes to interpreting Prophetic narrations that mention the word *ru'yah* (sighting). Additionally, Dr. Abdul Khaliq al-Shidadi writes in an article that many scholars of the modern era have asserted the reason for prescribing the fast by sighting the crescent with the eyes was due to the lack of mastered astronomical calculations by the community during the time of the Prophet. According to these scholars, if conditions change and the nation can calculate, then this calculation becomes

[285] Zulfiqar Ali Shah, *The Astronomical Calculations and Ramadan*, 125.
[286] Ibid., 120.
[287] Ibid., 121.

certain and not speculative, which means the method of astronomical calculations has the right to be employed when determining the beginnings of the lunar months. Scholars who have endorsed this verse include Sheikh Muhammad Rashid Rida (d. 1354), the *muhaddith* (scholar of Ḥadith) Ahmad Shakir (d. 1378) and Professor Allal Al-Fassi (d. 1394).[288]

To argue that the cause (*sabab*) of entering Ramadan or any other lunar month is not in fact to sight the moon but pertains to certainty, which can now be achieved through using astronomical calculations, is another prime example of the use of *qiyās*. Al-Shidadi further gives an example of how *qiyās* is applied in the context of moonsighting. Allah states in the Qur'ān:

> Call (all) people to the pilgrimage. They will come to you on foot and on every lean camel from every distant path.[289]

Al-Shidadi argues that the means of knowing the beginning of the month is the same as the means of reaching the sacred house to perform Hajj. The means of reaching the sacred house according to the Qur'ānic text consists of one of two things: walking on foot or riding on animals. Is it then acceptable for a jurist to infer that the Qur'ān limits the matter to these two methods (i.e. walking or riding an animal), implying that the pilgrimage of one who arrives by plane, ship or any other method is null and void because the verse specifies these modes of transportation only?[290] This is another example of how *qiyās* is used to strengthen the argument of using calculations to determine the beginning of lunar months. Yusuf al-Qaradāwi emphasises this matter by asserting that astronomical calculations must be accepted through *qiyās*:

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[288] Abdul Khaliq al-Shidadi, *The Position of Contemporary Jurists regarding the Consideration of Astronomical Calculation in Determining the Beginning of Lunar Months: A Reading of the Documents of the Islamic Fiqh Academy in Jeddah (Rabat, Mohammed V University)*, accessed October 19, 2022, http://edhh.org/wadiha/index.php/la-position-des-juristes-modernes-pour-considerer-le-recit-astronomique-dans-la-determination-du-debut-des-mois-lunaires-une-lecture-dans-les-documents-de-l-academie-islamique-fiqh-a-jeddah.

[289] Qur'ān 22:24.

[290] Al-Shidadi, *The Position of Contemporary Jurists*.

إن الأخذ بالحساب القطعي اليوم وسيلةً لإثبات الشهور: يجب أن يقبل من باب قياس الأولى

> Adopting calculation that is definitive in this day and age is a source to determine the (lunar) months and must be accepted through superior *qiyās*.[291]

3.3 Conclusion

Although proponents of the calculations method argue that the beginning and end of lunar months can be determined through *qiyās, ahl al-ḥadith* scholars reject the application of *qiyās* to calculations, reinforcing the presence of clear and obvious Prophetic texts and narrations. This raises a vital question: do proponents of the calculation approach fall under the category of *ahl al-ḥadith* or *ahl al-ra'y*?

Based on the definitions given by scholars on *ahl al-ḥadith*, it is evident that scholars who support the validity of calculations to begin and end Ramadan do not fall under the category of *ahl al-ḥadith.* This is due to their reliance on analogy and reasoning in presenting some of their arguments. However, if they do not fall under *ahl al-ḥadith*, are they *ahl al-ra'y*? Mufti Abdul Wahab Hassan argues that proponents of calculations are neither *ahl al-ḥadith* nor *ahl al-ra'y*.[292] He further asserts the requirement for *qiyās* to be valid is that it must meet certain conditions. Considering there are over 40 Prophetic narrations on the subject of moonsighting, using *qiyās* against these narrations renders it invalid. If any sort of *qiyās* is used without fulfilling one of the first conditions of *qiyās*, it is nullified and not accepted.

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[291] Al-Qaradawi, *Al-Hisāb al-Falaki*, 1.

[292] Abdul Wahab Hassan, *Ru'yate hilal me hisāb falki walon ka qiyas karna* [The Use of *Qiyas* in Astronomical Calculations], accessed October 19, 2022, https://archive.org/details/20221018_20221018_1041.

CHAPTER 4: EVOLUTION OF MOONSIGHTING PRACTICES IN AUSTRALIA

This chapter will include Australian case studies of how different methodologies have been adopted by numerous organisations in Australia from as early as the 1970s. Through the case studies, there will be analysis of how religious bodies and institutes in Australia respond to the issue of moonsighting and the corresponding methodologies they use. Further, there will be an evaluation of the five methodologies currently being used in Australia to determine the beginning and conclusion of Ramadan and a brief history of where these methodologies have initiated.

4.1 Australian Moonsighting Practices

Every year in Australia, Muslims argue and quarrel among one another at the beginning and end of Ramadan due to differences of opinion on how to determine the start and conclusion of the month. Although this dilemma is global, the diversity of cultures in Australia intensifies the range of opinions, contributing to more significant issues and division within the Australian Muslim community. It is not just differences of opinion that lead to disunity among the Muslim population in Australia, but also the numerous methodologies adopted by imams and organisations.

In examining the organisational landscape of Islamic authority in Australia, it is important to highlight the key bodies that play a significant role in guiding the Muslim community. As Shaheen Whyte notes:

> In Australia, there are various peak Islamic organisations with Imams, sheikhs and Muftis working to assert their collective authority. These organisations include ANIC, the AFIC, Darulfatwa Islamic High Council of Australia, the Salafi-based Ahlus Sunnah Wal Jamaah Association (ASWJ) and Deobandi-affiliated Jamiatul Ulama of Victoria.[293]

[293] Shaheen Whyte, "Institutionalising Islamic Religious Authority in Australia: The Case of the Australian National Imams Council," *Journal of Muslim Minority Affairs* 41, no. 4 (2021): 553, https://doi.org/10.1080/13602004.2022.2034681.

Currently in Australia, five positions are accepted by the different religious authorities:

1. Astronomical calculations.
2. Simply following Saudi Arabia.
3. Regional sighting (following neighbouring countries).
4. Global sighting.
5. Local sighting (within Australia only).

Although these five opinions are followed by large groups of people across Australia, each methodology introduces a plethora of issues. I will define these methodologies, analyse the corresponding issues that each methodology presents and discuss how organisations and imams are trying their best to resolve these matters, aiming to foster unity among the Muslim community in Australia amid this ongoing issue.

4.1.1 Astronomical Calculations

As the Muslim population began to grow in Australia, particularly in Sydney, Brisbane and Melbourne, there was a need for Muslim leaders to consolidate all Islamic associations and communities under a unified faith community. In 1964, Muslim leaders collectively decided on an organisational structure that would represent the needs and aspirations of the newly arrived Muslims in Australia. The leaders of the time brought some of these associations together to form a two-tier Australian Federation of Islamic Societies.[294]

By 1976, the community had grown considerably, thus the leaders decided to establish a three-tier structure: local Islamic societies at the grassroots level, State Islamic Councils serving as state umbrella bodies and a federal body to be named the AFIC. This structure was designed to

[294] "Who we are," Australian Federation of Islamic Councils, accessed September 9, 2022, https://afic.com.au/who-we-are/.

be inclusive, aiming to represent the diverse Muslim communities of the present and future.[295] This was one of the first registered organisations that lead Muslims in Australia.

Although the AFIC primarily deals with larger issues pertaining to the Muslim society at a federal level and is heavily involved in halal certification, it has a strong stance on the calculations method when it comes to the issue of moonsighting. The first national conference of imams took place in Melbourne on 21 November 1998 and was attended by over 50 imams and leaders from throughout Australia, with a primary focus on the moonsighting issue. During this gathering, they resolved that regional sighting is the preferred methodology, aided by *imkan al-ru'yah* (possibility of sighting the moon).

The word *imkan* in Arabic is derived from the words *amkana yumkinu*, which mean possibility.[296] Loius Ma'luf writes that it refers to something becoming easy and possible.[297] For the moon to be sighted with the naked eye, a few factors must be considered. Dr. Shabbir Ahmed writes that two factors are directly effective for moonsighting: elongation and altitude.[298]

Elongation, in astronomy, refers to the angular distance in celestial longitude separating the moon or a planet from the sun.[299] The angular distance between the moon and sun must be at a certain degree for the moon to be sighted by the naked eye. However, there is no consensus according to astronomers and scholars regarding the exact degree required . It varies from as low as 2 degrees up until 12 degrees.[300] The details of *imkan al-ru'yah* will be discussed in the final chapter, recognising its pivotal role as terminology that holds the potential possibility of uniting

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295 Ibid.
296 Hans Wehr, *A Dictionary of Modern Written Arabic* (Spoken Language Services, 1976), 936.
297 Louis Ma'luf, *Al-munjid fi al-lughah wal a'lam* [Arabic Dictionary] (Catholic Press, 2009), 771.
298 Shabbir Ahmed, *Moonsighting in Australia* (Maktabah Yadgar Shaikh ul-Islam Pakistan, 2008), 41.
299 The Editors of Encyclopaedia Britannica, "Elongation," *Encyclopedia Britannica*, March 18, 2019, accessed October 21, 2022, https://www.britannica.com/science/elongation-astronomy.
300 Watni Marpuang, "Hisâb Imkân Ru'yat: A Unification Effort in Determining of the Beginning of Months of Qamariah," *Miqot* 39, no. 3 (2015): 303-18, accessed October 21, 2022, https://dx.doi.org/10.30821/miqot.v39i2.70.

science with *Sharīʿah*. This could serve to mitigate, if not eliminate, the contentious and heated debate on moonsighting.

The imams agreed unanimously that there was no contradiction between *Sharīʿah* and astronomical science. As such, they endorsed astronomical data as an aid in determining the beginning and end of Ramadan. They also agreed that sighting in countries within a 'five-hour zone' including Australia, Indonesia, Malaysia, Brunei, Singapore, Bangladesh, Sri Lanka and India, would be accepted by imams and Muslims in Australia.[301]

This was the first instance of regional sighting becoming a valid methodology used in Australia to determine the beginning and end of Ramadan. However, this methodology only lasted a year, and on 14 November 1999, the second national conference of imams was held in Sydney.[302] In this conference, there was major discussion on the draft constitution and rules of the AFIC state board of imams. A crucial decision was made to introduce a clause stating: "to decide upon the Islamic festival days i.e. the two *eids*, the beginning and end of the blessed month of Ramadan, and other Islamic occasions, in consultation with the national *shura* council."[303] The national *shura* council strongly advocated for the use of calculations to determine the beginning and end of Ramadan. Although the addition of this clause to the constitution was opposed by some scholars, the AFIC proceeded and since then has been following the calculations method to determine the start and end of Ramadan.[304]

In its statement regarding the end of Ramadan 2022, the AFIC wrote:

> After deliberations that included considering the astronomical calculations regarding the possibility of sighting the *Shawwal* crescent and the fact that Ramadan commenced on 2

[301] Amjad Ali Mehboob, First National Conference of Imams, meeting minutes, Melbourne, November 21-22, 1998.
[302] Amjad Ali Mehboob, Second National Conference of Imams, meeting minutes, Sydney, November 14, 1999..
[303] Federal council of Afic, *Second national conference of Imams 1999*¸ Sydney, November 14, 1999.
[304] Ibid.

> April 2022, the national grand Mufti of Australia along with AFIC's national *shariah* board and *Dar al-ifta* Australia declare *Eid al-Fitr* to be on Monday 2nd May 2022.[305]

So, the methodology used by the AFIC to determine the beginning and end of Ramadan is astronomical calculations. This methodology was among the first to be adopted in Australia by a registered organisation. Subsequently, numerous other institutes and organisations, boasting substantial Muslim followers, also follow this methodology.

Although the AFIC was one of the first leading authorities for Muslims in Australia, currently the leading authority of religious affairs in Australia is the ANIC, which was established in 2006 as an umbrella organisation. It consists of a council of imams who represent each state and territory in Australia. Many Muslims around Australia follow the ANIC when determining the beginning and end of Ramadan as well as Eid-al-Aḍhā. In recent years, the ANIC has opted to use astronomical calculations to establish the first and last days of Ramadan.[306]

Unlike the AFIC, the ANIC's stance on moonsighting has changed multiple times over the past few years in attempts to unite the Muslims of Australia so they can start and end Ramadan on the same day. However, this has been extremely challenging as no matter what methodology they decide on, there are always people who are unhappy with that methodology and oppose the ANIC. Their methodologies over the past few years have included local sighting within Australia only, regional sighting as well as the calculations method. However, in more recent times, it has opted for calculations and been steadfast with this approach.[307]

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305 Ibid.; "Eid Al Fitr Date Announcement," Australian Federation of Islamic Councils, April 26, 2022, accessed September 9, 2022, https://afic.com.au/2022/04/eid-al-fitr-date-announcement/.

306 Australian Fatwa Council, "Community Announcement: The Commencement of the Holy Month of Ramadan 1443H – 2022," Australian National Imams Council, March 25, 2022, accessed September 8, 2022, https://www.anic.org.au/wp-content/uploads/2022/03/Community-Annoucement-Commencement-of-the-Holy-Month-Ramadan-1443H-2022.pdf.

307 Ibid.

In 2011, a branch of the ANIC (Council of Imams NSW) held a meeting with local imams to discuss the methodology used to determine the beginning and conclusion of Ramadan. This meeting was run by Dr. Ibrahim Abu Muhammad[308] in the presence of prominent scholars from NSW. They decided on several points pertaining to moonsighting:

1. Australia will be considered as one region to determine the beginning and end of lunar months.
2. Physical sighting of the moon aided by telescopes will be the methodology used.
3. Beginning from this year, all institutes should conduct their own sighting for the month of Ramadan in collaboration with the Council of Imams NSW.[309]

Although it was agreed that physical sighting of the moon will be conducted with the aid of telescopes and other optical aids, and that moonsighting only in Australia will be considered, this methodology did not last long. A few years later, the ANIC decided to send out statements a few days in advance determining the first day of Ramadan.[310] In fact, from 2016 to 2019, the ANIC did not clarify what methodology was being used to determine the commencement and conclusion of the month of Ramadan. In recent years, it has been releasing a statement every year prior to Ramadan, stating when it will begin. In 2016, the statement read:

> All indicators from both the local region and bordering Islamic countries and the European Council of Fatwa suggest a strong possibility that the beginning of the Holy Month of Ramadan for this year, 1437H or 2016, will begin on Monday 6th of June 2016. The Grand Mufti of Australia, Dr. Ibrahim Abu Mohammed and the respected Imams of the Australian National Imams Council, emphasise the importance of confirming the

[308] Dr. Ibrahim Abu Muhammad was the Grand Mufti of Australia (2018-2022) and the President of the Council of Imams NSW (2011-2018, 2018-present; in 2018, Afifi was the grand Mufti but he passed away four months later so Dr. Ibrahim took over again).

[309] Council of Imams NSW, *Statement regarding the beginning of the month of Ramadan 1432 H*, Lakemba, 2011.

[310] "Statement Regarding the Holy Month of Ramadan 1437H, Corresponding to 2016," Australian National Imams Council, June 2, 2016, accessed September 8, 2022, https://www.anic.org.au/wp-content/uploads/2018/02/2016-06-02-Statement-regarding-the-holy-month-of-Ramadan-1437H-corresponding-to-2016.pdf.

> beginning of the Holy Month of Ramadan in advance to avoid the nullification of fasting and to provide the community sufficient time to make its necessary preparations.[311]

Consequently, Ramadan in 2016 was announced to begin from Monday 6 June, which was well in advance to help the Muslim to make necessary preparations for Ramadan. In 2017, 2018 and 2019, the statement was similar; however, the 'local region' aspect was omitted and there was heavy reliance on local leaders only. The statement read:

> Following extensive consultations with nation-wide Islamic leaders and Imams from the Australian National Imams Council Executive Committee and their representatives from all Australian States, the Grand Mufti of Australia, Dr Ibrahim Abu Mohamad and the Australian National Imams Council wish to make the following statement regarding the Holy Month of Ramadan 1440H -2019: The Holy Month of Ramadan for this year (1440H - 2019) will Begin on: Monday, 6th of May 2019.[312]

However, this caused a lot of confusion among the Muslim community as it was unclear which methodology was being used to determine when Ramadan begins and ends. It was not specified whether the calculation method was being employed or Saudi Arabia's announcement was the basis for its decision. In 2020, the ANIC decided to clarify its methodology, emphasising calculations based on the birth of the moon, without resorting to any form of sighting, regardless of optical aids. The ANIC released a statement:

> After consulting members of the Australian Fatwa Council and further inquiries to the local and global observatories, it has been confirmed that the new moon of the Month of Shawwal will set before sunset on Friday 22nd of May 2020, which is the 29th of Ramadan 1441 by 13 minutes, thus, the ability to sight the moon on that day in Australia after sunset is impossible.

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311 Ibid.

312 "Statement Regarding the Holy Month of Ramadan 1440H – 2019," Australian National Imams Council, May 3, 2019, accessed September 8, 2022, https://www.anic.org.au/wp-content/uploads/2019/05/ANIC-Statement-Regarding-the-Commencement-of-the-Holy-Month-of-Ramadan-1440H-2019.pdf.

> Therefore:
> Saturday, 23rd of May 2020, will be the last day of the Month of Ramadan 1441AH, &
> The first day of the Month of Shawwal 1441AH and the Day of Eid Al-Fitr will be Sunday, 24th of May 2020.[313]

Since 2020, this has been the official methodology endorsed by the ANIC and it has clarified that it will be using astronomical data to determine the beginning and conclusion of Ramadan rather than any sort of physical sighting of the moon. In 2022, the ANIC elaborated on its methodology by specifying the details of sunset time and duration for which the moon would be visible after sunset on the same day. The statement for the beginning of Ramadan in 2022 read as:

> The sun will set on Friday the 1st of April at 6.50pm (Sydney local time) and the moon will appear on the same day after sunset for 11 minutes until 7.01pm where it will disappear thereafter from the horizon. In the city of Perth, Western Australia, the sun will set on Friday at 6.12pm (Perth local time) and the moon will appear on the same day after sunset for 14 minutes until 6.26pm where it will disappear thereafter from the horizon. This allows for ample time to sight the moon under normal conditions with the absence of all that hinders the moon from being sighted. Therefore: The Holy Month of Ramadan for this year 1443H- 2022 will commence on Saturday, 2nd of April 2022.[314]

Considering the approach undertaken by the ANIC to declare the commencement of the month of Ramadan, the distinct absence of moonsighting practices is clear. Instead, it merely determines the sunset time, moonset time and time difference between them to determine whether there is a possibility to sight the moon. If there exists even a slightest possibility of the moon being sighted, the ANIC declares the commencement of the month of Ramadan. Notably, this methodology is based on pure calculations and does not rely on physical sighting of the moon.

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313 Australian Fatwa Council, "Eid Al-Fitr Statement for the Year 1441AH – 2020," Australian National Imams Council, May 19, 2020, accessed September 8, 2022, https://www.anic.org.au/wp-content/uploads/2020/05/Eid-Al-Fitr-Statement-for-the-Year-1441AH-2020.pdf.

314 Australian Fatwa Council. "Community Announcement."

Another large community in Australia that follows a calculation-based approach is the Turkish community. Although many Turkish residents in Australia do not follow the AFIC or ANIC in their decisions, they still resort to beginning and ending Ramadan on the same days as determined by these organisations. This alignment stems from shared use of astronomical calculations by both parties. The methodology used by leading authorities from the Turkish community in Australia is also used by the Directorate of Religious Affairs (Diyanet İşleri Başkanlığı) in Turkey. The Religious Affairs High Committee of Turkey states:

> The purpose of observing the crescent moon is to determine whether or not the month of Ramadan has entered. For this reason, besides seeing the crescent with the naked eye, it is possible to use other methods that will help us reach this goal. Today, the technological development reached by human beings offers the opportunity to monitor even the smallest detail about the movements of the moon. Now, through fine astronomical calculations, it is even possible to prepare calendars showing the prayer times for the next few years. Therefore, it is legitimate to determine the beginning of the lunar months by the calculation method.[315]

The Diyanet's view on determining the start and end of Ramadan is based on the use of astronomical calculations as the objective is to begin the month with certainty. The view affirms that certainty can now be achieved with astronomical calculations to a much higher degree than physical sighting. Ekrem Keles elaborates on this matter by asserting that the beginning of lunar months should be defined correctly. One of the biggest problems faced by Muslims around the world is lack of understanding the definition of what is meant by the beginning of a lunar month. At the time of the Prophet, the definition of the beginning of a lunar month was simple and practical, which was followed by all Muslims of that era. This was the method of sighting the

[315] Diyanet İşleri Başkanlığı, "Oruca başlamak için hilalin görülmesi şart mıdır?" [Is it Necessary to Sight the Crescent Moon to Begin Fasting?], December 7, 2017, accessed September 12, 2022, https://kurul.diyanet.gov.tr/Cevap-Ara/460/oruca-baslamak-icin-hilalin-gorulmesi-sart-midir.

moon physically with the naked eye, which was an understandable and practical technique. However, according to Keles, calculating the beginning of a lunar month is more reliable today than the physical sighting of the moon and must be used to determine the beginning and ending of lunar months.[316]

Additionally, scholars via Diyanet have produced an encyclopaedic work, which discusses various religious issues. The chapter on fasting mentions that the issue of sighting the crescent has been a subject of endless debate for a long time. The author questions whether it is permissible to rely on astronomical calculations to determine the beginning and end of Ramadan?[317]

To answer this question, the author states that searching for the crescent after sunset, according to the lunar calendar, indicates the end of the current month and beginning of the next month. Since the crescent is thin when it is first born and disappears after a short time, the first sighting of the crescent requires great attention and experience. If there is fog or the conditions are overcast, the crescent cannot be seen. For this reason, the Prophet ordered to complete 30 days of the current month in such circumstances.[318]

Additionally, the *fiqh* encyclopaedia states that in times when transportation and communication facilities were almost non-existent or extremely rare, the conflict (of physical sighting and astronomical calculations) can be understood, explained and even be defensible in some situations. However, where communication possibilities are extremely good, such a view is untenable. The majority of jurists from the past have respected the contention of horizons. If the crescent is seen in one place, it will also be valid for other places. This view was prominent among

316 Ekrem Keleş, "Rü'yet-i Hilal Meselesi" [The Issue of the Crescent Representation], *Marife Journal* 2, no. 2 (2002): 35.

317 Turkiye Diyanet Foundation Centre, *Ilimhal 1* [Fiqh Encyclopedia] (Turkiye Diyanet Foundation Centre, 1998), 392-394, accessed September 30, 2024, https://webdosya.diyanet.gov.tr/DiyanetAnasayfa/UserFiles/DiniBilgiler/ilmihal_cilt_1.pdf.

318 Ibid.

jurists because it results in all Muslims fasting and celebrating Eid at the same time (or on the same day), thus fostering harmony and unity.[319]

Additionally, the Diyanet argues:

> The main debate is about whether we can act according to the data of the science of astronomy. Those who argue that astronomical calculations should not be used at all present very weak arguments. The prophetic command: "Fast when you see the crescent" emphasises on sighting the crescent prior to commencing Ramadan but the ḥadith does not elaborate on how to sight it (or what means can be used), and the main thing in the ḥadith is to see the crescent. To claim that the word *ru'yah* means physical sighting is a forced understanding because the word (*ru'yah*) has also meanings such as "understanding" and "knowing" in classical Arabic. On the other hand, if the disregard for astronomical data is based on the Prophet's statement above, "We are an illiterate society, we cannot calculate and read and write," then it is inevitable to mean that the more ignorant Muslims remain, the better Muslims they become. In fact, this statement of our Prophet shows that the knowledge and experience of that society will not be enough to make detailed calculations, but that this is essentially a matter of calculation.[320]

The authors of the *fiqh* encyclopaedia argue that the Prophet's introduction of a criterion such as sighting the moon with the naked eye was not to establish this method as the exclusive means for determining the beginning and end of lunar months. Instead, it could be perceived as a method that has been used for a long time, thus applicable in all conditions. In Islam, ease of worship is essential and the common feature of all acts of worships is that they are simple, easy to understand and easily practiced. In this respect, worship in Islam can easily be performed by even the most ordinary people, as seen in history, even in societies where no specialty or science has developed. The person who will perform the morning prayer can see whether the sun has risen when they look to the east. However, the fact that the act of worship is simple and easy in its

[319] Ibid., 393.
[320] Ibid., 393-94.

essence does not mean that scientific data and developments should not be considered. Rather, it is necessary to benefit from scientific developments in worship, as with every other subject.[321]

Additionally, the Diyanet asserts that, today, the science of astronomy has developed considerably and it has become possible to precisely determine the movements of the moon and sun. To put an end to the unnecessary debates around moonsighting that take place every year, the Diyanet affirms it is best to follow the calendar that has been accepted and announced by the Presidency of Religious Affairs, which is considered a public authority in this field, based on astronomical data. By doing this, the tension and friction created unnecessarily among Muslims will disappear, promoting a unified and solidified celebration of Eid throughout the country. Those who are not satisfied with astronomical calculation and advocate that the crescent should be seen with the naked eye, can only act based on seeing it for themselves, provided they do not deviate the matter from its natural course and do not cause strife.[322]

So, the Diyanet's viewpoint on the issue of moonsighting clearly emphasises the importance of using astronomical calculations to determine the beginning and end of lunar months. Following this methodology is not only in line with the teachings of *Sharīʿah*, but also protects Muslims in Turkey from disputes or arguments and enables them all to begin Ramadan and celebrate Eid collectively every year. Consequently, the Turkish community in Australia also believes that following the Diyanet's view on moonsighting will at least enable their community in Australia to unite on this matter.

The two leading authorities in Australia, the ANIC and AFIC, are now following the method of using calculations to determine the beginning and conclusion of Ramadan. This approach enables them to announce the dates for the first day of Ramadan as well as the two Eids, facilitating

[321] Ibid.
[322] Ibid.

Muslims to begin preparations for the festivities. However, when questioned about the reasoning and doctrinal basis of their methodologies, they fail to provide concrete evidence from juristic sources, claiming this is for the sake of unity. On the contrary, the Turkish community, which also follows calculations as a valid method to begin and end Ramadan, is not required to present its reasoning as it simply follows Turkey. The religious affairs (Diyanet) of Turkey has written comprehensively on the issue of moonsighting and justified the use of calculations by presenting solid arguments, which are all in line with *Sharīʿah*.

4.1.2 Following Saudi Arabia

Although the prominent view from leading authorities in Australia is to use the calculations method to determine the beginning and end of Ramadan, several groups of religious scholars and authorities follow Saudi Arabia in its decision, particularly for Eid al-Aḍhā. Consequently, if Saudi Arabia announces Eid on a specific day, they will make their decision based on this announcement. Among these authorities are the AFIC and ANIC.[323] Although the ANIC and AFIC claim to follow astronomical calculations to determine the beginning and end of Ramadan, when it comes to the dates of Eid al-Aḍhā, they follow Saudi Arabia's announcements.

The statements from the ANIC in 2016 clarify that they have been following Saudi Arabia's decision when determining the date for Eid al-Aḍhā.[324] Their latest statement for that year reads:

> The Grand Mufti of Australia Dr. Ibrahim Abu Mohamad and the Australian Fatwa Council are conscious of keeping the Muslim community united, particularly during Islamic occasions and celebrations. It's therefore, The Grand Mufti of Australia and the Australian Fatwa Council would like to take this opportunity to make the following announcement: The Kingdom of Saudi Arabia, the Custodians of the two sacred cities Makkah and Madinah, in which the rituals of Hajj including *Ṭawāf, Sa'y* and standing at

[323] The methodologies of AFIC and ANIC are discussed in section 4.1.1.
[324] These statements can be found on ANIC's website: https://www.anic.org.au/news-archived/.

> ‘*Arafat* are performed, has announced that Thursday, 30th June 2022 is the first of the Month of *Thul Hijjah* in the year 1443 after the *Hijrah* (Migration of the Prophet Peace Be Upon Him). As a result, The Grand Mufti of Australia Dr. Ibrahim Abu Mohamad announces that: Friday, 8th of July 2022 will be the Day of *Arafah* (9th of *Thul Hijjah*) and Saturday, 9th of July 2022 (10th of *Thul Hijjah*) Will be the Day of *Eid Al-Aḍhā* for the Year 1443H – 2022.[325]

All previous statements from 2016 have similar wordings in which ‘unity’ is used to justify the decision to follow Saudi Arabia. However, there is a notable absence of juristic evidence presented to substantiate this decision. Arguably, relying solely on unity as a rationale for following Saudi Arabia lacks sufficient justification. Similarly, the AFIC also follows Saudi Arabia when announcing the dates for Eid al-Aḍhā. Their latest statement for 2022 confirms:

> The supreme court of Saudi Arabia has confirmed on the evening of Wednesday 29 June that the crescent of *Zul hijjah* has been officially sighted. The supreme court has confirmed that the day of *Arafat* will be on 8 July and *Eid al-Aḍhā* will be on Saturday 9 July 2022.[326]

Similar to the ANIC, the AFIC also declared Eid al-Aḍhā based on the Saudi Arabian announcement without providing a rationale for their methodology. While it is true that the Hajj rituals take place in the holy cities of Saudi Arabia and the celebration of Eid al-Aḍhā is closely tied to the holy city, the question arises: Is it incumbent on Muslims around the world to follow Saudi Arabia’s decision on determining the declaration of Eid?

The methodology employed by Saudi Arabia for sighting the moon is unclear. Do officials in Saudi Arabia sight the moon or follow astronomical calculations? Regardless of whether they

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[325] “Community Announcement – Eid al-Adha 1443H – 2022,” Australian National Imams Council, June 30, 2022, accessed September 30, 2024, https://www.anic.org.au/news/community-announcement-eid-al-adha-1443h-2022/.

