AN ASSESSMENT ON THE PROBLEM OF SIGHTING THE CRESCENT OF RAMADAN IN ZAMFARA STATE.

BY

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JUNE, 2011.

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JUNE, 2011.

DECLARATION

I hereby declare that, the work in the thesis entitled AN ASSESSMENT ON THE PROBLEM OF SIGHTING THE CRESCENT OF RAMADAN IN ZAMFARA STATE has been performed by me in the Department of Education (Islamic-Studies Section) under the supervision of Prof. Fathuddin Syed Muhammad Koya and Dr. A.A. Ladan.

The information derieved from the litrature has been duly acknowledged in the text and a list of references provided. No part of this thesis was previously presented for another degree or diploma at any University.

Akilu, Aliyu Shinkafi June 8, 2011.

| --- | --- | --- |
| Name of Student | Signature | Date |

CERTIFICATION

This thesis entitled "AN ASSESSMENT ON THE PROBLEM OF SIGHTING THE CRESCENT OF RAMADAN IN ZAMFARA STATE" by Akilu, Aliyu Shinkafi meets the regulations governing the award of the Degree of Masters of Education (Islamic-Studies) of Ahmadu Bello University, Zaria and is approved for its contribution to knowledge and literary presentation.

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DEDICATION

This work is dedicated to my parents, late Alhaji Ibrahim Kolo Shinkafi (may Allah SWT bless him abundantly) and to my mother Hajiya Sa'adatu Abdullahi Buwai Dan-Nana.

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Akilu, Aliyu Shinkafi.

ABSTRACT

The research outlined the historical background of the State, also issues regarding starting and ending of fasting, and uniform date of commencement of *'Id* prayers were also stressed in this work. The work pointed out forces that led to the division among the Muslim *Ummah* in the State on the issues related to Moon Sighting, and the ways to solve such division and the existing problems were also identified. Likewise, the methods for determining the new Moon according to Islamic law, contradictory opinions of scholars, basis for disagreement by some Muslims in the State and the divergent views of scholars regarding the Moon rising position (*Matla'i*) were also reviewed. The work also covered the activities of the Moon Sighting Committee, their activities and the challenges facing it have been outlined. It further highlighted the effort of Zamfara State Government, Scholars and Traditional Rulers. The research confirmed the impact of Moon Sighting Committee on the Muslim *Ummah* in the State, especially on the issues of Moon Sighting in the month of Sha'ban, Ramadan, Shawwal and Dhul-Hajj.The study also confirmed that, majority of those who refused to commence fast and *'Id* prayers with the main body of the Muslims are Islahuddin, Qadiriyyah Sufi Order and some few among the neutral Muslims. The work offered some suggestions on how to solve the problems of moon sighting in Zamfara state.

ABBREVIATIONS USED

A.B.U .		Ahmadu Bello University
A.H.		After *Hijrah* (i.e after migration of the Prophet(SAW) from Makkah to Madinah).
A.S.	-	*Alayh al- Salam* (peace be upon him)
Bn	-	The Son of
C.E.	-	Christian Era
C.O.E.	-	College of Education
E.g.	-	Example
E.t.c.	-	Et-cetra
N.d.	-	No Date
P.	-	Page
Pp.	-	Paper Pages
R. A.	-	*Radiy al-Lahu 'Anhu* (May Allah be pleased with him)
S.A.W.	-	*Sallallah Alaih wa Sallam* (Peace and Blessing of Allah be upon him).
S.W.T.	-	*Subhanah Wa Ta'ala* (The Exalted, The Most High).
U.K.	-	Untied Kingdom
ZACAS	-	Zamfara State College of Art and Science
ZSMSC	-	Zamfara State Moon Sighting Committee.
ZSMRA	-	Zamfara State Ministry for Religious Affairs
ZSMRAO	-	Zamfara State Ministry for Religious Affairs Officials

DEFINITION OF TECHNICAL TERMS

Adil - Just person

Ahadith - Plural of Hadith

Aqida - Creed

Ash-hur - Plural of *Shahr*

'Id al-Fitr - 1st day of Shawwal

'Id al-Adha - 10th day of Zhul-Hijjah.

Fatawa - Religious verdict

Fiqh - Jurisprudence

Hadith - Sayings, actions, approval and disapprovals of the Prophet (S.A.W)

Hilal - Crescent

Ibadah - Worship

Iftar - Breaking the fast

Ijma' - Concensus of the jurists

Ilm al-Falaq - Astronomical Calculations

Islahuddin - Islamic organization for the Moon Sighters of Nigeria

Imsak - Fasting on the day of doubt

Jama'ah - People

Jihad - Striving for the sake of Allah (SWT)

Matla'I' - Moon rising position

Niyyah - Intention

Qada' - Compensation

Qamar - Moon

Qiyas - Anological deduction

Ru'ya - Sighting

Shahr - Month

Shahadah - Witnessing/ to witness

Shari'ah - Islamic Law

Taqlid - Followership/ Imitation

Ulama' - Scholars

Ummah	-	Community
Wajib	-	Necessary

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CHAPTER ONE:
INTRODUCTION

1.0 Introduction:

In the name of Allah, Most beneficial, Most merciful. All praise and thanks be to Allah. We praise and thank Him and we ask Him for help and forgiveness. In Allah we take refuge from the evil of ourselves and from wrong doings. He who Allah guides (with His mercy) cannot be misguided by any one else. And he who He misguides (justly and wisely) cannot be guided by anyone else.

There is no doubt that, there are a lot of existing problems related to moon sighting in Zamfara state like in other state in Nigera. This is because, moon sighting has generated so much controversy that, the commencement of *'Id* prayers varies by as much as two or three days.The disagreement are a very sad commentary among the Muslim *Ummah.*

Over a decade, the government, Traditional rulers, the *Ulamah* in perticuler and the Muslim *Ummah* in general, have severally attempted and still attemting to redress these problems in order to provide a common position but yet they still remain impossible. This is because most of those involved in the controversy remain adamant to their openions. It
is therefore, hoped that, this research would guide towards solving such misunderstanding of moon sighting in the state.

In this research, the researcher mainly refered to the Qur'an, ahadith and to several other books, articles, journals and conference papers, written on the subject. Other sources of imformation are interview and observation.

1.1 Background of the Study

There is a strong evidence in Islam that since creation, the organization of calendar times is based on the Moon's circle around the earth such that we have twelve lunar months in a year. Allah (SWT) says:

> They ask thee (Muhammad) concerning the new Moons, say: They are but signs to mark fixed periods of time In (the affairs of) men and for Pilgrimage…" (al-Baqarah, 2:189).

And again Allah (SWT) says:

> Verily the number of months with Allah is twelve months (in a year) so was it ordained by Allah on the day when He created the heaven and the earth (at- Tawbah, 9:36).

So, the timing of certain acts such as *Salat, Zakat, Hajj*, Fast, *Jihad* and even *Iddah* (waiting period for divorced women or widowed) are worked out according to Islamic calendar.

However, the issue of Moon Sighting has never been as controversial as it has become today. In the past, Muslim scholars agreed on a certain method to decide the start and end of the Month of Ramadan. In the last few years, advancement in communications and media have turned the world into a small global village, creating a new context where matters concerning inter country relations are involved. A second context may also be related to the presence of many Muslims in the countries that lack one single Muslim authority. Therefore, it is quite clear that some issues related to a number of Islamic rituals have now become controversial and confusing. This confusion is in one way or the other fuelled by the influence of Western lifestyle upon the Muslims. Generally, Muslims are often accused of being anti- West or even un-scientific in their spheres of life. This can influence them to react intellectually. One such observable spheres in which many Muslims relate in this manner, is the Moon Sighting and the establishment of the start of the Month of Ramadan, *'Id al-Fitr* and *'Id al-Adha* i.e Month of Ramadan, Shawwal and Dhul-Hajj.

Muslims have agreed on the point that fasting the Month of Ramadan is one of the five fundamental pillars of Islam based on the Qur'anic verses and the sayings and practices of

Prophet (SAW) which have confirmed these. As such, there is no misunderstanding on this. Where there is a division among communities is in the area of ascertaining information regarding the Moon Sighting. Most of their disagreements emanate from modern developments, surrounding the people. Among these is communication system that rapidly transmit information across the world.

In Nigeria, and in Zamfara state, like all other countries of the Muslim world, the issue of Moon Sighting has become a matter of division as a result of sectarian differences, misunderstanding and confusion ranging from the scholars to laymen and from urban to rural areas. Therefore, the aim of this research is to identify some of the existing problems and ways through which shortcoming could be overcome to enable the Zamfara State Government effectively take every possible measures in solving this problem. This is to curb the existing confusion and misconceptions for better understanding.

1.2 Statement of the Problem

Moon Sighting in Zamfara State has become a matter of confusion to many Muslims, not only in the Zamfara State but all over Nigeria. Many Muslims countries in the world handle such problem peacefully among them, particularly in Europe where Muslim minority exist. Sighting the new Moon of Ramadan has become not only a way of determining the beginning and the end of fast, but also, other related acts of worship.

This research, looks at some of the problems relating to Moon sighting which have become divisive every where in the Muslim world, especially in the uniform commencement of fasting

and *Eid* prayers. For example, the *Eid* al-*Adha* was observed Monday in Egypt, Tuesday in Saudi Arabia and Wednesday in Bombay[1].

The above explained the situation of some countries in (1427 A.H) on the Ramadan Moon sighting where some follow Astronomical Calculations while others have relied on sighting with naked eyes. Others due to poor conducive weather, have to rely on the information from the neighboring countries.

Another view supported by others is following the Saudi Arabian Moon sighting for spritual reasons and its attachment to the holy Ka'bah and other religious worship, despite its distance and differences between Nigerian Moon rising positions (*Matla's)* and that of Saudi's one. As a result of the confusion among the Musims with regard to Moon sighting, some people decided to follow Saudi Arabia even if it's flawed in its method than to follow Astronomical Calculations in their countries[2]. Another major problem facing this area of study is Astronomical Calculations.

> The debate over visual sighting versus astronomical calculation is not new. In the year (1960), the governments of Pakistan and Tunisia have decided to rely upon the opinion of Astronomers for the confirmation of the new Moon with a view to putting an end to confusion and the general convenience resulting from not knowing in advance the day of *Eid* which at times came as a surprise, and at other times, is delayed despite all the preparation. The decision of the two Governments has become an issue of heated controversy in the religious circles[3].

In August 2006, the Fiqh Council of North America announces the exact date for the start of Ramadan based on Astronomical Calculations, rather than actual sighting of the new Moon. Many people around the world challenged the validity of such decision[4]. Jawad (1995:146) viewed that:

> The judgments of Astronomers do not lead to certain knowledge nor do they remove all doubt as removed by vision, because their judgments are based on probability not on certainty. This is evident from their divergent judgments about the Night of new Moon as well as the time it occurs, and the period that it remains (above horizon)[5].

Another problem is that, there is no uniform commencement of fast and *Eid* prayers. Sharehu (2004:12) opines that:

> Some people from one country refuse to commence or end fasting when the news for the sighting of new Moon of Ramadan or Shawwal is announced through the accepted ways. They always advance various reasons. They supported themselves with the tradition of Kurayb (R.A) saying that Ibn Abbas refused to use the sighting of Moon by people of Sham while he was at Madinah. So they misunderstood the country (*balad*) to mean an area, which the distance can warrant, *Qasr* prayer (shortened prayer for travelers)[6].

Islahuddin[7] were pushing an argument that, when the Moon is sighted early morning of the twenty ninth it is therefore, not possible to sight it again in the same evening; they also refused to begin fasting along with other people uniformly only because in most cases, the Moon will be said to have been sighted and that fasting should commence or end. But when you look on the second or the third day, you will not see the Moon or it will appears and disappeared immediately[8].

