

The Dilemma of Moon Sighting In The Perspective of Modern Technology: A Critical Review ¹

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Abstract ▶ This is the greatest benevolence of the Islamic “Shari`ah” on the Muslims, to have directed them to practice their religions events in compliance with witnessing the moon through natural and simple method. It has further extended its favor to them to held and observe their “Ramadan” and “Eidain” in their own region, on the happening of moon sighting. So far the possibility of difference of opinion on the basis of clouds or pollution, are concerned, the same is removed through the evidences. However, in all these issues Islamic “Shari`ah” has taken the view of the difference of the atmosphere surrounding the moon at a specific time.

The main Reason in the difference of opinions about moon sighting is that some of the scientists think that they can realize the existence of the crescent in the sky through observatory and other mathematical assessments or calculations. This has been very categorically clarified by the modern sciences. So why not we may benefit from this technology so that we may not be in dire need of producing witnesses for sighting the moon. It has therefore become very essential to clarify the “Shari status” of the use of modern technology in this regard. The article beforehand is aimed to prove that the creation of the moon is not sufficient for establishing the sighting of the moon but as a matter of fact witnessing the same with the naked eyes is required.

Key Words: Moon Sighting; Observatory; Crescent; Witnessing; Naked Eyes

1. Introduction: Islam is the religion of nature. It has clearly stated that whether it is the old science or the new one, all of its technologies are considered as the gifts of Allah (S.W.T). Neither Islam nor reason avoids from utilizing the same. However, they emphasize on the utilization of all such gifts in the obedience of Allah (S.W.T) and not to use them in aimless activities.

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Allah Almighty says:

"Don't you know that Allah (S.W.T) has engaged all belongings of the Earth and the Boat in your service which sales in the river with his orders and He has sustained the Heavens to prevent them from falling on the Earth, unless it is ordained by Allah (S.W.T)" (Sura-Alhaj:65)

The Almighty Allah says in another place in the Holy Quran:

"Don't you see that Allah (S.W.T) has ordained all the things which are in the skies and on the Earth to be in your service and He has completed all his exhibited and hidden Gifts on You" (Sura-Al- luqma`an:20)

It is evident from the above mentioned verses of the Holy Quran that the whole Universe where mankind and million kinds of Hydrospheric and lithospheric animals live. In which the Sun, the Moon and other Planets etc are in circulation. ^[1]

There is a strong and steadfast system of astronomy and the strange variations of the elements and the plants as well as minerals found in the universe. These are the things, the control of which has been assigned to Human being. All of the Universe, Its astronomical bodies and elements and all energies of the elements have been dedicated for the Service of Man. ^[2]

Besides, all animals of the Sea and the Land, directly and indirectly are busy in his service so that this weak man who is ruling the universe may see this fact quite clearly, that he is not its creator and owner in the real sense. He will further realize that controlling all these things by the sake of his strength and power, He cannot compel them to extend their services to Him. He will see that there is no other possibility for him except that only Almighty Allah (S.W.T) has subjugated all these things for him. So it means that he also must have been created for certain objective. ^[3]

Similarly all of the world's inventions are just like a reflective mirror and a lesson for a discerning individual. Therefore Allah (S.W.T) did not create these things for him as a raw material, rather he gave him the quality to benefit from them and invent the things which are necessary for his existence. Whether it is the primitive or the modern sciences actually these are the 2nd name of a human behavior. None of the sciences can create a thing rather its duty is merely to utilize

those thing properly. It shows that all inventions of science are the Gifts of Allah (S.W.T) and they can be used by Him. However, the religion and Islamic Shari'ah compels the man not to use them in his disobedience or in unlawful activities to injure the principles of Islam. ^[4]

That is why none of the person whether a lay man or a scholar have never thought of considering the use of Guns, Tanks and bombs in wars un-permissible. When the airplanes started flying in the air, not only the Muslims used it in their worldly affairs but also used them in their religious undertakings. Similarly the new instruments of information have been unanimously accepted and appreciated by the scholastic Muslim community to be used only for passing information and news. ^[5]

As for as the need of evidence and the presence of witnessing are concerned, this was neither considered sufficient by any of the courts in the world nor the religious scholar trusted such like assertion through information resources and technologies. It means if we take assistance from these inventions to the extent which may not violate the radical principle of Islam, so that cannot be denied by any individual. ^[6]

2. Flying in the airplane for the purpose of moon sighting is unwanted in Islam:

It is not advisable to make arrangements for flying in an airplane for the moon sighting. Islam is a natural and a universal religion. Its injunctions are equal for all individuals including scholar, ignorant, literate, illiterate, male and female. All of its obligations are common for the intellectuals, scholars, Researchers and the Ruling class.