[326] “Eid Al Adha 2022,” Australian Federation of Islamic Councils, July 4, 2022, accessed September 13, 2022, https://afic.com.au/2022/07/eid-al-adha-2022/.

sight the moon, is the rest of the world inclined to follow their decision when it comes to determining the day of Eid? Multiple references from Saudi scholars go against the methodology of using calculations to determine the beginning of Ramadan as well as the days of the two Eids. The decision of the The Council of Senior Scholars assert:

> Secondly: There is no legal relationship between the mere birth of the new moon and the start and the end of the lunar month by scholarly consensus, as long as no physical sighting has been proven, and this is with regards to timings of acts of worship, and any contemporary scholar who has a different opinion is preceded by the consensus of those before him (i.e.: his opinion is rejected).[327]

Additionally, Abdul Aziz ibn Baz (d. 1999), who was the grand Mufti of Saudi Arabia from 1993 to 1999, states the month of Ramadan begins and ends by sighting the moon and it is impermissible to use calculations to determine this.[328]

As for following Saudi Arabia's decision, the scholars of this country have stated that other countries should conduct their own sighting and not rely on Saudi Arabia's decision when determining the beginning and end of Ramadan, as well as Eid al-Aḍhā. The Council of Senior Scholars assert:

> Sixthly: It is not correct to fix a certain country or city – like Makka for example – for the sighting of the crescent, because this would mean that fasting would not become compulsory on those who sight the crescent somewhere else, other than the city fixed.[329]

It is not a matter of concern for people living in Australia (or other countries for that matter) what methodology Saudi Arabia uses to determine the dates for Ramadan and the two Eids,

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327 The Council of Senior Scholars of Saudi Arabia, *Researches of the Council of Senior Scholars in the Kingdom of Saudi Arabia* (Al-Ri'asah al-'Aammah lil buhuth al-Ilmiyyah wal Iftaa', 2013), 36; El Banna, *Moonsighting Explained*, 11.

328 Abdullah bin Abdul Rahman bin Baz, *Majmūʿ Fatāwā wa maqalat mutanawwi'ah* [A Collection of Various Fatāwā] (Dar al-qaasim li al-nashr, 1999), 63-65.

329 Ibid., 39.

whether Saudi officials conduct physical sighting or use astronomical calculations based on the birth of the moon. If the scholars of Saudi Arabia have asserted that other countries should not follow their decision and must conduct their own sighting, why should countries use 'following Saudi Arabia' as a rationale to justify their means of determining the start and end of Ramadan? In fact, no classical scholar has mentioned that following Saudi Arabia's decision is a valid methodology to determine the dates for Ramadan and the two Eids.

4.1.3 Regional Sighting (Following Neighbouring Countries)

Another methodology used by some religious authorities in Australia is to follow the sighting of regional countries only. Omar el Banna, president of Al-Noor Islamic Association, explains what regional sighting refers to:

> According to this opinion, if the crescent is physically sighted within the boundaries of a certain region, then the lunar month has started. Any reports of sighting that come from outside the boundaries of the region are irrelevant and have no effect on the start or end of the month.[330]

Unlike following Saudi Arabia as a valid means to determine the beginning and end of Ramadan or Eid al-Aḍhā, regional sighting of the moon has been discussed by classical scholars and is deemed a valid perspective. In fact, it is the legal ruling (*mu'tamad*) of the Shāfi'i school and the view of some of the later Ḥanafi scholars, which include al-Zayla'i and Al-Kasāni, who write that if the distance between two countries is close, there is a unity of horizons, but if the distance is far, there is no concept of unity of horizons.[331]

Furthermore, al-Nawawi elaborates on what constitutes a far country by stating the distance is similar to that which abridges the mandatory prayers (*qasr*) and, in another narration, an

[330] El Banna, *Moonsighting Explained*, 19.
[331] Al-Kasāni, *Badā'i Al-Sanā'i*, 2/573.

appreciable distance in the horizons.[332] Similarly, Ibn Qudamah asserts that if the moon is sighted in one country, all other countries need to begin fasting.[333]

It is therefore evident from the above references that regional sighting is a valid opinion when determining the beginning and end of lunar months. Despite the disagreements of scholars regarding what constitutes a region, the concept of accepting the sighting of certain neighbouring countries is valid. However, the challenge confronting Muslims in Australia lies in determining which countries should be included in 'regional sighting.' While countries like New Zealand, Fiji and Indonesia are neighbours to Australia, the inclusion of nations such as Malaysia, Singapore and Brunei arises. The query extends further to countries like China, Nepal and Thailand. As such, determining where to draw the line becomes a complex issue.

One of the earliest institutes to adopt this methodology was the AFIC. As mentioned earlier, a meeting was held in 1998, which included over 50 imams, and it was agreed by all present that Australia will accept the sighting of countries within a five-hour zone. This included Indonesia, Malaysia, Brunei, Singapore, Bangladesh, Sri Lanka and India.[334] However, not long after, the AFIC abandoned this method and resorted to astronomical calculations due to various reasons. Among these reasons was to pre-announce Ramadan and the two Eids well in advance, providing convenience for the Muslim community to make necessary preparations. At the same time, the goal was to foster unity among the Muslims in Australia, ensuring collective commencement and conclusion of Ramadan on the same day.

Since then, regional sighting was not a preferred methodology used by any religious body in Australia. Most authorities either conducted physical sighting locally or globally, or simply

[332] Al-Nawawi, *Minhaj al-Talibeen*, 178.
[333] Ibn Qudamah, *Al-Mughni*, vol. 4, 328.
[334] Amjad Ali Mehboob, First National Conference of Imams, meeting minutes, Melbourne, November 21-22, 1998.

preferred astronomical calculations. However, in recent times, there has been a push towards regional sighting once again to unite the Muslims of Australia.

The Islamic Association of Western Suburbs Sydney (IAWSS) is another organisation in the western suburbs of Sydney. Like the ANIC, it has also failed to find a consistent methodology to determine the beginning and end of Ramadan. From the early 1990s, it followed local moonsighting for almost two decades. It changed its methodology to follow the approach of calculations from 2014 for a few years and finally resorted to regional sighting in 2017. The IAWSS adopted a three hour-zone regional sighting, which included Fiji, New Zealand, Hong Kong, Malaysia, Indonesia and Brunei. In 2018, the IAWSS announced that Ramadan will begin on 17 May:

> Today is 29th of Shaban, IAWSS has conducted moonsighting activity across Australia and other countries within three hours zone. Moon has NOT been sighted anywhere within the region, accordingly the 1st of Ramadan will be on Thursday 17th of May.[335]

This announcement was based on the absence of the moon being sighted anywhere in Australia or neighbouring countries within a three-hour time zone. However, the methodology and criteria used for moonsighting lack transparency. Meanwhile, in Malaysia, a similar declaration was made for the commencement of Ramadan on Thursday, 17 May. As announced by Datuk Seri Syed Danial Syed Ahmad, the Keeper of the Ruler's Seal: "Muslims in Malaysia will begin the Ramadan dawn-to dusk fast on Thursday."[336]

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335 Rooty Hill Masjid, "Assalamualikum, Today is 29th of Shaban, IAWSS has conducted moonsighting activity across Australia and other countries within three hours zone. Moon has NOT been sighted anywhere within the region, accordingly the 1st of Ramadan will be on Thursday 17th of May," Facebook, May 15, 2018, accessed September 15, 2022, https://www.facebook.com/rootyhillmasjid/posts/pfbid02bSET6PiqrEw54ghUmZ2LQ9gfc6p928rfrq2mQqjxHy3QDeK3ip12VvikmdpcZSnLl.

336 "Muslims in Malaysia begin Ramadan Fast on May 17," *The Star*, May 15, 2018, accessed September 15, 2022, https://www.thestar.com.my/news/nation/2018/05/15/malaysian-muslims-begin-ramadan-fast-on-may-17/.

Similarly, in 2019, the IAWSS announced that the moon had been sighted by an observer at Telok Kemang Observatory in Malaysia, thus marking the commencement of Ramadan on Monday, 6 May 2019.[337] This was also the day Ramadan started in Malaysia. However, in 2020, Malaysia and Indonesia announced the moon was sighted and Ramadan will begin on Friday, 24 April 2020. The Keeper of the Ruler's Seal, Tan Sri Syed Danial Syed Ahmad, confirmed that Muslims in Malaysia will begin the Ramadan dawn-to-dusk fast on Friday (24 April 2020).[338] In Indonesia, it was announced by the Indonesian Ministry of Religion that the moon had been sighted in Palabuhanratu, West Java province, thus the Ramadan fast was to begin from 24 April in Indonesia too.[339]

Both announcements from Malaysia and Indonesia were made on 23 April 2020. However, the IAWSS announced:

> IAWSS Moonsighting committee has conducted moonsighting activity across Australia and other countries within three hours' zone. Moon has NOT been sighted. Hence, the 1st of Ramadan will be on Saturday 25th of April 2020.[340]

Similarly, in 2021, the IAWSS announced that the moon of Dhul Hijjah was not sighted anywhere in Australia, including countries that fall within the proximity of the three-hour zone. Hence, the first day of Dhul Hijjah was determined to be on Monday, and Eid ul Aḍhā was scheduled to be celebrated on 21 July 2021.[341] Despite the IAWSS making this statement that the

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337 Rooty Hill Masjid official facebook page, accessed 20 October 2022, https://www.facebook.com/rootyhillmasjid/posts/pfbid0p68GSn5bmEH6n1t4RB2mx5YyGf4wVRSBV5ZzGEDKHEHjT6k7N79xtTcmUoKcq2U5l

338 "Ramadan fast begins on Friday (April 24)," *The Star*, April 23, 2020, accessed September 15, 2022, https://www.thestar.com.my/news/nation/2020/04/23/ramadan-fast-begins-on-friday-april-24.

339 Ivany Atina Arbi, "Ramadan starts Friday, Government Declares," *The Jakarta Post*, April 24, 2020, accessed October 20, 2022, https://www.thejakartapost.com/news/2020/04/23/ramadan-starts-friday-government-declares.html.

340 Rooty Hill Masjid, "Announcement: Ramadan 1441 Hijry," Facebook, April 23, 2020, accessed September 15, 2022, https://www.facebook.com/rootyhillmasjid/photos/a.917929438306838/2501335443299555/.

341 Ibid.; Rooty Hill Masjid, "Assalamu wrwb. The moon of Dhulhijjah was not sighted anywhere in Australia including 3 hours zone. Hence, 1st of Dhulhijjah will be on Monday, accordingly Eid ul Adha will be celebrated

moon was not sighted in Australia and neighbouring countries within a three-hour time zone, such as Malaysia and Indonesia, Eid ul Aḍhā was observed in Malaysia and Indonesia on 20 July 2021.

So, during 2018 and 2019, the IAWSS accepted the sightings that took place in neighbouring countries. However, in 2020 and 2021, it chose not to recognise and accept the sighting reports from Malaysia and Indonesia. This highlights the issues faced by organisations and religious institutes that follow this methodology of moonsighting. If the regional sighting methodology is adopted, numerous issues come into existence. First, defining what constitutes a neighbouring country is a complex issue on its own. Second, how should contradicting reports from within those neighbouring countries be addressed? Determining which country's sighting to accept and which to reject poses a significant challenge. Much like the impracticality of following Saudi Arabia for nations like Australia, situated over tens of thousands of kilometres away, simply relying on regional sighting may also prove unfeasible for countries that are unable to establish strong relations with their neighbouring countries.

4.1.4 Local Sighting

Currently, Moonsighting Australia stands as the sole organisation in the country that is dedicated to the practice of local moonsighting. Moonsighting Australia was established in 1996 initially under the name "Ru'yat-e-Hilāl Committee of Australia."[342] Dr. Shabbir Ahmed, the coordinator of this organisation, held a meeting with imams and scholars from across Australia in Rooty Hill Mosque (Sydney) where this committee was formed. Prior to the formal establishment of this organisation, a system had been in operation since 1978, focusing on the local, physical

on 21st of July 2021 inshallah. Jazakallah," Facebook, July 10, 2021, accessed September 30, 2024, https://www.facebook.com/rootyhillmasjid/posts/pfbid02sZQ3BNEmoGLKrYeiwUcFupW2rmHnsA5j9ETupqt42kBvMqJaQ8LXmG5ApaCMcRCJl.

342 Ibid., 6.

sighting of the moon each month, with contacts across different states in Australia.[343] However, this initial system was maintained and managed by individuals striving to uphold the practice of local moonsighting.

The Ru'yat-e-Hilāl Committee of Australia was formally changed to Moonsighting Australia in 2017. Currently, over 100 imams across Australia are members of this organisation and conduct moonsighting within Australia each month. The structure of Moonsighting Australia includes:

- **State committee:** Each state has a committee consisting of at least five members, who are responsible for receiving moonsighting reports and submitting them to their state representative.
- **State representative:** One member of the state committee is appointed as the state representative, who will collect and assess all submitted reports .
- **National committee:** The state representatives from around the country form the national committee.
- **Central administrative committee:** The state representatives submit their verified reports to the central administrative committee. This committee has the administrative role of collating and submitting the reports to the *Amīr* (leader), as well as overseeing and executing all communications and information regarding the moonsighting process.
- **Amīr:** The *Amīr*, in consultation with the national committee and adherence to this policy, forms the decisions about moonsightings.[344]

Moonsighting Australia comprises a large network of imams and members across Australia, including multiple members from each state to ensure there are strong and trustworthy

[343] Ibid., 5.
[344] Moonsighting Australia, *Policy and Procedures: Hilāl Sighting and Decisions*, 1_2 ed. (Moonsighting Australia, n.d.), 6, https://www.moonsightingaustralia.info/wp-documents/Moonsighting%20Policy.pdf.

communication channels between all members. Its structure emphasises how reports are filtered and verified for each month's sighting.

The methodology adopted by Moonsighting Australia is to rely on sighting reports from within Australia only. As for scientific data, it is not completely disregarded. The policy states:

> Scientific data may be used in the following capacities:
>
> 5.1.1.1 As a reference for assessing the possibility and its extent for moonsighting within a specific time frame and region. At least two independent astronomical bodies must be consulted for the purpose of such assessment.
>
> 5.1.1.2 To determine the veracity and legal (*shar'i*) status of moonsighting reports within the region.[345]

Moonsighting Australia uses astronomical data to determine the possibility of sighting the moon and, with the help of such data, it can verify the legitimacy of any reports of sighting. There have been instances in the past where individuals claimed to have sighted the moon, while astronomical data suggested it was impossible for the moon to be sighted even with sophisticated telescopes, let alone with the naked eye.[346] The use of astronomical data in such instances helped to refute such testimonies.

Despite being followed by a significant number of Muslims across Australia for over two decades, the methodology of moonsighting within the country has not succeeded in uniting all Australian Muslims under one umbrella for commencing and concluding Ramadan. However, there has been a monumental shift as an increasing number of people now prefer to follow local sightings rather than relying on astronomical calculations. This preference is attributed to the clarity and transparency of Moonsighting Australia's policy, along with its well-established

[345] Ibid., 9.
[346] An example of this instance will be discussed in the next sub-topic.

communication channels across the country. Furthermore, unlike other organisations, Moonsighting Australia conducts sightings for each lunar month and issues statements at the end of each month, specifying the commencement of the next lunar month based on local moonsightings within Australia. Their latest statement, for example, reads:

> Today (Tuesday) 3rd of September 2024, the Hilāl of Rabi'ul Awwal 1446 has not been sighted anywhere in Australia. Therefore, the 30 days of the month of Safar will be completed and the month of Rabi'ul Awwal will begin from Thursday, 5th of September 2024.[347]

Most other organisations in Australia only provide statements for the beginning and end of Ramadan and the day of Eid al-Aḍhā.

Regarding local sighting within Australia only, Omar el-Banna asserts:

> This opinion is more logical and practical and is the choice of major Muslim countries in the world like Saudi Arabia, Egypt and Morocco. Historically, this opinion is what has been practiced on the ground in most of the Muslim world. People followed the decision of the Imam or governor in their respective political regions. And since the scholars relatively represent the Imam in countries that have no Imam, then they should also take on the role of coming to such a decision within the political boundaries of their country.[348]

Sighting the moon within a country (particularly a large country like Australia) is not only a valid *fiqhi* view, but also highly practical. This methodology facilitates the establishment of a robust network with other states to carry out and validate sighting reports. The role of a *qadi* (judge) is vital when determining whether a report is authentic or false.[349] When the *qadi* is situated

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[347] Moonsighting Australia, "Rabi'ul Awwal 1446: The Hilāl has not been sighted anywhere in Australia. Therefore, the month of Rabi'ul Awwal will begin from Thursday, 5th of September 2024," September 3, 2024, accessed September 30, 2024, https://moonsightingaustralia.info/rabiul-awwal-1446-all-information-regarding-moonsighting-for-rabiul-awwal-1446-will-be-provided-on-tuesday-3rd-september-2024-after-maghrib/.

[348] El Banna, *Moonsighting Explained*, 25.

[349] For countries that do not follow Islamic law, there is no concept of a *qadi* being followed by the entire country. However, the leader of an organisation can play the role of a *qadi* in such countries.

within the same country, the process of authenticating or rejecting sighting reports becomes considerably easier and efficient.

4.1.5 Global Sighting

Global sighting is a methodology that is not widely implemented or accepted by organisations in Australia. Global sighting refers to the whole world being considered as one region. According to this approach, if the moon is sighted anywhere in the world, it mandates all other countries to follow its sighting. This view is the prominent view of the Ḥanafi, Māliki and Ḥanbali schools.[350] The details of this have already been discussed in section 1.1.3.3. Omar el Banna further analyses global sighting and asserts:

> Scholars who approve of this opinion also differed on the matter. Some scholars said that when we say global moon sighting, we literally mean the whole globe while others said that this is not the case. According to the latter, global moon sighting does not mean the whole world; it actually means regions or countries that are relatively close to one another or at least share a common portion of the night.[351]

The only known organisation that follows global sighting in Australia is Hizb ut-Tahrir. In fact, Omar el Banna also asserts:

> The only organisation that I know of in Australia that follows Global Sighting is Hizbut-tahrir. Brother Uthman Badar, who is their media representative, confirmed to me that they actually follow sighting reports from around the world (not only Saudi Arabia) and that on numerous occasions they received news of the start of Ramadan or Eid just before Fajr and acted accordingly.[352]

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350 Al-Mawsili, *Al Ikthiyar*, 168; Al-Qayrawani, *Al-Nawadir wa Al-Ziyaadaat*, vol. 3, 7; Ibn Qudamah, *Al-Mughni*, vol. 4, 328.
351 El Banna, *Moonsighting Explained*, 23-24.
352 Ibid., 23-24.

Hizb ut-Tahrir introduces itself on its website as a global Islamic political party established in 1953 by a group of scholars led by Taqiuddin an-Nabhani. In the Muslim world, Hizb ut-Tahrir works at all levels of society to bring Muslims back to living an Islamic way of life under the shade of the *khilafah*, which implements the *Sharīʿah* of Allah. As for the Western world, Hizb ut-Tahrir works to cultivate a Muslim community that lives by Islam in thought and deed, preserving a strong Islamic identity and remaining connected to the global struggle of the Muslim *ummah* as one community.[353]

Hizb ut-Tahrir argues that sighting the moon is necessary to determine the beginning and end of Ramadan and astronomical calculations is not an acceptable method nor has it been accepted by classical scholars:

> No classical scholar held the opinion that calculation can be used as a substitute for physical sighting altogether. This was rejected outright. Some did allow the conditional use, but this is not advocated by anyone today so need not be discussed.[354]

Further, after establishing the fact that the crescent needs to be sighted for Ramadan to begin and end, Hizb ut-Tahrir asserts that global sighting is the stronger approach in the matter between local, regional and global sighting methods. They quote the encyclopaedia of *fiqh* (Kuwait), which articulates:

> The Ḥanafis, Mālikis and Ḥanbalis held – and it is one saying in the Shaf'i'i school also – that no consideration is given to the diversity of horizons [*ikhtilaf al-matali'*] in regards to confirming the month of Ramadan. Thus, if the sighting of the crescent of Ramadan is established in one land, fasting becomes obligatory on all the Muslims in all the lands.

353 "FAQs about Hizb Ut-Tahrir," Hizb ut-Tahrir Australia, February 13, 2016, accessed September 16, 2022, https://www.hizb-australia.org/2016/02/faqs-hizb-ut-tahrir/.

354 "Moonsighting – Points to Consider," Hizb ut-Tahrir Australia, July 16, 2012, accessed September 16, 2022, https://www.hizb-australia.org/2012/07/moonsighting-points-to-consider/.

> This is because of the saying of his (saw) saying, "Fast at its sighting," which is an address to the entire Ummah.[355]

After determining that global sighting is the stronger opinion from the four imams, there remains the question of feasibility: is global sighting practical in this day and age due to the timing differences between countries? To answer this question, Hizb ut-Tahrir argues:

> Some may think that global sighting is not feasible practically given the vast distances of different continents around the world. However, in reality it is quite feasible, considering that:
>
> 1. The difference in the rise of the new moon between the farthest two points in the world does not exceed twelve hours.
>
> 2. Finding out late of sightings due to time differences, which is quite possible, can be accounted for by making up a day if it is missed or, if the news of sighting of the Shawwal moon arrives late, breaking the fast and praying Eid the following morning. The latter is perfectly valid. Indeed, both situations occurred with the Prophet (saw) and his Companions.[356]

Akin to regional sighting, it is clear from the classical viewpoint of scholars that there is no doubt that global sighting is an acceptable method that is used to determine the beginning and end of lunar months. However, despite global sighting being the strongest opinion when it comes to the physical sighting of the moon, is it a practical methodology that can be applied in Australia?

Various local scholars in Australia have engaged in endless discussions, authored articles and published books addressing the complexities associated with employing the global sighting methodology for determining the beginning and conclusion of lunar months in Australia.[357]

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[355] Kuwait Ministry of Awqaf and Islamic Affairs, *Al-mawsoo'ah al-fiqhiyyah* [Fiqh encyclopaedia] (Tiba'ah dhat al-Salal, 1983), vol. 23, 142.

[356] Hizb ul-Tahrir Australia, "Moonsighting."

[357] These books include: Ahmed, *Moonsighting in Australia*; El Banna, *Moonsighting Explained.*

Sheikh Omar el Banna addresses the issue of global sighting by writing that there is no doubt it is an acceptable method to start and end the Islamic months. An organisation or individual who follows global sighting is not doing anything wrong if they apply this method properly and with consistency.[358] However, the Sheikh's opinion is that applying global sighting is not easy (particularly in Australia) due to a few reasons, as discussed below.

First, Australia's geographical location, which is just to the west of the International Date Line, means the sun sets first in Australia then progressively in all countries to its west. Sunset in Saudi Arabia is usually eight hours after Australia and sunset in the Americas is usually 18 hours after Australia. This means, if Australia is to follow global sighting, it would have to wait for the sighting reports from cities as far as California. When the sun sets in Los Angeles, it is approximately Dhuhr time the next day in Sydney. For instance, if the crescent is not sighted in Australia on the 29th of Sha'bān, it will be declared that the 30 days of Sha'bān are to be completed and Ramadan will begin the following day. However, if the crescent is sighted in Los Angeles, Sydney might receive the news around noon time that Ramadan has already commenced based on this sighting. According to the global sighting opinion, they are supposed to fast for the rest of the day and make up that day again after Ramadan. Doing this is impractical and hard to apply in reality. The same logistical complexities would also apply to Eid, where they would be fasting on the 30th day of Ramadan and sighting reports would come from countries west of Australia, prompting them to break their fast and rush for Eid prayer. Such a practice would undoubtedly lead to considerable chaos and prove unfeasibly in practice.[359]

Second, another problem Australian Muslims would face if they apply global sighting is the filtering of reports. Not every sighting report can be accepted. A scholar (or *qadi* (judge)) must

[358] El Banna, *Moonsighting Explained*, 24.
[359] Ibid.

confirm that the witness who sighted the crescent is a practicing Muslim and upright. This means there must be some sort of global and recognised organisation that has representatives in every city of the world that receives sighting reports and filters them. Considering the level of disunity between Muslim countries in the world, the existence of such an organisation is closer to fantasy than reality. Therefore, although global sighting may be an acceptable opinion, it is extremely impractical in our time, considering contemporary challenges.[360]

Similarly, Dr. Shabbir Ahmed has written a book on moonsighting in Australia. Like Omar el Banna, Dr. Shabbir addresses the various issues of moonsighting which Muslims in Australia encounter year upon year. While discussing global sighting, the author presents the opinions of the classical scholars regarding the difference of horizons. He acknowledges that the consensus among classical scholars is that, if the moon is sighted anywhere in the word, it compels other countries to follow its sighting. However, despite global sighting being the view accepted by the majority, several Ḥanafi scholars have argued that the concept of difference of horizons should be accepted. Among these scholars are Fakhr al-Din al-Zayla'i, Alaa ul-Din Al-Kasāni, Mulla Ali al-Qari (d. 1605), Shah Waliyullah al-Dehlawi (d. 1762), Shabbir Ahmed Uthmani (d. 1949), Anwar Shah Kashmiri (d. 1933), Mufti Muhammad Shafi (d. 1976) and Muhammad Yusuf al-Banuri (d. 1977).[361]

Further, Dr. Shabbir explains why the later Ḥanafi scholars of the school accepted the difference of horizons. He asserts that the geographical knowledge of the earlier Ḥanafi scholars was fairly limited in relation to the vastness of the world. Many parts of the world were discovered much later, such as countries like Australia, America and many islands, so were beyond the scope

[360] Ibid.
[361] Ahmed, *Moonsighting in Australia*, 67-68.

of their knowledge. Modern scientific cartographic and technological information was not accessible to them.[362]

Although the prominent position of the Ḥanafi school is to view the entire world as a single horizon, scholars of the later school differed from the original view. Multiple reasons are presented by scholars, among which one was mentioned by Dr. Shabbir. Additionally, the author writes:

> An interesting point worth mentioning is that Imam Abu Yusuf used to be addressed as the Imam of the east and the west which did not necessarily mean the Imam of the whole world. Such expressions and titles had limited connotations.[363]

Although global and regional sightings are valid methodologies, which have been discussed by jurists to determine the beginning and end of lunar months, to implement these methodologies in a large country like Australia is difficult and, at times, impractical. Modern scholars around the world have discussed issues related to global sighting and the unfeasibility of this method. However, if global and regional sightings are complicated and problematic methodologies, what methodology can be used that is practical and feasible for Muslims living in Australia?

4.2 What Methodology is Best Suited for Muslims in Australia?

As evident from the above discussions, five methodologies are followed in Australia by different groups of people, led by different organisations. Each organisation has many followers. Due to these varying methodologies, there is a division among the Muslim community of Australia regarding the beginning and conclusion of the month of Ramadan. Although each methodology is backed by strong arguments and evidence provided by leading scholars of that school of thought, the religious leaders in Australia have failed to unite all Muslims under one perspective. While

[362] Ibid., 66.
[363] Ibid.

some efforts have been made in the past, due to pressure from the public, some organisations have caved in and reverted to their original views.[364]

The five methodologies practised and followed in Australia do not imply there are five possible days for when Ramadan begins or ends. Only two days are disputed, regardless of the methodology employed. Those that follow astronomical calculations, global sighting, regional sighting and Saudi Arabia generally begin and end Ramadan on the same day. The followers of local sighting within Australia begin Ramadan a day later and subsequently end Ramadan a day later. Therefore, the main disagreements occur between those that sight the moon locally within Australia and those who follow astronomical calculations. It is evident that astronomical calculations may allow for Ramadan to begin earlier, as no actual moonsighting is required, and mere calculation of the birth of the moon is considered. In contrast, physically sighting the moon requires it to be a certain lunar age as well as for the sky to be clear, which is often challenging. Hence, if the moon is not sighted, the 30 days of Sha‘bān are completed and fasting begins a day after those who follow calculations.

Moreover, the perspective of following global sighting in Australia poses several issues. This includes the practicality and time difference between Australia and countries like North America and Canada. This time disparity makes it unfeasible for those in Australia to wait for any news of sighting from such distant countries. Apart from the time difference, the verification of these reports also emerges as a significant issue. Similarly, the approach of regional sighting presents a similar issue. While the time zone between Australia and regional countries is not vast, the issue of verification of sighting reports remains. There have been instances in the past where the moon was sighted in neighbouring countries of Australia, yet the reports were not able to be verified.

[364] Organisations like the ANIC and AFIC.

An example of this instance was the sighting report received in May 2020, from Fiji. The Fiji Muslim League released a statement that the new moon was sighted on 24 May 2020 and Eid ul-Fitr would consequently be celebrated on Sunday 24 May 2020.[365] However, the moon was not sighted anywhere in Australia. Hence, local moon sighters, i.e. Moonsighting Australia, did not acknowledge the reported sighting from Fiji, as it falls outside Australia's purview, despite the mere two-hour time difference between the two countries. It declared that Eid ul-Fitr will fall on Monday 25 May 2020. As for those who follow regional sighting (such as the IAWSS), they declared that Eid ul-Fitr will fall on Sunday, 24 May 2020, relying on Fiji's sighting report. Although the declaration of the day of Eid ul-Fitr for both organisations was based on their criteria (local and regional sighting), this decision created confusion and chaos among the Muslim community in Australia. Many people questioned the acceptance of Fiji's sighting reports, citing the moon's age and elongation, which seemingly made it almost impossible for the moon to be sighted. Meanwhile, others questioned why Moonsighting Australia did not consider the sighting from a country that is merely two hours ahead.

However, in 2020, Malaysia and Indonesia announced that the moon was sighted, officially making the commencement of Ramadan on Friday, 24 April of that year. Similarly, in Indonesia, the Indonesian Ministry of Religion announced that the moon had been sighted in Palabuhanratu, West Java province, indicating that the Ramadan fast will begin from 24 April in Indonesia.[366] These announcements by Malaysia[367] and Indonesia were made on 23 April 2020. In contrast, the IAWSS announced:

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365 Fiji Muslim League, "Sighting of Moon Eid-ul-Fitr 2020," Facebook, May 19, 2020, accessed September 26, 2022, https://m.facebook.com/1566314570354691/photos/sighting-of-moon-eid-ul-fitr-2020-the-fiji-muslim-league-wishes-to-advise-its-me/2621053478214123/.

366 Arbi, "Ramadan starts Friday."

367 "Ramadan fast begins on Friday," *The Star*.

> IAWSS Moonsighting committee has conducted moonsighting activity across Australia and other countries within three hours' zone. Moon has NOT been sighted. Hence, the 1st of Ramadan will be on Saturday 25th of April 2020.[368]

Similarly, in 2021, the IAWSS declared the moon of Dhul Hijjah was not sighted anywhere in Australia, including countries that were in the three-hour zone. Hence, the first of Dhul Hijjah was announced to be on Monday and Eid ul Aḍhā was celebrated on 21 July 2021.[369] However, Malaysia and Indonesia celebrated Eid al-Aḍhā on 20 July 2021.[370] Ultimately, the IAWSS accepted sighting reports from Fiji in May 2020 to determine Eid ul-Fitr but rejected sighting reports by official government declarations in Malaysia and Indonesia in April 2020 and July 2021.

This discrepancy in approach highlights the issues faced by organisations and religious institutes that follow the methodology of regional sighting. If this methodology is adopted, what happens if there are contradicting reports from those neighbouring countries? This question exacerbates the challenge of deciding which country's sighting should be accepted and whose should be disregarded. Regional sighting, hence, is impractical for nations that lack a robust relationship with their neighbouring countries to verify sighting reports.