Another problem is that, those who refuse to commence or end fast uniformly (i.e Islahuddin), argue on the genuineness of sighting the Moon, because it has become a tradition to sight it on the first day of search, just as we don't always complete our fasting to thirty days[9].

There are people who give reasons for their refusal to commence or end fasting uniformly with others due to lack of reliability of the source of information regarding the sighting of the Moon. These people do so because, they do not agree with the channels of communication of

information regarding sighting of the Moon. This group of people accuse the media houses that in most cases they give wrong days of the Month.[10]

Another serious problem facing this area of study is the ignorance of some Muslims, who have no option but to follow their sectarian scholars, *Imams* of their local mosques or others of their choice. This is the most worst decision among Muslims because it sometimes leads to clashes between the sects in case of differences or in a situation where there is more than one local Mosque and the two *Imams* announce the commencement or end fasting differently. This kind of weak decision disunites Muslims.

There are some groups of people who are of the view that to begin and end fast, one has to see the Moon himself. To them, sighting the new Moon is an individual responsibility rather than a national or communal one.

In Nigeria, and Zamfara State in particular, there is a Shi'ah group who do not recognize leaders and Government; they therefore, pay no attention to their announcement. According to this group of people since the present leaders are not representing Islam, their Government is not an Islamic one. They therefore, have their own sighting.

Another problem is that some group of people named Islahuddin usually do not celebrate their *'Id* with *Jama'ah* but go to *'Id* a day or two after. This sometimes leads to bitter feuds that usually increase disunity among the Muslims.

There are some groups of ignorant people in the state who are of the view that, the Moon that is usually sighted at the beginning or end of fast which is usually announced by the Sultanate is a fixed through modern technology but not the natural one. While others among them refuse to accept the announcement of the Government with regard to the commencement or end fast. According to them, whoever accepts it fast for the Government not Allah (SWT). This is because the method of sighting and approach is not as devinely ordained by Allah (SWT) and taught by the Prophet (SAW). Some among these people question the sincerity and belief of the *Ulama* whom they considered as greedy and always ready to satisfy the need of the Government on a wrong premises in order to be closer to rulers and suit the Government of the day.

There are other existing problems faced by the youth from parents who have the idea of not commencing or ending the fast with people. They usually forced their children to follow their idea under duress. There are some ignorant people who refuse to commence fast initially, but they some time end it with the body of *Jama'ah* and refuse to compensate the remaining fast. Thus, they end up fasting 25, 26 or 27 days in a Month. These people have no focus. In short, they are the worst of all the groups of ignorance.

In view of this, the need for this study on the sighting of the new Moon of Ramadan can not be over emphasized. There are many necessary reasons that promted the reasearcher to embarked on this field of study. This includes the need to ensure unity among the Muslims and outlined the proper methods for the determination of Crescent with a view to end the existing misconceptions and complicts. This research has also examined the various problems and misconceptions among the people and the effort of the State Government to curve it.

1.3 Research Questions

The specific questions that the research attempts to address include:

i. Why are some Muslims not willing to commence or end fasting uniformly?

ii. What are the proper ways of sighting the new Moon of Rarnadan according to Islamic law?

iii. What are the circumstances that led to the misconception, confusion and diversity with regard to the Moon Sighting in Zamfara State?

iv. What are the basis for disagreement by some people regarding the uniform commencement of fasting or *Eid* prayers?

v. What are the roles of Zamfara State Government with regard to Sighting the new Moon of Ramadan?

1.4 Basic Assumptions

This study is primarily based on the following basic assumptions:

i More researches and discoveries on the moon sighting problems could be possible and better-up.

ii. Effective handling and proper use of modern scientific equipment such as telescope, Zoom-lens glasses may likely improve moon sighting significantly.

iii. Organising enlightment programme through media agencies by both governmental and non-governmental organizations will reduce tentions, diversities and misunderstandings among Muslims.

iv. Monthly participation in moon sighting by the majority of Muslims with a view to determine the Crescent could yield significant change among the Muslim *Ummah*.

1.5 Objectives of the Study

The aim of this study is to develop a framework in which the problems of sighting the new Moon of Ramadan in Zamfara State could be examined and identified. To achieve this, the following objectives will be the main focus of the research:

i. To investigate the activities involved in trying to the Moon of Ramadan.

ii. To identify the weaknesses and the ways through which shortcomings could be overcome in order to enable the Zamfara State Government effectively promote Muslim's unity in the State.

iii. To discover the various categories of Muslims and their divergent opinions in the area, with a view to binding them together according to the principles of Islamic law.

iv. To develop a theoretical framework from the literature that will identify and explain Moon sighting according to Islamic law.

I.6 Significance of the Study

The significance of this study is to show the position of Islam on the issues relating to sighting the crescent moon of Ramadan. Islam clearly explains the rules and methods to use in determining the period of fasting and other acts of worship through Moon Sighting.

1.7 Justification of the Study

There is no doubt that sighting the Crescent of Ramadan has become a matter of controversy not only in Zamfara state, but also in Nigeria and other Islamic nations. The study will be of tremendous benefit to the Moon Sighting Committee; Ministry for Religious Affairs and the

Zamfara State Government, as it will help them formulate acceptable method for determining the new Moon of Ramadan in accordance with the teachings of Islam.

1.8 Scope of the Study

This study on Sighting the Crescent of Ramadan should have covered a lot of areas been restricted only to Zamfara State because of limited financial support and time duration of the study. The research covered the fourteen (14) Local Government Areas in the State and the State capital as well.

End Notes to Chapter One

1. This happened in 1939, as in Jawad, M.M(1995): *Fiqh ala Madhahib al-Khamsa.* p. 147

2. Haitham, H. (2007): An Insight into Moon Sighting. www.woodpress.com p.6 & 8

3. Jawad, M.M. Op. Cit., p145.

4. Shah, A.Z(2OO7):Astronomical Calculations: A Fiqh Discussion. Fiqh Council of North America (n.p) p. 1

5. Jawad, M.M. Op. Cit., p. 146.

6. Sherehu, L.S.(2004): Moon Sighting According to Islamic Law. Pp. 12-13.

7. *Jama'at al-Islahuddin bi ma Yata'allaqu bi Ru'uyat al- Hilal* founded in Zamfara State in 1999 under the Chairmanship of Malam AbdulBasir Ishaq and Malam Nasir Inuwa Maikanwa as its Secretary.The Organisation registered with Corporate Affairs Commission in 1999 and started its activities that coverd the Nothern States. Some years later, Malam Nasir Inuwa Maikanwa became its National Chairman. The major objectives are not limited to Moon Sighing problems but also to the spread of Islam in general. (Source: Mal. Nasir Inuwa Maikanwa).

8. Sherehu, L.S. Op. Cit., p.16

9. Ibid p.17

10. Ibid p.18

CHAPTER TWO
REVIEW OF RELATED LITRETURE

2.0 Introduction

This chapter encompasses many issues, i.e. historical origin of Zamfara, geographical location, introduction and spread of Islam in the area. Other important aspects related to this chapter, like the concepts of the Moon and the Month in the Qur'an, traditions of the Prophet (S.A.W) and the views of scholars that are found to be relevant to this research and are therefore, abundantly factored into this review.

2.1 The Historical Origin of Zamfara.

For the reconstruction of the early phases of the historical development of *Kasar* Zamfara especially the emergence of the permanent settlements and the evolution of the *Sarauta,* one has to rely on the oral tradition, kinglist and the references made to the area in the histories and the traditions of the neighboring kingdoms. This is because, by contrast with other parts of Hausaland, where there has been continuity of settlement in major urban sites like Kano from early period up to the present in Zamfara, most of the ancient settlements such as *Birnin* Zamfara, Kiyawa, *Tsohuwar* Banaga and Jata were destroyed during the second half of the 18th century and the early part of the 19th century[1]. Although other settlement such as Dutsi survived both the attack of the *Gobirawa* and *Jihad* (wars). Thus, in dealing with various traditions of origin, one should differentiate between those who try to explain the origin of the *Zamfarawa* as a distinct community, those telling of events leading to the foundation of early settlements and those that explain the emergence of the kingdom within the Hausaland[2].

The legend of the origin of the most Hausa states, either separately or collectively connects its foundation with the arrival of a stranger from Baghadad named Bayajida. Zamfara however, is unique among those states in being categorized among the *Banza Bakwai*[3]. Unlike in other parts of Hausaland where the descendants of Bayajida were, according to the Girgam of Daura, said to have been the founder of the Hausa states[4]. The state of Zamfara is said to have been founded by an intermixture of the Hausa population such as the *Katsinawa* and *Gobirawa*.[5]

According to the version given by Sultan Muhammad Bello, the *Zamfarawa* were said to be descendants of *Gobirawa* and *Kàtsinawa*. Another version given in the *Asalin* Zamfara is that the *Zamfarawa* were the offspring of a marriage between Fara, a daughter of *Sarkin* Gobir Dala and some people residing in the bush[6]. While *Birnin* Zamfara is said to have been built at the place where the hunters met Fara when she was driven away by her father, the *Sarkin* Gobir[7]. Another legend attributed to the foundation of *Birnin* Zamfara was that of immigrant group who were said to have come from the Dala area of Kano before *Birnin* Kano was founded[8]. However, as regards the Bayajida legend and the stories about the *Hausa-Bakwai* and the *Banza-Bakwai* states, recent studies have revealed that these gave neither a true account of evolution of Hausa speaking people nor the foundation of states in Hausaland. It is not certain when these legends became current with the Hausaland.[9]

The earliest recorded references are found in the "*Infaq Al-Maysur*" written by Muhammad Bello (1813) and the "*Raudat Al-Afkar*" by Abdul-Kadir Mustapha (1823). It has been suggested that these legends probably gained currency in the 17th century.[10] It is likely that these lçgends are probably attempting to explain events that occurred around the 17th or early part of the 18th

centuries. For instance, the story about the marriage of Gobir lady and the *Zamfarawa* hunters might have been event of this period. The *Tarihin* Zamfara is full of intermarriages between *Gobirawa* immigrants and their host.[11]

The ancient settlements of Dutsi are regarded by the people of Dütsi as the first capital of the kingdom of Zamfara,[12] and it was the centre of the kingdom, from where people dispersed to settle in other places. Dutsi tradition is very significant in connection with early developments in the area, although, the settlements did not develop as the centre of the kingdom and remained as important religious centre of *Zamfarawa* and other neighboring people like *Manzumawa* in the Northern area of Maradi, (now in Niger republic), the *Kwannawa* and the *Tsakwantawa*. Although there are many tradition sorrounding the foundation of *Birnin* Zamfara, it is important to note that most of them are seen to connect the *Birni* with the ancient settlement of Dutsi. The first six rulers, Daka, Jatau, Jamir-Dakka, Kokai-Kokai, Dandufani and 'Yargoje were according to both the Anka Kinglist and Dan Bazau list said to have reigned at Dutsi before the dynasty moved north wards to establish another settlement. Besides Dutsi, it is likely that other settlements such as Kiyawa, Jata and Tsohuwar Banaga were founded in this remote period.[13]

According to the History of Zamfara, a ruler of Zamfara, Burün-Burun took his army as far south as the area of Yauri. To the south east of Zamfara, Zazzau remains from an iron smelting furnace were dated 685 C.E to the west of Zamfara in the area of *Birnin* Leka area remains a furnace were dated to 1350C.E.[14] like in the Kano area remains from an iron smelting furnace were dated 280 B.C. and 750 C.E respectively.[15] It is likely that in Zamfara just as in other parts of Sudan, iron technology succeeded stone age culture. Also the existence of old settlement such as Dutsi,