Similarly these are also for those human beings who are living in forests, in the mountain and in all those areas where no modern machineries are available.

On the other hand in the Islamic worships specific care has been taken of that at least in the worship and the worship places there must be equality in all aspects such as there should be no difference between rich and poor. In addition to that while performing the pilgrimage there must be equality in respect of Dress performing its other formalities like going to the places of Mina, Muzdalifa, Arafat

and standing in equal lines are the open evidences in this regard. That is why in Islam all bases of the rituals and all of the instructions are laid on simplicity which is to be easily accessible to all the Muslims in all of the areas, countries, regions etc. on equal basis. It should not happen that a wealthy person may achieve better facilities in their worships and the poor may remain deprived. Therefore, all the Islamic worships were neither dependent on the primitive philosophy nor on the modern science and its inventions. Similarly for offering the same worships we are not in need of any help of researcher, philosopher or mathematician and an astronomer. Though the beginning and ending of a month by the sighting of a crescent was possible to have been known by astronomy, but the prophet (PBUH) instead of confusing the Muslims in these complications, He ordered them that there was no need of involving themselves in these artistic delicacies rather sufficing by specific fixation based on cursory and superficial view. ^[7]

The prophet (PBUH) said, "Celebrate the Fasting and Eid with the sight of crescent. If there is cloud and dust, so complete thirty days fasting, but if two individuals present evidence of the moon sighting perform your Fasting and Eid accordingly" (Sunan Al Nasa'i, Volume 4.p.132)

To sum up, it is meant that without involving himself in the mathematical complications and the calculations of astronomy each individual should simply try to see the crescent in his own place of living. If he does not see the moon he should complete thirty days. He should make such arrangements for it to the extent that he may be able to sight the moon from such a place from where nothing is lying as a hindrance or handicap to see it. The prophet (PBUH) did not try to make more arrangements for moon sighting than this. So it means that provision of flying via an airplane for this purpose is an extremely exaggerated act, the example of which is untraceable in the Era of the Prophet in the primitive Islam. ^[8]

Though there were no airplanes in the Era of the Prophet (PBUH), but Makkah is surrounded by Safa, Marwa and the mountains like Abu Qubais. Similarly there are number of mountains around Madeena Tayyeba. If high flying for moon sighting was an Islamic act or shari necessity so the groups of the companions of the prophet (PBUH) would go to the mountains and there would have been several Narrations of the holy prophet (PBUH) in the treasure of sayings of Muhammad (PBUH). But keeping in view the Era of the prophet (PBUH), the Era of caliphate and the early Muslim Era there is no such mention

THE DILEMMA OF MOON SIGHTING IN THE PERSPECTIVE OF MODERN
TECHNOLOGY: A CRITICAL REVIEW

which may state that the prophet (PBUH) or his companions might have made arrangements for sending the people to the higher places to achieve this goal. ^[9]

The main essence of the practical training of the prophet and his companions was that, residence of each city would try in their own places to see the moon. If the moon is sighted compliance may be made accordingly, if not the month may be considered to be of thirty days. It is not essential that we may make arrangements for flying in the air for moon sighting. ^[10]

But it does not mean that if an individual accidentally happens to see the moon from an airplane in the air and he presents himself to give his evidence and his witness may be rejected, because there is no reason for rejection in this regard, rather due to the presence of dust and vapors in the atmosphere it is possible that the moon sighting becomes impossible from a lower place and binge the air clear in the higher regions it may be sighted. ^[11]

3. The Delima of using the computer soft wares for moon sighting:

To know whether the Moon is present at the Horizon or not with the help of a computer software is not so difficult, but to attain the surety of the moon sighting is not possible, because it depends on several other factors just like sharp vision, experience and weather conditions as well. In addition to that if all the essentials of moon sighting are available but the moon is kept behind the clouds then again it will not be sighted, while the computer can tell us about its direction, its height and its shape .(www.moonsighting.com)

Help in the following matters can be obtained from the computer software's:

- To help the man who is sighting the moon to divert his attention towards the direction that is identified by the technology. This help can even compensate the lack of experience of a man in moon sighting and enables him to fix his eyes on a right place.
- To identify the places where there is enough possibility of moon sighting so that the Government may know as to from where better evidences can be obtained.