4.3 Conclusion

The three sighting methodologies used in Australia[371] create dissent and conflict in the Muslim community. While some scholars push and urge the community to follow a particular method and stick to it, others try to unite the community with different methodologies. For example, in support of local moonsighting within Australia, Omar el Banna asserts:

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368 Rooty Hill Masjid, "Announcement."
369 Ibid.; Rooty Hill Masjid, "Assalamu wrwb."
370 "Is Idul Adha a Public Holiday?" TimeandDate, accessed October 20, 2022, https://www.timeanddate.com/holidays/indonesia/idul-adha; "Is Hari Raya Haji a Public Holiday?" TimeandDate, accessed October 20, 2022, https://www.timeanddate.com/holidays/malaysia/hari-raya-haji.
371 Local, regional and global.

> This opinion is more logical and practical and is the choice of major Muslim countries in the world like Saudi Arabia, Egypt and Morocco. Historically, this opinion is what has been practiced on the ground in most of the Muslim world. People followed the decision of the Imam or governor in their respective political regions. And since the scholars relatively represent the Imam in countries that have no Imam, then they should also take on the role of coming to such a decision within the political boundaries of their country.[372]

Although local moonsighting within a country may seem to be a practical and simple method, the proponents of calculations claim that pre-announcing Ramadan and the two Eids is a practical method and, in fact, an easier approach. However, the question does not centre on what is easier for the Muslim community to practice. The real question is which methodology is correct and which methodology will the Muslims of Australia be inclined to embrace? Given the lack of consensus among scholars and organisations, expecting the broader Muslim community in Australia to accept decisions made by various entities without the provision of substantial arguments or transparency in their chosen methodology seems unrealistic and impractical.

CHAPTER 5:AUSTRALIAN MUSLIM INDIVIDUAL AND COMMUNITY PRACTICES ON MOONSIGHTING AND ALTERNATIVE METHODS

This chapter will critically analyse the moonsighting practices of Australian Muslims using data collected from an anonymous online survey. Given the substantial volume of responses and comments received, the analysis will be split across two chapters. Chapter 5 will concentrate on the closed-ended questions, while Chapter 6 explores the open-ended questions, specifically analysing the comments section. This approach is adopted to address the various themes that have emerged from the comments section.

[372] El Banna, *Moonsighting Explained*, 25.

One of the main focuses of this research is to explore the many reasons behind the different ways Muslims around the world and particularly in Australia observe the practice of moonsighting in determining the beginning and ending of Ramadan. Previous chapters have discussed the historical and religious aspects of moonsighting to lay a foundation to comprehensively understand the results of the survey. This chapter stands as an integral point where theory meets practice from the Australian context.

The response to the online survey was overwhelming: 5,584 participants across the country responded within a few days after it was released. The survey was completed by a diverse range of respondents, including individuals, community leaders and organisations across Australia. The high level of response reflects the importance of the issue and strong interest of the Australian Muslim community on issues related to moonsighting and the start of Ramadan and Eid in Australia.[373]

The data collected from the online survey will be examined to understand how Australian Muslims recognise the issue of moonsighting and what their current practices are and have been over the past few years. This chapter will begin by presenting an outline of the survey questions followed by a structured analysis of the results according to key methodological and other themes. The complete sequence of survey questions and answer choices is provided in Appendix A of this thesis.

By breaking down the survey responses into sub-categories and themes while conducting a thorough examination of key questions, this chapter presents a comprehensive overview of the survey's findings. These themes include the overview of the survey questions, preferred method of establishing the beginning and ending of Ramadan, understanding methods behind moonsighting choices, source and confidence of participants when determining who to follow to

[373] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*.

establish the beginning and ending of Ramadan, the impact on family relations, community vision and a comparative analysis of methodology and school of thought. This reveals the variety of factors that influence how moonsighting is practiced among Australian Muslims from not just religious, but also cultural backgrounds.

5.1 Overview of Survey Questions

The online survey was conducted among Australian Muslims to gather data on their practices and experiences in Australia when it comes to moonsighting. The survey was aimed at collecting information from a wide range of individuals and communities and to shed light on the current and past practices and different perspectives and opinions that exist within the community when it comes to determining the beginning and ending of Ramadan.

The survey began by collecting demographic information from participants. Respondents were asked to specify their gender, age, state in which they reside and their majority ethnic heritage. These initial questions were the foundation for understanding the diversity of participants. They were also asked about their religious affiliation in terms of what Islamic legal schools they follow, the method they employed to establish the beginning of Ramadan and the source they follow to determine the day of Eid.

Additionally, participants were asked to express their confidence in the accuracy of the source they rely on when determining the beginning and ending of Ramadan.[374] The subsequent question was posed to gain deeper insights into the factors that are considered before deciding when to begin Ramadan and celebrate Eid. For participants who had shifted their approach in the past five years, the survey allowed them to express their reasoning through an open-ended response.

[374] See Appendix A.

The survey also asked participants whether their family members had started Ramadan or celebrated Eid on different days within the past three years. For those who answered yes, the survey queried how this affected their family relations by allowing them to choose the impact it had on their families on a 10-point scale with 0 meaning no affect at all and 10 meaning it had severely affected them. This aspect highlights the potential impacts of differing dates for Ramadan and Eid on personal and communal relationships. The participants' perceptions and desires regarding the issue of Muslims commencing Ramadan and celebrating Eid on different days were also investigated.

Lastly, participants were provided with the opportunity to express themselves by suggesting improvements or changes they would like to see in the process of determining the start and end of Ramadan and Eid in Australia. The final open-ended question, which was optional, was answered by 2,787 participants.[375] The comments from this final question are analysed in the next chapter due to the significant number received and various themes that emerged.

5.2 Age and Gender Dynamics in Moonsighting Preferences

The first question of the survey was on gender, with 62.36% of participants identifying as male and 37.64% as female. This distribution indicates that while male participation was higher, a significant proportion of female respondents also engaged with the survey. This suggests that moonsighting is an issue of concern across genders, reinforcing that the topic is not limited to one specific demographic but affects the broader Muslim community.

The second question of the survey inquired about the respondents' age. The survey data includes responses from a broad range of age groups, ensuring that the sample represents the

[375] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 16.

diverse demographics of the Australian Muslim community. The largest proportion of respondents (39.6%) fall within the 36-45 age group, indicating that this age group is particularly engaged with the topic of moonsighting. This is significant as individuals in this category often play a central role in family and community religious practices, including Ramadan and Eid observances.

The 26-35 age group makes up 27% of the respondents, showing strong engagement from younger working professionals and parents, who are also likely to be involved in religious discussions. The 46-55 age group, comprising 16% of the sample, represents an older demographic that has been exposed to various moonsighting methodologies over time, potentially influencing their perspectives on the issue.

Interestingly, both the youngest (18-25) and oldest (56+) age groups each constitute 9% of the sample. While younger respondents may have less influence in moonsighting decision-making, their participation in the survey indicates their engagement with the topic and desire to contribute their perspectives.

This analysis shows that the issue of moonsighting is not only one that affects a specific age group but rather impacts both young and old across different generations.

5.3 Preferred Method of Establishing Eid and Ramadan

When determining the beginning and ending of Ramadan, numerous methodologies are employed by Muslims around the world. In Australia, some Muslims rely on and simply follow specific organisations to announce the beginning of Ramadan and day of Eid. These include announcements made by the ANIC, AFIC and Moonsighting Australia alongside other organisations including IAWSS (Islamic Association of Western Suburbs Sydney and UMB (United Muslims of Brisbane), while others turn to trusted scholars and imams. The methods employed and authorities relied on can vary based on religious, cultural and individual preferences.

The rich diversity within the Muslim community in Australia makes it interesting to note on which entities or methods Australian Muslims predominantly rely. This survey explored on whom the participants relied to commence Ramadan and for celebrating Eid.[376] Furthermore, the research also attempted to understand the primary reasons that shape their decisions, showing not just who they follow but why they choose to follow them.

This section will comprehensively analyse questions 6, 7 and 9 of the online survey as they are relevant to the methodological aspect.[377] In these questions, participants were asked how they established the beginning and ending of Ramadan and what method they followed when deciding who to choose to determine the dates of Ramadan and Eid. Through in-depth analysis of these questions, the methodological approaches adopted by Australian Muslims in determining Ramadan and Eid will become clear. The chosen responses of participants will be used as subheadings within this chapter, which include following familial and social traditions, local mosques and Islamic organisations, country of origin, the announcement of the ANIC and Mufti of Australia, Moonsighting Australia, and alternative or unconventional approaches.

[376] Ibid., 11-12.
[377] Ibid., 11-13.

Analysis of question 9, which focused on understanding the methods behind participants' moonsighting choices will be conducted separately, as it provides a more precise understanding of their reasons when choosing who to follow while determining the beginning and ending of Ramadan. This question holds significance as it goes beyond determining the favoured approaches of participants to explore the fundamental motivations behind these choices. Grasping these motivations provides an understanding of how personal understanding on the issue of moonsighting, community impact, religious affiliation and practical factors shape individuals' practices when it comes to determining the beginning and ending of Ramadan.

5.3.1 Following Familial and Social Traditions

Family and social traditions are important aspects to consider for people when it comes to moonsighting practises. Religious beliefs and practises, which include moonsighting, are often influenced by generational changes, especially among people who have moved to Australia from other parts of the world. However, as the Muslim diaspora changes, their beliefs and interpretations on various Islamic issues also change. These changes can become evident in the observance of religious practices or the integration of cultural traditions with religion. Silvestri writes:

> The term "Muslim diaspora" is often used, in popular parlance, to refer to those Muslim populations that live in the West but are not native to it, and typically originate instead from the Middle East, North Africa, or Asia.[378]

Silvestri sheds light on how people often interpret the term "Muslim diaspora." This term often denotes Muslims who have migrated to the West and settled there, especially those from the Middle East, North Africa or Asia. However, such groups of people are not historically related to

[378] Sara Silvestri, *Misperceptions of the 'Muslim Diaspora'* (University of California Press, 2016), 319.

these Western regions. Through this term, Silvestri emphasises the complex relationship between migration, identity and origin for Muslim communities living in the West.

In the Muslim diaspora, the clear generational divide is highlighted by Peter Mandaville, who states that young Muslims are largely dissatisfied with the Islam of their parents. This generational divide is one of the defining features of the Muslim diaspora today.[379] Mandaville argues that young Muslims frequently feel cut off from the beliefs and practises of their parents. This age gap is visible in several aspects of religious practise, including moonsighting. Many Muslim households historically adhered to the customs of their countries or those that had been passed down through the generations regarding moonsighting. However, younger Muslims today have access to a wide range of interpretations and scholarly viewpoints on the topic.

Moreover, young Muslims, according to Mandaville, should understand that their parents' perceptions of Islam were influenced by a different time and place. Their parents were firmly rooted in countries with a Muslim majority, learning about religion not only at home but also from an elementary level at schools and the larger community. For example, many young Turkish migrants' parents received formal Islamic education in Turkey and were raised in an environment that supported their religious opinions. This system, however, does not travel well into diaspora. Other young Muslims, however, choose to reaffirm their Islam. By doing so they remain in the diaspora, but the object of their migrant desire – the place to which they seek to return – changes.[380]

A notably low percentage of participants (3.79% – 211) indicated they follow family or friends when establishing the beginning of Ramadan, while a similar number of respondents (3.74% – 208) indicated they follow family and friends when determining the day of Eid.[381] This result comes as no surprise given the changing dynamics within the Muslim diaspora that have

379 Peter Mandaville, *Transnational Muslim Politics: Reimagining the Umma* (Routledge, 2001), 136.
380 Ibid.
381 Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 11-12.

been highlighted above. This result shows a lack of reliance on family members when deciding when to begin and end Ramadan. Furthermore, it also highlights that people are increasingly inclined to rely on personal understanding on the matter of moonsighting rather than adhering to familial or social practices.

In the past, many Muslim communities used to follow family or friends when it comes to moonsighting. Today, the limited number of participants choosing the 'following family/friend' option in the survey could suggest a potential shift from this tradition. The divergence from this practice might also explain the familial conflicts that now arise concerning moonsighting issues.

This reflects a world where people have access to numerous sources of information whether online or from a respected leader/organisation. Consequently, people feel more confident in their personal decisions about religious matters. The increase of online platforms, websites, social media and digital publications has made information about religious practices more accessible than ever before, particularly issues related to moonsighting. People can access a wide range of opinions, interpretations and rulings from various sources from within their countries or overseas. The access to such information has enabled people to engage directly with religious texts, seek interpretations of Qur'ānic verses and Prophetic texts that resonate with their understanding, and form their own opinions about religious matters.

5.3.2 Following Local Mosques and Islamic Organisations

Mosques play an important role in Islam. While they are primarily used as places of worship for Muslims to come together for prayers and other religious activities, their importance goes beyond that. Mosques serve as centres for learning about the Qur'ān and *Sunnah* and a place of gathering for scholars and students of religious knowledge. Historically, soldiers would be sent out from mosques for expeditions and delegations would convene there. From these sacred spaces,

people who commanded good and forbade evil[382] were dispatched. Additionally, solutions to problems were sought in mosques and *fatwas* (religious verdicts) were issued there.[383]

Furthermore, Salah Zaimeche asserts:

> From the earliest days of Islam, the mosque was the centre of the Muslim community, a place for prayer, meditation, religious instruction, political discussion, and a school. And anywhere Islam took hold, mosques were established, and basic religious and educational instruction began.[384]

Mosques have been in Australia since the first Muslim settlers. The first modest "tin shack" mosques were built by the Afghan cameleers.[385] The steady growth of the Muslim community in Australia has been accompanied by a rise in the number of mosques and other ethnic and religious institutions founded by different ethnic groups of the Muslim population.[386] As of a 2014 report on mosques in NSW and Sydney, New South Wales had 167 places of worship.[387] This number has likely increased since then.

The importance of guidance provided by local mosques and Islamic organisations is reflected in the percentage of participants who place their trust in them (21.61% – 1,203) when determining the beginning of Ramadan and 22.25% (1,238) when deciding who to follow for Eid.[388] Religious organisations play a significant role in influencing individual choices about religious matters, which is why many people prefer to seek advice from them, as evidenced by the survey respondents' preference.

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382 Commanding good and forbidding evil is an important Islamic principle, derived from the Qur'ān and ḥadith, which encourages promoting righteousness and preventing wrongdoing within the community.

383 Ahmad ibn Yahya al-Najmi, *The Role of the Masjid in al-Islam* (Al-Rahmaniyyah Publishing, 2017), 10-15.

384 Salah Zaimeche, *Role of Mosque in Islamic Education* (Australian Islamic Library, 2001), 11.

385 Alexandra Biggs, *Building Mosques, Building Community: Australian Mosque Establishment and the "Muslim Migrant," 1967–1990* (Professional Historians Association, n.d.), 2, accessed September 12, 2023, https://www.phansw.org.au/wp-content/uploads/2020/07/2016-Public-History-Prize-Alex-Biggs.pdf.

386 Husnia Underabi, *Mosques of Sydney and New South Wales – Research Report 2014* (CISAC, ISRA and UWS, 2014), 15.

387 Ibid., 10.

388 Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 11-12.

Although this percentage is significantly higher than those who chose to follow family and friends (3.79%), it is not as high as expected. In religious terms, mosques and Islamic institutions hold an important, central role as religious centres and not just merely places of worship where congregants attend to offer their daily prayers. They are also viewed as sources of religious knowledge and guidance.

The relatively low percentage of respondents who chose to follow their local mosque or Islamic organisation to begin Ramadan requires closer examination to determine the factors that influenced their decision. Hüseyin Inam writes on the significance of mosques as places where religion is presented:

> A mosque is a place that has been founded and made available by the faithful for the worship of the One God. It is not essentially sacred but must be kept pure because of the conditions for prayer. It also constitutes the public space for interaction between the believers and their religious leadership that is open to all believers without discrimination.[389]

While local mosques are important as religious symbols, people may not always trust their local imams or the religious organisations that represent these mosques. This is also evident when it comes to moonsighting. This lack of confidence could result from various factors, including differences of opinion among scholars, the various methodologies on moonsighting and the complexity of astronomical calculations. It is likely that individuals feel more comfortable making personal decisions based on their understanding of the issue or seek guidance from sources they trust instead of relying on their local mosques and imams.

[389] Hüseyin Inam, "Power and Authority in Religious Traditions in Islam: Reflections about Issues of Power and Authority in the Traditions and the Present Situation of Muslims in Europe," *European Judaism: A Journal for the New Europe* 46, no. 1 (2013), accessed September 5, 2023, http://www.jstor.org/stable/42751119.

This was also evident in Shaheen Whyte's interview with Sheikh Abdul, an Australian-born imam, who writes:

> Muslims raised in Australia inherit different ideas about the mosque compared to overseas Muslims. In his opinion, overseas Muslims were more accepting of the mosque as a place to gain religious guidance and assistance, whereas younger and first-generation Muslims needed alternative platforms like social media to be engaged.[390]

Moreover, the modern era has increased the availability of information from various sources and individuals might explore different viewpoints before forming a decision. This adds to the observation that, although local mosques have a degree of authority, some respondents choose other sources based on their faith and trust.

5.3.3 Following Country of Origin

The role of governments in Muslim-majority countries has been a significant factor in shaping modern moonsighting practices, particularly in the shift towards astronomical calculations. Unlike historical periods where moonsighting was primarily managed by religious scholars and local communities, the modern era has seen state-backed religious councils and government institutions assume control over the official Islamic calendar. This shift is largely driven by political and administrative considerations, including the need for national unity, logistical efficiency, and integration with international systems.

For example, Turkey has fully adopted astronomical calculations to determine Islamic dates through its Diyanet (Presidency of Religious Affairs), ensuring that Ramadan and Eid are declared well in advance. Similarly, Malaysia, Indonesia, Singapore and Brunei employ a hybrid system,

[390] Shaheen Whyte, "Islamic Religious Authority in Cyberspace: A Qualitative Study of Muslim Religious Actors in Australia," *Religions* 13, no. 1 (2022), 69, accessed February 29, 2024, https://www.mdpi.com/2077-1444/13/1/69.

where both calculations and physical sightings are used, but the final decision rests with government-appointed bodies. These policies demonstrate how political authorities, rather than independent religious scholars, increasingly dictate moonsighting decisions in Muslim-majority countries.

The influence of these state-led moonsighting policies extends beyond national borders and directly affects diaspora communities. Many migrant Muslim communities in Australia continue to follow the official rulings of their home countries, reflecting long-standing religious and cultural ties. For instance, Turkish-Australian mosques follow the Diyanet's pre-determined dates, while Malaysian and Indonesian communities often adhere to their respective governments' announcements. This has contributed to diverging moonsighting practices within the Australian Muslim community, where some follow local sightings, others follow ANIC or AFIC, and yet others rely on the rulings of their home countries.

These variations illustrate how government-led moonsighting policies influence diaspora practices, reinforcing the notion that moonsighting is not only a religious issue but also a socio-political one. As governments continue to assert authority over Islamic calendar determinations, the tension between local and international moonsighting decisions remains a key factor in shaping contemporary debates on moonsighting in Australia.

Similarities exist between the analysis of those that followed their country of origin and those who followed familial and social traditions. Family ties and cultural customs are closely connected to one's place of origin. Family traditions passed down through centuries are generally influenced by cultural and religious practises. Although there are obvious similarities between these two ways of identifying practises, there are also minute differences.

The difference between adhering to one's country of origin and relying on family or friends reveals some small but substantial differences when delving into the specifics of moonsighting

methodologies. Choosing a method to establish the beginning and ending of Ramadan based on one's country of origin primarily results from the cultural customs that may be followed by the majority of people living there. This is separate from a particular or specific custom and belief passed down within a family or among friends, which might not necessarily reflect the country's larger cultural practices.

Additionally, if one follows the moonsighting practices of their country of origin, especially if the country is governed by Islamic rulers, there will likely be a uniform approach without multiple variations, as found in non-Muslim countries. Many individuals from this place would then follow a consistent method. On the other hand, family or friends can adopt different methods that can be influenced by events, cultural customs or local traditions. Unlike countries that maintain a consistent method, these individual or small group choices can change multiple times a year or after a few years, adapting to what they find most fitting at the time.

Additionally, emotional and identification bonds should be considered for those who follow their country of origin. Following the practices of one's country of origin for some people may be less about the method and more about an expression of one's identity or sense of belonging to that country. On the contrary, choices based on relationships with family or friends place more emphasis on ties of kinship and mutual trust. However, it is important to understand that, while these distinctions exist, they may overlap for many, as moonsighting decisions frequently result from a combination of these elements, individual views and personal experiences.

Another important point to consider when examining the link between moonsighting and following one's country of origin is the association between mosques and ethnic groups. Historically, many mosques in Australia have been established around ethnic communities.[391] These mosques are often cultural hubs that help communities preserve their traditions, languages

[391] Underabi, *Mosques of Sydney and New South Wales,* 10.

and religious customs from their home countries. Hence, mosques are not only places of worship but also gathering spaces for communities and cultures.

Further, the imam of a mosque carries significant influence over the congregants' religious practises and beliefs. It is not unusual for the imam to come from the same ethnic group as the mosque committee, given the ethnic focus of many mosques. This ensures that religious beliefs and practices continue to reflect the community's culture. Some mosque committees hire imams from abroad, particularly those who are from their own country. Through this practise, the connection to one's country of origin is further strengthened and the continuation of customs, religious beliefs and practises is ensured.

This observation is supported by a 2014 survey of NSW mosques. The report highlights a clear correspondence between the ethnicity of the imam, the members of the management committee and the regular participants. For instance, in many mosques where the imam has a Turkish background, a significant portion of the regular attendees were also of Turkish descent. This finding aligns with Bouma's assertion that Australian mosques are organised around specific ethnicities.[392]

Mosques that represent different ethnicities would ultimately lead to varying views on religious practices, which includes issues on moonsighting. The strong connection between ethnicity and mosques, alongside the important role of religious leaders and imams, influences the religious practices of many Australian Muslims, often binding them to the traditions of their countries of origin.

As a result, the answer choice 'I followed my country of origin' received a meagre response of 1.22% (68) among participants when determining the beginning of Ramadan and an even lower

[392] Ibid., 25.

1.11% (62) for Eid, indicating one of the lowest options selected for Ramadan and Eid.[393] This result is unsurprising as it is in line with the changes that are evident in decision-making in religious matters plus the analysis of the two previous responses where technological advancements and growing access to information have transformed traditional practices.

With the increase in digital resources and online information, people no longer feel the need to rely solely on their countries of origin for decisions about when Ramadan begins or ends. The shift from relying on countries of origin to personal opinions highlights a significant transformation from earlier decades, particularly the 1980s and 1990s, when people were more inclined to follow their countries of origin for moonsighting news. During that era, the absence of major organisations like the ANIC and Moonsighting Australia meant that individuals often heavily relied on information from their countries, which was the most trusted and accessible source available to the Muslims at that time.

With the rise of technology and availability of online resources, people have become more educated around the issues related to moonsighting. People are beginning to turn to local sources, whether it be imams, institutions like the ANIC, AFIC and Moonsighting Australia, or even personal opinions with which they agree. Over the past few decades, reliance on countries of origin for moonsighting updates has significantly diminished.

The low number of participants who selected this option not only highlights the shift in reliance on their countries of origin but also indicates that people are becoming more aware with the intricacies of moonsighting and not blindly following a particular method. This shift shows how the community is adjusting to a new setting and environment, where traditional practices coexist with contemporary means of obtaining information. This shows that people now make

[393] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 12.

decisions with the help of technology, knowledge and a broader understanding of the issue, which enables them to form their own choices without hesitation.

5.3.4 Following the Announcement of the ANIC/Mufti of Australia

The significance of Islamic organisations and their role in the lives of Australian Muslims is a subject of great importance. Michael Feener writes:

> The social, economic, and political transformations of the past two centuries have been rapid and dramatic, resulting in complex reconfigurations of religious authority in many Muslim societies. These changes have involved not only the emergence of distinctly new profiles of leadership, but also the persistence and adaptation of the models established by the *ulama* of the classical period.[394]

Non-profit organisations, especially religious-based institutions, have long played an important role in society.[395] The ANIC, AFIC and similar organisations hold a unique position as representatives of religious authority, responsible for sharing important information with the community as well as resolving matters related to religion. However, the differing opinions on the influence of the ANIC brings up a greater discussion: Are Muslims obligated to follow the orders of these organisations or is there space for personal interpretation and decision-making?

This is a pressing concern. In countries without Muslim governance, who should Muslims rely on for guidance on matters like marriage, divorce as well as announcements on when Ramadan begins and ends? How can Muslims adhere to Islamic obligations in such places? Hence, the presence of a judicial council or Islamic organisation is essential in such countries.[396]

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394 R. Michael Feener, "Muslim Religious Authority in Modern Asia: Established Patterns and Evolving Profiles," *Asian Journal of Social Science* 42, no. 5 (2014), accessed September 5, 2023, http://www.jstor.org/stable/43495817.

395 Hasan Basri Afifuddin and A. K. Siti-Nabiha, "Towards Good Accountability: The Role of Accounting in Islamic Religious Organisations," *International Journal of Humanities and Social Sciences* 4, no. 6 (2010): 1119, accessed September 11, 2023, https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=5f55000de71217793792caf76999661521582268.

396 Muhammad Ra'fat Usman, *Al-Nidham al-Qada'I fil fiqh al-Islamiyy* [The Judicial System in Islamic Jurisprudence] (Dar al-Bayan, 1994), 76.

It is also essential to discuss the role of a mufti, particularly in Muslim-minority countries like Australia. Since the Mufti of Australia makes the final decision on various Islamic issues as well as announcements related to the dates of the beginning of Ramadan and Eid, it is important to understand what role he plays and the extent to which his decisions are binding on other Muslims.

The word mufti is derived from *fatwa*. A *fatwa* is a religious opinion or ruling (*hukm*) issued by a qualified jurisconsult known as a mufti or *mujtahid*.[397] A *fatwa* is the decision of an expert in *Sharīʿah* regarding religious matters.[398] Ibn Mandhur, the famous Arabic lexicographer writes:

> And he gave a ruling (*Fatwa*) on the matter, meaning he clarified it for him. The man gave a ruling (*Fatwa*) on the issue, and I sought a ruling from him about it, and he gave me a ruling. The act is referred to as 'issuing a *Fatwa'* and the issued ruling is referred to as a *Fatwa*.[399]

This essentially describes the process and terminology of seeking, giving and receiving a *fatwa* in Arabic.

As for the terminological meaning of *fatwa*, Abdul Karim Zaidan defines it as:

> The terminological meaning of *Iftā* (issuing a *Fatwa*) is the linguistic meaning of this word, encompassing the presence of someone seeking a *Fatwa* (*Mustafti*), the one issuing the *fatwa* (Mufti), the act of issuing a *Fatwa* (*Iftā*), and the *Fatwa* itself. However, there's one stipulation: the matter for which a ruling is sought should be considered among the religious (*Sharīʿah*) matters, and the intended ruling to be known is a *Sharīʿah* ruling.[400]

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397 Whyte, "Are Fatwas Dispensable?," 314.
398 Abdul Hafeez Balyavi, *Misbah al-Lughāt* [Urdu to Arabic Dictionary] (Maktabah Quddusiyaah, 1999), 592.
399 Ibn Mandhur, *Lisān al-Arab*, vol. 15, 147.
400 Abdul Karim Zaidan, *Uṣul al-Da'wah* [Principles of Da'wah] (Resalah Publishers, 2002), 140.

As for the word mufti, Al-Shatibi writes that a he is a representative on behalf of Prophet Muhammad in conveying rulings.[401] Ibn Hamdan asserts that the mufti informs about rulings from God, knowing it with its evidence. He provides information on behalf of God about His ruling.[402] This definition emphasises the mufti's role as an informant of divine rulings based on evidence from the primary sources of Islamic law. It underlines the importance of a mufti's responsibility to provide religious guidance.

The importance of *fatwas* is not limited to countries that follow *Sharīʿah* law. They are just as important, if not more so, in non-Muslim countries like Australia where Muslims strive to incorporate Islamic teachings into a secular societal framework.[403] To understand the role of *fatwa* in Australia, it is necessary to know which Islamic organisations can fulfil this role, which includes the AFIC, ANIC and Darulfatwa Islamic High Council. A detailed background on the AFIC and ANIC has already been discussed in Chapter 4.

As for Darulfatwa Islamic High Council, it was established in 2004 due to broader issues and internal problems with the AFIC. Its foundation sought to foster reasonable perspectives and a coordinated strategy. Its main goal is to offer and disseminate Islamic rulings (*fatwas*).[404] As part of its aims and objectives, Darulfatwa seeks to provide Islamic rulings for daily guidance, oppose extremism, represent diverse Muslim interests, conduct annual meetings with sheikhs and leaders for community direction, defend Islam against biases, and advocate for the rights of Australian Muslims.[405]

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401 Ibrahim bin Musa bin Muhammad al-Shatibi, *Al-Muwafaqat* [The Conformities] (Dar ibn Affan Publishers, 1997), vol. 5, 253.

402 Al-Ḥanbali, Ahmad bin Hamdan, *Sifatul Mufti* [The Attributes of the *Fatwa*, the Mufti, and the one Seeking the *Fatwa*] (Al-Maktab al-Islamiyy, 1960), 4.

403 Nadirsyah Hosen and Ann Black, "Fatwas: Their Role in Contemporary Secular Australia," *Griffith Law Review* 18, no. 2 (2009): 407, accessed September 26, 2023, https://ro.uow.edu.au/lawpapers/193.

404 Ibid., 416.

405 "Aims – Objectives," Darulfatwa Islamic High Council of Australia, accessed September 26, 2023, https://www.darulfatwa.org.au/en/en-aims-objectives/.

While these institutions play an important role in issuing *fatwas* in Australia, an important question arises: which of them is the most reputable source? The more muftis there are, the more likely it is that different interpretations will be heard and, as a result, there will be conflict. Such differences will create more doubt among Australian Muslims. The varying declarations by the two Grand Muftis of Australia surrounding Eid ul Fitr in 2023 are a prime example of this intricacy.[406] These differing viewpoints highlight the need for coordination and collaboration among these entities to ensure clarity and unity within the Australian Muslim community. Unfortunately, there seems to be no solution to this problem as the AFIC as well as the ANIC claim to represent the Muslims of Australia.[407]

Furthermore, the Mufti of Australia has never received unanimous support from the Australian Muslim community, personally and at an organisational level. While some Muslims want a leader who advocates for a more moderate vision of Islam, others argue that a single person cannot represent the whole Muslim community. They propose that a collective institution, such as a Board of Imams, may better represent the many viewpoints.[408]

A fascinating find is reported in the article 'Fatwas: Their Role in Contemporary Secular Australia' in relation to the number of people who ask for *fatwas* from Australia:

> A visit to sites such as Islam on-line, Islamtoday, Ask the Imam, Islam Q&A and Fatwa on-line show Australians are strongly represented as questioners. In the domain report of Islam Q&A there were 1,112,998 requests for fatwas from Australia. Of the 128 countries from which requests have been received Australia is number seven, behind Saudi Arabia, the United Kingdom, France, the Netherlands and the United States. This supports the

406 Zia Ahmad, "Post-Analysis of Eid Day Determination: 1444 AH/2023 CE," *AMUST*, April 27, 2023, accessed February 29, 2024, https://www.amust.com.au/2023/04/post-analysis-of-eid-day-determination-1444-ah-2023-ce/.
407 Hosen and Black, "Fatwas," 415-16.
408 Ibid., 417.

contention of Alexandre Caerio that the demand for fatwas in the Western world appears to be greater than in Islamic countries.[409]

With over a million requests for *fatwas* from Australia and its ranking as seventh globally in terms of number of requests, there is a clear indication of a significant need for Islamic legal judgments within the Australian Muslim community. The fact that so many *fatwas* are requested from Australia raises questions about the effectiveness and reach of local Islamic institutions, *fatwa* councils and Muftis of Australia. The high number of individuals seeking guidance online suggests that local bodies may not be sufficiently catering to the needs of the local community.