Kiyawa and Jata would temp one to suggest that within the area of Rima basin, earth settlements were to be found, perhaps dating back to the first millennium C.E. It is also probably that these earlier settlements started as the *Gidaje* (sin, *Gida*) a partrileneal grouping under the authority of *Maigida* before the development that led to the foundation of bigger *Tungaye* or *Unguwowi* (sin, *Unguwa*) and the emergence of the *Sarauta* within the area, a large section of the society who regarded themselves as the *Arna masu Wutar Bauta* or *Maguzawa* see the *Maigida* as the overall authority especially in connection with religious and farming activities of the various *Gidaje*. The family heads still act as the custodians of the *Kan Gida* (family totem).[16]

An important point worthy of noticing about the ancient settlement of Zamfara is that, most of them evolved from near the Iron Ore Sites and Inselbergs or the prominent rocky out cropping of the area. The most outstanding examples are Dutsi, Jata, Kiyawa, *Tsohuwar* Banaga and Tozai.[17]

Nadama (1977) opines that some of these ancient settlements associated with the most powerful spirits (Jinns) which became important centers of population concentration before the 18th century were Dutsi, Tozai. Jata and *Tsohuwar* Banaga. As the name indicates, the settlement of Dutsi is situated in the rivers *Bunsuru* and *Gagare*. The valley along the two rivers covers a distance of about seven kilometers on both sides of Dutsi, in the midst of which are the rock out cropping where the houses of the pcople of Dutsi are also situated beyond the vally. The settlement is flanked on all directions by high ground that merges with the inselbergs of the dissected plateau area running all the way along the Zamfara-Katsina boundary. The prominent out-cropping and hills further away from Dutsi are known by various local names such as the *Komar Hamãda* or *Dutsi mai Kogo*. These outer ranges of hills, the *Fadama* within which the

settlement is situated, and the rocky borders with the dwelling places spreading right to the edges of the rocks, give the scenery of a wild and romantic appearance. It seems that it was the natural defenses and the presence of the *Iskoki* (Jinns) that attracted the earliest settlers to this area.

Archeological investigations have not been carried out on this area. However, there are many things that would tempt one to suggest that the area might have been a settlement since the late stone age. The concentration of micro light materials indicated by soper along the river *Gagare* is just about twenty five kilometers south of Dutsi. Apart from the rock of Dusti bearing different names, there are no significant out cropping in the area. Around one of the rock known as *Kutoli* is to be found a rock shelter and to the east of the settled area, also several *Tumuli* (earth mounds) regarded by the people of Dutsi as the burial places of their ancient rulers. (Nadama, 1977).

Besides Dutsi, another important centre was Kiyawa which is said to have been founded by immigrants who came to the area via *Durbi ta Kusheyi* before the abandonment of the settlement in the opening decades of the 19th century. The centre of the town was grown into an enormous urban centre, a cross road and a junction town for the inter regional trade that passed from the eastern areas of Katsina, Kano and Borno to the western and southern-western areas of Borgu and Nupe. Besides Dutsi and Kiyawa in eastern Zamfara, other areas were *Birnin* Jata in Maradun district and *Tsohuwar Banaga* near Mikulà about fourteen kilometers south of Maradun. The traditions collected in Jata, Maradun and Mafara indicate the significant role of the *Duwatsun* Jata in the social and economic life of the people. (Kagara, 2008).

About *Tsohuwar* Banaga, by the 18th century, the area had grown to an enormous size of attraction not only to the *Zamfarawa* but also the Fulani from Adar area. The reason for the evacuation of *Tsohuwar Banaga* seems to have been forgotten. It is likely that the break of the Jimi 'followed the *Gobirawa* success in sacking *Birnin* Zamfara during the second half of 18th century.

As to the formation of the *Birnin* Zamfara, there are many legends surrounding the foundation of the *Birni*. Besides the tradition that speaks of a group that moved out of Dutsi, other sources claimed that Bukurukuru, the first ruler came from the Kano area. Another version speaks as spot where disowned daughter of *Sarkin* Gobir was originally found by some hunters. In considering all the foundation of the *Tungaye* or *Unguwoyi* is what later formed the *Birnin* Zamfara, thus the emergence of both capital of *Zamfarawa* and the kingdom of Zamfara. (Nadama, 1977).

Zamfara state has a special place in the history of West Africa. It is part of the large tract of northern Nigeria which came under the control of Sokoto *Jihad* in the 1800's and from whose ashes has raised the modem state of Zamfarã.[18] Zamfara is also one of the seven heathen states of the central Sudan and one of the famous '*Bilad al-Sudan*' in which Islam flourished. The area called '*Bilad al-Sudan* includes Kano, Rano, Daura. Katsina, Zaria, *Birnin*-Gobir, Kebbi, Zamfara, Yauri, Yoruba, Borgu and Nupe.[19] Zamfara state was created from Sokoto state during the regime of Sani Abacha on the 1st October, 1996. Zamfara is one of the Muslim predominant areas in Nigeria where different people are found, especially *Zamfarawa*.

Apart from the *Zamfarawa* living in the State, there is also the presence of other tribes and ethnic communities. These include small group of Fulani settlements that are scattered all over the State in places like Zurmi, Bungudu, Maradun and Jabaka (in present Maru Local Government). There is also the presence of princes of *Katsinawa* in the State in places like Yandoto in Tsafe Local Government, Kotorkoshi, Bungudu Local Government, Magami, Gusau Local Government and also some *Burmawa* are found in Bakura Local Government. All these ethnic groups settled with the *Zamfarawa,* they interact and inter marry to the extent that, now one can hardly distinguish them from the *Zamfarawa*. Apart from the ones mentioned above, there are others like Dakarkari, Yoruba, Igbo, Ibibios, Tiv, Edo and other ethnic groups who hailed from the nooks and crannies of the country[20].

The main occupation of the people of Zamfara is farming which is not unconnected with richness and fertility of the land in the area. It is based on their participation in farming various farm produce that the State coined its slogan "farming is our pride." Both food and cash crops are produced in the area during the rainy and dry seasons. The food crops include; rice, millet, guinea corn. maize, while cash crops include; groundnut (Peanut), cotton, cowpea, gum Arabic, locust beans and mangoes e.t.c [21].

Zamfara State is best known in the country in term of dry season farming especially rice, potatoes, onions to the extent that Talata-Mafara is one of the Local Governments in the State which is known in terms of rice production. That is why it is called 'Home of Rice". Also in Maradun and Bakura Local Government Areas respectively, they are known to this effect[22]. Majority of the people of Zamfara are Muslims and their current Local Government Areas are:

Anka, Bakura, Bukkuyum, Bungudu, Birnin Magaji, Gummi, Gusau, Kaura Namoda, Maradun, Maru, Shinkafi, Talatar-Mafara, Tsafe and Zurmi.

2.1.1 Geographical Location of Zamfara

Zamfara is located towards the extreme north-west portion of Nigeria lying between latitudes 13N degrees and 14N degrees, as well as 7E degrees and 8E degrees. To the east, it is bordered by Katsina State, on the South by Niger State and partly Kebbi State, on the west by Sokoto State, and on the north by Republic of Niger[23]. It is one of the 36 States of the Nigerian Federation. It was carved out of the former Sokoto State in 1996. It has an estimated population of about 3.5 million according to 2006 census. It covers a land area of 32,247 square Kilometers representing about 4% of land mass of Nigeria. The average amount of rainfall in the State fluctuates between thirty six (36) and eighty (80) millimeters in a year.[24]

Zamfara State is richly blessed with fertile, arable lands which include; crop land or Agricultural land, Wood land and Pasture land. The State has approximately 900,000 hectares (26%) of crop land, 262,000 hectares (8%) of pasture land, 1 million hectares (29%) of forestry land, whilst urban land and other land uses and types account for 1,225 million hectares or (37%)[25]. Zamfara State is part of the geological belt of Precambrian age formed a result of metamorphosis and igneous activities. The granites parts come in two groups: the younger and the older. The older granite is more widespread, they form smooth rounded hills and which characterize the landscape of the basement complex area. The hills occasionally rise up to 200 meters. A good example of this can be found in Kotorkoshi of Bungudu Local Government and Tsafe respectively[26].

The younger granites which are of Jurassic age intrude into the complex in the plateau area as in Yandoto, Tsafe Local Government and *Kuka Mairaffu* in present Talata- Mafara Local Government. There are tertiary sediments which have resulted in to % limestone, clay graphite, stone and coal[27].

2.1.2 Introduction and Spread of Islam in Zamfara

We cannot understand when Islam came to Zamfara area, without mentioning the coming of Islam to Hausaland and it is only through this, that one will understand precisely when Islam came to Zamfara. The history of Arabic and Islam in Zamfara area can be traced as far back as 14th century C.E when Islam was first introduced in West Africa by Arab Muslim traders. It is not certain when Islam was made in the area. That is why there are different views with regard to the exact date when Islam came to the area, but the most popular view is that of 14th century through Mali. The upholders of this view agreed that merchants from Mande of Mali were the people who had initially introduced Islam to Hausaland through Kano. According to Kano chronicle reports, Islam came to Käno for the first time in the reign of Yaji (1319-1385 C.E) when *Wangarawa* or *Mandingo* traders introduced it from Mali. The *Wangarawa* prevailed upon the chief of Kano to embrace Islam. But it was not firmly rooted among the masses[28]. It was later when King Umar (1410-1421 C.E) came to power that Islam was firmly established. After Kano, the conversion to Islam took place in Katsina at about the same times as Kano. The first Muslim chief to accept Islam in Katsina was Muhammad Korau who ruled from (1380-1420). Zaria remained pagan for a long period. It was only in the early sixteenth century that a Muslim chief (Abu) came to the throne. In Zamfara, the first Muslim chief was Aliyu the twenty-fourth ruler of the kingdom[29] Also, during the reign of king Yakubu (1425-1463), Kano witnessed the arrival of

some great and prominent Muslim scholars from Mali. They brought books on divinity under the patronage of Muhammad Rumfa (1463-1499) Kano and its environments were fully Islamized[30].

Another view is that, the group of forty *Wangarawa* traders were said to be the first to have introduced Islam in Kano. These were at first but later they combined it with missionary activities. But one thing to be put into consideration is this, these traders would first contact the palaces of the ruling classes with whom they had an easy contact after introducing their goods to them, they later introduced the religion of Islam to the rulers, before introducing it to their counterparts. Also, later it would be introduced to the town dwellers before being carried to their rural areas. These traders included people like AbdurRahman Zaita, Kebe, Mutuku, Yakasai, Shehi and Auwal. Through this *Wangarawas*, Islam was said to have been in presence in all parts of Hausaland including Zamfara. And the weapons of conversion were preaching and practical display of the beauty, elegance and the excellence of Islamic rituals[31]. In Hausaland and Kanem Borno [1421-1438], an exile prince of Borno called *Dagaci* arrived Hausaland in the company of many Borno scholars, who brought along with them many books of Islamic disciplines. The scholars were scattered in many settlements of Hausaland including Zamfara where they disseminated their knowledge of Islamic jurisprudence[32].

There came in 1529 the great Muslim Scholar, Muhammad bn Abdulkarim Al-Maghili during the reign of Muhammad Rumfa and advised the king on how to run his Government according to the dictates of *Shari'ah*. Already, Muhammadd Rumfa was looking for one that would help him to rule his subjects in accordance with the dictate of *Shari'ah*. Based on this AlMaghili served as teacher, adviser, preacher, and judge to the ruler of Kano, not only this, he also produced some

literary materials that would help Rumfa in the conduct of his administration. The same thing he did to the then ruler of Katsina Muhammad Korau. Al-Maghili was a professor at the Sankore University in Timbuktu[33].