- For each Moon sighting the variations of the atmosphere may be made on monthly basis so that it is clarified as to which places are unified and which are diversified in relation to their atmosphere. Because the ordinary and major difference in the variation of atmosphere lays great effect on the moon sighting.
- The picture of the moon of that day! With the help of this the Shari Qa`azi (Judge) can asked critical question from the person claiming to have sighted the moon. ^[12]

If the atmosphere is clear than there is no need of resorting to use the observatory. However, if the atmosphere is cloudy or there is a city where there are so many tall buildings, in this case if telescope or airplane is used for moon sighting it does not matter with the condition that an Islamic government or other dependable individuals make arrangements for this.

Because the terms and conditions of witnessing and evidence for a moon are so easy that anyone can claim to have sighted the same. It means that when a doubt is created regarding the evidence of a lay man so there is the possibility of the creeping of the same doubt in the minds of the people regarding that information or evidence which is received via these new technologies. But this is also essential that the degree of height on which usually moon is sighted the evidence should not mentioned higher degree than that. As the possibility of moon sighting from a higher places has been recommended by the Jurists in accordance with the sayings of Muhammad (PBUH), "Observe Fasting as you see it" ^[13]

Allama Ibni Abideen Writes:

"Indeed the moon is very often sighted from the higher places when it is impossible to sight it from the lower places. So this exception is not against the Zahir Al-Rivayah" ^[14]

This must be with the condition that the flight is not so high that it is not visible to those who are on the earth. Because according to Shari`ah "that Moon sighting is authentic which is to be seen from the land with naked eyes". Therefore, if a person flying at the height of 20 to 30 thousand feet sights the Moon, so that evidence is not valuable for that village from where in spite of the clearance of atmosphere a man can see it. ^[15]

4. Is the evidence of two persons who sight the Moon on the 29th acceptable or not?

Replying this question a great scholar Ashraf Ali Thanawi (R.A) writes, "telescope is an instrument which only accelerates the eyesight. There is no separate Shari'ah verdict for this; rather the same is to be applied to this which is for viewing the moon without it. Therefore sighting the Moon with a telescope is right and authentic and if the atmosphere is cloudy and dusty the moon sighting without the condition of non-availability of any hindrance would also be enough for them. All should act upon it but if the atmosphere is not cloudy so compliance is not permissible for others and for them as well, but they should keep fasting."^[16]

The author of Ahsan - Alfatawa narrates: "Using Telescopes, Airplane and other means for the moon sighting is permissible subject to observing the Shari'ah evidential procedures of moon Sighting. Whichever modality is adopted for this procedure this must be represented by several Experts of Islamic Jurisprudence failing which no verdict would be acceptable"^[17]

5. Conclusion:

1. The Islamic Shari'ah recommends the following two ways for the commencement of Ramda'an and Eidain.
 - a) The Sighting of the crescent on the 29th of the Month by the approved procedure of Islam.
 - b) If there is cloud and dust, so may complete thirty days fasting.
2. The modern Technologies such as Observatory in the case of Crescent Sighting are permissible to be used for moon sighting unless it does not contravene the mentioned fundamental principle of Islamic Shari'a. Hence, on this basis seeking assistance from the computer software's is an appropriate approach. With the help of computer and a vast area in those places can be identified where the possibilities of Moon sighting are very bright. And all such places can also be defined

where those possibilities are equal to nothing, in this way with the help of these information the problems of the difference of atmosphere can also be solve to some extent.

3. The usage of Modern technology for moon sighting or sitting in the airplane and observing it is though, permissible yet not obligatory in Islamic Shari`ah, because these are not available to each person. So if the atmosphere is cloudy and the moon is existing but it is not visible due to cloud so we are not obliged that we may go above the clouds and see the moon, rather it would be considered that the moon has not been witnessed.

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THE DILEMMA OF MOON SIGHTING IN THE PERSPECTIVE OF MODERN
TECHNOLOGY: A CRITICAL REVIEW

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