When asked about determining the commencement of Ramadan, 15.25% (849) participants chose this option, indicating their reliance on the ANIC/Mufti of Australia's announcement. Similarly, a slightly smaller number of participants (14.4% – 802) also selected this option for establishing the day of Eid.[410] Although these figures may seem significant when viewed in isolation, they appear modest when taking into account the ANIC's position as the leading organisation that represents all imams in Australia and their responsibility for making important announcements regarding issues other than moonsighting and conveying them directly to the community.

The biggest challenge for the community is to find balance between respecting these religious authorities while adopting personal opinions on various religious affairs. Although the ANIC serves as a body and resource for imams and scholars across Australia, the low participation rate from these questions suggests a significant portion of the community may not perceive it as the sole or primary source for decisions on moonsighting.

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409 Hosen and Black, *Fatwas*, 422.
410 Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 11-12.

In addition, trust in religious organisations, including Islamic ones, can sometimes be undermined by concerns about political motivations.[411] Involvement in politics can occasionally damage trust in religious institutions, especially Islamic ones. Examples include situations where well-known mosques across NSW need to liaise with local officials for road closures or special arrangements to manage large Eid gatherings. Additionally, booking a local Member of Parliament to deliver a speech on the day of Eid requires advance planning, as these officials cannot be called on just a day or two prior to address the large assembly of Muslims. Many mosques across NSW invite political representatives to speak to the Muslim community during Eid prayers. For example, the IAWSS frequently invites its local Member of Parliament Ed Husic to address the community on the day of Eid ul Fitr.[412]

Lakemba Mosque brings together an estimated crowd of almost 40,000 congregants every year to perform Eid ul Fitr prayers. The mosque is facilitated by one of Australia's oldest Islamic charitable organisations, the Lebanese Muslim Association (LMA).[413] Lakemba Mosque is also known to invite politicians to attend the mosque on the day of Eid to address the Muslim community. John Mahoney writes in the community newspaper, AMUST:

> The LMA welcomed some a large contingent of politicians from the three tiers of government, who joined religious, business and other community leaders as official guests at the gathering on the first day of Eid. The VIPs were hosted in style by the LMA board, with an intimate breakfast prior to Eid Prayers in the Association's Grand Hall, which was superbly and tastefully decorated, with an Arabian theme. Newly elected NSW Premier Chris Minns received a warm reception when introduced to the public during the

411 Ibid.

412 Rooty Hill Masjid, "Eid al Fitr 2017 at Rooty Hill Masjid," Facebook, June 24, 2017, accessed September 22, 2023, https://www.facebook.com/rootyhillmasjid/posts/pfbid0kUzE4xqtR8tTQCwmntVaWLxnfSdxSRTSLYN6orcTiWnYfcerC5ARfCh5eyGT9UWRl.

413 Cindy Ngo, "Thousands of Worshippers attend Lakemba Mosque to Mark the End of Ramadan," *The Daily Telegraph*, July 6, 2016, accessed September 22, 2023, https://www.dailytelegraph.com.au/newslocal/south-west/thousands-of-worshippers-attend-lakemba-mosque-to-mark-the-end-of-ramadan/news-story/a72dca6ca9d1b102d880cb5d36231642.

> traditional post-Eid Prayers speeches on the steps of Lakemba Mosque by the MC Gamel Kheir, LMA Secretary.[414]

Furthermore, the street on which the mosque is located is closed on the day of Eid due to the mass gathering of congregants, as mentioned in the Senate's official Hansard:

> But for Friday prayers, and especially when it is an occasion such as Eid or Ramadan, the people who come to Lakemba mosque fill the mosque; the outdoor area pertaining to the Lakemba mosque premises; the street, which is closed off; and the other premises, perhaps sometimes two doors down from the Lakemba mosque on either side.[415]

Although the intention of such organisations is to promote unity and peace, they may unintentionally cast doubt among community members on the political agendas such organisations hold rather than focusing on what is correct religious practice. However, it is also important to distinguish between practical logistics and perceived political motivations. The mere coordination of such organisations with politicians does not imply a political objective or motivation on their behalf, but it can often raise eyebrows and generate trust concerns within the community due to politicians' engagement.

Therefore, it is important to understand that religious organisations, like any institution, can be influenced by numerous factors including politics. Consequently, this may lead community members to doubt the organisation's decisions, perceiving them as influenced by political agendas rather than purely based on religious motivations. Historical and contemporary analyses suggest that when religious organisations and their leaders become visibly entangled with politics, it can

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414 John Mahoney, "Thousands attend Eid-ul-Fitr Prayers At Lakemba Mosque," *AMUST*, April 27, 2023, accessed September 22, 2023, https://www.amust.com.au/2023/04/thousands-attend-eid-ul-fitr-prayers-at-lakemba-mosque/.

415 Commonwealth, *Parliamentary Debates*, Senate, June 18, 2003, 11794 (Kerry Nettle, NSW Senator), accessed September 22, 2023, https://www.aph.gov.au/binaries/hansard/senate/dailys/ds180603.pdf.

undermine their religious authority.[416] While religious organisations play a vital role in providing guidance and unity within a community, political involvement can jeopardise their trust and authority. The trustworthiness of religious organisations depends not only on their religious practices, but also on their perceived honesty, justice and responsibility.

5.3.5 Following the Announcement of Moonsighting Australia

Moonsighting Australia is the sole recognised organisation in Australia that follows local moonsighting within the boundaries of Australia only. It is also one of Australia's most trusted organisations to announce the start of Hijri months.[417] It currently has over 100 imams across Australia as members, which highlights its commitment to ensuring accurate and reliable moonsighting information. The fact that Moonsighting Australia's members are spread across all states of Australia represents the organisation's intent to establish a committed and trustworthy network.

The significant response rate of 52.06% (2,898) who chose to follow Moonsighting Australia for the beginning of Ramadan and a similar response rate of 52.52% (2,922) for Eid shows that Australian Muslims are more inclined towards the methodology of local sighting.[418] This answer choice also happens to be the most widely adopted, exceeding all others by a considerable margin. The distinction of Moonsighting Australia from all other entities underscores its crucial role when it comes to determining the beginning of Ramadan and the days of Eid.

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[416] Scott Williamson et al., "Preaching Politics: How Politicization Undermines Religious Authority in the Middle East," *British Journal of Political Science* 53, no. 2 (2023), accessed February 29, 2024, https://doi.org/10.1017/S000712342200028X.

[417] Fatmawati et al., "Determination of Islamic Month Start by Moonsighting Australia (Case Study: 1 Dzulhijah 1441)," *Journal of Islamic Thought and Civilization* 12, no. 2 (2022), accessed September 26, 2023, https://doi.org/10.32350/jitc.122.16.

[418] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 11-12.

The methodology adopted by Moonsighting Australia purely relies on physical sighting reports within Australia. This approach demonstrates a dedication to ensuring local sightings take precedence over regional and global sighting methods. Additionally, the overwhelming response to this option shows the community's high regard for the process followed by Moonsighting Australia and their trust in it. The high confidence people show in its methodology can be attributed to its large number of imams, extensive verification process when it comes to sightings and consistent monthly observation practices alongside monthly statements at the beginning of each lunar month.[419] This prompts a sense of unity and reliability within the Muslim community.

Furthermore, these results highlight that the community is still engaged with tradition in the modern era as Moonsighting Australia adopts the traditional practice of physically sighting the moon locally despite there being other modern methodologies such as astronomical calculations or 'birth' of the moon. However, it is also important to recognise that, while Moonsighting Australia was the most chosen option when participants were asked who they follow when determining the beginning of Ramadan and Eid, some segments of the community still opt for alternative approaches based on personal preferences or other factors.

While 'I follow Moonsighting Australia' received the greatest response in the survey, it is critical to consider the survey's demographic reach. The survey mostly spread through the subcontinental population, which is known to strongly follow Moonsighting Australia when determining the beginning and ending of Ramadan as well as all other lunar months. This excessive reach could be the reason why other options did not receive as much response. A follow-up survey concentrating on various other ethnic communities would be good to provide a more rounded

[419] "Members," Moonsighting Australia, accessed September 30, 2024, https://moonsightingaustralia.info/members/.

perspective and could provide future insights into the preferences of the larger Muslim population outside the subcontinent.

5.3.6 Following Alternative and Unconventional Approaches

The choice of 'I searched on Google when Ramadan begins' sheds light on a concerning aspect of the issue. This option highlights a serious lack of awareness or understanding among a small number of participants who resorted to a Google search for such a significant religious event. The fact that even a small number of individuals (0.49% – 27 for Ramadan and 13 for Eid) opted for this approach is surprising due to the challenges and limitations associated with relying on the internet for such important religious matters.[420] This finding highlights the need for greater education and awareness within the community about reliable sources and methods for moonsighting.

The 'Other' category was chosen by 5.59% (311)[421] when asked how they determine the beginning of Ramadan and a slightly higher 5.73% (319) when asked about Eid, which hints at other potential methods that participants had chosen. Respondents who chose this option were provided with the opportunity to specify their method or approach. From the comments within this section, the main findings were that 78 individuals indicated their reliance on global sightings when determining the beginning of Ramadan and 82 respondents stated they follow the global sighting method when determining the day of Eid. Additionally, 51 individuals wrote that they prefer regional sighting when determining the beginning of Ramadan and 42 respondents opted for regional sighting when deciding the day of Eid.[422]

[420] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 11.
[421] Ibid., 11.
[422] Ibid., 13.

The remaining responses in the 'Other' section predominantly align with the categories mentioned in the answer choices for questions 6 and 7. Some participants specifically mentioned names of mosques and Islamic organisations like LMA, Darul Fatwa, ASWJ, Rooty Hill Mosque and Lakemba Mosque. However, these can all be grouped under the option 'I followed my local mosque or Islamic organisation.'

5.3.7 Understanding Methods behind Moonsighting Choices

The methodology behind determining important occasions like Ramadan and Eid is of utmost importance in terms of Islamic practises. When it comes to moonsighting methodologies in Australia, many imams and Islamic authorities adopt unique approaches. Methodologies such as local sighting, regional sighting, global sighting and basic astronomical calculations have historically been dominant and practiced in Australia for many years.

However, recently, there has been a rise in different types of calculation methods, shifting towards a more scientific approach and methodology towards moonsighting in Australia. These include astronomical calculations based on the 'birth' of the moon, astronomical calculations on the possibility of sighting the moon in Australia, astronomical calculations on the possibility of sighting the moon regionally and astronomical calculations on the possibility of sighting the moon globally.[423] These methodologies are also evident from recent announcements made by the ANIC and AFIC on the determination of the dates of Ramadan and Eid in 2023.[424]

Dr. Muhammad Al-Juhani explains the various opinions on astronomical calculations in his book *Al-Hisāb al Falaki baynal Qaṭ'iyyati wal Idtirab* (Astronomical Calculation between

[423] Ahmad, "Post-Analysis of Eid Day Determination."

[424] "Eid Announcement," Australian Federation of Islamic Councils, April 18, 2023, accessed September 30, 2024, https://afic.com.au/2023/04/eid-announcement/; "Eid Al-Fitr Statement for the Year 1444AH – 2023," Australian National Imams Council, April 11, 2023, accessed September 20, 2023, https://www.anic.org.au/news/eid-al-fitr-statement-for-the-year-1444ah-2023/.

Certainty and Ambiguity). He asserts that one opinion argues that if the crescent is born at any time from after dawn to just before the following dawn, then it is obligatory for Muslims to fast on the day following that second dawn. Their reasoning is that the crescent is present in the sky after its birth because established science confirms its existence. The consideration is based on astronomical presence, not inaccurate sightings. This is the practice followed by the Libyan Jamahiriya.[425]

He adds that the second group of scholars wants to reconcile between sighting the moon and calculation. They stipulate that the birth of the crescent should be before sunset, even if it is for a short time. When that occurs, it becomes obligatory for people to intend to fast. Their reasoning is that the Islamic day begins after sunset. The third opinion from scholars wants to achieve greater reconciliation between physical sighting and astronomical calculation. They argue that visibility of the moon is required to confirm the beginning of the month. This means the crescent must be born before sunset, for a duration that astronomers have differing opinions on, so the naked eye or a telescope can see it.[426]

Although these various forms of astronomical calculations are on the rise in Australia, they are still in their initial stages. However, some organisations across Australia have already started to adopt these sophisticated approaches, which could be attributed to their desire for more accuracy and consistency in their methods, or perhaps the ideology of uniting all Muslims in Australia under one methodology to finally eliminate the debate and confusion.

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425 Muhammad bin Sibyan al-Juhany, *Al-Hisāb al Falaki baynal Qat'iyyati wal Idtirab* [Astronomical Calculation between Certainty and Ambiguity], accessed September 21, 2023, https://www.cia.gov/library/abbottabad-compound/11/117013AE217CC48049F9DB042D2C66B2_%C6%92%CE%98%C3%91%C2%BD%C6%92%C3%A1%20%C6%92%CE%98%CF%83%CE%98%CE%A6%E2%88%A9%20%C3%A1%E2%88%A9%CE%B4%20%C6%92%CE%98%CF%84%C3%9F%CF%80%E2%88%A9%C3%AD%20%CF%86%C6%92%CE%98%C6%92%CE%B1%C3%9F%E2%8C%90%C6%92%C3%A1.pdf.

426 Ibid.

Unfortunately, the introduction of new scientific methodologies does not bode well with Australian Muslims as it has introduced more disagreements and confusion in what was already a debated issue. The adoption of such varied calculation methods that possess individual rationale and criteria has created more confusion and disunity among community members. An example of this was evident from recent announcements regarding the determination of Eid-ul-Fitr in 2023, which presented a mixture of differing opinions and methodologies. Multiple pronouncements from various organisations highlighted the challenges faced by the Australian Muslim community in reaching a unified decision.

The ANIC issued a statement regarding the determination of the day of Eid in April 2023:

> It has been confirmed to the Australian Fatwa Council after further inquiries to the local and global observatories, in Sydney, the new moon of the month will be born on Thursday, 20th April 2023 at 2.12pm AEST, the sun sets on the same day at 5.27pm while the new moon will set on the same day and time at 5.27pm from the horizon. In Perth, Western Australia, the new moon of the month will be born on 20th April 2023 at 12.12pm AWST, the sun sets on the same day at 5.50pm while the moon will set at 5.54pm, this is not a sufficient time to sight the new moon of the month of Shawwal on that night, Therefore: The Day of Eid Al-Fitr will be on Saturday, 22nd of April 2023.[427]

While the moon will be visible in other parts of the world on the evening of Thursday, Mr. Rauf, ANIC's spokesperson and advisor, said there is zero possibility of it being seen in Australia.[428] Hence, according to the ANIC, the methodology they adopted was a calculation based on the possibility of sighting the moon in Australia.

However, on Wednesday afternoon, Lakemba Mosque issued a statement in conjunction with other governing Islamic bodies that Eid will instead be celebrated on Friday, 21 April.

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427 Australian National Imams Council, "Eid Al-Fitr Statement for the Year 1444AH – 2023."

428 Rayane Tamer, "When is Eid al-Fitr 2023?" *SBS News,* April 20, 2023, accessed September 20, 2023, https://www.sbs.com.au/news/article/when-is-eid-al-fitr-2023/ju6ydrjho.

According to its statement posted online, it relied on several reasons, including citing the European Council for Fatwa and Research, which said its astronomical calculations will determine that the moon can be sighted in North America and parts of South America.[429] It adopted the methodology of calculation based on the possibility of sighting the moon globally. According to Rayane, this is the first time in recent memory that Lakemba Mosque and the ANIC, the country's largest representative bodies, have chosen different days to celebrate the festivities.[430]

To understand the factors and reasons that shape people's decisions, question 9 of the survey delves into the reasoning behind such choices. The aim of this part of the survey is to investigate the responses and provide insights into the beliefs and scientific principles that respondents find most convincing when deciding who to follow for determining the start and end of Ramadan. In this part of the survey, participants were granted the flexibility to select multiple methods they consider for these determinations. Due to the multi-option responses, the findings represent a variety of methodologies recognised by respondents rather than specific choices. Out of the 5,546 participants who responded to this question, 3,742 participants chose one method only.

The preference for 'Local moonsighting in Australia' was indicated by 59.8% (2.237) of the respondents.[431] Among the options given, this stands out as the approach people prefer the most. This high response towards local moonsighting is consistent with and supports the earlier findings where most of the respondents said they follow Moonsighting Australia for determining the beginning and conclusion of Ramadan (questions 6 and 7). The similarity between the two findings is clear given that Moonsighting Australia only conducts moonsighting within the bounds of Australia.

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[429] Lakemba Mosque, "Eid Al-Fitr Statement 1444-2023," Facebook, April 18, 2023, accessed September 20, 2023, https://www.facebook.com/photo/?fbid=611574324346662&set=pb.100064822983128.-2207520000.

[430] Tamer, "When is Eid al-Fitr 2023?"

[431] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 13.

Regional sighting was the second highest choice selected by participants with 10.1% (378).[432] Unlike local moonsighting, regional sighting methodology accepts moonsighting from neighbouring areas or nations, which enables a wider geographical range for reliable moonsighting reports rather than restricting its boundaries to a specific country. The regions vary from a three- to five-hour time zone depending on the methodology preferred by the organisation.

The regional sighting methodology has only recently become popular in Australia to determine the beginning and ending of Ramadan. Despite being adopted by some organisations in the late 1990s, there was a long period where regional sighting was not followed by most organisations and imams across Australia. Most organisations either relied on local sighting or calculation.

However, the regional sighting methodology has seen a considerable rise in recent years. Several organisations across Australia are beginning to adopt and promote this methodology. Some notable ones among them are the IAWSS, ASWJ, Holland Park Mosque, Kuraby Masjid, United Muslims of Brisbane (UMB), Brisbane Islamic Centre and Academy Live.[433] The time zone criterion set by these organisations is based on a three-hour range. Hence, any country within three hours of Australia's time zone will have their sightings considered based on reliability and accuracy.

Global sighting is another methodology adopted by various organisations across Australia. Although the global opinion is not as prominent as local and regional sighting, it also appears to be on the rise. Global sighting refers to the whole world being considered as one region. If the

[432] Ibid.

[433] Holland Park Mosque, "Community Announcement: The Commencement of the Month of Shawaal. 1444/2023," Facebook, April 20, 2023, accessed September 27, 2023, https://www.facebook.com/photo.php?fbid=620253293478424&set=pb.100064812756097.-2207520000&type=3.

moon is sighted anywhere in the world, it mandates all other countries to follow its sighting. This view is the prominent view of the Ḥanafi, Māliki and Ḥanbali schools.[434]

Global sighting was selected by 6.9% (258) of the respondents as the main factor influencing their choice of whom to follow when determining the commencement and end of Ramadan.[435] The global opinion is clearly the least favoured choice among Muslims in Australia out of the three sighting opinions: local, regional, and global. Given the difficulties in implementing global sighting in Australia, it is understandable why it is not a popular choice for Muslims. The vast time difference between Australia and countries that are farthest from it creates complications in adopting the global sighting method. Since the difference in hours can be considerable, it makes it challenging for imams and authorities to announce the date of Ramadan or Eid. Given these challenges, it is no surprise that global sighting, although on the rise, has not yet reached the level of followers of local and regional sighting due to their practicality in Australia.

Several respondents expressed their preferences for different astronomical calculation methods to determine the start and end of Ramadan. First, 6.5% (243) of respondents prefer to rely on astronomical calculations that determine the birth of the new moon.[436] This methodology focuses on the exact moment when the new moon is born, irrespective of one's geographical location. However, the methodologies focusing on the possibility of sighting the moon either regionally or globally through astronomical calculations appealed to fewer participants, gathering 1.4% (52) and 1.5% (56), respectively.[437] While this approach also relies on astronomical calculations, it integrates the *imkan al-ru'yah* (possibility of sighting the moon) as a reference, ensuring the traditional concept of moonsighting is not entirely dismissed.

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434 Al-Mawsili, *Al Ikthiyar*, 168; Al-Qayrawani, *Al-Nawadir wa Al-Ziyaadaat*, vol. 3, 7; Ibn Qudamah, *Al-Mughni*, vol. 4, 328.
435 Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 11-12.
436 Ibid., 13.
437 Ibid.

Collectively, the total preference for the various astronomical calculation methods is close to 10%. This combined result highlights a clear preference for calculation methods among survey respondents, closely coinciding with the preference for regional sighting, which was also at 10%. This highlights that astronomical calculating methods are also gaining support across Australian Muslims as a preferred method. This clear preference among the various calculation methods reflects Australian Muslims' growing knowledge and understanding on the issues and complexities around moonsighting. It further indicates an evolving approach where people are not just blindly following a particular imam or authority but are becoming more informed and aware about the various scientific considerations involved in marking the beginning and ending of Ramadan.

5.4 Source and Confidence

This section will focus on the results of question 8 of the survey where participants were asked about their confidence in the accuracy of the source they use to determine the commencement of Ramadan and Eid. The responses provide insights into the levels of trust and potential areas of uncertainty within the community regarding moonsighting issues in Australia.

The majority of respondents show a high level of trust in the sources they use to determine the start of Ramadan and Eid: 55.24% (3,074) of participants strongly agree and another 27.92% (1,554) agree, for a total of 83.16% (4,628) who express positive confidence.[438] This highlights a high level of trust and dependability shown by participants in relation to the sources they choose to follow when determining the beginning and ending of Ramadan. Meanwhile, a smaller but significant minority of 12.63% (703) are unsure about their confidence. This shows a significant number of Muslims are confused in terms of the source they follow and their confidence in it. The

[438] Ibid., 13.

percentage of individuals who disagree is relatively low at 2.86% (159) and strongly disagree at 1.35% (75).[439]

A large proportion of participants (937)[440] expressed uncertainty or disagreement with their confidence in the sources they use to establish the start of Ramadan and Eid. Despite a clear majority indicating agreement or strong agreement, this sizable group of participants should not be overlooked. This level of uncertainty or outright disagreement is concerning and there could be various factors behind it.

One possibility is the ease of access to information in the digital age. With numerous websites, applications and platforms giving religious advice, the volume of information can be overwhelming. Some online sources may favour decisions based on astronomical calculations, while others may support the notion of physical sighting of the moon. These inconsistencies and differing opinions can call into question an individual's trust in any source. Further, an individual's personal experiences or narratives shared within the community or family members could also play a role. If someone came on a circumstance in which their source was later revealed to be inaccurate or not in line with religious guidelines, it could cast doubts within such community members.

This uncertainty could also be influenced by sociocultural factors. Individuals from various cultural or geographical backgrounds may have followed a specific method of moonsighting for many years, however, when exposed to a new or alternative method to moonsighting that may seem more accurate and reliable, which could also lead to confusion.

In essence, while the confidence of most respondents is positive and encouraging, the worries of the considerable minority must not be ignored. Addressing this uncertainty and lack of

[439] Ibid.
[440] Ibid.

confidence, whether through open discussions, educational programs or more transparent communication from religious leaders, organisations and imams, could not only unify practises but also help ease any remaining confusion and doubts among Australian Muslims.

5.5 Family Relations

The beginning of Ramadan and the celebration of Eid hold immense familial significance. During Ramadan, families rise early in the morning to partake in their pre-dawn (*suhur*) meals collectively, in preparation for fasting throughout the day. Similarly, they gather as a family at sunset to break their fast together. Doing this daily for 29 to 30 days undoubtedly strengthens the bonds of unity within families.

Research in America was conducted that delved into Ramadan's perceived role on marital and familial relationships, underlining the unifying and integrating purpose of Ramadan as evidenced in the experiences of Muslim mothers, fathers and youth. It presents the idea that Ramadan, through its sacred and communal practices, brings families together and focuses on the main theme: "Fasting brings us closer to each other."[441]

However, in diverse and multicultural countries like Australia, the numerous approaches to moonsighting have led to discrepancies in determining the start of Ramadan and celebration of Eid among Muslim families, which can disrupt traditional familial unity during these important religious acts of worship.

The next question of the survey explored the effect of the differing views on moonsighting in Australia among Australian Muslims over the past three years on their families. The objective was to understand whether family members found themselves beginning Ramadan or celebrating

[441] Zahra Alghafli et al., "A Qualitative Study of Ramadan: A Month of Fasting, Family, and Faith," *Religions* 10, no. 2 (2019): 1.

Eid on different days compared to their families and the impact of these differences on family relationships.

The majority of respondents (69.02% – 3,815) indicated they did not begin or end Ramadan differently to their families over the past three years.[442] However, almost a third of the respondents (30.98% – 1,712) indicated they differed from their families within the past three years while beginning the month of Ramadan or celebrating Eid.[443] While the high percentage of participants who indicated they began Ramadan and celebrated Eid with their families is encouraging, the low percentage of those that chose 'yes' should not be overlooked. The fact that over 1,700 participants reported differing from their families while starting Ramadan or celebrating Eid is a significant finding. It highlights the impact that the diverse moonsighting views have on Australian Muslims, which not only affect individuals but also families and communities.

Respondents who chose 'yes' when asked if they began Ramadan or celebrated Eid on different days compared to their families, were asked a subsequent question in the survey aimed to measure the impact of this divergence on their family relationships. They were given a 10-point scale to choose from, with 0 signifying 'no affect at all' and 10 representing a 'severe affect.' This scale offers a detailed insight into how differences in observing Ramadan and Eid impacted family relationships. The scale allowed for a comprehensive range of responses while providing valuable insights into understanding the extent to which diverse views and practices related to moonsighting in Australia affect unity and coherence within the Australian Muslim community.

A total of 1,576 respondents provided their insights using the 10-point scale in the subsequent question. Of these, 346 respondents chose '0' indicating that beginning Ramadan or celebrating Eid on a different day to their families had no impact on their family relations. On the

[442] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 14.
[443] Ibid.

other hand, 188 respondents that chose '10' indicating severe discord and tension within the family due to starting and ending Ramadan on varying days.[444]

The two results above are at the extreme ends of the scale. After grouping the numbers together, a more detailed picture emerges in terms of familial effects of the beginning or ending Ramadan on different days. This method of analysing the responses as aggregates, rather than individual responses on the scale, shows a broader picture of how varying start dates of Ramadan affect family relationships.

In terms of the higher end of the scale (scores 7-10), which reflect a bigger influence on family connections, 430 respondents (117 selected 7, 99 chose 8, 26 chose 9, and 188 chose 10) fell into this group.[445] This combined figure of 430 participants indicates that disparities in Ramadan and Eid days caused substantial tension or discontent within their families for a significant majority of the participants. In these cases, the difference in observing Ramadan or celebrating Eid potentially compromised the quality and harmony of family life.

On the contrary, when analysing the lower range of the scale (scores 0-3) that signify no effect at all to minimal effect, a total of 751 individuals can be observed (with 346 selecting 0, 188 selecting 1, 107 selecting 2, and 110 selecting 3).[446] This cumulative figure implies that, for a larger number of participants, although there was some impact due to varying dates of Ramadan, it was relatively insignificant. These respondents appear to have encountered only a minor disruption in their familial ties, indicating a level of resilience, adaptability or acceptance within these families towards variations in Ramadan and Eid dates.

A total of 395 respondents experienced mild effects on their family relations due to beginning Ramadan or celebrating Eid on different days to their families. Specifically, 76

444 Ibid.
445 Ibid.
446 Ibid.

respondents chose 4, 197 selected 5 and 122 opted for 6.[447] These scores, which are near the middle of the scale, indicate, while these individuals did perceive some amount of shift or challenge in their familial connections as a result of different Ramadan or Eid dates, the impacts were not entirely disruptive or severe. Rather, this suggests a situation in which the individuals and their families encountered some level of stress or needed to make changes as a result of their varying practises, but these difficulties were handled in a way that did not result in significant conflict or long-term effect. The graph below illustrates a visual representation of the distribution of responses.

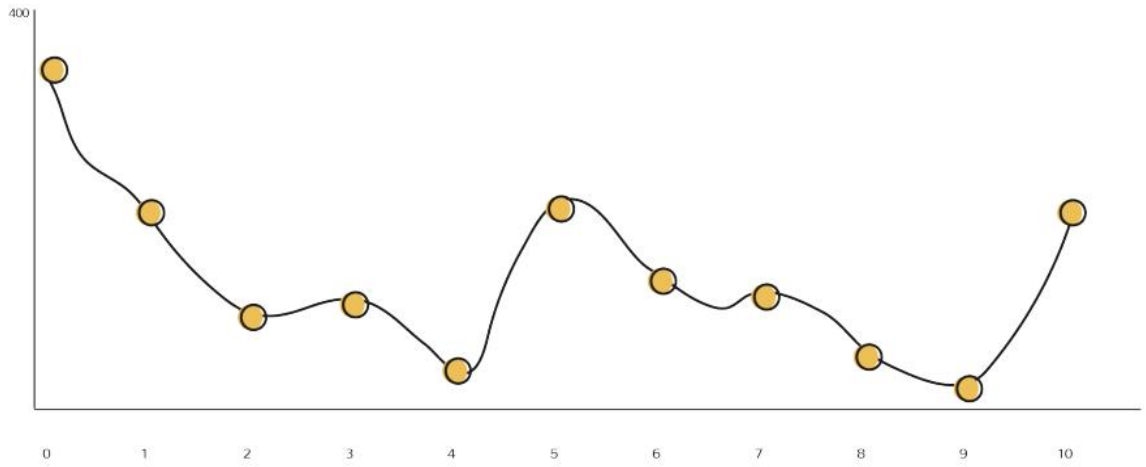

Figure 2. Summary of the distribution of responses regarding the impact of starting and ending Ramadan on different days within families.

Overall, these findings show a wide variety of experiences among those who begin Ramadan and celebrate Eid on separate days than their families. While a significant number of respondents appear unaffected or reveal minimal effect, showing tolerance to the varying start dates of Ramadan and Eid, another significant proportion experiences mild to severe strain and stress, highlighting the various ways in which not only Ramadan and moonsighting related issues affect

[447] Ibid.

the family but also how other religious practises and interpretations can influence family life within the Australian Muslim community.