As a result of the effort of these people, literary activities of the migrant scholars, indigenous scholars evolved and helped in disseminating Islam in all the nooks and crannies of Hausaland. Schools of elementary and high learning of Islamic disciplines and sciences emerged in Hausaland in places like Yandoto of Zamfara State. One thing to remember is that when traders and Muslim missionaries came to the area, they traveled with indigenes of Hausaland including travels to the Holy land. This resulted in producing notable scholars in Zamfara who were said to have established centers of learning. Some of them were Muhammad bn Hashim al-Zamfariy and Shehu Sa'd of Yandoto were some of the teachers of Shaykh Uthman bn Foduye[34]. Based on this, it comes to be understood that Islam was in existence before the coming of Shaykh bn Foduye in the area. This area was part of the Hausaland neighboring both Katsina and Gobir. Also in his contribution to the spread and development of Islam in Zamfara kingdom at that time, Sarki Aliyu built Mosques in *Birnin* Zamfara, the headquarters of Zamfara and its villages for the services of Allah (SWT).

It is good to state here that the most important factors that helped in the spread and development of Islam in Zamfara ware the reform of Shaykh Uthman. He started his activities in (1774). He traveled as an immigrant Muslim missionary to Gobir and Kebbi where he expounded the teachings of Islam. It was after his returned journey from *Alkalawa* where he could not enjoy the favorable reception of its people that he decided to move to Magami in Zamfara. He and his

brother Abdullahi remained in the area for five years. He started with the teaching of the pillars of Islam. He taught from *Asr* period and *Isha'i* period while preached in every Jumu'at night. Males and females used to attend the session. His preaching focused on the five major areas fundamental of *Shari'ah*, *Hadith*, attack on superstitious beliefs, eradication of undesirable innovations and general knowledge. He used three different languages to preach.

i) Arabic was used in group of Ulama.

ii) Hausa was used in a large group

iii) Fulfulde was used in other time; he used to translate Arabic books into local languages either in form of poem or prose for the audience[35].

His occasional tours continued to win converts, realizing this trend, the corrupt scholars became hostile to him and levelled false accusation against him. e.g. hypocrisy, sedition, hearsay and misleading the masses. He then resorted to writing in order to counter and correct those accusations. He was also accused of mixing males and females, at Dora, a village now under Bakura Local Government of Zamfara State. He was sent a petition containing an accusation of mixing males and females by a scholar called Mukhtar Gwani. But in his reply written by his brother Abdullahi in a poem, he said that leaving them in ignorance is more sinful than to allow them attend a mixed class and after all the Shaykh used to separate male from female students[36].

He was exceptional in his preaching. He never got annoyed with people, no matter the level of provocation. He was eloquent and impressed people with his speeches during his preaching session. As a result of this, anywhere he went, he got more people. Because of respect the Government of the day had for Shaykh and the sympathy he had for the people, he fought for the

reduction of tax being levied by the Government to its subjects. To this end, his disciples came to him for more knowledge at Degel [37].

He spent five years in Zamfara preaching despite the hostility against him, but he maintained caution and avoided physical and verval confrontation and never associated with rulers. Shaykh stayed at Dauran in Zamfara State between 1786-1792 and Faru now Maradun Local Government. Lastly, he went to Zauma in Bukkuyum Local Government for final preaching tour. With the effort of Shaykh and his lieutenants, the people of the Zamfara kingdom abandoned their pagan practices such as the belief in the magic or *Bori*, *Maguzanci*, sacrifice to idols, stones, streams etc [38].

In a nutshell, this is how Islam came to Zamfara and it became well-rooted and properly disseminated in the area because of the efforts of subsequent scholars and groups of missionaries that visited Hausaland and as well as the efforts of *Jihad* leaders who did not only practise but also wrote and established centers of learning where the indigenes would patronize and know more about Islam and later go back to their areas to start disseminating it. This will enabled the people to abandon their pagan practices as a result of the fully Islamisation that the people of Zamfara had when the 19th century Jihad of Sheikh Usman broke out. A number of people of Zamfara assisted Sheikh in this direction for example his disciple like Tukur Dan-Binta of Matusgi in the present Talata Mafara Local Government immensely contributed his quota through writing in the Islamisation of the people of Zamfara [39]. With this, Islam became the major religion of the people in the area, which later resulted in the re-implementation of the *shari'ah* in the state because 99% of the people of the state are Muslims. And this happened as a result of the effort of sheikh Usman bn Fodio.

2.2 Concept of Moon and the Month in the Qur'an

Almighty Allah (SWT) has set a moon as a system of organizing units of time for the purpose of timing over extended period, by convention the day in the month is the smallest calendarical unit of time, the measurement of fraction of the day is classified as a time keeping as Allah (SWT) says:

> We have made the night and the day as two (of our) sign: the sign of the night have We obscured, while the sign of the day We have made to enlighten you; that ye may seek bounty from your Lord, and that ye may know the number and count of years: all things have We explained in detail. (al-Isra, 17:12).

Therefore, the common purpose here is to organize units of time (with days as the smallest) to satisfy the need and pre-occupations of society as a mercy from Allah (SWT) Allah (SWT) says:

> Say: see ye? If God were to make the night perpetual over you to the day of judgement, what god is there other than God, who can give you enlightment? Will ye not then hearken? (al-Qasas, 28:71).

The practical purpose is to process, organize and provide a sense of understanding and time control itself. Thus, the moon and the month serve as a link between mankind and his Lord Allah (SWT) in order to create an enabling condition for both the submission and worship to Allah (SWT). The calendars have held sacred status, they provided the basis for planning cycle and for maintaining cycles of religious and civil events.

2.2.1 Concept of Moon in the Qur'an

The Qur'an call for reflection on the heavenly bodies. There are numerous verses that speak about the Sun and the Moon in a same verse, while others speak of Moon separately. However, the verses to be quoted hereunder only aimed at showing its appearance in the Qur'an in different chapters and in various occasions. Below are some examples:

> God is He Who raised the heaven without any pillars that ye can see; is firmly established on the Throne (of Authority); He has subjected the Sun And the Moon (to His law)! Each one runs (its course); for a term appointed… (ar-Ra'ad, 13:2).

There are other verses of the Qur'an that speak about the subjection of the Sun and the Moon to device orders as follows:

> The Sun and the Moon (are subjected) to calculations (ar-Rahman 55:5).

And:

> "God appointed the night for the rest and the Sun and the Moon for reckoning" (al-An'am, 6:96).

And the verse:

> "For you (God) subjected the Sun and the Moon, both diligently pursuing their courses and for you He subjected the Night and the Day" (Ibrahim, 14:33).

Allah (SWT) says:

> And for the Moon, We have appointed mansion till she returns like an old shriveled palm branch" (Yasin 36:39).

And the verse:

> "For you (God) subjected the Night and the Day the Sun and the Moon, the stars are in subjection to his command. Verily, in this are sign for people who are wise" (an-Nahl 16:12).

In the above verses Allah (SWT) explained how celestial bodies are subjected to His order on account of its value as an assets to man's travel on the earth and by sea, and to his calculation of time. This is clear when one bears in mine the fact that, the Qur'an was originally a preaching addressed to men who only understand the simple language of their every day lives. This explains the following reflections:

> They ask you (Muhammad) concerning the new Moons, say: they are both signs to mark fixed periods of time for men and for Hajj (Pilgrimage)" (al-Baqara 2:189).

In another verse:

> "God is one who has set out for you stars, that you guide your sales by them through the darkness of the land and of the sea. We have detail the signs for those who know" (al-An'am 6:97).

And:

> (God set on the earth) hand marks and by stars (men) guide themselves (an-Nahl, 16:16).

And again:

> God is the one who made the Sun to shine and the Moon to give light for her ordained mansion, so that you might know the number of years and reckoning (of the time) God create this in though. He explain the signs and detail for people who know (Yunus, 10:5).

2.2.2 Concept of Month in the Qur'an

The word 'Month' *Ash-Shahr* plural *Ashhur* as mentioned in different places in the Qur'an explain the permissibility and specification of some certain act of worship while others explain prohibition of certain act of worship in some month like *Jihad* in the prohibition month. Others explain the number of months to be counted for some act of *ibadat* like *Iddah* (waiting period of a divorce or widows) Allah (SWT) says:

> Verily, the number of month with Allah is twelve month (in the year) so was It ordained by Allah on the day he created heaven and earth; of them are sacred (i.e the 1^{st} 7^{th} 11^{th} and 12^{th} month of the Islamic calender). That is the right religion, so wrong not yourselves there in and fight against the believers as they fight against you collectively. But knows that Allah is with those who are pious (at-Tawbah, 9:36).

In another verse Allah says:

> The month of Ramadan in which was revealed Qur'an a guidance for mankind, so who ever of you sights the crescents on the first night of the month (of Ramadan i.e is present at his home) he must observed fast (al-Baqarah 2:185).

Again Allah (SWT) says:

> The sacred month for the sacred month and for the prohibited thing there is the low of equality (*Qisas*) (al-Baqarah 2:194).

In another verse here, Almighty Allah made mention of month and Allah says:

> "The Hajj (pilgrimage) is as well known (lunar year) months (i.e the 10^{th} month, the 11^{th} month and the first ten days of 12^{th} month of the Islamic calendar). Says: fighting, there is a great (transgression)". (al-Baqara, 2:217).

And Allah (SWT) says:

> And these of your women who have passed the age of monthly courses, for them the iddah (prescribed period) is three months, and for those who have no courses (i.e they are still in nature) their iddah (prescribed period) is three months likewise, except in the case of death. And for those pregnant (whether they are divorce or their husbands are dead) their Iddah (prescribed period) is until they delivered (their burdens) and who ever fears Allah and keep his duty to him he will make his matter easy for him (at-Talaq, 65:4).

2.3 Concept of Sighting the Crescent of Ramadan in the Qur'an

The word *Ra'a* or *Yara* (see or sight) is a verb which is usually used in different senses (linguistically). The verb 'Seen' or 'Sighting' is not only restricted to physical sighting, it has been used also in a number of other instances in the Qur'an as well as in the *Hadith* where the meaning cannot be actual or physical sighting but pondering or certainty. The verb seeing along with its many derivatives occurs in the Qur'an 328 times. In a number of these places the Qur'an uses the verb seeing in the context of pondering or ascertaining without resorting to sighting by human eyes. For instance, these verses use the verb seeing not in the sense of physical sighting, for example:

> Didst though not turn thy vision to those who abandoned their homes though they were thousand (in number) for fear of death? Allah said to them: Die: then he restored them to life. Fore Allah is full of bounty to mankind, but most of them are un-grateful (al-Baqarah 2:243).

In another verse:

> Hast thou not turned thy vision to chiefs of the children of Israel after (the time of) Moses? They said to a prophet (that was) among: appoint

> for us a king that we may fight in the course of Allah" (al-Baqarah 2:246).

The same can be understood from other verses such as 2:246, 3:23, 4:44, 49 and 60, 96:9 and many more. However, there are groups of other verses in the Qur'an that referred to seeing with naked eyes. For instance:

> And when the believers saw *al-Ahzab* (the confederate) they said this is what Allah and his messenger have promised us (al-Ahzab, 33:22).

There is no doubt that the verb *ra'a* in the context of this verses means nothing but actual sighting with the human eyes, there are also many other verses in the Qur'an that mean the same. The concept of sighting the Crescent of Ramadan is also clearly mentioned by Allah (SWT) where he says:

> So whoever witness the Month while he is alive and in the state of health at his own home should fast the Month. (al-Baqara, 2:185).

The word *Shahida* in this verse means witness i.e. whoever witness the month while he is alive in a state of health at his own home should fast the month.

The Arabic word for the new Moon is *Hilal.* The linguistic definition of the word *Hilal* requires that, it must be reflecting the light and be shining and not dark. Shinning then is connected with human sighting. Therefore, one cannot start the new Month until we see the moon. This argument is based upon the following linguistics meaning of *Hilal.* Ibn Manzur gives the following definition for *Hilal*:

> *Al-Hilal* is the white spotlight of the new Month seen by the beginning of the new month. It is said that the new Moon is called *Hilal* for the first two night of the Month, and then is called *Qamar*. It is also said that the new Moon is called *Hilal* until its glitter stands out brightly agaist the darkness of the night. This cannot happen until the seventh night[40].

2.4 Meaning of the Word *Shahida*

The following Qur'an phase is usually interpreted to mean witnessing actual moon sighting: {*Fa man shahida minkum ush-shahra falyasumhu*} (al-Baqarah, 2:185). The linguistic meaning of the word (*Shahida)* are "present, knowledge, and announcement (informing others)". Ahmad Ibn Faris, in Maqayis al-Luggah, wrote that:

> "The meaning of *Shahida* is confined to the three: present, knowledge and announcement. None of the word derivatives go beyond these three meanings"[41].

Linguistically, the above quoted Qur'an phrase cannot go beyond the following three meanings:

1. Whoever was present in the month of Ramadan then let him fast (the Month).
2. Whoever had the knowledge about the month of Ramadan, then let him fast (the Month).
3. Whoever received the knowledge about the Month of Ramadan, then let him fast (the Month).

In no way or form it can be translated "whoever sees the Month of Ramadan then let him fast it". It will be against all the established rules of Arabic language. That is why the Qur'anic exegetes have translated and understood the meaning of the phrase as "whoever was present in the Month of Ramadan then let him fast the Month"[42]. The Qur'an has used the same word in all the above three meanings. For instance, it says:

> There is no God but He: that is the witness (*Shahida*)of Allah, His Angels, and those endued with knowledge, standing firm on justice. There is no God but He the Exalted in Power, the Wise (Aal-Imran, 3:18).

Allah Almighty does not witness with actual eyes, nor do the angels, Allah Almighty does not with the actual eyes, nor do the angels, Allah (SWT) witnesses (*Shahida*) means that He "explains or knows" Jalal-ad-Din as-Suyuti (n.d) explained these meanings by the following

words: "*Shahida*" here means that Allah (SWT) explained to his creatures by the signs and arguments (that he is one) [43]. The same word is used about human faculties such as hearing and seeing. I am sure that they do not have actual physical eyes to see things:

> At length, when they reach the (fire), their hearing, their sight, and their skins will bear witness (*Shahid*) against them, as to all their deeds. They will say to their skin "why bear ye witness (*Shahid*) against us? They will say: "Allah hath given us speech, He who giveth speech to everything: He created you for the first time, and unto Him were ye to return". (Fussilat, 41: 20-21).

In the verses, the witness of the faculties of hearing and seeing, and the skins, is explained through the word *Shahida.* No one can say that, these faculties will witness with their eyes. This means that faculties will explain or give knowledge of what the person did in the worldly life. If one accepted the interpretation of some contemporary Muslims, it would means that only those who actually saw the new Moon would have to fast. The following verse uses the word *Shahida* for truth:

> And those whom they evoke beside Allah have no power of intercession; only he who bear witness (*Shahida*) to the truth, and they know (him)" (az-Zukhruf, 43:86).

Here again, the witness of truth cannot be with naked eyes. The truth is not a physical entity that witnessing it would require sighting it. It clearly means "standing by the truth" or "acknowledging the truth" whole heartedly[44]. The Qur'anic exegetes, in light of the clear Qur'anic and linguistic meanings, interprete the verse of the surah al-Baqarah to mean that "*who ever was present in the Month of Ramadan and was not travelling or sick should fast the Month of Ramadan.* Imam Abu Abdullahi al-Qurtubi (n.d: 290) reported that:

> The famous Companions of the Prophet (SAW) Ali bn abi Talib, Ibn Abbas, Suwayd bn Ghafalah and A'isha, four of the companions, and successors such as Abu Mijlaz, Lahiq bn Humayd, and Ubayd al-Salami have said *Shihada* means "*who ever was present when the Month started and was resident in his city and among his family, let*

> *him complete fasting… who ever was present in the Month of Ramadan, let him fast*[45].

Al-Hafiz bn Kathir (n.d:360) said:

> "By this verse Allah obligated the resident and healthy to observed fasting while giving concession to the sick and travelling person".

The same meaning of the present was given at different places. Jalal ad-Din As-Suyuti said *Shahida* means "present". An-Nasafi gave the same meaning. Al-Shawkani also said that the word means "present". Al-Razi (2002: 250) had the same meaning for the word *Shahida*.

There is no second opinion among the Qur'anic exegetes that the above phrase means anything but *"who was present in the Month of Ramadan and not sick or travelling should fast the Month of Ramadan"*. The same meaning is conveyed also by the context in which this phrase occur in the Qur'an. Immediately after this phrase, the Qur'an says: [*whosoever is sick or travelling should make up his missed days*]. Al-Alusi (n.d) observed that:

> Linguistically it is not appropriate to say "*whoever see the moon let him fast and whoever is sick or travelling let him make up for when the second categories enters the fist category (meaning when the sick or travelling see the moon)"*. The detail conjunction "and" demand different and variety… That is why the majority of the grammarians views *ash-Shahar* as the subject and sees that, the word *fa* means "as a result" or "consequently" the person should fast[46].

Al-Alusi (n.d) shows that linguistically the phrase cannot violate the two established meanings. The meaning will not give a sense of actual sighting of the Moon whether we take word *al-Shahr* as *maf' ul fih* or *maf' ul bih* (grammatical term). Al-Razi (2002: 250) also explains that:

> In either case the meaning will be "presence" and not "witnessing the new Moon with human eyes". It is a common practice among the Arab to say "I witness the Friday Prayer or Hajj is something physical and the person saw is with his own eyes. It clearly means that he was present in the Friday Prayer or in the Hajj of such-and-such year[47].

It is very unfortunate that some contemporary Muslims try to impose their opinion upon the text of the Qur'an and do not let the Qur'an speak to them. They arbitrarily impose their understanding of the issue upon itself and then present it as the authentic Qur'anic position. This case of actually sighting the new Moon of Ramadan is a good example on how Muslims intrude on the divine writ by compelling the Qur'an to say what they think is right and should be said. It should be the other way round.

Ibn Abi Malika narrated that Abu Bakr (R.A) was once asked about the interpretation of a word in the Qur'an. He replied:

> "Which heaven will cover me and which earth will carry me and where will I go and what will I do if I end of saying a word in (explaining) the Qur'an that is against the intended meaning of Allah Most High? (Al-Qurtubi, Vol, 1:1).

Al-Qurtubi (n.d) further opines that:

> It was not a very complicated word about which Abubakar (R.A) was asked about the meaning of some simple word such as *fakiha* (fruit) and *Abba* (fodder)in *Surah Abasa* (al-Abasa, 80:31). He was not sure about the exact meaning in that context and was afraid to give an interpretation that might not be hundred percent Allah's intended meanings of those words.

Shah (2007) opines that:

> If we are to accept the interpretation of some contemporary Muslim that the word *Shahida* means "sighting the Moon of Ramadan with naked eyes" then the question arises whether fasting is obligatory upon all those who sighted the Moon of Ramadan? What about the sick, the travelers, the children under age of puverty, the pregnant woman and the elderly people? Would they obligate to fast if they happened to sight the Moon of Ramadan? In addition to that, it will be that those who did not see the new moon will not be required to fast the moon of Ramadan if we interpret the word *Shahida* as "actual sighting". The corollary would be that those who did not see the new moon would not be required to observe fasting. This will be an absolutely wrong interpretation of the Qur'anic verse. Therefore, it is erroneous to

> connect *Shahida* with the sighting rather than presence. That is why Abu as-Su'ud, Al-Kashaff, Al-Samarqandi, and almost all other Qur'anic exegetes clearly explained the phrase to mean "present". It is correct that some classical jurists explained this phrase in light of the Hadiths that call for sighting the Moon of Ramadan such "*Fast with sighting it (Moon) and break the fast with sighting it. Complete thirty days of sha'ban if is cloudy* (Al-Bukhari, Vol. 3, p.73 *Hadith* No.131).

Abu Bakr al-Jassas (n.d) argued that:

> In light of Hadiths we can say that "sighting the Moon is basically being present in the Month" (Ahkam al-Quran), but he never claimed that the verse of *Surah al-Baqarah* and the phrase mean only that. He never claimed that "sighting the new Moon" would be the exact interpretation of the Qur'anic verse. This was his interpretation of the verse and not exact literal meaning of the verse.

2.5 Guidance of the Prophetic *Hadith* and Opinion of Scholars in Relation to Sighting the Crescent of Ramadan

There is no doubt that *Hadith* is the second source of Islamic law, and a store room of the Prophet (SAW) to serve an essential need and guidance of the Muslims be they individual or communities, it was for this reasons that they were taught by the Prophet (SAW) in different ways like verbal teaching, teaching through writing, question and answer method and practical demonstration on how to perform certain acts of worship.

Hadith has come to supplement the Qur'an. Muslims can always turn to both sources for answer to all problems. Be they legal or religious relatively regarding the problems of diversity and confusion ranging from individual to community concerning the sighting of the new Moon of Ramadan and the Prophet traditions have been clearly recorded through authentic reports as proofs and guidance for Muslims.

The researcher presents here in this study some of the traditions that are related to the literature with a view to highlighting and reviewing the traditions. Some of the traditions were the sources

of division among Muslims due to poor understanding of the actual text while others will serve as the source of solutions to the existing problems. Allah (SWT) says:

> To each among you have We prescribed a law and an open way" (al-Ma'ida, 5:48).

Therefore the Islamic law did not leave the Muslim community without guidance in every aspects of their life. On the issue of Moon sighting, Islam provides ways for commencing and ending fasting. These are highlighted as in the following headings:

2.5.1 Start Fasting on Seeing the Crescent of Ramadan and stop on seeing the crescent (of Shawwal)

Scholars of *Hadith* recorded in their books of traditions that the Prophet (SAW) commanded Muslims to fast on seeing the Crescent of Ramadan, and stop on seeing the Crescent of Shawwal. Bukhari (n.d) recorded a tradition in his *Sahih* from Yahya bn Bukhair, from Laith, from Aqil from Ibn Shihab from Ibn 'Umar that: Allah's Apostle mentioned Ramadan and said:

> Do not fast until you see the crescent (of Ramadan) and not to give up fasting until you see the crescent (of Shawwal), but if the sky is overcast (if you cannot see it), then act on estimation (i.e count Sha'ban as 30 days[48].

Baihaqi (n.d) reported a similar tradition saying: Abubakar Ibn Muhammad Ibn Ahmad bn Raja told us Abu al-Hasan Muhammad bn al-Hasan al-Karizi informed us, Aliy bn Abdal-Aziz informed us, from al-Qa'anabi who said: I read from Malik, and Abu Zakariyah bn Ishaq a1-Mazaki told us, who heard it from Abu Abdullahi Muhammad bn Yaqub 'Al-Shaybani, who heard it from Nasr and Ja'afar bn Muhammad who said Yahya bn Yahya told us who said: I read from Malik, from Nafi, from Ibn Umar'.[49] Muslim (n.d) recorded a similar tradition from Yahaya bn Yahya from Malik.[50] Ibn Majah recorded a similar tradition from Abu Marwan, from Ibrahim bn Sa'd, from Zuhri from Salim from Ibn Umar'.[51] Nasa'i reported it from Muhammad

bn Salamah and Harith bn Miskin, from lbn Qasim from Malik. And again, from 'Amr bn Ali, from Yahya, from UbaydAllah, from Nafi its example[52]. A similar tradition was recorded by Malik bn Anas, and again from Thawr bn Zayd, from Ibn Abbas.[53] Darimi recorded it in his *Sunnan* from UbaydAllah bn Abdul- Majid from Malik. Zurqani copied it in his *Sharh* al-Zurqani *ala Muwatta* Imam Malik from Bukhari[54]. Ibn Qayyim al-Jawziyyah copied it in his *Zad al- Ma'd* from Bukhari and others.[55]

Baihaqi (n.d) recorded another tradition who said: Abu AbdAllah al-Hafiz told us, who heard it from Muhammad bn Ya'qub, who heard it from Ismail, from Ayub, and Abu al-Hasan bn Muhammad al-Muqri told us, al-Hasan bn Muhammad bn Ishaq, who heard it from Yusuf bn Ya'qub, who heard if from Sulayman bn Harb, who heard it from Hammad bn Zayd, from Ayub, from Nafi, from Ibn Umar' that the Apostle of Allah (SAW) said:

> "The Month (can be) 29 (i.e. days) and do not fast until you see it (Moon) and if the sky is overcast complete the Sha'aban as thirty days.[56]

Muslim recorded a similar tradition in his *Sahih*, from Zubayr bn Harb, from Ismail.[57] Daraqutni also recorded it in his *Sunnan*, from Ibrahim bn Hammad and Ja'afar bn Muhammad bn Murshid, from al-Hasan bn Urfah, from Isma'il bn Uliyyah.[58]

2.5.2 Sighting of the Crescent with Naked Eyes.

The Moon sighting became a subject of controversy and problem associated with it have both physical (scientific) and religious dimensions. Islam enjoyed the Muslims to sight the new Moon as a condition for some religious act of worship. This have been a point of conflict and controversy to many Muslims that Moon must be sighted with the naked eyes and nothing else.