5.6 Community Vision

The final closed-ended question of the survey was significant as it aimed to understand the respondent's perspectives on what they believed will be the ultimate outcome of resolving the issue of moonsighting in Australia. This question is critical because it directly addresses the Australian Muslims community's perspective on a topic that has a significant impact on religious harmony and family relations. To assess this sentiment, participants were given three answer choices: the possibility of reaching future consensus in which all Australian Muslims would begin Ramadan and Eid on the same day; the belief that the community will remain divided without a foreseeable resolution; or that Australian Muslims will come to accept the ongoing nature of these differing interpretations.[448] The responses to this question offer valuable insights into the hopes, concerns and practical views of the community regarding the future of the issue of moonsighting in Australia.

The largest response in this question, representing 43.02% (2,382), holds an optimistic view that there will eventually be a day when all Australian Muslims will start Ramadan and Eid on the same day.[449] A larger response for this answer choice signifies an aspiration for unity on the issue of moonsighting and the benefits it would bring in terms of strengthening and unifying the Australian Muslim community.

It is a positive sign that a large number of respondents (43.04%) chose the possibility of a unified approach on moonsighting in Australia in the future. However, currently, there seems to be no substantial movement or initiative by Islamic scholars or major Islamic organisations

[448] Ibid., 15.
[449] Ibid.

towards convening and resolving this issue. While efforts have been made in the past to a unified approach to moonsighting, it has consistently proven to be unsuccessful.

Those who hold the belief that Australian Muslims will eventually unite on determining the dates for Ramadan and Eid may become more disheartened as they witness the recurring problems each year, without any visible progression towards a unified approach. The persistence of varying announcements by major Islamic organisations, alongside the lack of coordinated efforts towards finding solutions, has the potential to worsen existing issues, particularly among those who believe that Australian Muslims will unite on this issue.

In contrast, a notable proportion of respondents (21.79% – 1,206) held a less optimistic view.[450] They believe the Australian Muslim community will not achieve unity regarding this issue and the differences in moonsighting practices will remain without any resolution in the foreseeable future. This viewpoint may stem from various reasons, including the ongoing disputes between major Islamic bodies such as the ANIC and AFIC. For numerous years, the ANIC and AFIC have consistently announced Ramadan and Eid on the same date, even while employing different methodologies. However, in 2023, the conflicting declarations made by the ANIC and AFIC regarding the day of Eid caused significant confusion within the Muslim community. Any hopes for Australian Muslims to eventually reach consensus on this issue have been greatly hampered by these two announcements, resulting in severe damage to the prospect of unity. This may also be a major reason as to why many respondents feel there is no hope in the foreseeable future for the prospect of unity on this issue.

Another reason as to why there is a significant number of individuals who believe there will be no unity on this issue in the foreseeable future is the fact the Australian Muslim community is diverse in terms of cultural, ethnic and religious backgrounds. Although this diversity can be a

[450] Ibid.

source of strength, when it comes to religious affairs reaching consensus can be difficult, as apparent in the issue of moonsighting. This is highly evident in non-Muslim countries largely due to the diverse origins of Muslim migrants. In countries such as Australia, the United States, the UK, Canada and other similar nations, the Muslim community often includes people who have migrated from a variety of countries from numerous cultural and religious backgrounds. This diversity makes it difficult to establish a unified approach to Islamic matters, including moonsighting.

Lastly, a realistic stance is adopted by 35.16% (1,946) of the participants.[451] These individuals see a future in which Australian Muslims will accept the varying interpretations regarding the commencement of Ramadan and Eid. This viewpoint recognises the varied perspectives of the Muslim community and emphasises the importance of acceptance and living in harmony and peace rather than trying to unify the community. Such an approach has a basis in Islamic law as disputes among scholarly views (*ijtihad*) are accepted and considered as a mercy.

Participants who anticipate that Australian Muslims will eventually accept differing opinions on this matter are thinking rationally about this issue. While 35.16% is significant, a higher number of respondents choosing this option would have been more indicative of the community moving towards accepting and respecting diverse interpretations on determining the beginning and ending of Ramadan. This acceptance is crucial for moving forward but is currently overshadowed by the strong desire for unity. The hope for a united approach continues to be a dominant idea and hope that may lead to disappointment among many as Islamic organisations and leaders appear rooted and firm in their views with regards to moonsighting methods, with little effort put towards reconciling the longstanding debates around moonsighting.

[451] Ibid.

In summary, this question reveals that, while a significant number of respondents hold an optimistic view in hope for a unified approach to moonsighting announcements in Australia, a considerable group remains sceptical and they expect these disputes to persist into the foreseeable future. Additionally, a notable number of respondents recognise and accept the diversity of interpretations regarding moonsighting. They express hope that the Muslim community in Australia will gradually come to accept these differences, which will lead to a more inclusive and tolerant environment in the future.

5.7 Comparative Analysis of Methodology and School of Thought

In this section, I will analyse another important aspect of moonsighting issues among Australian Muslims. Chapter 1 explored the classical references and difference of opinions on moonsighting within the four major Sunni legal schools of thought. The analysis in this chapter aims to bridge the gap between theoretical understanding of moonsighting methodologies and practical application by Australian Muslims based on their responses in the survey. By comparing the moonsighting methodologies preferred by survey participants alongside their adherence to a specific Islamic school of thought (*madhhab*), it will be clear whether theoretical teachings align with the practice of individuals in determining the beginning and ending of Ramadan.

One of the demographic questions in the survey asked about the participants' adherence to an Islamic school of thought (Ḥanafi, Māliki, Shafiʿī and Ḥanbali). A total of 2,706 respondents identified themselves as followers of the Ḥanafi school of thought.[452] Additionally, question 6 asked participants who they followed when establishing the beginning of Ramadan and Eid. The options provided included family/friend, local mosque/Islamic organisation, country of origin, the

[452] Ibid., 11.

ANIC/Mufti of Australia (official announcement), Moonsighting Australia, searched on Google and other (participants were allowed to specify their respective choices).

On cross-comparing the responses to question 6 with those who identified themselves as Ḥanafis (followers of the Ḥanafi school of thought), several notable findings emerged. These findings and analysis were carried out using a software program called Nvivo, which was used for data analysis and cross-comparing results from the survey. First, 386 respondents chose to follow the ANIC/Mufti of Australia. The methodology adopted by the ANIC and Mufti of Australia primarily revolves around astronomical calculation, as evident from their official statements.[453] This method goes against the fundamental teachings of the classical view of the Ḥanafi school, which emphasises the need of physical moonsighting to determine the beginning and ending of Ramadan. Despite this difference in approach, 14% of the survey respondents who identified as Ḥanafis chose to align themselves with the ANIC's method. This trend indicates a shift among some contemporary Ḥanafis, including certain Ḥanafi scholars, towards the use of astronomical calculations by reinterpreting the classical Ḥanafi position. These scholars argue that observing the moon to commence Ramadan is not an act of worship in itself; rather, the primary objective is the accurate identification of the month of Ramadan.

Another interesting finding from the survey is the relatively low number of participants who mentioned their preference for global moonsighting. Only 41 participants selected the 'Other' option from the answer choices and specified global sighting as their method.[454] This low number reveals a significant aspect of the moonsighting practice among Ḥanafis in Australia. Despite the classical view of the Ḥanafi school, which stipulates the preference for global sighting, only a small fraction of approximately 1.5% of Ḥanafi respondents actually chose global sighting as their

[453] Australian National Imams Council, "Eid Al-Fitr Statement for the Year 1444AH – 2023."
[454] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 13.

method for establishing the beginning and ending of Ramadan. This highlights a notable difference between traditional jurisprudential teachings and the contemporary practice of Ḥanafi Muslims in Australia. This further suggests that, while global sighting may be preferred in the Ḥanafi *fiqh*, in practice, a substantial majority of Ḥanafis in Australia are opting for other methods.

The most interesting finding from this comparison was the substantial number of 1,471 participants (54%) who indicated a preference for local sighting. This finding is particularly striking as it represents a significant deviation from the traditional view of the Ḥanafi school of global sighting. This substantial shift towards local sighting among the Ḥanafis in the survey suggests a considerable shift in practice among the Ḥanafi Muslims in Australia.

While 602 participants indicated they followed their local mosque, 95 said they adhered to the practices of their family or friends and 27 mentioned following their country of origin.[455] However, the exact moonsighting methodologies of these groups, particularly regarding global sighting, remains unknown. Nevertheless, even without this information, a clear conclusion can be drawn. A small proportion of Ḥanafi respondents in the survey practice global sighting and a significantly larger number appear to favour local sighting. This highlights a substantial shift from the teachings of the classical Ḥanafi view when it comes to the unity and difference in horizons.

As for the Māliki school of thought, only 88 participants identified themselves as followers. Out of the 88 participants, 36.7% (32) indicated they followed the ANIC when deciding when to begin Ramadan. Akin to the Ḥanafi school, the Māliki school also stipulates the need to physically sight the moon without resorting to any calculations. This result indicates another shift away from the traditional teachings of the Māliki school of sighting the moon towards a more astronomical approach, which is adopted by the ANIC. Out of the nine respondents who chose the 'Other' option, only two mentioned that they preferred regional or global sighting. The fact that only two

[455] Ibid., 12.

out of 88 Māliki participants indicated a preference for global sighting as their method of choice clearly shows a divergence from the traditional teachings of the Māliki school, which emphasises global sighting.

Additionally, 23 participants (26.1%) indicated they follow local moonsighting. The method of local sighting is not in line with the teachings of the Māliki school, yet a notable number of respondents chose to follow local sighting instead of global sighting, which is the school's preferred method. Once again, this highlights a shift from one's adherence to a school of thought to a method that better suits the individual. One possible reason for this change could be the influence of contemporary contexts and the practical challenges of global sighting, particularly in diverse, multicultural communities like Australia, where coordinating with a global sighting may be less feasible. Another factor might be the increased accessibility of information and differing opinions, allowing individuals to adopt practices that align more closely with their personal circumstances or to align with their local communities so they could begin Ramadan and celebrate Eid together.

As for the Shāfi'i school of thought, 550 participants indicated they follow this school when asked about their adherence to an Islamic legal school. It was unsurprising to see that the majority of respondents (179 – 32.5%) chose local sighting as their preferred method. Unlike the Ḥanafi and Māliki schools, the Shāfi'i school favours local sighting. However, many respondents (149 – 27.1%) indicated that they followed the ANIC when determining the beginning of Ramadan. Following the ANIC goes against the teachings of the Shāfi'i school, which also stipulates the need to physically sight the moon to commence and end Ramadan while the ANIC solely relies on astronomical calculations and announces the beginning of Ramadan or day of Eid many days in advance.

Lastly, the Ḥanbali school of thought was selected by 128 participants as the legal school they prefer to follow. A notable 22.7% (29) indicated that they chose to follow the ANIC when determining the beginning of Ramadan. Just like the other three Sunni schools of thought, the Ḥanbali view necessitates the moon to be sighted in order for Ramadan to begin and end. While following the ANIC goes against the fundamental teachings of the Ḥanbali school, many Ḥanbali followers chose to follow the ANIC.

Conversely, 34 respondents (26.5%) indicated they chose local sighting as their preferred method to determine the beginning of Ramadan. This finding is unsurprising as one of the prominent views of the Ḥanbali school is in favour of local/regional sighting. A further seven participants indicated their preference for global sighting through the 'Other' option and five respondents had a preference for regional sighting.

In summary, although all four Sunni schools stipulate that the moon must be sighted in order to determine the beginning and ending of Ramadan, a significant number of respondents chose to follow the ANIC and the Mufti of Australia's official announcement to begin Ramadan, who follow astronomical calculations to determine the dates of Ramadan and Eid without resorting to any sighting. Furthermore, many participants opted to follow local sighting, particularly from the Ḥanafi and Māliki schools, which stipulate global sighting.

These findings indicate that many Australian Muslims do not follow the traditional teachings of their respective legal schools (*madhhab*) when it comes to moonsighting issues. This deviation from classical jurisprudential (*fiqhi*) positions on moonsighting suggests a considerable degree of flexibility among participants in their practices. This flexibility indicates that for many Australian Muslims, their preferred choices of moonsighting methods are influenced more by practical considerations, community practices or personal convictions than by strict adherence to the specific rulings of their *madhhabs*. Their choices to diverge from traditional school teachings on

moonsighting highlights how contemporary contexts and circumstances can change understanding and the application of certain Islamic jurisprudence rulings, leading to varied interpretations and practices even within the same legal school.

5.8 Conclusion

This chapter focused on analysing the practices and perspectives of Australian Muslims regarding moonsighting through an online survey. The analysis provided crucial insights into the various methodologies adopted by Australian Muslims as well as the application of Islamic jurisprudence in determining the start of Ramadan and Eid. The survey covered various demographics, including adherence to specific Islamic schools of thought, and investigated participants' preferred methods for moonsighting, such as local, regional or global sighting, and various methods of astronomical calculations.

Notably, most of the respondents identified themselves as Ḥanafis, predominantly from the subcontinent, and showed a preference for local moonsighting. This significant representation of the subcontinent community in the survey findings can be attributed to the method of distribution of the survey, which reached a larger number of individuals from this background. However, despite the predominant responses from the subcontinent community, the contributions from other communities within the Australian Muslim population are equally important and should not be undervalued. These responses add valuable depth and diversity to the findings, which reflect a wide range of practices and views within the broader Muslim community.

CHAPTER 6: MUSLIM COMMUNITY VIEWS ON IDENTIFYING LUNAR MONTHS AND EID DAYS

This chapter will specifically address the feedback received through two key open-ended questions in the survey. The first focus is on question 10, which asked whether participants had changed their methodologies for determining the commencement and conclusion of Ramadan in the past five years.[456] Those who responded affirmatively were further asked to explain the reasons for their change. This question yielded comments from over 1,000 respondents,[457] which is of significant interest for the research, as understanding the reasons behind the change is crucial to understand what methodologies the Australian Muslim community is inclining towards.

The second area of focus will be the final open-ended question, which sought participants' suggestions for improvements in the process of marking the start and end of Ramadan in Australia. Participants were asked: "What improvements or changes would you like to see in the process of the start and end of Ramadan and Eid in Australia?"[458] A significant number of 2,787 participants responded to this question.[459] These responses included a wide range of suggestions and covered various themes that offered a rich perspective on how the Australian Muslim community perceives and proposes to resolve the issue of moonsighting.

6.1 Methodological Consistency in Determining Ramadan and Eid Dates

The observance of religious practices, such as Ramadan and Eid, hold great importance for all Muslims around the world. However, the way Muslims determine the beginning of Ramadan and Eid is influenced by a combination of factors, which include tradition, different opinions among scholars, technological advancements and personal experiences. In the modern world, it is

456 See Appendix A.
457 Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 12.
458 See Appendix A.
459 Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 16.

essential to understand whether Muslims are steadfast in their chosen methodologies or if they are evolving in light of new information or influences. This section will analyse the responses of survey respondents on whether they have changed their methods on who they follow when determining the beginning of Ramadan and Eid over a span of five years.

From the results of the survey, it is evident that a strong majority of 79.17% (4,416) have maintained consistency in their method of determining the start of Ramadan and Eid over the past five years.[460] This shows a sense of steadfastness and commitment to their chosen methodologies, which can be viewed as a positive trait. A consistent approach suggests these individuals have found a method or source they trust and feel no need to deviate from. Such consistency can also be beneficial for unity, as it means the majority of Muslims in Australia are observing the beginning of Ramadan and celebrating Eid in harmony.

However, the results also reveal that a significant 20.83% (1,162) have switched their methodology within the past five years.[461] This suggests that while the majority of the participants are steadfast, a large number of the Muslim community is still willing to reconsider and change their practices for various reasons. The subsequent open-ended question, responded to by 1,073 of the 1,162 who switched their methods in the past five years, provides deeper understanding of these shifts and the reasons behind their shift in methods.

Out of the 1,073 comments in the open-ended question, which asked about the reason for their switch in methodology within the past three years, 515 comments were irrelevant or unrelated to the question. The remaining 558 comments were carefully reviewed and categorised into 10 distinct subcategories. This chapter will analyse the subcategories in sequence: global sighting, accuracy, regional sighting, calculation, ANIC/Mufti of Australia, unity or majority, local sighting,

[460] Ibid., 12.
[461] Ibid.

confusion or uncertainty, family and local mosque or Islamic organisation. In presenting the findings from the 558 relevant comments, the subcategories have been ordered from those with the least number of responses to those with the most. Choosing to present findings from least to most frequent categories in the analysis of these open-ended survey responses is a deliberate strategy to enhance the narrative flow and ensure a comprehensive review of the data. This will further highlight the variety of reasons for the change in the methodology adopted by participants when deciding when to begin and end Ramadan, starting with the less commonly cited factors and progressively moving towards the most predominant ones. Notable comments from each section will be cited for further insight and clarity.

6.1.1 Global Sighting

Despite yielding only 15 comments, global sighting has the lowest number of responses among the 10 subcategories. However, its inclusion as a category is important as it acknowledges that global sighting is a recognised and valid methodology among many Islamic jurists. The relatively small number of comments related to this approach highlights the fact that, even though global sighting is a legitimate method from a juristic view, it appears to be less commonly followed or favoured among the surveyed respondents.

This was also evident in the analysis of question 9 where the global opinion was clearly the least favoured choice among Muslims in Australia out of the three sighting opinions: local, regional and global.[462] This result reflects the relatively limited adoption of global sighting methods within the community in contrast to other methodologies or reasons that influenced the respondents' motives as to why they switched methods of determining the beginning and ending of Ramadan over the past three years. One participant wrote:

[462] The specifics of this are covered in section 5.2.7.

> The world is a village now. The boundaries are political and man-made. Global Eid makes sense as Islam is a universal religion. Science is a tool, where humanity can agree.

While others elaborated on the reasons they changed their methodology by adding:

> I used to do what my family does (as per ANIC/calculations). Last year I did regional moonsighting as I am more convinced of validity and it is more likely to coincide with family. This year, I spoke with a sheikh who told me global is valid and if it less likely to cause division with family to follow this, so I did global.

> I followed regional before but then there is a confusion as to where regional stops, how far do you consider regional, so we decided that global is the best way for us.

Both comments above indicate a change in the way they observed the moon shifting from local to global sighting. Originally influenced by family customs or the perceived reliability of sightings, people faced challenges like unclear boundaries and the desire to avoid division within families. These difficulties led to a reassessment and adoption of a sighting approach seen as a means to bring clarity and promote unity.

6.1.2 Accuracy

Under this category, 24 responses were focused on the theme of accuracy. These respondents mentioned that they switched their methods as they were motivated by finding what they understood as a more accurate method. While a handful of these comments specified which method they considered more accurate, as some participants wrote: “I think scientific method is more accurate” and “Moonsighting is more accurate method.”

The majority simply used terms like “more accurate” or “accuracy” to explain their change in practice. This indicates a significant concern among these respondents about the precision and accuracy of moonsighting methods that are employed in Australia by various Islamic organisations

and leaders. One participant said: “Accuracy and what the majority of the community follows,” while another wrote: “More trusting source.”

In general, the 24 comments indicating a switch in moonsighting methodology due to, concerns about accuracy differed in their specifics. Respondents mentioned diverse reasons, including preferences for scientific approaches, moonsighting and trust in different organisations or local mosques, which they found to be more accurate, so they switched their methods. These varied responses showcase the range of considerations that individuals apply to what they perceive is the most accurate method for determining the beginning of Ramadan and the day of Eid.

6.1.3 Regional Sighting

In the next category, 31 comments were received in relation to regional sighting. These participants stated the reason for them to switch their method within the past three years was due to their preference for regional sighting. As mentioned earlier,[463] regional sighting is becoming increasingly popular as a valid method and it was identified as the second most common reason chosen by participants when asked about the reasoning behind their methodology choices in determining the beginning and ending of Ramadan. This methodology has also been adopted by several organisations across Australia.

The comments from this section of the survey further confirm this finding, indicating a growing tendency among Australian Muslims towards regional sighting as their preferred method for determining the start and end of Ramadan. In addition, the comments in this section highlight some key themes on the reason why participants were inclined towards changing their methods due to regional sighting preferences. Some respondents shifted to regional sighting as they felt it

[463] See section 5.2.7.

was more appropriate or accurate based on their understanding of the topic. Some respondents wrote:

> I found regional moon sighting is most appropriate one to decide a crescent moon.
>
> I used to follow global with my family however I felt it wasn't correct so I started to follow regional.

One participant assessed their method for determining Ramadan on encountering inconsistencies between scientific calculations and the practices of a religious authority (the ANIC) in Australia:

> I was following ANIC scientific moon sighting after arriving into Australia but then I started having doubts in that method as, according to my understanding even as per the science and moon visibility maps, Australia/New Zealand should be the last countries where the newly born moon should be sighted but as per ANIC they were announcing Eid/Ramadan commencement on the day where moon was expected to be visible only around south America and southern Africa regions. So I thought to switch to regional moon sighting as I felt more content with that.

The participant states they initially followed the ANIC's scientific moonsighting method but started doubting its accuracy when they noticed a discrepancy between expected moon visibility in Australia/New Zealand and the announcement of Eid/Ramadan commencement dates, which aligned more with visibility predictions for South America and Southern Africa. This observation led them to switch to regional moonsighting, finding it more in harmony with their understanding of moon visibility and more satisfying.

Another participant emphasised that they changed their method from global to regional due to the practicality of regional sighting:

> Switched from global to regional moonsighting – it made more sense given we are probably one of the furthest countries away from Saudi (moonsighting announcement reaches us quite late). Both are acceptable alhamdoulillah.

The comments above highlight that some participants changed to regional sighting within the past three years as they found this method to be more accurate and correct plus in line with their understanding of issues related to moonsighting. Other participants mentioned they shifted to regional sighting due to personal dissatisfaction, doubts and inaccuracies with other methods. One participant wrote:

> I was not satisfied when I was following board of Imams decision. I felt that I was missing a sunnah. So, we switched to regional moon sighting from couple of years.

Most participants indicated their switch to regional moonsighting was influenced by the choices made by their families, local mosques or local Islamic organisations. Hence, many respondents also chose to align with their decisions. One participant mentioned their family opted for regional sighting, leading them to also adopt this method in alignment with their family's decision.

> My parents and the majority of my family switching from the ANIC calculation-based announcement to the regional moon-sighting methods, as facilitated by MyCenter in Melbourne.

Another said that their local mosque's shift to regional sighting prompted them to make the same change:

> Our local mosque made a unilateral decision to change from Local Moonsighting (our preference) to Regional Moonsighting, and we have begrudgingly opted to follow the mosque so that our extended family in the same city will all celebrate Eid together on the same day.

> Our local mosque switched from local moon sighting to regional.

> Local masjid made the shift from local to regional sighting.

In summary, the comments in this section indicate the move toward regional moonsighting is influenced by participants' personal beliefs, choices made by their local mosques and organisations, and the search for a clear and accurate method. The trend towards adopting regional moonsighting is also gaining momentum, as seen by the decisions of mosques and Islamic organisations. As key institutions continue to adopt this method, it is likely that even more individuals will follow regional sighting. This shift towards regional sighting is seen by some as a way to strengthen unity within the Muslim community in Australia.

6.1.4 Calculation

Another common reason cited by participants for changing their approach in the past three years regarding who they follow for determining Ramadan and Eid dates was the adoption of astronomical calculation. This indicates a preference among respondents for a method based on scientific data and precise astronomical calculation. Due to their inclination towards accepting calculation as a valid method, 34 respondents cited that they changed their methods. Among these 34 comments, various themes emerged. Many respondents cited that the calculation method based on astronomy offers more accuracy and reduces uncertainty. One respondent wrote:

> Believed the calculation method was more accurate with less uncertainty.

While another echoed a similar sentiment by writing:

> Using science you know in advance. It is logical and takes out element of uncertainty.

Another participant emphasised the accuracy of scientific methods by adding:

> Decided to move to more scientific method, more accurate and legitimate authority with Islamic scholars/ulama making the decision on based of scientific evidence birth of moon.

For others, the shift to calculation was influenced by moving to a new location where the predominant practice was different to their methodology. One participant mentioned that relocating from their home country to Australia resulted in a change in their methodology:

> Moved from Sri Lanka (which practiced moonsighting) to Australia (which majority practice calculation).

While another said the move from one state in Australia to another prompted the change:

> We were in Sydney where the whole community or you can say family and friends were following the same method of moonsighting. When we came to Melbourne (Tarneit), it was different here.

Another individual wrote that they initially followed moonsighting but switched to the calculation method to align with their friends and local mosque, underscoring the desire to avoid being in the minority:

> We followed moon sighting but all our friends followed calendar n also our local mosque. So we preferred not to be In minority so we switched to calendar as it was followed in our local mosque.

Some respondents cited religious scholars and experts who approve the use of calculation when determining the beginning and ending of Ramadan. This shows that religious authorities and scholarly views and opinions influence the decisions of individuals. One participant mentioned Muhammad Tahir-ul-Qadri, a Pakistani–Canadian Islamic scholar and former politician who founded Minhaj-ul-Qur'ān International and Pakistan Awami Tehreek:

> A clear explanation provided by Shaykh ul Islam Dr Muhammad Tahir ul Qadri on this matter, especially clarifying the permissibility of using scientific methods according to the Qur'ān, Sunnah and Ḥadith.

Another participant also mentioned that their shift to a calculation-based method was influenced by the policies of a political party overseas:

> Pakistan has a new govt of pti who applied the phenomenon of birth of new moon.

It was also highlighted by some participants that having predetermined dates for Ramadan and Eid based on astronomical calculation is more convenient and practical. One individual wrote:

> I switched to calendar as it's easy to plan ahead.

While another wrote:

> I would prefer a calculated pre determined dates for Ramadan and Eid.

Respondents cited various reasons as to why they chose to follow the method of astronomical calculation for determining the dates of Ramadan and Eid. The influences range from personal beliefs, scholarly opinions, practicality and ease of calculation as well as relocation. This indicates a push towards the acceptance of astronomical calculation by numerous members of the Australian Muslim community.

6.1.5 ANIC/Mufti of Australia

A considerably larger number of comments, specifically from 47 participants, were focused on the ANIC and the official announcement made by the Mufti of Australia regarding the beginning and ending of Ramadan. This also reflects the influence these authoritative bodies and figures have on the decisions made by individuals regarding dates of Ramadan and Eid. The respondents' reliance on the guidance from the ANIC and the Mufti of Australia indicates a level of trust and respect for them as being their religious leaders.

From the 47 comments under this section, some major themes emerged. Among these was the theme of authority and leadership. Some respondents showed trust and respect in the guidance of the ANIC and the Mufti of Australia, as one respondent wrote:

> Since ANIC was established, we switched from global moon sighting to following the mufti. The reason being because he is the highest authority to follow in Australia, and we will be with the majority and encourage unity.

While other respondents gave similar comments in line with the authority of the Mufti and ANIC:

> I believe ANIC provides a national consensus on the beginning of RamAḍhān and Eid.
>
> Follow the Mufti of the country, whether he is right or wrong.
>
> Decided to follow decisions made by the ANIC.

These comments reflect how much value is placed on unity and consistency within the Muslim community, especially when it comes to celebrating Ramadan and Eid. It is clear that participants lean heavily on the guidance of the Mufti and ANIC to bring everyone together.

Unity and the decision of majority was another common theme that emerged from the comments under this section. This highlights the significance some respondents place on the community's consensus to maintain harmony and unity when it comes to moonsighting issues in Australia. This further highlights the general belief in the community that following announcements from the ANIC and Mufti of Australia aligns them with the majority. One participant wrote:

> The reason was to try and celebrate it with the rest of the community.

While another stated:

> We used to be a moon sighter but because of few confusion and majority around us celebrate with calendar declared by ANIC we started following it.

These comments indicate that many people in the community believe that, by following the ANIC, they will be beginning Ramadan and celebrating Eid with the majority. Other individuals wrote:

> We moved to ANIC to go with the majority.

> To follow the majority and more inclined towards ANIC's opinion.

Some respondents switched their method from moonsighting to calculation to seek clarity and avoid confusion. They felt a degree of confusion when following the traditional practice of moonsighting and felt the need to seek clarity, which was provided through the method of scientific calculations. One participant wrote:

> Previously we were following moon sighting but it was always so confusing that's why we switched to ANIC.

Another respondent made a similar comment:

> Used to follow moon sighting but because of the confusion it was creating we decided to switch to grand mufti decision.

To seek clarity and guidance, some people in the community changed their methods from sighting the moon to astronomical calculations, as evident from the comments above alongside others in this section. These individuals found moonsighting confusing and felt that calculations offered a more straightforward approach.

The comments in relation to the ANIC and the Mufti of Australia's announcement reveal important elements that shape people's choices. These factors include respect and trust for religious leaders and their authority, a strong inclination towards community unity and adherence

to the majority, and personal experiences such as relocation and family decisions. Further, many individuals prioritise clarity and simplicity to prevent confusion. The combination of these themes highlights a community struggling with complex religious issues pertaining to moonsighting as they seek to reconcile their personal beliefs against the unity of Australia's Muslim community.

6.1.6 Unity and Majority

In the next set of comments, the focus shifted to the themes of unity and following the majority. However, these respondents did not specify the exact method to which they switched. Their emphasis was on changing their decisions to align with the majority, whether the majority in their views was moonsighting or astronomical calculations. Most of the 52 comments in this section were brief and included words such as 'unity' and 'majority.' A few participants wrote:

> Importance of unity and following the majority.
>
> Muslim unity is more important to me.
>
> Want to start and finish with majority.
>
> To achieve uniformity amongst Muslims in Australia and reduce divisions.
>
> To be unified with my community friends and family.

The 52 comments in this section revolve around the notion of unity and following the majority. The participants consistently expressed a preference for reaching consensus rather than making personal choices or adhering to individual beliefs when it came to determining their moonsighting methods. Their focus was not on personal preferences or specific approaches, but on fostering a sense of unity within the community. This commitment to adapt and align with the majority decision, regardless of their personal opinions, shows a strong commitment to the need for unity.

6.1.7 Local Moonsighting

In the subsequent section, 54 respondents cited local moonsighting as the reason for their change in methodology. This indicates a noticeable shift towards adopting local moonsighting for determining the beginning of Ramadan and Eid. The fact the comments in this section outnumber those for global, regional and calculation-based methods indicates the increasing number of people who are turning towards local moonsighting as their preferred methodology.

An interesting finding in this section on local moonsighting comments reveals a significant and diverse cross-section of the Muslim community who have adopted this method. The distribution of the 54 comments across various ethnic backgrounds demonstrates that local moonsighting is not predominantly followed by any single ethnic group, such as those from the subcontinent. Further analysis of the comments reveals that respondents' ethnicities in this section comprise 13 from Southeast Asia, 13 categorised as 'other,' 10 from the subcontinent, six Lebanese, four Arab/Middle Eastern, four African, three Turkish and one Anglo-Celtic. This emphasises that local moonsighting is appealing to a wide and varied range of ethnicities.

The comments related to local moonsighting in this section differ greatly from those in the global, regional and calculation-based methods. One major difference lies in the reasons provided for switching to the local sighting method. Many respondents (32) emphasised their belief that local moonsighting is more accurate or closely aligns with the *Sunnah* (practices of Prophet Muhammad). This indicates a strong emphasis on personal belief and religious adherence in their choices compared to simply following the practices adopted by local mosques, Islamic organisations or family traditions, which were the more common reasons cited in the other sections. While the preferences for global, regional or calculation methods were often influenced by external factors such as the decisions of local mosques or family related issues, the choice to switch to local moonsighting appears to be more deeply rooted in the respondents' beliefs and

understanding of the topic. One participant clearly indicated the lack of trust in the methodology adopted by the ANIC and the trust they put in moonsighting by writing:

> Would follow calculations if it was properly based off sighting the moon such as by the International Astronomical Center (Centre) calendar. Don't have trust in ANIC that they know what they're doing. So I just stuck local moon sighting since they respect both sighting and astronomy.

While others felt the local moonsighting method is the correct way and closer to the Prophetic practice:

> Started to read up on religion and found local moon sightings is the true way.
>
> The practice (Sunnah) was to follow local moonsighting hence changing my views.

Another participant said:

> Initially I just followed whatever my mum chose, usually whenever her home country (Indonesia) did. When learning about the Ḥadith and Sunnah of the Prophet SAW, I challenged my mum on why she just followed her home country. She now follows local moon sighting too.

Others changed to local sighting as they felt other methodologies were inaccurate. One individual wrote:

> Moon sighting has an important place in Islam. I don't believe new moon in other parts of the world can be a reason to celebrate Eid in Australia. Technology is good only if it is not drifting us away from sunnah practices. Following traditional method of sighting the moon locally gives me a sense of satisfaction as I follow sunnah, and indeed hope for a reward from Allah swt in it.

While another individual wrote that they changed from regional sighting to local sighting due to the confusion caused by the regional method:

> Rooty Hill Masjid confused us with regional moon sighting. I believe that local moon sighting is the correct way.

Another participant changed their method from global to local sighting:

> I used to follow global moonsighting, as I educated my self regarding this topic I now follow local moonsighting. It has been 4 years.

It is evident from the comments above that most respondents in this section switched to local moonsighting as their preferred methods for determining the beginning and ending of Ramadan. They believed this to be more accurate and correct compared to other methods. Additionally, respondents were not influenced by decisions made by their local mosques or families.

6.1.8 Unsure/Confused

It is telling that many comments mention being ‘unsure’ or ‘confused’ as the reason for switching moonsighting methods. With 67 comments falling under this category, which is higher than any other section previously discussed, it is clear that the Muslim community in Australia is experiencing significant confusion and uncertainty due to the presence of multiple methodologies for determining the start and end of Ramadan.

The large number of comments that cited confusion and uncertainty is a matter of concern. It highlights the effects of the various moonsighting practices across Australia. For many Muslims in Australia, the lack of a clear and unified method leads to difficulty for many people in making decisions about who to follow when it comes to the beginning of Ramadan and the day of Eid. This dilemma not only affects individuals but also has broader implications for the Muslim community in terms of unity and peace.

Most of the 67 comments used words such as ‘unsure,’ ‘confused’ and ‘uncertainty.’ Some participants blamed leaders and imams for the confusion:

> Leaders confusing us in this country unfortunately.
>
> Confused. All imams are the responsible for this confusion.
>
> Confusion caused and lack of leadership The lack of public delivery understand and to what impact the leadership is making is underestimated. From the most significant organisations to the smallest ones that make noise, rather than uniting they disregard and disrespect each other which leads to confusion.

While others cited 'confusion' in a general sense, as some participants wrote:

> We were very confused whom to follow. For work purpose (Annual Leave) we found calculation method easier and effective but we planned to follow the local mosque.
>
> Lot of confusion. So I will follow different ideologies each year.

Some participants expressed confusion, pointing out inconsistencies among local mosques and uncertainty about whom to follow:

> I am still not sure which method to follow.
>
> Inconsistency in between few local mosques. Confusing.
>
> *Mutawaqqif hi nahi hai donu Jamatei'in* [both parties are not united], so I go by the ease of days, e.g. Whoever will declare it on a weekend etc.

It is evident from the comments above that these respondents are grappling with a lack of clear guidance. A significant number of people feel overwhelmed by the varying viewpoints and practices prevalent in the community. The level of confusion is so evident that some individuals have picked whatever approach appears to be the most convenient or practical for them, while others are frustrated by the lack of consensus and clear leadership so have resorted to changing their methodologies every year. The impact of this confusion is substantial as it affects the way individuals and families observe a significant act of worship as well as the celebration of Eid and

it calls attention to the need for a more cohesive, clear and unified approach to announce such important dates.

6.1.9 Family

A significant number of respondents cited family as the reasoning behind their switch in methodologies within the past three years. The 105 comments in total indicate the importance of family unity among participants. This number is significantly higher than the 67 comments in the previous section of uncertainty and confusion. This further highlights the need to align with family practices takes precedence over other considerations when it comes to moonsighting issues.

The large number of comments related to family reasons indicates that many people are willing to change their methods for the sake of maintaining peace and unity within their families. Beginning Ramadan and celebrating Eid together as a family is evidently a priority that outweighs their personal preferences or beliefs about the various moonsighting methodologies.

On analysing the comments in this section, two themes emerged. First, most of the comments revolved around the notion of family unity and harmony. The majority of participants just wanted peace within their families. Some participants wrote that they changed their method to align with their families for the sake of peace and unity:

> Maintain peace in family.
>
> To prevent disunity and tension amongst extended family and wider community.
>
> To be unified with my community friends and family.

While others said that they simply wanted to follow the method of their families:

> All of family followed a different method so I reluctantly joined them.

> We had preferred regional moonsighting but due to family reasons, we had to switch to local moonsighting.

Most comments in this section were similar to the examples quoted above. Participants cited familial reasons for their switch in methods within the past three years irrespective of their personal opinions. They simply wanted peace and unity within the family so they can begin and end Ramadan on the same day.

The second major theme that emerged in this section was the impact of marriage on a participant's decisions to switch methods. Several respondents mentioned their choice to adopt a new method or change their old method was significantly influenced by the need to align with the practices of their spouse or in-laws. Some participants mentioned they changed their views to match their husband's preferred methods when determining the beginning and ending of Ramadan, differing from their previous practices, to maintain alignment within the household. Some participants wrote:

> Got married and listened to my husband like a good wife.

> I used to follow the Board of Imams Victoria but I got married and started doing whatever my husband did.

One participant shared that, although she prefers local moonsighting, she has had to set aside her preference due to her husband's choice to follow the ANIC, as following different practices would lead to discord in their relationship:

> I personally want to follow the Australian Moonsighting but my husband wants to follow the Imam council (not seeing the moon). So in one household 2 rules will leave a negative impact on children that's why I went to my husband's preference.

While another cited 'in-laws' as their reason to switch methodologies:

> Got married and followed what my in-laws follow.

These comments reflect a significant trend where marriage plays a crucial role in individuals' decisions to switch their preferred moonsighting method to one that aligns with their spouse or in-laws. This further emphasises the impact of marital relationships on religious practices in general and not just specific to moonsighting issues. An article by Call and Heaton supports this by highlighting that religion strengthens and stabilises marital relationships, indicating the alignment of religious practices within a marriage often leads to greater marital satisfaction and stability.[464] This also shows how life within a new family often involves negotiating and aligning religious practices for the sake of familial unity and peace.

6.1.10 Local Mosque – Islamic Organisation

The last and most significant section of comments shows the main reason why many participants changed their moonsighting method is simply because their local mosque or Islamic organisation changed their method. This shows the amount of trust and confidence placed in local religious institutions to make decisions. The 133 comments in this category revealed that, when local mosques or organisations changed their method of determining the beginning and ending of Ramadan, many community members followed suit.

Additionally, this shows the importance of local mosques and organisations when it comes to guiding the Muslim community. This respect and adherence to the decisions made by local mosques or organisations reflects a communal approach where individual practices are often in line with those of the surrounding community for the sake of consistency and unity. Evidently, people would want to begin Ramadan and celebrate Eid with not just their families, but also with those in their neighbourhoods so they can perform *taraweeh* and Eid prayers in congregation with

[464] Vaughn R. A. Call and Tim B. Heaton, "Religious Influence on Marital Stability," *Journal for the Scientific Study of Religion* 36, no. 3 (1997), https://doi.org/10.2307/1387856.

their families and friends. This can only be achieved if one chooses to begin and end Ramadan based on the decision of their local mosque.

No major themes were identified in this section as all comments suggested the reason behind an individual's change was simply because their local mosque had changed its method. Some participants wrote:

> My current mosque changed the method.
>
> I have not switched method but have moved places, while I prefer the sunnah way of moon sighting I have finally left this to the decision made by my local masjid imam where I offer prayers. The current one had been following moon sighting and now takes regional sighting into consideration while the mosque in my previous location followed ANIC.
>
> Moving locations as we typically stick to what our local mosque is doing and gaining more Islamic knowledge.
>
> Just following local mosque to be with the majority population as I don't consider it appropriate to celebrate Eid alone or with a handful people with different opinion.

The comments above highlight the significant role mosques play in the lives of Muslims, especially regarding the determination of Ramadan and Eid dates. The decisions made by these mosques deeply impact individual practices, which reflects mosques' influence on some individuals.

Other individuals mentioned they want to align with their local communities when beginning Ramadan and celebrating Eid:

> I am following my community. My community changed their method.
>
> To stay with local community and local mosque who do take all measures mentioned above before deciding Ramadan start or Eid etc.

The comments above reveal a group of individuals that have a high regard for unity and coherence when it comes to beginning Ramadan and celebrating Eid together within their respective communities. For many, the choice of moonsighting method is less about personal beliefs and opinions and more about staying aligned with their local mosque and community, highlighting the communal nature of Ramadan and Eid.

In summary, this question asked participants if they had switched their methods within the past three years. A strong majority of 79.17% (4,416 participants) indicated they had not changed methods over the past three years; however, a significant 20.83% (1,162 participants) indicated they had changed their method. The subsequent question asked the reason for their switch, an open-ended question that was responded to by 1,073 participants.[465]

On analysing these comments, 10 major themes emerged. A minority of the comments cited global moonsighting as their reason to switch their methodology while others mentioned they switched as they felt they found a method that was more accurate than what they were currently following. A slightly larger number of participants prioritised the use of science and astronomical calculations to determine the beginning and ending of Ramadan.

A significant number of respondents leaned towards regional moonsighting, indicating acceptance of the sightings of countries within a specific time zone, while a much higher number of individuals opted for local moonsighting, reflecting a desire to keep sightings within Australia only. Additionally, a considerable number of respondents indicated their choice was influenced by the practices of their families. Family dynamics and relationships played a crucial role in shaping individuals' decisions on who to follow for the beginning and ending of Ramadan. The desire for peace and harmony within one's family, the influence of spouses and in-laws, and the need to avoid conflicts led many to align with their family's practices.

[465] Ahmed, Ozalp and Sertkaya, *The Practice of Australian Muslims on Moonsighting*, 12.

Lastly, the most cited reason for switching methods was in response to changes in local mosque or Islamic organisation practices. Many participants cited the change of methodology adopted by their local mosque affected their choices as well. This was to keep the community unified and more importantly, to begin Ramadan and celebrate Eid as a community was more important than personal preferences in moonsighting methods.

6.2 Analysis of the Final Open-ended Question

This section will analyse all 2,787 comments, which were carefully reviewed and categorised into themes according to their relevance and frequency. After completing the review of the questions, 10 prominent themes emerged: embracing diversity and accepting the difference of opinions, the acceptance of lunar calculations, promoting education and awareness around moonsighting, advocating local moonsighting, adopting the regional moonsighting method, following global moonsighting, following the decision made by the ANIC or Mufti of Australia, to follow moonsighting in a broader context, fostering unity in general and unity among imams and religious organisations. These themes, as well as the number of comments and percentage ratio, have been tabulated and are provided in Appendix B.

Comments that did not fall under these categories were not included in the coding process. The exclusion of these comments was based on their limited relevance to the core issues of moonsighting in Australia as well as their limited occurrence or frequency within the comments section. This approach was adopted to ensure the analysis remained focused and manageable. While it is essential to acknowledge that every comment holds value, the scope of this research necessitated a focus on areas where there was clear consensus or significant debate among Australian Muslims when it comes to issues around moonsighting.

A total of 2,529 comments were coded into the categories above. The remaining 258 comments did not fall under the ten themes. The global sighting category yielded the lowest number of comments, with 80, while the fostering unity category received the highest number of comments, with a substantial 838. Each category will be analysed and prominent comments will be quoted directly to show the importance of the theme.

6.2.1 Embracing Diversity and Accepting the Difference of Opinions

It was somewhat disheartening to see that only a meagre 3.05% of responses (85 comments), leaned towards accepting differences of opinions and embracing diversity within the context of moonsighting practices in Australia. This low figure raises concerns about the inclination of the Australian Muslim community to move forward when it comes to dealing with the issue of beginning and ending Ramadan on multiple days.

In an ideal situation, a higher percentage would have indicated that the Australian Muslim community is moving towards harmony and coexistence and is capable of celebrating Ramadan and Eid on differing days without conflict. The fact that accepting and respecting diverse views on moonsighting garnered such low numbers is a telling sign. Australia is culturally and religiously diverse and the ability to respect and accept different perspectives on religious affairs is crucial, particularly when it comes to beginning Ramadan and celebrating Eid. The lack of emphasis on this theme is a missed opportunity for the Australian Muslim community to show that harmony does not require everyone to begin and end Ramadan on the same day; rather, harmony is in embracing diversity and accepting differences of opinion.

One respondent wrote:

> As the general public, we have no say in the start and end of these dates. Qualified individuals either calculate astronomically or sight the moon, their results should just be results, but the public criticise each other for following one way. I've never been

> reprimanded for the choice I've gone with, I'm lucky to have an accepting community, maybe leaders and organisations that are responsible for making statements should also add a clause reminding their congregation to maintain salamah [peace] between alternate opinions.

This comment sheds light on the gap between the official announcements of moonsighting and the community's response to the differing announcements. It suggests that, while experts use their knowledge to determine the days of Ramadan and Eid, the issue arises from how people react to these decisions and more often with criticism rather than acceptance. The suggestion is for leaders to remind their followers about the importance of peace and harmony when they make their final announcements. This plea for unity aligns with the concept that various approaches can peacefully coexist without resulting in conflict.

Another respondent noted:

> I think having Eid on the same day is not a sign of unity. Unity is recognising the difference and diversity. Embrace diversity and that is unity. People are moving toward moonsighting, however, there will be differences based on local, regional and global moonsighting. accept diversity of people are following moonsighting.

This comment is another example of how respondents feel about embracing unity and accepting the differences of opinions. It suggests that it is less about celebrating Eid on the same day and more about respecting our differences. It further points out that, while many people are leaning towards moonsighting, there are bound to be other opinions that exist within moonsighting, such as local, regional and global sightings. The key is to embrace these views in practice, which is what will truly bring everyone together.

Another participant wrote in response to the final question that this is not an issue of disunity nor are any improvements required to unite the Australian Muslims. Rather, this is merely an issue of Islamic jurisprudence in which scholars have differed:

> I don’t think there are improvements required or a disunity issue. It’s a legal fiqhi issue and different scholars and different schools of thoughts have their legal interpretations and that’s fine and acceptable.

Although the number of comments under this theme was notably low, those who contributed recognised the issue as one of differing opinions. These participants shared a positive message that people can accept and embrace these differences and still live in peace and harmony. This attitude reflects a mature understanding within the community, emphasising that the diversity that exists in views on moonsighting, does not have to be divisive. Rather, it can be seen as an opportunity to show respect to the diverse views and attain unity through these differences.

6.2.2 Promoting Education and Awareness

In comparison to the previous theme of embracing unity and accepting differences, it is encouraging to see there has been increased focus on promoting education and awareness regarding moonsighting with 170 respondents, accounting for 6.10%, commenting. The fact this theme has received more attention compared to the theme of accepting differences suggests a positive shift towards seeking clarity and understanding on the issues around moonsighting.

The desire for education and awareness indicates an eagerness to bridge gaps in understanding the issues on moonsighting. This theme emphasises the need for organisations involved in moonsighting to be transparent in the approaches they adopt in their decision-making processes. Transparency is seen as crucial in revealing the reasons behind perspectives on moonsighting, which would enable individuals to understand the complexities on moonsighting and make informed decisions.

Some respondents pointed out how technology can be used as a tool to increase awareness and promote efforts about moonsighting. For example, one respondent emphasised the importance of having quality content:

> We need good educational videos that explain moon sighting.

Another participant expressed the desire for easily accessible resources by stating:

> It would be great to have educational materials available to the public including on social media platforms that help them understand why moon sighting is crucial, for determining lunar months.

These statements indicate a desire to use online platforms for sharing knowledge and raising awareness among the public about the intricacies of moonsighting. The request for videos and accessible online materials reflects a proactive stance towards understanding the process and importance of moonsighting especially in this digital era where information can be accessed easily online.

Furthermore, in the comments received in this theme, many people expressed a desire for transparency in how organisations determine the dates of Ramadan and Eid. Participants showed an eagerness to understand the methodologies behind these decisions. By providing information about their decision-making processes, organisations can build trust and inclusivity. This will ensure a system of accountability and open dialogue is created where everyone can understand the reasoning behind how organisations determine the days they decide to begin and end Ramadan. One respondent highlighted the need for broader educational outreach, stating:

> More education to general Muslim population about the methodology and a more public discourse among scholars about deciding on a particular method.

While another participant emphasised the role of local mosques in clarifying moonsighting decisions:

> Local mosque should provide written explanation on notice board for choosing the day for start and end of Ramadan and Eid in Australia.

This suggestion emphasises the importance of ensuring that information is readily available and clear for individuals attending mosques. By offering written explanations regarding the selected dates of Ramadan and Eid, mosques can significantly contribute to educating their congregants and resolving any confusion or disagreements that may arise due to the varying interpretations of moonsighting.

One participant specifically called out the ANIC, emphasising that it bears the responsibility to educate the Muslim community about moonsighting issues and consult with other mosques and organisations:

> I think that ANIC should adopt a well-thought campaign program to firstly educate the Muslim community about the issue, and then discuss with each Mosque/organisation what they will follow and announce the methodologies followed for all to see.

The theme of promoting education and creating awareness about the practices of moonsighting has revealed a desire within the Muslim community for more clarity, transparency and mutual discussions. The community is calling for organisations like the ANIC as well as local mosques to be more transparent and involve the community in their decision-making processes. This feedback not only emphasises the community's desire for knowledge and understanding the issue but also highlights the importance of inclusivity and transparency in the decisions made on moonsighting. If the leading organisations and mosques can adopt an open and educational approach, the community can work towards a united and informed practice when deciding who they follow to determine the beginning of Ramadan and celebrating Eid.

6.2.3 Advocating a Specific Methodology

When it came to promoting a methodology for determining the start and end of Ramadan, five major themes emerged: advocating the use of scientific calculations, global sightings, regional

sighting, local sightings and following the official announcement of the Mufti of Australia and ANIC. Each methodology represents a viewpoint on how to deal with the moonsighting issues in Australia showcasing the diverse opinions within the Australian Muslim community.

Advocates of using calculation methods were relatively low with a total of 88 responses, which accounts for 3.16% of the total comments in this question. However, this low number is unsurprising as it aligns with the preference expressed by many respondents, for relying on local sightings in previous questions.

Some participants straightforwardly expressed their belief that the community should consider incorporating calculations for determining moonsighting, as one respondent said:

> Just use science. I'm sure if Prophet Muhammad (PBUH) had access to these scientific tools, he would use them.

One participant asserted: "I think we should follow astronomical calculations," while another wrote: "Just sit down all together and decide on Ramadan and Eid dates based on astronomical calculations."

However, some participants made connections between using calculations to determine the sighting of the moon and using modern conveniences like watches to determine prayer times. One respondent argued:

> People should follow calculation. For example, we know what time the sun will rise tomorrow, therefore we do not have to go outside and see the sunrise as it is calculated - if the new moon is born and there is a crescent that is visible anywhere in the world. In the time of Prophet Muhammad (PBUH), sticks were used to calculate prayer times and measure shadows. In today's time, we have solar calculations to determine prayer, the same is applied for moon sighting.

Another respondent highlighted the development of technology and its acceptance in our daily lives by stating:

> Just like we have adapted to cars (instead of camels) as a mode of transport from the old days, we also need to educate the Muslims on the science of moon birth which we are able to do now thanks to astronomical advances.

Furthermore, another participant emphasised the ease of relying on scientific advancements for religious observances, such as determining prayer times by using watches:

> We should follow scientific calculations given on a calendar to start Ramadan and Eid as we follow the scientific tools such as a watch to follow the prayer times.

These participants argue that just as people have accepted calculated prayer times and embraced transportation, a similar approach should be taken towards moonsighting using technological advancements. They argue that scientific calculations should be seen as a progression in this regard.

The theme of local sightings yielded 269 comments (9.66%) advocating for this approach. This preference is unsurprising given the number of participants who chose to follow local moonsighting or Moonsighting Australia in this survey. Many participants argued that local moonsighting is the only correct way as well as the best way to unite the Muslims of Australia. One participant commented:

> Everyone in Australia should follow Local moonsighting. Yes there are other acceptable opinions (NOT calculation), but for Australian Muslims local moonsighting is the best.

While another stated: “The Sunnah of local moon sighting is the only way to stay away from all the fitnah and keep the Ummah united.”

The consistent use of the term *Sunnah* by participants in their comments cannot be overlooked, as one respondent wrote:

> In my opinion, Muslims should stick to the basics and follow the Qur'ān and Sunnah especially where there is NO apparent need to find alternatives. Sunnah is for local moon sighting and this can be easily followed.

This indicates a strong belief among respondents that the authentic way to determine the start and end of Ramadan is through local moonsighting only, as one participant wrote:

> Go back to local sighting as was taught by our beloved Prophet. For the Mufti and co to stop making such deceptive statements on moonsighting.

Another stated: "In my opinion we should stick to the sunnah and follow the moon sighting in our region."

These references suggest that, for many people in the community, engaging in moonsighting is not just a matter of convenience or personal preference but stems from a genuine desire to align closely with what they perceive as a *Sunnah* of the Prophet.

As for regional sighting, this theme contained less than half of the previous theme of local sighting with 131 comments and a ratio of 4.70%. Although the number of comments in this theme is relatively low, many people believe that regional sighting can be adopted to bridge the gaps between local sighting and calculation, which could ultimately result in unity. One respondent commented:

> I think regional Moon sighting is something all parties could agree upon and even though I follow local moon sighting, I think there is scope for regional Moon sighting to bring everyone together.

Similarly, another participant said:

> We can go with a regional option as this will increase having Eid and Ramazan together with other groups.

Moreover, advocating for a transition from focusing on local sightings to include regional sightings demonstrates a practical approach in tackling the complexities of moonsighting within diverse and widespread communities, as one participant argued:

> Local moonsighting has to change. At least they should accept regional sightings, which will be more logical and we will see more people doing Eid same day.

This statement suggests that considering regional sightings can help resolve the issue of division that arises when communities celebrate Eid on different days. While these comments suggest the regional sighting method should be considered by organisations, some participants specified certain regions that should be used for regional sightings. One respondent suggested that countries that share the same night with Australia should be considered in regional sightings:

> Regional moonsighting should be more acceptable as countries such as Malaysia and Indonesia share the same night as Australia.

While another participant commented: "That everybody follows regional moonsighting, in which the moon sighting of nearest Muslim countries such as Indonesia and Malaysia are also accepted."

Some respondents added Fiji and New Zealand to the list of countries that should also be taken as regional to Australia. This was emphasised by one respondent:

> That the local moonsighting should collaborate with regional specially in the context when someone residing in Victoria can accept the moonsighting from Perth (which is at 4 hours airtime away) then why not the moonsighting from New Zealand or Fiji or surrounding islands (which are nearer than Perth). The scholars should define the concept and limits of same horizon. It will bring in at least 2 groups on the same page, hence unity will be improved.

A similar comment was made by another respondent:

> Discussions for a united moonsighting committee with neighbouring countries which includes New Zealand, Malaysia, Singapore, Indonesia and others within a 3-hour time zone from NSW, QLD and Melbourne.

In summary, although the number of comments in support of regional sighting are relatively low, notable recommendations were made by some participants to encourage regional sightings to bridge the gap between methodologies so Ramadan and Eid can be celebrated on one day across the country. These comments again demonstrate the community's enthusiasm to contribute their ideas and opinions on resolving the issue of moonsighting in Australia and achieving unity.

As for global sighting, a mere 80 comments accounting for only 2.87% were received. This percentage is significantly lower compared to the support expressed for local and regional sightings. The limited number of comments for global sightings can be attributed to the practical difficulties and time zone differences that the Australian Muslim community encounters when trying to adopt the sighting of countries around the world.

Although global moonsighting is recognised as a valid approach within Islamic jurisprudence, its lack of practicality, especially in Australia, weakens its appeal and support among the Australian Muslim community. The lack of interest in global sightings was also evident in Chapter 5 when the responses to Question 9 were analysed regarding the reasons behind the methodologies that were adopted by Australian Muslims.

The comments in this section shed light on an interesting view regarding the implementation of global moonsighting. Some participants indicated the decision to adopt the method of global sighting is influenced more by social and community factors rather than a firm belief in its precision or validity. One respondent wrote: "Did global sighting 1 time so that my Eid can coincide with most of my community," while another said:

> I don't believe in the method ANIC, I have followed local moonsighting as well as global moonsighting and believe that both options are valid, however, I follow global moonsighting as there is a high chance it coincides or come before the ANIC date , which gives me an option to celebrate with friends and family who follow ANIC.

Another participant pleaded: "Please follow global moonsighting which ALWAYS align with calculation and calendar. That's the only way we can unite. Thanks."

These participants pointed out that they merely followed global sighting to unite with their family members and community. Although there may be people within the community who firmly believe in the validity of global sighting, there is evidence to suggest that some Australian Muslims choose to follow global sighting as it aligns with the announcements made by the ANIC and coincides with the dates their family members choose to follow.

There was an increased number of comments from respondents who advocated to follow the official announcement of the Mufti Australia and ANIC in comparison to those who advocated the use of calculation and global sighting. The discussion about following the ANIC/Mufti of Australia announcements received 105 comments or 3.77% of the feedback. This sheds light on a group within the Australian Muslim community that favours a single and central authority in deciding the dates for Ramadan and Eid. This approach demonstrates their trust and reliance on announcements made by the ANIC and Mufti of Australia.

One respondent was concerned that multiple voices and differing opinions on moonsighting can lead to confusion and division within the community by writing:

> ANIC is the peak body leading Muslims in Australia. No other organisation should provide divisive views. Muslims should unite behind ANIC as this is the body that their Imams and religious leaders are connected to.

The focus on aligning with the ANIC is based on the fact that it represents imams and religious leaders across the country, which positions it as an authoritative entity whose guidance

should be followed. This also aligns with Whyte's research, who write: "ANIC stands as Australia's largest representative body of Sunni Imams."[466] He further argues that the ANIC—as a body of imams, sheikhs and field experts—uses various methods and tools to promote its work in areas of grassroots activism, media, political lobbying and fatwa-making (production of non-binding Islamic rulings).[467]

Another participant emphasised that unity should be by following the elected mufti: "Unity to follow our respected elected mufti." Another respondent stated: "The authority should be under grand mufti and all parties should accept the Fatāwā from grand mufti. Currently the separate arrangements are causing divisions."

The main idea conveyed in these comments is that unity and harmony within the community are important, particularly when it comes to determining the beginning and ending dates of Ramadan. The suggested approach to achieve this goal is coming under the guidance of a central religious authority, i.e. the Grand Mufti of Australia and ANIC.

While many comments in this category suggested the Australian Muslim community should come together under the ANIC or Mufti of Australia's statements, 14 of them expressed criticism towards them. These remarks were directed at the ANIC and Mufti of Australia, alleging they were responsible for engendering confusion and discord within the community. Although these comments were not significant in number to form a separate theme, they still highlighted a notable frustration regarding the methods and choices made by the ANIC and Mufti of Australia. Acknowledging these comments is necessary to present a balanced view of the community's stance towards the ANIC and Mufti of Australia. One participant commented:

[466] Whyte, "Institutionalising Islamic Religious Authority in Australia," 551.
[467] Ibid.

> That the Australian mufti is Australian born and understands Australian culture and speaks English. At present the mufti does what ANIC tells him to do.

This comment indicates a preference for a mufti who not only shares the linguistic background of the Australian society but also possesses some level of independence from the ANIC. The focus on having an Australian born mufti, who understands the local culture, suggests a need for leadership that is relatable and capable of making independent decisions. Another comment highlights a lack of trust in the authority of the Grand Mufti:

> Abolishment of the grand mufti. It has no basis in Islam and I don't trust him as he is dividing the community!

The harsh use of the word 'abolishment' reflects a significant level of discontent from this writer. Consequently, the mufti is seen by the commenter as someone who creates divisions than promoting unity. Another participant raised concerns regarding the handling of announcements pertaining to Ramadan and Eid:

> Please don't announce Eid more than a day in advance, even if you use calculations, this is what causes people to talk about ANIC and the mufti.

The comment expressed concerns about the effects of premature announcements, which can lead to confusion and dissatisfaction among the community.

Comments containing vulgar language were excluded from this discussion. Although these cannot be directly quoted, they indicated a level of frustration and anger within parts of the community. This strong emotional response by some community members highlights the emotions associated with leadership and moonsighting practices in Australia.

The theme of following the ANIC/Mufti of Australia has sparked a range of opinions within the Muslim community. Some members see aligning with the ANIC and Mufti as a way to promote unity and harmony within the Australian Muslim community. They appreciate the clarity and

authority that comes with the ANIC and Mufti of Australia. However, there is also a minority that challenges the structure and approach of the ANIC. They question their adherence to principles and impact on community harmony. The criticisms varied from concerns about the lack of independence of the mufti from the ANIC to calls for abolishing the Grand Mufti position. These criticisms reflect significant mistrust and dissatisfaction. Additionally, it was also evident from the comments above that there is no consensus on who is the religious authority within the Muslim context in Australia. As there is no official clergy in Islam, a scholarly opposing view and dispute is possible.

6.2.4 Moonsighting in a Broader Context

There were a significant 385 comments (13.80%) that mentioned "moonsighting" in a general sense. This category includes comments that discussed moonsighting without expressing any inclination towards local, regional or global sightings. These comments collectively support relying on any of the moonsighting methods rather than astronomical calculations to determine the dates of Ramadan and Eid.