In Nigeria atlarge and Zamfara in particular, there is confussion relating to the misconceptions ranging from the misinterpretations of the religious texts, ignorance, sectarian division to the physical (scientific) sighting with the naked eyes. However, this religious requirement that the new Moon must be sighted with the naked eyes raises many problems in most Muslim communities. Wali (2008:1) opines that:

> The new Moon must be seen by the naked eyes though this is a religious injuction, it obiously have physical dimensions because it depends on actual physical sighting. This does not include the use of aids such as binoculars or telescopes, although there is no harm using such devices to comfirm the sighting of new Moon surprisingly, seeing the Moon with the naked eyes is a religious issue that is not adhered to by many Muslim Nations.

"Who ever among you is present should fast the Month of Ramadan" and the tradition of the prophet (SAW) *"Do not fast until you see the new Moon, and do not break the fast until you see the new Moon…"* This tradition has been reported by almost all the books of *Sahih, Musnad* and almost all the books of traditions. The above two sources of Qur'an and *Hadith* were the sources opon which evidence of Moon sighting with naked eyes was based by the supporters of this idea. However, sighting the new Moon in its earlier day of appearance is not an easy task. Wali (2008:2) reiterates that:

> It is not always easy to see the new Moon especially in their earlier stages since the weather (clouds, haze, fog, harmattan dust) could affect visibility. *(Fa in ghumma alaikum fa akmilu adada [a'iddat] thalatheen).* If it (the new Moon) is concealed from you complete counting thirty (days). In many Ahadith, *ghumma* (hiding or concealment) is explained in the case of weither conditions because these are easy to understand…

Manzur Ahmad (1999) as in Hasan (2009:12) produced a computer program called 'Moon calc' which was used to search the world for locations which satisfied Ilyas's altitude/ relative azimuth criterion at the start of a lunar Month and on the basis of this scan, world maps for the start of a

lunar Month were drawn showing areas where the crescent is likely to be seen first rightly observed that:

> Although its possible to calculate the position of the Moon in the sky with the high precision, it's often difficult to predict if a crescent will be visible from a perticuler location. Visibility depends on the large number of factors including weather condition, the attitude of the Moon at Sun- set, closeness of Moon to the Sun at Sunset, the interval between Sunset and Moonset, atmosphere pollution, the quality of the eyes sight of the observer, use of optical aid e.t.c. Since ancient times many civilizations and Astronomers have tried to predict the likelihood of the visualizing the new Moon using different 'minimum visibility criteria'. However, all these criteria are subject to varying degrees of uncertainty.

2.5.3 Size of the New Moon

The size of the new Moon itself has become a subject of arguments, some opines that the new Moon has an impact to determine its actual days of appearance through it's size. Abul-Bukhtari reported that:

> We went out to perform *umrah* we emcaped at the valley of Nakhla, we tried to see the new Moon some of the people said: it was three night old, and others (said) that it was two nights old. We then met Ibn Abbas and told him we had seen the new Moon, but some of the people said it was thre nights old. He asked us which night we saw it; and when we told him we had seen it on such and such night, he said the prophet (SAW) had said: Verily Allah deferred it till the time it is seen, so is to be reckoned from the night you saw it. [73]

In another report Abul-Bukhtari reported that:

> We saw the Moon of Ramadan at Dhat-irq. We sent a man to Ibn Abbas (R.A) to ask him (whether the sighting of small Moon had something of nature or defect in it) upon this Ibn Abbas (R.A) said: "*Verily Allah deferred its sight, but if (the new Moon) is hidden from you, then complete its number (thirty)".*[74]

Imam Muslim (n.d) recorded in his *Sahih* chapter six of the book of fasting and his subsequent *Hadith* number 2392, writes that: "It is immaterial whether the new Moon is large on account of appearing on thirthieth night" or small on account of appearance on the thirthieth nights and

Allah differs it to make it suitable for sighting and if the sky is cloudy thirty (fasts) are to be completed.

Some people among the Muslims also inquired why is it that in the evening of a supposedly first day of Ramadan the crescent appears to be larger than a one day old crescent? This inquiry can be linked to the similar inquiry brought to the prophet (SAW) when some Muslims contemplated on why the Moon emerges as a tiny line called crescent then it grows to a full Moon before it retracts back to another tiny line… This was believed to be the cause of the revelation of the verse 189 of *Surah Baqarah* which answered the inquiry (as-Suyuti 2002:52): *"They ask you (O Muhammad) about the new moon, say: These are sign to mark fixed period of time for mankind and for the pilgrimage…"*

Mufassirun explained that, the inquiry was needless as it is natural fact that every creature has it is own life cycle. The Moon's life cycle requires its tiny appearance at the beginning, its gradual growth to maturity, then its final decline to nothingness and so on and so forth. In place of direct response to their question, Allah (SWT) drew their attention to the more important fact of the science of lunar cycle: reckoning of time , events and the specification of timing the religious duties (as-Sabuniy 2001:111).

This group of Muslims need to re-consider this injuction of the Prophet (SAW): *"Do not fast until you sighted the crescent, and do not break until you sighted it, if it is hidden from your sight, then, complete the number of Sha'aban into thirty days.*

With a full grasp of this tradition, one will discover easily the fact that the crescent might be out on the first night but hidden above a hazy night sky as boldly implied in "...If is hidden from your sight…." Therefore, on the second night of fasting the moon will appear as a two days old crescent, because on the thirthieth night of Sha'aban in our country, that was actually the first day of Ramadan which our failure hindered us from realizing (Ahmad, 2009:10).

Scientific and local observations revealed that, the size of the new Moon usually differ from the one Moon to the other. Wali (2008:3) viewed that:

> The size and position of the crescent (*Hilal*) vary from one lunar Month to the next. Sometimes, such Moons are low near the horizon or are observed high in the western sky. Typically, new Moons would appear to the left or right or occasionally directly aboved the setting Sun.

2.5.4 Closeness of New Moon to the Sun.

Actually closeness of the new Moon to the Sun causes alot of difficulty in determining the crescent. According to the Qamaruddeen (1430AH:1):

> *Hilal* becomes visible after the Sunset on either 29th or 30th. This phenomina had been interpreted by Qur'anic commentators, scholars such as Tabari, Qurtabi and Ibn Kathir when explaining the verse of *Suratul Shams*: "And the Moon, when it follows it (Sun) (as-Shams, 91:2) viewed that: the time when (the Moon) follows it (the Sun) it is the night preceding the beginning of a lunar Month, when the Sun set, the crescent is then sighted.

Concerning the closeness of the new Moon to the Sun, the sighting will be difficult to observe locally. Wali (2008:8) opines that:

> The nearer Moon is to the Sun, the more difficult it is to be seen. Similarly, the further the angular distance from the Sun and the higher from the horizon the Moon is, the bigger and the easier it is to be sighted. Thus, sighting the Crescent is depends upon its measure of 'altitude' above the horizon and its 'seperation' from the Sun. the word 'altitude' and 'separation' (also called elongation or angular distance) are words and terms commonly used in Astronomy to determine the relative positions of the Sun, the Moon and other celestial objects.

Wali (2008:3-4) further reiterates that:

> The closeness of the Moon to the Sun, that is, small separation between them, affects sighting, because when the Moon is close to the Sun, the Sunlight could completely overcome the Crescent and render its sighting impossible. This is the other aspect of *ghumma* (concealment) which is not often mentioned. It is very important because, though many times the Moon is above the western horizon, it is so small and so close to the Sun, (which scientifically amount to the same thing), that the sighting with the naked eye is impossible.

2.5.5 Human Errors in Searching the Crescent.

Actually man is not perfect, he remembers and forgets, he does what is right and commits error. Human error plays a vital roles in comflicting the matter of moonsighting and this area of problem is unnoticed by many people. Wali (2008:4-5) noticed that human errors plays a role in Moonsighting:

> These errors could arise from various sources. Many objects observed at *Magrib* in the western sky resemble, and could be mistaken for the new Moon. This is especially the case if there are scattered and overlapping cloulds in the western sky as is often in Nigeria. Tiny bits of the clouds might, to the naked eye, look like the new Moon. In countries with frequently jet aircraft activities, trails of jet engine smoke could take the shape of new Moon. However, on many occasions in Nigeria, sighting is reported not only when the Moon closeness to the Sun is such as to render sighting impossible but even when the new Moon is not in the sky at all, for istance when it had set before the Sun had set!... In addition, extended staring can produce fatique. For these and other reasons such as an understandable mental bias in favour of a successful out come, self deception must be carefully avoided.

Wali (2008:5) futher explains the other human errors that usually happens on very rare occasions in attempt to discover the new Moon. According to him:

> On very rare occasions, toward the end of the lunar Month, say late on the 27^{th} or early on 28^{th} of the Month, between noon and Sunset on a very clear sky and when the Sun is obscured by dark clouds, particularly from 5:00 to 3:30pm in Nigeria, the current (dying or waning) Moon could separate for enough and possess the size that

> make it visible in the western sky, obviously, such a sighting so near the end of the Month makes it possible for this old Moon to be mistaken for the new Moon. However, such Moon would set before the Sun and would not take the normal recognisable shape of new Moon (*Hilal*). The crescent would arch upwards (convex), instead of the downwards (concave) appearance normally associated with the crescent Moon. In Hausa I used the phrase "*doro a kasa*" for arching downwards "*doro a sama*" for arching upwards.

2.5.6 Sighting the Crescent is Not a Responsibility for Every Individual.

This is another area of comflict and controversy in respect of Moon sighting in Nigeria general and Zamfara state in a particular, whether every person must see the new Moon or not. Some Muslims held the view that one must sight the Moon by himself before he deserves Ramadan fasting. This is due to misinterpretation of facts and poor thought. Some Muslim Scholars have highlighted on the falsity of this idea. According to Ibn Foduye (1970) as in Kazaure (2009:6):

> If a person is informed about the sighting of new Moon in a region, if the region is close is the same and if the region is far is also the same, if the new Moon is sighted such that the sighting became so pronounced and the fasting became binding on every people in the world. Except the Shafi'ites who maintained that for people of remote regions, each is bound by its sighting.

Al-Asqalani (1970) as in Kazaure (2009:6) viewed that:

> "It does not mean that every person must see the moon before he fast, but rather what is meant is the sighting of some people that is to have one pious person according to the popular view and two pious persons according to the other view".