The general nature of these comments implies significant support for moonsighting. It emphasises the significance and authenticity of this method regardless of geographical or methodological approaches. This indicates an appreciation for sighting the moon as an important part of determining dates for Ramadan and Eid. It also highlights a preference for methods related to sighting the moon than relying solely on modern calculation-based approaches.

The frequent use of the term "*Sunnah*" in the comments highlights a respect for the traditions of the Prophet within the Muslim community, especially when it comes to moonsighting. By using the this word, participants indicated they firmly believe the method of sighting the moon is a tradition of the Prophet and an authentic way to determine the beginning and ending of Ramadan.

Some participants simply added that people should follow the *Sunnah* of moonsighting. These comments include: “Everyone follow Sunnah of moon sighting,” “Everyone should follow the sunnah that is moon sighting to determine the date of Ramadan and Eid” and “Every Muslim to follow sunnah and go by new moon sightings.”

These three comments, alongside numerous others, are a few examples of simple and straightforward comments from participants urging the community to follow the tradition of moonsighting based on the *Sunnah*. While these participants’ comments were basic and direct, others were vocal in the message they wanted to send. One respondent wrote:

> The sunnah is to sight the moon. These astronomical calculations are quite frankly bogus and clearly cause issues. They should search for the moon themselves. The calendar and calculations go against the clear sunnah. Sight the damn moon properly.

This comment strongly criticises the reliance on astronomical calculations for determining the dates of Ramadan and Eid, emphasising a strict devotion to the traditional method of moonsighting as per the *Sunnah*. The participant’s forceful language, describing calculations as “bogus” and asserting they “clearly cause issues,” highlights a deep-rooted belief in the superiority of physically sighting the moon.

Another participant voiced their concern regarding calculation by writing:

> It should only be according to moon sighting. When I was young I never recall this being an issue. We all followed the moon and therefore all celebrated the same day. As soon as logistics and planning started to come in to it, it became split. Esp here in NSW with the largest mosque Lakemba, the only ones to celebrate according to the north rather than sighting. Disappointing to have a divided community.

This comment reflects a time when the Muslim community used to simply follow moonsighting and celebrations were most often on the same day. However, the shift towards planning and relying on calculations in relation to NSW’s Lakemba Mosque was seen as a cause

of division. The feeling expressed in this comment once again highlights a concern about how differing approaches to determining the start of Ramadan and Eid are causing division within the community.

Another participant encouraged all other organisations to adopt the *Sunnah* of moonsighting:

> I'd hope to see major Islamic bodies move away from astronomical calculations and use more traditional methods of regional or local moonsighting with the eye.

A similar comment was made by another respondent: "All Islamic organisations to follow moon sighting. Too many groups observing different methods. Need more dialogue with each other to reach a majority consensus."

These comments, as well as other similar ones, indicate a clear desire for a return to traditional moonsighting practices within the Australian Muslim community, urging major Islamic organisations to prioritise moonsighting methods over astronomical calculations. Another noteworthy comment in this section was made by one participant:

> We must unite as the ummah of Prophet Muhammad saw and give importance to the sunnah over all other methods. I am not against technology, I am a Clinical Researcher and work on all sorts of technologies to make my life and work easy. But results derived from astronomical calculations challenge the results derived from the sunnah way of sighting the moon. After carefully assessing the survey results, there should be a debate amongst the scholars on the results, and a decision should be taken. Ramadan should start on the same day for all Muslims, and Eid should be celebrated on the same day by all Muslims.

This comment highlights the importance of unity within the community giving priority to the *Sunnah* as the means of determining moonsighting rather than relying on technology or calculations. Additionally, the comment calls for discussion on the survey findings that could assist on Ramadan and Eid being celebrated on the same day.

In summary, this theme yielded the second highest number of comments. People expressed their thoughts in various ways. Some comments were straightforward while others used strong words to convey their frustration regarding the persisting concerns surrounding moonsighting. The variety of responses emphasises the community's longing for unity and a return to the traditional practice of moonsighting, which reflects the significant value placed on this practice and the widespread call for resolving differences to celebrate the beginning of Ramadan and Eid together.

6.2.5 Unity of Imams and Islamic Organisations

The theme of the Unity of Imams and Islamic organisations received significant attention with 378 comments accounting for 13.56% of the total. This highlights the community's desire for harmony and collaboration among leaders and organisations. Participants expressed a need for Imams and institutions to come together to address their differences and work collectively to resolve the issues that cause divisions within the community. The call for unity goes beyond agreeing on methods of moonsighting. It signifies a plea for leadership that places the wellbeing of the community above personal or organisational agendas.

Numerous participants urged imams and organisations to come together and find a solution to unite the community. One participant wrote:

> I feel the Muslim community in general and the Australian Muslim scholars in particular have preferred differences rather agreeing on a solution to this issue. Surely, issues like this existed in throughout Islamic history, however in today's world where we have tools and communication advances at our disposal it is an irony that the ulema of this community are not able to find a solution to at least put this issue to rest locally and agree on one way to establish and beginning and end of Ramadan in Australia as a whole. There is a need to establish a single central authority/committee which should decide this internally irrespective of whatever method they use and unanimously give a single fatwa to establish these key dates. It just feels so bad to see people celebrating Eid or starting to

> fast on different days in the same city, leave alone the whole country. It's high time a solution to this problem is resolved once and for all! Rest AllahuAalam."

The comment expresses frustration with how the Australian Muslim community tends to focus on their differences than working together to find a unified solution for determining the start and end of Ramadan. It further proposes the idea of setting up an authority that can make decisions regarding these dates, aiming to eliminate confusion and enable everyone to celebrate together. Another frustrated respondent who has been in Australia for 19 years stated:

> Either agree or ask others to agree on moon sighting, if not then we can't resolve this because I am here from last more than 19 years it's still same, so someone has to understand and make one decision either scientifically group or moon sighting group. Now the ball is still in air ???? Decide it Thank you."

This individual suggests that to solve the ongoing moonsighting issue, the community must either reach a consensus or convince others to follow one method, whether it is scientific calculations or traditional moon sighting. Another respondent wrote:

> I would like to see one Islamic body or organisation to be representative of all Muslims in Australia. This organisation will be the only one making decisions on all moon sightings and declaring Eid in Australia. This would be a uniting factor for all Muslims in Australia.

Despite the presence of Islamic organisations like the ANIC and AFIC, this comment suggests the need for a different organisation to handle the announcement of Ramadan and Eid dates. This indicates a lack of confidence in the ANIC and AFIC among some community members.

Some respondents urged imams and organisations to respect each other's views and encouraged the community to respect the varying views on moonsighting. One participant wrote:

> The Islamic scholars and Imams should openly and freely discuss and debate the matter among themselves. They should also be able to respect opposite views rather than rejecting them outright saying "they are against the Sunnah or Bid'ah.

Another respondent gave a similar comment, urging the imams to respect each other's views' by writing:

> All Sheikhs should be sitting together to make a decision specifically the Arab sheikhs should respect the sheikhs from other backgrounds. Arab sheikhs should learn to listen and respect.

While another participant wrote:

> The imam/leaders should respect each others and InshaAllah they will be united and make a stronger community in Australia for future generations.

Amid these appeals for unity of imams and organisations, some individuals expressed criticism and frustration towards organisations holding them responsible for the division seen within the community. One very disappointed respondent wrote:

> All Muslims in Australia unite on a day. This year was ridiculous - ANIC announced the Eid almost 2 weeks prior and Lakemba mosque then declared Eid on Friday. Others waited until 2am in the morning for Saudi to declare Eid. This made a total mockery of a religion that is built on simplicity, the word of Allah and the teachings of the Rasul. The Turks always celebrate with Turkey, the Indonesians with Indonesia and so on. We do not see this confusion and conflict except in Australia. Why can't all Imams get together and decide on a day. They do not practice what they preach and it is very heart breaking as people fight amongst each other that their sheikh is right. It is causing a huge division not only in the community but among family.

Some participants were more vocal as they urged imams and organisations to put aside their egos and political agendas. One frustrated respondent wrote:

> I hope the imams and muftis can sit like adults and behave like ulama' warathatul anbiya' without having personal agenda in mind and research on opinions inside and outside Australia and agree on one for the sake of the ummah!!!

This comment suggests imams and muftis collaborate like true scholars and inheritors of the prophets.[468] The respondent suggested they put aside personal agendas and consider different perspectives from within and outside Australia with the aim of reaching a unified decision that will benefit the Muslim community. Another participant wrote:

> Collaboration/meeting between different major organisations to uphold the sunnah. Putting culture and nationalism aside and putting Islam first.

A similar comment was given by another respondent:

> Imams should show some maturity and avoid egotistical attitude.

One respondent specifically highlighted the issue of politics when determining the dates of Ramadan and Eid:

> Muslim leaders to have a united front. They should remove their ego when making such important decisions effecting the Muslim community on all important topics. Using the Islamic law and the sunnah not their politics and ego. Time for a change within the organisation making these important decision.

One respondent, a revert, commented:

> I am an Anglo Australian Muslim having embraced Islam 20 years ago. This year was a clear demonstration of the inherent politics and cultural divisions within the Australian Muslim community. The moon issue was ridiculous and disappointing. I honestly

[468] The term "*warathatul anbiya*" used in the comment refers to a segment of a Prophetic Ḥadith in which the Prophet said: "The learned are the heirs of the Prophets." Abu Zakariya Yahya bin Sharaf al-Nawawi, *Riyad as-Salihin* [The Gardens of the Righteous], book 12, ḥadith no. 13, accessed February 10, 2024, https://sunnah.com/riyadussalihin:1388.

> thought, if only the Muslim community was as united as the Jewish community, imagine what the umma could achieve.

One extremely disappointed participant pointed out that this year was the worst Eid for their family. Although the comment is long, it is important to fully quote it to understand the level of frustration:

> That our Islamic leaders Shiekhs should swallow their PRIDES and unite on 1 method either Global Moon sighting or Local Moon sighting Only, no more local and regional, no more calculations, we go global until 4am in the morning, mass message to the whole community/social media/emails and inform the community if it's Ramadan or Eid El Fitr and how come our Shiekhs differ on Ramadan and Eid El Fitr but don't differ when it comes to Eid El Aḍhā and they have no problem following Saudi then, this was the worst Eid for my family this year it is a shame and appalling and embarrassing that our Islamic leaders are constantly at odds about such an important event in the Muslim calendar and they have caused the Australian Islamic community to be in disarray, they will be questioned of this on the day of Judgement, I kindly ask that this needs to stop if they really fear ALLAH swt and love their Religion this beautiful Islam, they will need to stop being so arrogant/ANIC and LMA and all the Shiekhs from ASWJ, the Tabligh, every single Islamic leader or association that differs need to unite We are 1 Ummah, we only have 1 moon, SubhanAllah what kind of legacy are we leaving for our children the future generations to come when they see the Elderly ruining our Muslim events like this every single year, but this year was the worst, May ALLAH swt unite our Ummah.

These comments express the concerns raised by some members of the Muslim community regarding the conduct and attitudes of certain imams and organisations across Australia. They call for the leaders to demonstrate the wisdom and responsibility expected of genuine Islamic scholars, putting aside their personal interests and egos to prioritise the welfare of the community. The focus in these comments lies in encouraging collaboration and unity among the imams and organisations.

In summary, a significant number of comments emphasise the importance of imams and organisations coming to an understanding regarding the ongoing moonsighting issues in Australia. While many individuals have urged leaders to convene and reach a unified decision, others have expressed their frustrations more assertively. Despite these pleas for unity, previous attempts of meetings between the ANIC, Moonsighting Australia committee and various other groups and leaders have repeatedly failed to resolve the matter.

Previous efforts aimed at unifying the community on moonsighting have resulted in agreements being reached in principle. However, regrettably some parties have later deviated from the initially agreed upon consensus. Details of these meetings are discussed in Chapter 4, which highlight the challenges associated with achieving agreement on this issue while also shedding light on how certain individuals and organisations veer away from collective decisions that impact unity. Consistent emphasis is placed on leaders to prioritise the community's welfare over political interests and personal agendas.

6.2.6 Call for Unity

The theme of calling for unity stood out significantly. It attracted 838 comments, accounting for 30.03% of the total feedback. Unity was clearly the most talked about theme, exceeding the second most discussed topic that revolved around moonsighting. The significant number of comments shows how important unity is to those who participated in the survey. The overwhelming number of comments in this theme indicates a collective desire within the community for harmony and agreement on determining the dates of Ramadan and Eid.

Most comments in this section were straightforward pleas for the community to come together in unity. These include comments like: "For all Muslim to celebrate them together," referring to the beginning and ending of Ramadan.

One respondent wrote: "All we Muslim should unite and start on the same day and finish Ramadan in the same day," while one participant said: "I would love to see one Ramadan and one Eid and all agreeing on one method. Whatever that is, moon sightings or calculations." While many comments in this section were short, a handful of respondents shared recommendations that could help foster unity within the Muslim. One participant suggested that umbrella organisations should be formed to announce the dates for Ramadan and Eid:

> There will always be difference of opinion and interpretation on start of Ramadan and Eid as there is no established rule of moon sighting. There are many variables to look at and it's hard to come together on one. However, I would like to see an umbrella organisation established all over Australia where they agree on some common terms and announce one Ramadan, Eid every year, so Muslims can celebrate it in harmony and show unity which is far important than fighting over different technical interpretations that are hard to validate. I am very optimistic and hopeful but I don't see it happening in near future.

This comment reflects a broader issue within Islamic thought, as discussed by Moosa, where the authority of knowledge derived from revealed sources has been a central concern. Moosa notes that, while the idea of living by God's law has never been seriously debated among Muslim thinkers, there has been significant debate regarding the authority of interpretations stemming from these sources.[469] Moosa further asserts: "The interpretive relativism inherent in a textual and hermeneutical tradition makes it challenging to establish categorical truths."[470] This highlights the complexities involved in regulating broad practices, such as moonsighting, and highlights the importance of considering who is permitted to engage in the decision making process within the Muslim community. The call for unified practice through umbrella organisations can be seen as

[469] Ebrahim Moosa, *Ghazali and the Poetics of Imagination* (The University of North Carolina Press, 2005), 218-19.
[470] Ibid.

an attempt to navigate these complexities and establish a form of consensus that promotes communal harmony.

One participant proposed that the Grand Mufti should make announcements related to Ramadan and Eid based on the majority's opinion:

> All imams of Australia should come together i.e. the local moonsighting ones, the regional ones, the global moonsighting ones and the calculation ones, they should all come together on one table and see who is the majority as this will be a true display of democracy and unity. Then whichever group is the majority, the Grand Mufti should enact this opinion over the whole Australian population via his official statement even it be against the Grand Mufti's own opinion or the even people's own opinion. They don't have to come all on one table. Instead, a survey can be sent to all the known imams/aalims/muftis to see which opinion is the majority. Currently, the Grand Mufti follows calculations yet none of the famous imams who appear on social media follow calculations. Rather, they follow local or regional sighting. How strange! What is the point of the Grand Mufti then.

This suggestion implies that all imams in Australia should come together regardless of their differing moonsighting methods (local, regional, global or calculation) to discuss and reach a decision through a majority vote. The Grand Mufti should then adopt and announce the approach of the majority for the Australian Muslim community even if it contradicts his personal viewpoint or that of others. The commenter proposes conducting a survey to gather opinions from imams, scholars and muftis to determine the most widely favoured method.

The basis for this approach can be found in Islamic jurisprudence, where the principle of following the majority opinion (*jumhur*) is often invoked when there is no clear consensus (*ijmāʿ*). The practice of adhering to the majority view is seen as a way to achieve social harmony and uphold the unity of the Muslim *ummah*, especially in matters where diverse opinions exist and no

single interpretation is universally accepted. In line with this, Darul Iftā Binori Town, Karachi, states:

> If the majority of scholars of the time agree on a certain matter, but a few scholars hold a different position based on evidence, then a common person who does not have knowledge of the strength of the evidence and the methods of deriving rulings should follow and act upon the opinion of the majority and most of the scholars.[471]

In addition, al-Shashi writes that the consideration in this matter is consensus of the people of opinion and *ijtihad*, and the views of the common people, theologians or ḥadith scholars who have no insight into the principles of jurisprudence are not taken into account.[472]

This method also aligns with the concept of *maslahah* (public interest), which is a fundamental principle in *fiqh* that prioritises the community's wellbeing and unity. By advocating for a majority-based decision, this comment is appealing to a *fiqhi* approach that seeks to balance differing opinions while ensuring the community acts in unity.

Although this idea may appear hopeful, it is highly unlikely to be implemented. As mentioned earlier,[473] efforts have been made in the past by leading imams and organisations across Australia on uniting the Australian community when it comes to moonsighting issues. However, some organisations such as the AFIC and IAWSS tend to release their own announcements, which often contradict the statements made by the Grand Mufti. They believe their approach to be more precise and reliable.

In summary, it was unsurprising to see the significant number of comments related to the theme of unity. This was also a reflection of the results from the final closed-ended question of the

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[471] Darul Iftā, "Will the consensus of contemporary scholars be considered *ijmā*'or not?", Jami'atul Ulum al-Islamiyyah, fatwa no. 144411100411, accessed September 3, 2024, https://www.banuri.edu.pk/readquestion/aj-kal-k-ulama-k-attifaq-ko-ijma-kaha-jae-ga-ya-nahi-144411100411/24-05-2023.

[472] Al-Shashi, *Uṣul al-Shashi*, 291.

[473] See the analysis in section 6.2.5.

survey, which aimed to understand the respondent's perspectives on what they believed will be the ultimate outcome of resolving the issue of moonsighting in Australia.

The largest response in this question represented 43.02% (2,382 participants), which holds an optimistic view that there will eventually be a day when all Australian Muslims will start Ramadan and Eid on the same day. A larger response for this answer choice signified an aspiration for unity on the issue of moonsighting and the benefits it would bring in terms of strengthening and unifying the Australian Muslim community.

6.3 Conclusion

This chapter analysed the significant number of comments received from the final open-ended questions in which participants were asked about what improvements or changes would they like to see in the process of the start and end of Ramadan in Australia. Ten major themes emerged out of the 2,787 comments, which have been analysed in depth alongside direct quotes from the comments section under each theme.

The emphasis on education and awareness captured a significant portion of the feedback received in the comments. This indicates the community is eager for more transparency. Many people feel left in the dark about the methodologies adopted by varying organisations when determining and announcing the dates for Ramadan and Eid, expressing a desire for more information to make informed decisions. This call for raising awareness and education highlights a need for clarity and understanding of the diverse moonsighting approaches.

As for the preferred methodologies, the strongest support received was for local sightings. This aligns with the survey's reach and responses as evident in question 6, where the majority of participants indicated they followed "Moonsighting Australia" (which conducts local sighting) when determining the day of Ramadan and Eid. This preference for local sighting was also

reflected in the large number of comments, making it clear that it is the most favoured method among those who responded.

Regardless of the varying themes and comments that emerged, whether in relation to methodologies used to determine the beginning and ending of Ramadan that include calculations, local, regional or global sightings, or in relation to raising education and awareness, the common theme running through all these discussions is a deep desire for unity. The significant emphasis placed on unity, as evidenced by the significant number of comments received under this theme, stresses the community's desire for peace and unity to begin Ramadan and celebrate Eid together as one community in Australia.

Similarly, the call for unity among imams and organisations highlights the importance of leadership to address differences and work towards common goals, which will enable to community to unite on this matter. Undoubtedly, there are challenges involved in trying to unite all imams and organisations due to the hesitation of some to align with the Grand Mufti's announcements or difficulty in reaching consensus. This survey reflects the community's desire as well as their cautious optimism in finding a way towards unity.

CHAPTER 7: CONCLUSION AND DISCUSSIONS

This final chapter brings together all the insights gathered during the study, addressing the research questions and explaining the importance of the findings in the broader context of Islamic law and traditions related to moonsighting. Additionally, this chapter includes recommendations for future research, pointing out areas for further exploration and investigation that can expand on the groundwork established by this study. In doing so, it underscores this research's contribution to the ongoing discussion among scholars, religious authorities and Muslim communities worldwide, aiming to understand the complexities surrounding moonsighting practices and its vital role in determining the beginning and ending of lunar months, particularly Ramadan.

7.1 Summary of the Main Findings

Ramadan is a blessed time of the year for Muslims around the world. It is a period of spiritual renewal, with a focus on devotion and worship. However, determination of the beginning and conclusion of Ramadan presents a significant challenge for the Muslim community. This challenge stems from the varying interpretations by Islamic scholars, classical and contemporary, regarding the practice of moonsighting and the interpretation of foundational Islamic texts, being the Qur'ān and ḥadith. The differing understandings of these texts is what leads to disputes around how Ramadan begins and ends.

At the time of the Prophet, commencing Ramadan was a simple task. The companions would simply go out to sight the moon and, if sighted, the month would begin. If the moon was not sighted due to obscurities in the sky or overcast conditions, the 30 days of Sha'bān would be completed. In recent times, due to the progress of technology, many scholars argue that the beginning of the month of Ramadan is not confined to physical sighting of the moon, considering that was the only

method available to Muslims at the time of the Prophet. While this argument may seem convincing and logical, numerous scholars of the past and present have opposed this opinion.

While the Qur'ān frequently references the moon, it is usually in a general manner, with scholarly consensus on the interpretation of these verses. A minority of scholars have used specific verses to advocate for the necessity of physical moonsighting for the commencement and conclusion of Ramadan. However, the predominant view among exegetes is that the Qur'ān does not prescribe a definitive methodology for moonsighting. This consensus highlights the absence of explicit Qur'ānic guidance on the methodology of sighting the moon.

On the contrary, the debates surrounding moonsighting predominantly stem from the Prophetic Traditions. Not only is the issue of physically sighting the moon debated by scholars, but numerous other issues pertaining to moonsighting are also discussed through the interpretations of prophetic *aḥādith*. These include differences of opinion in the understanding of the terms '*ru'yah*' and '*faqdiru lahu*,' the discourse around unity and diversity of horizons, and the number of witnesses required to establish the commencement and termination of Ramadan. Notably, Ibn Taymiyyah references 32 traditions from the Prophet related to moonsighting in his work, highlighting the significance of these texts. The disputes encompass more than the question of whether these traditions mandate physical sighting of the moon. Scholars of ḥadith and Islamic jurisprudence delve into multiple other issues, indicating the depth and complexity of the challenges associated with moonsighting.

Central to many debates is the interpretation of the term *ru'yah* as found in a ḥadith:

صُومُوا لِرُؤْيَتِهِ وَأَفْطِرُوا لِرُؤْيَتِهِ فَإِنْ غُمِّيَ عَلَيْكُمْ فَأَكْمِلُوا الْعَدَدَ

> Muslim, in his *sahih*, narrates: "Observe fast on sighting it (the new moon) and break (fast) on sighting it (the new moon), but if the sky is cloudy for you, then complete the number (of thirty)."[474]

This term's interpretation is the root of the disagreement between physical sighting and consideration of calculations. While traditional ḥadith scholars have understood *ru'yah* to denote the literal visual confirmation of the moon, several contemporary scholars contend that the term's implications extend beyond mere physical sighting, suggesting a broader interpretative scope.

Another critical phrase that is disputed by scholars is '*Uqdiru lahu*' from the prophetic text:

لاَ تَصُومُوا حَتَّى تَرَوُا الْهِلاَلَ وَلاَ تُفْطِرُوا حَتَّى تَرَوْهُ فَإِنْ أُغْمِيَ عَلَيْكُمْ فَاقْدِرُوا لَهُ

> Do not fast till you see the new moon, and do not break fast till you see it; but if the weather is cloudy calculate (*aqdiru*) about it.[475]

Most classical scholars interpret the phrase *faqdiru lahu* (calculate it) in the prophetic narrations as a command by the Prophet to complete the full 30 days of the month when the moon is not visible due to obscurities in the sky. This interpretation aligns with the traditional understanding upheld by classical and modern scholars regarding this text. However, a segment of scholars who advocate for the use of astronomical calculations argue that *faqdiru lahu* should not be understood merely as completing the month to 30 days. Instead, they argue it suggests the allowance for estimating the month's duration by accounting for the moon's position, even when obscured by clouds. This argument is attributed to Imam Ahmad among a few others who have been reported by al-Nawawi.[476]

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474 Muslim, *Sahih Muslim*, book 13, ḥadith no. 21, accessed July 7, 2020, https://sunnah.com/muslim/13/21.
475 Ibid., book 13, ḥadith no. 4, accessed July 27, 2020, https://sunnah.com/muslim/13/4.
476 Al-Nawawi, *Al Majmoo' Sharh al-Muhadhab*, 276.

The question of whether the moonsighting in one country necessitates its acceptance by others is another issue that has been discussed by classical scholars from the four Sunni schools of thought. The Ḥanafi, Māliki and Ḥanbali schools predominantly argue that moonsighting in any one country should compel all others to follow its sighting in marking the beginning and ending of Ramadan. Differing slightly from the three other schools, the Shāfi'i school introduces a distinction, treating sightings in neighbouring countries differently from those that are far.

Despite the variety of debates surrounding moonsighting issues, such as differences in horizons, requisite number of witnesses and criteria for valid testimony, unanimous agreement exists among these classical scholars on the necessity of physically sighting the moon. They collectively reject the use of astronomical calculations for determining the commencement and conclusion of Ramadan. This emphasises an approach that is line with the prophetic narrations on moonsighting.

As the topic is further discussed by modern era scholars, a shift is highly evident when it comes to interpreting prophetic texts on the issue. Modern scholars, who argue that astronomical calculations are a legitimate means to confirm the beginning and ending of Ramadan, present multiple arguments. One of the main arguments presented by modern scholars is that physically sighting the moon with the naked eye to determine the beginning and ending of lunar months is not a Sharīʿah requirement; rather, the main objective is certainty, which can now be achieved through scientific calculations. This is further emphasised by Shah, who writes:

> There is no *ijmā'* (consensus of the scholars of the Muslim *ummah*) on the view that using astronomical calculation in confirming or negating the month of Ramadan is illegal (*haram*) especially in case of obscurities.[477]

[477] Ibid., 3.

Classical scholars held the opinion that commencement of Ramadan depends strictly on the physical sighting of the moon under clear skies, or in the case of obscured visibility, by completing 30 days of Sha‘bān. However, with the advancement of technology and passage of time, a shift in perspective has emerged among scholars. Some argue that the initiation of Ramadan does not need to be restricted solely to physical sighting of the moon. Astronomical calculations have been presented not just as an alternative means to determine the start of Ramadan, but as a superior and more precise method than physical sighting, which may be subject to uncertainty and doubt.

In chapters 1 and 2 of this research, the discussions delved into the contrasting viewpoints of classical and modern scholars. It is evident that the root of the issue lies in how texts are interpreted and the diverse range of opinions that exist due to these interpretations. This highlights the nature of Islamic law, where scholars employ their insights and methodologies to understand the Qur’ān and ḥadith. The varying viewpoints show the diversity within Islamic research, where differing interpretations are not just acknowledged but shown as reflections of the depth and flexibility of Islamic jurisprudence. It demonstrates how scholars’ perspectives have developed over time in light of technological advancements and changes in society that further contribute to the ongoing discourse on moonsighting.

7.2 Answer to Research Questions

The detailed discussion in chapters 1 and 2 set the stage for addressing the first of the two main research questions: Why do Muslim jurists have methodological conflicts behind moonsighting and calculation? While it was important to highlight the differences of opinion from scholars of the past and present on the issue of moonsighting as well as their varying interpretations on prophetic texts, it was equally important to understand the reasons behind their conflicting understandings of these texts.

During the time of the Prophet, there was little to no disagreement over the interpretation of Qur'ānic verses and Prophetic texts, as the Prophet would provide explanations on their revelation. However, following his passing, the companions would typically turn to their caliphs for further clarification on religious matters. As time moved forward, divergences in opinion started to emerge across various religious issues, affecting even scholars of ḥadith and Islamic jurisprudence (*fiqh*).

Numerous scholars have written books and unravelled reasons as to why scholars began to differ in understanding and interpreting prophetic texts. Some prominent works in this field include those written by Dr. Mustafa Saeed (d. 2008), Ali al-Khafif and Dr. Salah Muhammad Abu al-Haj. Among the many reasons behind scholarly variations include different recitations of the Qur'ān (*qirā'āt*), authenticity of prophetic texts, differences in understanding words or phrases in Qur'ānic verses or Prophetic texts, conflicts between evidences, and words that carry multiple meanings (*al-ishtirāk*).

In exploring the reasons for disputes among scholars regarding moonsighting texts, it becomes clear that these disagreements stem from differing interpretations of words or phrases within these texts, such as the word *ru'yah* and phrase *faqdiru lahu.* The disputes in understanding these texts have directly contributed to the ongoing arguments over whether moonsighting should be conducted physically or if astronomical calculations can be used. This further outlines the historical division between scholars into two primary schools of thought: *ahl al-ḥadith*, who prioritise direct textual evidence without resorting to logical reasoning, and *ahl al-ra'y*, who use reason and analogy in interpreting texts. This categorisation, as explained by scholars like Daniel Brown and Dr. Salah Muhammad, illustrates the methodological conflict rooted in the early Islamic period, which highlights how the companions of the Prophet approached and understood prophetic commands differently, a practice that has evolved significantly over time.

Since the understanding of both groups of scholars (those who permit physical sighting only and those who allow the use of calculations) stems from the understanding of the texts, it is fair to say that the validity of determining the beginning and ending of Ramadan according to classical scholars is through physical sighting only and according to modern scholars, through astronomical calculations. To argue that one is more correct than the other would lead to further debates and disagreements since both arguments are substantiated by evidence that cannot be overlooked.

To address the second primary research question, how Muslims in Australia approach the issue of moonsighting and what methodologies they follow, Chapter 4 provided a detailed examination of the practices of Australian religious organisations dating to the 1970s. This chapter outlined the diverse methodologies adopted by various religious entities and examined the introduction of significant organisations like the ANIC, AFIC and Moonsighting Australia while highlighting their roles and preferences in moonsighting practices. Subsequently, chapters 5 and 6 presented an analysis of the findings from the online survey, offering insights into the preferences, practices and perspectives of the Australian Muslim community regarding moonsighting.

Numerous methodologies are currently being employed in Australia by various organisations to determine the beginning and ending of Ramadan. These include astronomical calculations, local sighting, regional sighting, global sighting and a group who follow Saudi Arabia's announcement for Eid al-Aḍhā. The first national conference of imams took place in Melbourne on 21 November 1998, which was attended by over 50 imams and leaders from throughout Australia and focused on the moonsighting issue in Australia. They decided to adopt regional sighting as their methodology, aided by *imkan al-ru'yah* (possibility of sighting the moon).

This was the first instance on regional sighting being a valid methodology used in Australia to determine the beginning and ending of Ramadan. However, this methodology only lasted a year

and on 14 November 1999, the second national conference of imams was held in Sydney in which the AFIC decided to adopt the use of calculation to determine the dates of Ramadan and Eid. Although the decision to adopt astronomical calculations was opposed by many scholars, the AFIC continued with this methodology and since has been following the method of calculation to determine the start and end of Ramadan.