As-Sabuni (1980) as in Kazaure (2009:6) re-iterates that:

> There is concensus among the Muslim scholars that, it is not compulsory that every one must see the Moon, as it may be conceived from the saying of the prophet (SAW): *"Do not fast until you see it",* rather what is meant is to have one pious person according to popular view, and two other persons according to other view, to established the sighting of the new Moon.

Az-Zurqani (2002) in his commentary of *Muwatta Malik* opines that: the saying of the Prophet (SAW)*"Do not fast until you see it"* does not mean that all people must see the Moon, such that every person must see it for himself, rather what should be conceived is to have some people to witness the sighting of the moon, that is the number of witness required to established civil claims (i.e *Huquq*) which is two pious people.

2.5.7 Sighting of the Crescent by One Person.

Sighting of one single person has today become a source of problem and many questions arise as to whether the sighting of one person is accepted or not. This is because the sincerity of people today is questionable and unknown to the overwhelming majority of the people. However, the Islamic injuction on the issue of sighting the Crescent by an individual, is as clear as day light in the two traditions of the Prophet (SAW) viz:

> Ibn Abbas said: "A bedouin came to the holy Prophet (SAW) and said: 'I have seen the new Moon tonight'. He the holy Prophet (SAW) said: *'Do you bear witness that there is no god but Allah and that Muhammad is Allah's messenger?'* He said: 'Yes (I bear witness)' he (Prophet SAW) *said to Bilal stand up and announce amongst the people that they should keep fast tomorrow."* (Ibn Majah, Hadith No 1652).

San'ani (2004) as in Mu'Allahyidi (2009:5) viewed that, from this *Hadith* some Muslims accept the testimony of an individual for starting the fasting of Ramadan even though some scholars doubt the aunthenticity of the *Hadith*. Ibn Rushd (2004:90) opines that:

> It is important to note that some Scholars are fond of referring to the *Hadith* in which it was reported that, the Prophet (SAW) had once admitted the testimony of one Arab villager (*A'arabi*) and ordered the *Sahabah* to start fasting. It is intresting to note that such report was seriously discussed and *Ulamah* regarded it as a weak one.

It was also reported that, the Prophet (SAW) had ordered the Muslims to fast based on the information of Ibn Umar (R.A) who told him that he has sighted the Crescent. Ibn Qayyim al-

Jawziyyah (2008:12) as in Yola (2009:7) opines that (*Silsilah*) chain of transmission of this report is a genuine one. Al-Shawkani (1980) as in Kazaure (2009:15) on the commentary of the above two traditions of Ibn 'Umar, and the well known report of the Arab who came to the prophet (SAW) on sighting the Moon of the Month of Ramadan said that, the report indicates that:

> The testimony of the one person is accepted. That is the view of Abdullah bn al-Mubarak, Ahmad bn Hambal, Shafi'I in one of his two opinions, An-Nawawi said this is the authentic of the two views. But, according to Malik, Layth bn Sa'd, Al-Awza'i, Ath-Thawri, and Shafi'i in the other view, the testimony of one person is not enough, rather two persons have to testify.

Al-Asqalani (1970) as in Kazaure (2009:15) considered the first view as the popular view. Abdus-Sami' (n.d) as in MuAllahyidi (2009:5) opines that, "to Imam Malik, the testimony of one person is not enough for fasting, there must be at least two witnesses, or the completion of *Shawwal* to thirty days or the new Moon should be sighted by a large number of people". Qurtubi (2005:232) explains that:

> "If it is sighting of Shawwal by only one person, the majority of the jurist opines that he (the witness) should not break his fast, because if people come to understand that he is not fasting, his integrity will be questioned".

Mu'Allahyidi (2009:6) opines that, an individual even if he saw the Crescent, he should not fast alone. He should start fasting together with the general *Ummah*".

2.5.8 Sighting the New Moon by Two Reliable Witnesses.

Generally, the attestation of two or more people is accepted. This is because two persons are the minimum number required for the witness. They support their stand with the following *Hadith*: Daraqutni (1994) in his *Sunnan* recorded a tradition from Abubakar from Abu al-Azhar, from

Yazid bn Harun from al-Hajjaj from Hussayn bn Harith who said: He heard Abdul-Rahman bn Zayd bn Khattab saying that we friended the companions of the Prophet (SAW) and we learnt from them, and they informed us that the Apostle of Allah (SAW) said:

> Fast when you see it and break when you see it, if you are unable to sight it (Moon) complete thirty, if the just witness witnessed it fast and break.[59]

Ibn Abi shaybah recorded another tradition in his *Musannaf* from Ibn Mahdi, from Sufyan from Abi Ishaq from Harith, from Ali (R.A) that:

> If the two just men witnessed the sighting of Moon break (your fast) "…that the prophet (SAW) disputed on the last day of Ramadan, the two beduins come and swear by Allah, that they both saw the crescent last night. The prophet ordered people to break their fast and should go out for '*Id* the next day". (Abu Dawud 1994: Vol. 1:442 Hadith No 2339).

Wali (2008:1) opines that:

> When two (or one person for the start of Ramadan) dependable Muslim corroborate the sighting of the new Moon, authority must consider their testimony as sufficient evidence by which to declare the commencement of Islamic lunar Months, especially those that are related to the religious obligation such as fasting and the festivities of '*Id al-Fitr* and '*Id al-Adha*.

Hatibi (n.d) as in Sherehu (2004:1) reported that, it is convenient between us and the Prophet (SAW) that we should commence fasting as a result of sighting of a new Moon. If however, we did not see it by ourselves, but it was sighted by two reputable persons we can commence fast based on their testimony. Sherehu (2004:1) reiterates that:

> The reputable person here means, a male Muslim who is freed man and that neither commits the major sins nor exhibit certain action that may tarnished his image. If fasting was started or ended based on the sighting of two reputable persons, and it was later verified by other reputable persons that on thirtieth day the moon has not shown up, then those first two persons, who claimed to have sighted the new moon should be doubted. Therefore, commencement or ending of fasting should be based on compeletion of thirty days.

Almost all the authorities accepted the witness of two sincere people. The only area of difference is when the information given by two people turned to be a lie. In this regard Ibn Hajar (1986: 26-27) is of the view that, for those who complied with that imformation, their act of worship is alright. But others said that, there will be compensation, that is those who started fasting earlier will not stop even if they will fast for thirty one (31) days. The Maliki school says that, if the sky is clear and no clouds, these two witnesses would be regarded as liers and the Muslims will fast thirty one (31)days. But if there is clouds persistently their claim will be accepted even if the new Moon is not sighted. (Abdus-sami' n.d as in Mu'Allahyidi 2009:6).

2.5.9 Sighting the New Moon by Many People.

There is no contradiction regarding the Moon sighting by many people, and it is not a condition that all the people must be pious and sincere. However, the area of differences is whether the Muslim *Ummah* can falsefy the *Jama'ah al-Mustafida* or not. Tirmidhi as in Sherehu (2004:2) recorded that, the Prophet (SAW) said that:

> Report about the sighting of the new Moon of Ramadan by many people who are not expected to come to a concesus base on falsehood, and whereby each of the persons had sworn that he has seen the new Moon with his own eyes, can be accepted.

Sherehu(2004:2) opines that sighting the Moon by many persons is not a condition that all of them must be refutable person just as it has been made a condition on two person and those one (many people) will not be reputable even if the Moon is not sighted on the following days. Jawad (1995:144) opines that:

> The Imami's observed: It is confirmed for both Ramadan and Shawwal by *Tawatur* (i.e. the testimony of the sufficiently large number of people whose conspiring over a false claim is impossible) and by the testimony of two *Adil* men irrespective of whether the sky is clear or claudy and regardless of whether they belong to the same or two different nearby towns, provided their discriptions of the new moon

> are not contradictory. The evidence of woman, children, *Fasiq* men and those of unknown character is not acceptable.

2.5.10 The Month May Consist of Twenty Nine Days.

Ibn Umar (RA) reported Allah's Messenger (SAW) as saying: *The Month is thus and thus (i.e pointing with his fingers thrice), and he held backed his thumb at third time (in order to show that it can also consist of twenty nine days.*[60] In another tradition Ibn Umar (R.A) reported Allah's Messenger (SAW) as saying: "*The Month may consist of twenty nine days".* Again in another tradition, Adullah bn Umar reported Allah's Messenger (SAW) saying: "*The Month (of Ramadan) is thus and thus and thus, (i.e ten, ten and nine)*".

Another tradition Abdullah bn Umar reported by Zuhri that the Prophet (SAW) took an oath that he would not go to his wives for one Month. Zuhriy said that Urwah narrated to him from A'ishah (R.A) who said:

> When twenty nine nights were over, which I had counted, the Messenger of Allah (SAW) came to me (he came to me first of all), I said: "Oh Messenger of Allah you had taken an oath that you would not come to us for a Month where as you have come after twenty nine days which I have counted. Where upon he said: The Month, may consist of twenty nine days.[70]

2.5.11 Breaking the Fast on Sighting the Moon in the Day Time.

Baihaqi (n.d) recorded a tradition in his *Sunnan* who said: Abu Zakariyah bn abi Ishaq and Abubakar bn al-Hasan al-Qadi informed us who said: Abu Abbas Muhammad bn Ya'qub informed us, who heard it from Bahr bn Nasr who said: It was read from Ibn Wahab from Yunus bn Yazid, from Ibn Shu'aib, from Salim bn Abdullah that: "Some people saw the Moon of *Fitr* on the day time, Abdullah bn Umar completed his fast to night and said: No, until it is sighted in its proper position in the night.[61]

Baihaqiy (n.d) recorded it from al-Hafiz and Abu Sa'id bn Abi Amr who said: Abu Abbas Muhammad bn Yaqub informed us, from Harun bn Sulayman, from Abdul-Rahman bn Mahdiy,

from Sufyan from Mansur, from Abi Wa'il who said: "A letter was sent to us from Umar when we are at al-Khaniqiyn that: The part of Moon is greater than the other when you see the Moon in the day time do not break (fast) till you complete it, except that two Muslim men witnessed it in the previous night".[62]

Ibn Abu Ishaq said that, the Moon of *Fitr* (Shawwal) was sighted close to *Zuhr* prayer some people break their fast, we went to Anas bn Malik and mentioned to him the sightimg of Moon and break of those who break, he said: As for me I will complete my day (fast) to night. Ibn Abi Shaybah recorded another tradition in his *Musannaf* Hatim bn Isma'il, from Abdulrahman bn Harmalah that People sighted the moon (of *fitr*) when the Sun was about to set some part of them break it, and this was mentioned to Sa'id bn Musayyib who said that: people saw it during the reign of Uthman some people break it, Uthman said: "As for me I will complete the fast to night". Again, Ibn Abi Shaybah recorded another tradition from Muhammad bn Bakr from Ibn Jurayj who said: Atta'u used to say: *"When you sighted the Moon of Shawwal in the day time do not break" And he cited the verse "and completed the fast to night"*.

2.5.12 Break Fast by Sighting the Moon before (Zawal) Mid-Day and do not Break Fast After it

Baihaqiy (n.d) reported a tradition through Abi Abdullah bn Yahya bn Abdul-Jabbar al-Sakariy bn Baghdad, from Isma'il bn Muh'd al-Saffar from Ahmad bn Mansur, from Abdul-Razak, from Thauri, from Mugiyrah, from Shabbak, from Ibrahim who said: 'Umar wrote a letter to Utbah bn Farqab that: *"When you see the Moon in the day time before the mid-Sun break your fast, but when you see it after the mid-day Sun do not break it till you fast it"*.

Ibn Abi Shaybah (n.d) reported another tradition through Muhammad bn Fudayl from Mugiyrah from Ibrahim who said: Utbah bn Farqab saw the Moon (of *Fitr*) from the latter part of the day and broke his fast, When Umar heard that, he wrote to him saying:

> When you see the Moon from the beginning of the day it belongs to previous night and break your fast, but when you see the Moon from the latter part of the day it belongs to the present day, therefore, complete your fast.