Unlike the AFIC, the ANIC, which was established in 2006, has changed its methodology on moonsighting multiple times over the past few years in order to unite the Muslims of Australia so they can start and end Ramadan on the same day. However, this has been extremely challenging as no matter what methodology they adopt, there are always people who are unhappy and oppose the ANIC. Their methodologies over the past few years have included local sighting within Australia only, regional sighting and, more recently, the use of astronomical calculation.

Previously, the ANIC would announce the commencement of Ramadan and Eid dates without detailing their adopted methodology, leading to confusion within the Australian Muslim community about the basis for these decisions. Recognising the need for transparency, in 2020, the ANIC began to clarify that their methodology for determining the dates of Ramadan and Eid relies on astronomical calculations related to the moon's birth. By 2022, the ANIC provided even more detailed explanations, specifying the expected times for sunset and moonset, and the likelihood of the moon's visibility on specific dates. Their statement in 2023 further emphasised this approach, explaining that the Grand Mufti of Australia and Australian Fatwa Council base their decisions on the moon's calculated birth before sunset, the duration of moonset after sunset, and the potential for its sighting in Australia. Thus, the ANIC's approach to determining these Islamic dates now clearly incorporates astronomical calculations, taking into account the timing of the moon's appearance and its visibility within Australia.

Another form of astronomical calculation was adopted by the organisation of Lakemba Mosque in conjunction with other Islamic organisations, which announced in 2023 that their methodology was based on astronomical calculations alongside the possibility of sighting the moon globally. The Fatwa and Islamic Arbitration Majlis issued a statement clarifying that their methodology is in line with astronomical calculations based on the possibility of the moon being sighted with a telescope in North America and the northern and central parts of South America. They adopted the methodology of calculation based on the possibility of sighting the moon globally.

The initial use of astronomical calculations sparked confusion and concern within the Australian Muslim community. However, the introduction of varying calculation methods that propose two different dates for the commencement of Ramadan and Eid has aggravated these concerns, further deepening the divisions within an already divided community. Last year (2023) highlighted a significant instance where differing calculation methods led to unmatched division within the Australian Muslim community.

Another large community in Australia also follows the use of astronomical calculations. The Turkish community adheres to the practice of using astronomical calculations for determining the beginning and end of Ramadan, similar to the methodologies employed by the AFIC and ANIC. Despite many Turkish Australians not directly following the decisions of the AFIC or ANIC, the outcome aligns as both these Australian Islamic bodies and the Directorate of Religious Affairs in Turkey (Diyanet İşleri Başkanlığı) rely on astronomical calculations. This consistency highlights a unified approach within the Turkish community in Australia, which is guided by the same principles of astronomical calculations as their leading religious authority in Turkey.

While the predominant method among leading Islamic organisations for determining the start and end of Ramadan involves astronomical calculations, a significant number of religious

scholars and authorities opt to align their decisions for Eid al-Aḍhā with Saudi Arabia's announcements. This approach is notably observed within the AFIC and ANIC, which, despite their usual reliance on calculation methods for Ramadan, defer to declarations from Saudi Arabia for Eid al-Aḍhā. This practice shows a unique distinction in their methodological approach to announce the dates for Ramadan, Eid ul Fitr and Eid ul Aḍhā.

Another methodology used by some religious organisations in Australia is to follow the sighting of regional countries. One of the earliest institutes to adopt this methodology was the AFIC; however, they abandoned this methodology and resorted to astronomical calculations soon after. In recent times, there has been a push towards regional sighting once again to unite the Muslims of Australia. Currently, numerous organisations have adopted the regional sighting methodology. Some prominent ones include the IAWSS, ASWJ, Holland Park Mosque, Kuraby Masjid, UMB, Brisbane Islamic Centre and Academy Live.

While the method of regional sighting is valid from an Islamic jurisprudence standpoint and is gaining traction in Australia as a preferred approach for determining the dates of Ramadan and Eid, as well as being a means for bridging the gap between disagreements around moonsighting and differing dates, significant concerns persist regarding its application and the consistency and reliability of this methodology. Doubts can stem from the practical challenges of verifying moonsightings across different regions and the differences in time zones can lead to inconsistencies and disagreements among communities. These issues highlight the complexities involved in adopting the regional sighting methodology.

The global sighting methodology is the least adopted of all five methodologies currently being implemented in Australia. Global sighting refers to the whole world being considered as one region. If the moon is sighted anywhere in the world, it mandates all other countries to follow its sighting. Although this is the prominent view of the Ḥanafi, Māliki and Ḥanbali schools, the only

known organisation that follows global sighting in Australia is Hizb ut-Tahrir. It argues that sighting the moon is necessary to determine the beginning and ending of Ramadan and astronomical calculations is not an acceptable method nor has it been accepted by classical scholars. They further assert that global sighting is the stronger opinion among local, regional and global sighting methodologies.

However, despite global sighting being strongly supported by classical jurists, its practical application in Australia presents considerable challenges. The issues of time zone differences and the need to authenticate sighting reports render global sighting impractical for widespread adoption in the Australian context. Consequently, it is not surprising that, in Australia, global sighting is the least popular approach and is embraced by no notable organisation other than Hizb ut-Tahrir.

Lastly, local moonsighting in Australia is a vastly followed opinion in Australia, particularly for people from the subcontinent background. To date, Moonsighting Australia stands as the sole organisation in Australia that is committed to local moonsighting. Initially named Ru'yat-e-Hilāl Committee of Australia, it was founded in 1996. Dr. Shabbir Ahmed, who is the coordinator, convened a gathering of imams and scholars from throughout Australia at Rooty Hill Mosque to establish this committee. Before the organisation's formal establishment, an informal system had been in place since 1978 for the monthly physical sighting of the moon, involving contacts across various Australian states. This system was managed by individuals dedicated to upholding the practice of local sighting.

In 2017, the Ru'yat-e-Hilāl Committee of Australia changed its name to Moonsighting Australia. This organisation now includes over 100 imams as members across Australia, who are engaged in the practice of moonsighting within the country each month. The organisational structure of Moonsighting Australia is comprehensive as it includes a committee for each state, a state representative chosen from among them, a national committee formed by these

representatives, a central administrative and an *amīr* (leader) who makes the final decisions in consultation with the national committee. This structured approach ensures a coordinated and thorough process for moonsighting across Australia.

Chapter 4 provided a comprehensive examination of the five methodologies used by Australian Muslims for moonsighting, detailing the specific organisations aligned with each approach. This analysis was derived from official statements, announcements and deep understanding of the methodologies employed by these organisations. In contrast, chapters 5 and 6 shifted focus towards directly capturing the perspectives of the Australian Muslim community through analysis of survey responses. These chapters aimed to understand the community's viewpoints, preferences and experiences regarding moonsighting practices in Australia, offering firsthand insights into how these varying methodologies are received, implemented and affect the family dynamics of the Australian Muslim community.

An online survey was conducted to gather data for this research. This survey aimed to capture Australian Muslims' views and experiences with moonsighting practices and how these practices affected them and their families. The survey targeted a wide range of respondents from different backgrounds and states throughout Australia to ensure comprehensive understanding of different viewpoints. Distribution channels for the survey included Islamic organisations, social media platforms and email lists to ensure a varied sample.

The sample size for the survey was based on the distribution of the Muslim population across various states in Australia, with an expectation of approximately 1,000 respondents. This number was considered sufficient to reflect the community's views, especially given the significance of Ramadan's start for all Muslims and the yearly moonsighting issues it brings. The timing of the survey, which was conducted just after Ramadan, was strategically chosen to maximise reach. Actual participation far surpassed initial projections, attracting over 5,500 responses from

individuals throughout Australia, indicating a high level of interest and concern regarding moonsighting practices.

Multiple methods were used to recruit participants for the survey. Islamic organisations like the ANIC, AFIC, Moonsighting Australia and the Victorian Ulama Council were approached to help distribute the survey among their members. Social media platforms such as Facebook, X (Twitter) and Instagram were also used to reach out to Muslims. Despite using these social media channels, the survey quickly spread through WhatsApp messages within family groups and organisations. Participants were clearly informed about the nature of their involvement and their right to withdraw at any point. Incomplete surveys were excluded from analysis. Once a survey was submitted withdrawal was no longer an option due to the data collection process. The dedicated landing page provided participants with information about the research before they chose to proceed with the survey as a form of consent. The recruitment phase, which lasted four to six weeks, attracted a large number of participants. Data analysis was carried out using NVivo, a data analysis software developed by Lumivero.

The survey started by gathering demographic details from the participants. They were asked about their gender, age, state of residence and primary ethnic background. These initial questions served as a foundation for understanding the diversity of the participants. Moreover, participants were questioned about their beliefs, including which Islamic legal schools they adhere to, how they ascertain the start of Ramadan and where they look for guidance on Eid dates.

In addition, the participants were requested to share their level of confidence in the reliability of the sources they follow to determine the start and end of Ramadan. The following question aimed to delve into their considerations before determining when to commence Ramadan and celebrate Eid. For those participants who had changed their method in the past five years, the survey provided an opportunity for them to explain the reason behind their change in approach

through an open-ended response. The survey also asked if participants and their family members had observed Ramadan or Eid on varying days over the past three years. Those who responded affirmatively were asked to assess how this influenced their family dynamics on a 10-point scale indicating the extent of impact with 0 suggesting no impact and 10 signifying a major impact. This aspect shed light on how differing dates for Ramadan and Eid can influence social and familial relationships.

Lastly, the participants were given a chance to share their thoughts by suggesting improvements or changes they wish to see in the process of deciding the beginning and end of Ramadan and Eid in Australia. A total of 2,787 participants responded to the open-ended question, which was optional. The feedback from this question and the previous open-ended question were coded into multiple themes based on number of appearances and analysed in Chapter 6 of this research.

The demographic analysis of the survey revealed a majority male participation (62.36%) but a substantial female response (37.64%), highlighting widespread community interest across both genders. Age distribution was also comprehensive, with a notable focus on the 36-45 year old age group, which comprised 39.6% of respondents. This reflects active engagement from those who typically lead family decisions on determining the dates for Ramadan and Eid. Geographically, a significant majority (59.1%) were from NSW. This is unsurprising as NSW is home to key Islamic organisations such as the ANIC, AFIC and Moonsighting Australia, followed by Victoria with 20.8% of responses, underscoring the relevance of moonsighting debates in these areas. The ethnic backgrounds varied, with the largest representation from the Subcontinent (35.2%), followed by Southeast Asians (26.7%) and a diverse “other” category (16.8%). As for the Islamic legal schools, the Ḥanafi school was most represented at 58.7%, with a noteworthy 18.4% not aligning with any traditional school of thought, reflecting a trend towards individualised religious practice. The

Shi'a/Ja'fari participants actively placed themselves in the "other" group, demonstrating a keen attitude and strong desire to participate in conversations about moonsighting in Australia.

As for the methodological aspects of the survey, the survey findings revealed that Australian Muslims primarily rely on three sources. A majority (52.1%) of the participants turn to Moonsighting Australia to determine the beginning of Ramadan, while 21.6% depend on their local mosque or organisation, which highlighted the significant role these Islamic institutions play in Australia. Moreover, 15.3% of the respondents mentioned following announcements from the ANIC or Mufti of Australia. While this percentage seemed substantial for an entity, it is relatively low considering the ANIC represents all imams in Australia and communicates directly with the community. The extent to which mosques align with the ANIC's announcements remains unclear, raising questions about which mosques determine Ramadan and Eid dates independently from the ANIC's guidance.

The results further reveal that most participants expressed confidence in the accuracy of the source they follow to determine the beginning of Ramadan and Eid. It was found that 55.2% strongly agreed with the source they follow and an additional 27.9% agreed with the statement, collectively representing a significant portion of the surveyed population. Meanwhile, a smaller but significant minority of 12.63% (703) were unsure about their confidence. This showed a significant number of Muslims were confused in terms of the source they follow and their confidence in it. The percentage of individuals who disagree was relatively low at 2.86% (159) and strongly disagree at 1.35% (75).

The next question of the survey explored the effect of the differing views on moonsighting in Australia among Australian Muslims over the past three years on their families. The objective was to understand whether family members found themselves beginning Ramadan or celebrating Eid on different days compared to their families and the impact of these differences on family

relationships. The results revealed a majority of respondents, 69.02% (3,815 participants), began Ramadan and celebrated Eid with their families, while nearly a third, 30.98% (1,712 participants), indicated they observed Ramadan and celebrated Eid on different dates from their families.

The substantial number of individuals, over 1,700, who reported differing practices for Ramadan and Eid, highlighted a notable diversity within the Australian Muslim community. This diversity pointed to the varied influences of moonsighting methodologies on Australian Muslims, affecting not just individuals but extending to families as well. The survey further asked respondents if starting Ramadan or celebrating Eid on different days than their families affected their family relationships, using a scale from 0 (no impact) to 10 (severe impact). A total of 1,576 respondents rated the impact, with 346 participants indicating no impact (0), 188 reporting severe impact (10) and 430 respondents choosing from 7 to 9, suggesting significant familial tension due to different observance days.

Conversely, 751 individuals chose between 0 and 3, indicating minimal to no disruption in family relationships despite the differences. A moderate impact (scores 4-6) was reported by 395 respondents, pointing to some stress or need for adjustment within families due to different practices, but without long-lasting or serious conflict. These findings highlighted the range of experiences within the Australian Muslim community regarding moonsighting and the observance of Ramadan/Eid. These experiences varied from resilience and adaptability to challenges and conflict, showcasing the diversity of how religious practices can impact family dynamics.

The final closed-ended question in the survey aimed to understand how the Australian Muslim community views the discussion around moonsighting. Participants were asked to consider three scenarios: there will come a time when all Australian Muslims will start Ramadan and Eid on the same day, the Australian Muslim community will not be able to unite, and the issue will remain unresolved for the foreseeable future, but Australian Muslims will eventually accept

that different interpretations will always be there on this issue. The responses to this question offered valuable insights on the hopes, concerns and practical views of the community regarding the future of the issue of moonsighting in Australia.

The majority of respondents (43.02%) expressed hope for future consensus where all Australian Muslims would observe Ramadan and celebrate Eid on the same day. This reflects a strong desire for unity and coherence. This optimism, however, was tempered by the current absence of significant initiatives from Islamic scholars and organisations towards achieving such consensus, with past efforts towards unity having repeatedly failed. A significant minority, 21.79%, anticipated that divisions over moonsighting will continue without resolution. This decision appears to have been influenced by recurrent disputes among key Islamic bodies and the diverse cultural, ethnic and religious backgrounds within the Australian Muslim community, which complicates achieving consensus in religious matters, particularly when it comes to moonsighting.

Conversely, 35.16% of respondents adopt an optimistic view, foreseeing a future where the community accepts differing moonsighting interpretations. This perspective acknowledged the diversity within the community and highlighted the importance of harmony and acceptance over unity. While this view aligned with a realistic assessment of the situation, it also suggested a possible shift towards a more inclusive understanding on the differences of opinion on moonsighting, even as the aspiration for unity remains strong among many.

A notable finding from the survey emerged when comparing participants' adherence to a specific school of thought with their chosen methodology for moonsighting. It evaluated how traditional teachings of the four major Sunni schools of thought on moonsighting reflect in the actual practices of Australian Muslims. The Ḥanafi school mandates that the moon must be sighted to determine the beginning and ending of Ramadan. It also stipulates the sighting in one country

is sufficient for the rest of the world. However, survey responses indicated a significant deviation from this view, with many Ḥanafis opting for local sighting or astronomical calculations, contrary to the traditional global sighting preference. This suggests a shift among Australian Ḥanafis, possibly due to the practical challenges of global sighting and influence of local Islamic authorities like the ANIC, which rely on calculations.

Similarly, the Māliki school, known for its emphasis on physical moonsighting and global sighting, sees a fraction of its followers in Australia choosing methods aligned with the ANIC's calculations or local sighting. This also indicates a divergence from traditional Māliki teachings, highlighting a practical adaptation to the Australian context. The Shāfi'i school, which also prioritises physical moonsighting, presents varied practices among its Australian followers. Many prefer local sighting, aligning with one of the school's views, yet a substantial number follow the ANIC's calculation-based method. This represents balance between conventional teachings and the realities of implementing its teachings when it comes to moonsighting in Australia. As for the Ḥanbali school, with its allowance for global and local/regional sighting, the findings show a preference for local sighting among its Australian followers. This preference aligns with one aspect of Ḥanbali teachings; however, many its adherents also show openness to the ANIC's calculation-based approach as they chose the ANIC when asked about who they follow when deciding to begin and end Ramadan.

Across all four Sunni schools, Australian Muslims showed a range of approaches when it comes to moonsighting. This variation appears driven more by practical considerations and community norms rather than sticking strictly to traditional legal views. The adaptable nature of these practices showcased an interpretation of Islamic law that responds to the diversity of the Australian Muslim community.

The essence of the survey was captured in the responses to two significant open-ended questions. The first question, which explored the reasons behind participants changing their moonsighting methodologies within the past three years, garnered 1,073 insightful comments. Additionally, the concluding open-ended question, which asked participants their suggestions for what improvements they would like to see in the determination of Ramadan and Eid dates in Australia, received an impressive 2,787 comments. These contributions provided rich and diverse perspectives on the ongoing discussions and challenges surrounding moonsighting practices in the Australian Muslim community, which were analysed in Chapter 6.

On analysing the 1,073 comments, which explored the reasons why participants changed their methods, the comments revealed ten primary themes. A small portion referenced global moonsighting as their reason for changing methods, suggesting a search for a more universally applicable approach. Others indicated a switch to methodologies they perceived as more accurate than their previous practices. A noticeable segment of respondents expressed a preference for science and astronomical calculations, highlighting a more precise and predetermined method in determining the start and end of Ramadan.

Regional moonsighting also emerged as a popular choice, with participants showing openness to adopting sightings from countries within a specific time zone. In contrast, a significantly larger group cited local moonsighting as their reason for a change in methodology, emphasising the importance of relying on observations made within Australia. Family influence was another major factor, with many respondents indicating their decisions were shaped by family practices, highlighting the impact of family dynamics, spouse and in-law preferences, and the desire to avoid conflict on their moonsighting choices. The most prominent reason for changing methodologies, however, was attributed to the practices of local mosques or Islamic organisations. Changes in the approach of these community centres led many to adapt their practices accordingly.

This shows the value placed on community unity and collective observance of Ramadan and Eid celebrations.

The analysis of the extensive feedback from the final open-ended survey questions garnered 2,787 responses. This significant response highlighted ten predominant themes regarding desired improvements in the process of determining the start and end of Ramadan in Australia. Appendix B illustrates the themes, number of comments and total percentage of comments. A notable demand for enhanced education and awareness emerged prominently, pointing to a community-wide call for greater transparency in the moonsighting methodologies used by various organisations. Many respondents expressed a feeling of being uninformed about the justifications behind different methodologies, advocating for better access to information to facilitate more informed personal decisions.

Among the themes discussed, local sightings received the greatest number of comments. This was unsurprising given the survey's findings where most participants leaned towards following Moonsighting Australia for its commitment to local observation. This preference was strongly echoed in the comments, establishing local sighting as the preferred method among survey participants, who argued for its authority in promoting unity and peace. Despite the diversity in opinions on methodologies—ranging from astronomical calculations to local, regional and global sightings—the primary sentiment shared across the comments was a deep yearning for unity. This desire for communal harmony in observing Ramadan and celebrating Eid underscored the substantial number of comments advocating for unity, indicating a collective wish for the Australian Muslim community to observe these occasions in solidarity.

The call for unity extended to the leadership level, urging imams, local mosques and Islamic organisations to bridge their differences and strive for a unified approach. Although challenges, such as reluctance from some leaders to follow the Grand Mufti's announcements or difficulty in

achieving consensus persist, the survey reflected the community's hope for unity and a cautious optimism towards achieving collective agreement on Ramadan and Eid dates across the country. This analysis highlighted a clear message from the community to the leaders of the various Islamic organisations to work towards consensus and cohesion in moonsighting decisions..

7.3 Significance of Findings

Numerous studies on moonsighting and astronomical calculations have previously been carried out. However, these studies have tended to favour a particular perspective. Regardless of whether the findings were published as books or articles, they have primarily supported one viewpoint while dismissing other legal views. The primary aim of these studies was to identify flaws in opposing viewpoints. Furthermore, while earlier studies have largely centred on the theological and astronomical debates surrounding moonsighting, this research brings to light the significant impact these debates have on families. This was evident from the survey results and comments from the open-ended questions.

This research investigated the differing perspectives on moonsighting and astronomical calculations within the context of *Uṣul al fiqh* (principles of Islamic jurisprudence), revealing that both stances find substantial support. The significance of these findings lies in their potential to aid communities and leaders in recognising these differences as they would with any other aspect of Islamic jurisprudence. The field of *fiqh* is vast, with numerous books written in various languages. These comprehensive texts cover a wide range of topics in Islamic jurisprudence, including prayer, fasting, pilgrimage, sales and transactions, and the laws of marriage and divorce, among many others. Each topic is subject to significant debate among the various schools of thought and scholars with differing opinions.

The discussions surrounding moonsighting should be approached with the same level of respect and understanding like other matters of Islamic jurisprudence, acknowledging the substantial evidence supporting diverse viewpoints. In Islamic jurisprudence, *ikhtilaf*—referring to disagreements, differences of opinions and diversity of views, particularly among Islamic law experts—is widely recognised in Islamic tradition as a natural phenomenon.[478] Moonsighting, like many other topics in Islamic jurisprudence, encompasses a variety of perspectives. Understanding the reasoning behind these differing views can develop respect and appreciation among communities and scholars for those who hold differing opinions. The diversity of thought on *fiqhi* (jurisprudential) matters is not only valued but also deeply respected by scholars and students. While it is respected in numerous other topics, it should also be respected and understood with the same mindset when it comes to the diverse views on moonsighting.

By achieving this, it enables scholars and organisations to guide their communities towards valuing diverse perspectives, rather than fostering disagreement and confusion that can lead to disputes and conflicts among Muslims. Recognising moonsighting as a matter of *fiqh*, which, despite being widely debated, is also deeply respected by scholars, can empower the Muslim community to respect differing views. This understanding would allow them to commence and conclude Ramadan based on the view they choose to follow, free from criticism and opposition. This principle of respect and acceptance extends equally to Islamic institutes and organisations, promoting a harmonious approach to observing religious practices.

One of the novel findings is the idea proposed by participants for a democratic approach to moonsighting, where decisions would be based on a majority vote among imams. This approach,

[478] Muhammad Masud, "Ikhtilaf al-Fuqahā': Diversity in Fiqh as a Social Construction," in *Wanted: Equality and Justice in the Muslim Family*, ed. Zainah Anwar (Musawah, 2009), accessed 21 November 2022, https://www.academia.edu/81347659/Ikhtilaf_al_Fuqahā'_Diversity_in_Fiqh_as_a_Social_Construction.

which combines democratic principles with Islamic law, has not been widely explored in the context of moonsighting, making it a unique finding in this study.

7.3.1 Similarities with Previous Research

The findings of this research align with existing literature in recognising the deep-rooted diversity of opinions within the Islamic literature regarding moonsighting. Similar to earlier studies, this research confirmed that absence of a centralised religious authority in Islam, especially in multicultural communities like Australia, leads to varying interpretations and practices, complicating efforts towards unity. Additionally, this research delved into aspects of *fiqh* such as *ijtihad*, *qiyās* and the differences in *qirā'āt*, which contribute to the varying understandings of certain texts. It also explored the classical viewpoints on moonsighting as well as modern debates surrounding the issue. However, this study stands out from previous research by discussing moonsighting from a *fiqhi* perspective while analysing it specifically within the context of the Australian Muslim community. This unique approach was achieved through an online survey, which provided revealing and fascinating insights into the community's viewpoints.

7.3.2 Relationships and Correlations

In exploring the relationships and connections within the moonsighting practices of the Australian Muslim community, several patterns, trends and unexpected insights emerged, offering deeper understanding of the situation.

A noticeable pattern was the ongoing conversation between *fiqh* and the diverse cultural makeup of the Australian Muslim community. This dialogue showed a trend where people are trying to balance following classical moonsighting methods with the practical needs of living in a multicultural society. This pattern highlighted the importance of respecting and understanding the

variety of opinions within the community, showing that different interpretations and practices can coexist while still being based on shared Islamic values.

An unexpected insight was the strong focus on unity and community harmony, even when there are differences in moonsighting methods. While there are debates about local, regional or global sightings and calculations, it is clear that many in the community value respect for different views. This connection highlighted the community's desire to come together, focusing more on unity during important religious events than on the specific methods used.

The findings suggest that the variety of moonsighting practices in the Australian Muslim community can be seen as positive rather than a source of division. The strong desire for unity among community members highlighted the need for an approach that prioritises togetherness and mutual respect. By focusing on understanding and respecting different views, the community can move towards a more inclusive approach that values traditional practices and the common goal of unity. This indicated that open dialogue and mutual respect are essential as the community navigates the challenges of religious practice in a diverse society.

7.4 Implications for Practitioners

Imams, community leaders and organisations such as the ANIC and AFIC can use the insights from these findings to prioritise the community's needs above all else. The survey results and responses to open-ended questions clearly indicate that the majority of the community values unity. By considering the social dynamics and familial influences that affect moonsighting practices, leaders can develop more strategies that encourage unity while respecting the diversity of opinions within the community.

This can also be achieved by including statements that emphasise the importance of respecting other views and acknowledging that they are legitimate from a *fiqhi* perspective. By

doing so, the community will understand that this is a debated but respected issue and they should encourage others to respect differing opinions rather than criticise those who follow a different methodology. This approach will help the community see that their leaders are actively working to calm tensions when the debates on Ramadan and Eid arise each year.

7.5 Limitations and Threats to Validity

One limitation of the study was the potential bias introduced by the overrepresentation of certain demographic groups within the survey sample. This could have skewed the results towards the perspectives of more active or engaged community members, potentially overlooking more passive or isolated voices. However, this was not controllable, as the survey spread rapidly through social media and WhatsApp messages, which may have circulated more in certain communities than others. Despite this, a significant number of responses was received from a wide range of other demographics, which helps to balance the findings and provide a broader perspective.

Another constraint of this study was its focus on the Australian Muslim community, which may limit the generalisability of the findings to Muslim communities in other countries. The unique cultural, social and geographical context of Australia means the findings might not fully apply to communities with different dynamics. Additionally, the reliance on self-reported data could introduce inaccuracies, as participants may have provided responses they believed were socially desirable rather than their true opinions.

Another limitation of this study is that both the historical analysis and survey data focus exclusively on Sunni perspectives on moonsighting, without incorporating Shia viewpoints. Given the growing presence of Shia communities in Australia, future research could explore how Shia juristic interpretations influence moonsighting practices among Shia Muslims in Australia.

These limitations suggest, while the findings provided valuable insights into the moonsighting practices of the Australian Muslim community, they should be interpreted with caution, particularly when considering their applicability to other contexts. However, by acknowledging these limitations, this study also showcases the importance of adapting research methodologies to better capture the diverse perspectives within a community. Future research could address these limitations by employing more targeted sampling strategies and incorporating alternative data collection methods to ensure a broader and more representative range of respondents.

While the limitations of this study may impact the results, they offer opportunities for refining future research approaches, ensuring that subsequent studies can build on these findings with more inclusive and comprehensive perspectives.

7.6 Recommendations for Future Research

Although this research focussed on the reasonings behind disagreements regarding the beginning and ending of Ramadan, further research can be done on working towards an Islamic lunar calendar based on the visibility criteria of moonsighting. The concept of *imkan al-ru'yah* can be explored further to assess the feasibility of creating an Islamic lunar calendar that could be adopted by specific countries, if not on a global scale.

Another significant area for research within the topic of moonsighting that can be researched is the permissibility of the use of optical aids to determine sightings of the moon. While classical scholars of *fiqh* primarily focused on the physical sighting of the moon, it raises the question of whether modern optical aids, like conventional telescopes or radio telescopes. are permissible for this purpose. This is an intriguing aspect of sighting the moon from the physical sighting perspective, which has a scope to be researched.

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APPENDIX A: SURVEY

Question number	Question and answer choice
1	What is your gender? Male / Female
2	What is your age? 18-25 / 26-35 / 36-45 / 46-55 / 56+
3	In which state do you live? New South Wales / Victoria / Queensland / Western Australia / South Australia / Tasmania / Australian Capital Territory / Northern Territory
4	What is your majority ethnic heritage? Lebanese / Turkish / Arab/Middle East / Subcontinent / Southeast Asian / African / Anglo-Celtic / Other
5	What Islamic legal school do you follow? Ḥanafi / Shāfi'i / Māliki / Ḥanbali / I don't follow a particular school / I am not sure which school I follow / Prefer not to answer / Other
6	How did you know or establish the beginning of RAMADAN? Family / Friend / Local mosque / Organisation / Country of origin / ANIC / Mufti of Australia announcement / Moonsighting Australia / Searched on Google / Other
7	Who did you follow in establishing the day of EID? Family / Friend / Local mosque / Organisation / Country of origin / ANIC / Mufti of Australia announcement / Moonsighting Australia / Searched on Google / Other
8	I am confident in the accuracy of the source I follow to begin RAMADAN and EID. Strongly agree / Agree / Not sure / Disagree / Strongly disagree
9	In deciding who to follow, did you consider any of the following methods? Local moonsighting in Australia / Regional moonsighting / Global moonsighting / Astronomical calculations determining the "birth" of the new moon/ Astronomical calculations on the possibility of sighting the moon regionally / Astronomical calculations on the possibility of sighting the moon globally / Not applicable
10	Within the last 5 years have you ever followed a different method? Yes / No

Question number	Question and answer choice
11	What was the reason for you to switch your method? Free text field for responses
12	In the last three years have the members of your family started RAMADAN or EID on different days? Yes / No
13	How did this affect your family relationships? Scale from 1-10
14	What do you feel should be the ultimate outcome to the issue of Muslims starting RAMADAN and EID on different days? There will come a time when all Australian Muslims will start RAMADAN and EID on the same day / The Australian Muslim community will not be able to unite and the issue will remain unresolved for the foreseeable future/ Australian Muslims will eventually accept that different interpretations will always be there on this issue
15	What improvements or changes would you like to see in the process of the start and end of RAMADAN and EID in Australia? Free text field for responses

APPENDIX B: FINAL OPEN-ENDED QUESTION

Nodes	Number of comments	Percentage
Accepting the difference of opinions	85	3.05%
Acceptance of lunar calculation	88	3.16%
Promoting education and awareness	170	6.10%
Advocating local sightings	269	9.66%
Adopting regional sightings	131	4.70%
To follow global sightings	80	2.87%
Following ANIC/Mufti of Australia	105	3.77%
Moonsighting in a broader context	385	13.80%
Fostering unity	838	30.03%
Unity of imams/organisations	378	13.56%