2.5.13 Fasting on the Day of Doubt (Prohibition)

Baihaqi (n.d) recorded it in his *Sunnan*, and said that Abu Abdullah al-Hafiz informed us, who heard it from Abubakar Muhammad bn Ahmad bn Walid, who heard it from Abdullah bn Ahmad bn Hambal, who heard it from Abubakar bn Abi Shaybah, from Khalid al-Ahmar, from Amr bn Qays al-Mala'I from Abi Ishaq from Silatu bn Zafar who said: "We are with Ammar bn Yasir when he said: *Whoever fast on the day of doubt disobeys Abu Qasim (SAW)*.

Tirmidhi (n.d) recorded a similar tradition from Abi sa'id from Abi Khalid.[63] lbn Abdulrazak recorded it in his *Musannaf*, through Thauri, from Abi Sa'id from Rabi' Ibn Harash, from a man called al-Mutanabi. Nisa'i recorded it in his *Sunnan* from Abdullah bn Sa'id al-Ashja from Abi Khalid. Ibn Majah recorded a similar tradition from Muhammad bn Abdullahi bn Sa'id al-Ashja from Abi Khalid. Ibn Majah recorded a similar tradition from Muhammad bn Abdullahi bn Numayr from Abu Khalid al-Ahmar, from Qays from Abi Ishaq, from Silatu bn zafar. Abu Dawud recorded it from Muhammad bn Abdullah bn Numayr, from Abi Khalid al-Ahmar.

Daraqutni (1994) recorded it from Ahmad bn Ishaq bn Bahlul, from Abi Sa'id al-Ashja, from Abi Khalid, from Amru, from Silatu, from Ammar. Hakim recorded it in his *Mustadrak* from

Abdullahi. Darimiy in his *Sunnan* recorded a similar tradition with the chain as in Nasa'i. Baihaqiy (n.d) recorded a tradition from Abu Abdullah al-Hafiz, from Abu Abdullah bn Ya'qub al-Shaibaniy from Muh'd bn Abdul Wahab al-Fara' from Muhalhir bn Mawru' from Hisham bn Hisan from Qays bn Dalq, from his father Dalq who said:

> I heard a man asking the holy Prophet (SAW) on the day of doubt, some companions say that this is part of Sha'ban, others say this is part of Ramadan, the messenger of Allah (SAW) said that: "Do not fast until you see the Moon...

Baihaqi (n.d) recorded another tradition who said: Abu Nasr Muhammad bn Ahmad bn Isma'il al-Bazzar at-Tusi informed us, who heard it from Ruh bn Ahmad from Thauri, from Abi Abbad, from his father, from Abu Hurairah that: "*The Prophet (SAW) prohibited fast a day before Ramadan, day of Adha, day of Fitr and three days after the day of sacrifice (i.e 11th, 12th and 13th)*"

A similar tradition had been recorded by Ibn Abdul Razaq from Thauri, but there is no mention of three days after the day of *Nahr*. Daraqutni recorded it in his *Sunnan*, from Muhammad bn Amru, from Ahmad bn Khalil, from Waqidi, from Dawud bn Khalid and Muhammad bn Muslim, from al-Muqbari, from Abu Hurairah. A similar tradition was recorded by al-Bazzar with his *Sanad* from Muhammad bn Amr, from Safwan bn Isah, from Abdullah bn Sa'id, from his grandfather, from Abu Hurayrah that:

> The Prophet (SAW) prohibited fasting the six days in the Sunna: the day of *Adha*, the day of *Fitr*, the days of *Tashriq* (11th, 12th, and 13th day after the sacrifice) and the day of doubt from Ramadan.

Ibn Abi Shaybah recorded in his *Musannaf* and said: Hafs informed us, from Mujahid, from Amir who said that: "Aliy (R.A) and 'Umar (R.A) used to prohibit fast on the day of doubt from Ramadan". Ibn Abi Shaybah recorded another tradition who said: Waki' infomed us, from

Sufyan, from Simak, from Ikramah who said: *"Whoever fast on the day of doubt surely disobeys the Allah's Messenger (SAW).*

There is consensus among the schools that *Imsak* is obligatory upon one who does not fast on a 'doubtful day' *Yawm al-Shakk* that later turns out to be the day of Ramadan, and he is liable to its *qada* later. Where one fasts on a doubtful day which is later known to have been a day of Ramadan they differ as to whether it suffices without requiring *qada*.

The Shafi'i, Maliki and Hambali schools observe: this fast will not suffice and its *qada* is *wajib* upon him. In the opinion of the Hanafis, it suffice and does not require *qada*. Most Imamis state: its *qada* is not wajib upon him, except when he has fasted with the *niyyah* of Ramadan.[64]

2.5.14 Do not Fast a Day or Two Ahead of Ramadan (Permissibility of Fast on the Day of Doubt).

Baihaqi (n.d) recorded in his *Sunnan*, who said: Abu Abdullah al-Hafiz informed us, from Abubakar bn Ishaq bn Ayub al-faqiyh (through dictation), from Bashir bn Musa, from Yahya bn Bashir al-Hariyri from Mu'awiyah bn Salam, from Yahya bn Abi Kathir, from Abi Salmah, from Abu Hurayra that the Prophet (SAW) said:

> Do not fast a day or two days ahead of time (except that if it coincides with one's routinely observed days of fasting), he may fast on that day.[79]

A similar tradition was recorded by Tirmidhi, from Hammad, from Waki'u, from Aliy bn Mubarak, from Yahya bn Abi Kathir. Muslim recorded a similar tradition from Abi Bakr bn Abi Shaybah and Abi Kurayb, from Yahya bn Bashir as in Bayhaqiy. Muslim recorded the same tradition from ibn Muthanna, from Abi 'Umar, from Abdulwahab, from Ayyub, from Yahya bn Abi Kathir. Ibn Abdul Razak recorded it and Bukhari in his *Sahih*, from Muslim bn Ibrahim from

Hisham bn Ammar, from Abdul-Hamid bn Walid bn Muslim, from al-Auza'i from Yahya. Nasa'I recorded a similar tradition from Ishaq bn Ibrahim, from Walid, as in Ibn Majah. And again, from Imran bn Yazid, from his father, from his grand father, from Shu'aib bn Ishaq, from al-Auza'i and Ibn Abi Kathir. Abu Dawud at-Tayalisi recorded it, from Hisham, from Yahya. Darimi recorded a similar tradition from Wahab bn Jarir, from Hisham.

Baihaqi (n.d) recorded another tradition in his *Sunnan* who said: Abu al-Hasan Aliy bn Ahmad bn Muhammad bn Dawud ar-Razzar, from Abu Amr Usman bn Ahmad al-Daqaq (through dictation), from Yahya bn Abi-Talib, from Abdul-Wahab bn Atta'u, from Muhammad bn Amr, from Abi-Salma, who said:

> Do not start the Month (Ramadan) a day or two days ahead of time (except that if it coincides with one's routinely observed days of fasting, observe fasting with sighting it (Moon) and break fasting by sighting it, count thirty days if it is cloudy, then break the fast.[65]

Tirmidhi recorded a similar tradition from Abi-Kurayb, from Ubadah bn Sulaiman, from Muhammad bn Amru. Abu-Dawud recorded a similar tradition from Hassan bn Aliyu, from Hussain, from Za'idah, from Simak, from Ikramah, from Ibn Abbas. In this tradition, there is addition that the month is twenty nine days. Daraqutniy recorded it from Abi-Muhammad bn Sa'ud, from Muhammad bn Zantu, from Isma'il bn Ja'afar, from Muhammad bin Amr. And again Ibn Sa'ud and Ibn Gaylan from Abi Hisham from Abi-bakar bin Ayyash from Muhammad bn Amr. And again from Ibn Sa'ud and Abi-bakar an-Naysaburi, from Rabi, from Ibn Wahab, Usama bin Zaid, from Muhammad bin Amr.

Daraqutni in his *Sunnan* recorded another tradition who said: Abubakar An-Naysaburi informed us, Rabi bin Sulaiman informed us, Ash-Shafi'iy informed us, Abdul-Aziz bin Muhammad

informed us, from Muhammad bin Abdullahi bin Amr bin Usman, from his Sister Fatima bint Husayn… that Aliy (RA) said: *"Fasting a day from Sha'aban is more loving to me than breaking a day from Ramadan"*.[66]

2.5.15 Prohibition of Fast on the Day of Two Eids.

Baihaqiy recorded a tradition and said: Abu-Ali a1-Rawahadhabariy informed us, from Abubakar bin Dasah, from Abu-Dawud, from Qutayba bin Sa'id and Zubayr bin Harb and this is his tradition that states: Sufyan informed us, from Zuhriy, from Abi-Ubayd who said: "I witnesses an '*Id* with 'Umar, he leads the prayer before the (*Khutbah*) sermon and then said that "The Prophet (SAW) prohibited the fast in this two days: As for the day of *Adha* eat from your sacrifices and as for the day of *Fitr* break your fast".[67]

Tirmidhi recorded it from Muhammad bin Abdul-Malik, from Yazid bin Zari, from Mu'ammar, from Zuhriy, from Abi Ubayd. Muslim recorded a similar tradition, from ibn Yahya, from Malik, from ibn Shihab, from Abi Ubayd. And again, another report from a similar *Sanad* up to Abu-Hurayra, Abu Sa'id and Aishah. And again, Bukhari recorded it in his *Sahih*, from Abdullah bin Yusuf, from Malik, from ibn Shihab as in Muslim. Ibn Majah recorded it from Sahl bin Abi Sahl, from Sufyan.

Al-Bazzar (n.d) recorded a tradition from Muhammad bin Muthanna, from Sufyan bin Isah, from Abdullah bin Sa'id from his grand father, from Abu-Hurayrah that, "The prophet (SAW) prohibited fasting of six days from the Sunnah: The day of *Adha*, the day of *Fitr*, the days of *Tashriq*, and the days in which there is doubt from Ramadan.[68] Daraqutni (1994) recorded a similar tradition in his *Sunnan* from Muhammad bin Amr bin Bakhtari, who said Ahmad bin Khalil informed us, from Muqbari, from Abu-Hurairah. Ibn Adi recorded it in his *Kamil* who

said: Hussain bin Abdullah Al-Qattan informed us, Ayyub Al-waan informed us Marwan Al-fazazi informed us, Abdullahi bn Sa'id informed us from his grandfather, from Abu-Hurayrah. Hitami copied this tradition in the *Majma'u Zawa'id* from the *Musnad* of Al-Bazzar. Allamah Muttaqi of India copied it in his *Kanzal Ummal* from Tayalisi, from Anas. Another tradition that prohibited the fast on the day of '*Ids* was recorded by Abu-Na'im Al-Asbahaniy in *Hulliyah Al-Awliyah* who said: Habib informed us, who heard it from Musaddad, who had it from Yahaya bin Sa'id, who heard it from Mujahid that Abu-Alwak said:

> Do not fast two days: the day of *Fitr* and the day of sacrifice. Allamah Muttaqi of India copied it from *Hulliyah* in *Kanzal-Ummal* from Abi-Sa'id.

2.5.16 The Two Months of Eid Do not Decrease

Bukhari recorded a tradition from Abu-Abdullah, from Ishaq that if Ramadan is of 29 days, even then it is complete (in its superiority); said Muhammad, "It will not happen that there will be reduction in its number and superiority". Narrated Abubakar (RA) that, the Prophet (SAW) said: *"The two Month of 'Ids i.e* Ramadan *and* Dhul-Hijjah*, do not decrease (in superiority)*.[69]

Muslim recorded a similar tradition from the son of Abubakar, who reported on the authority of his father. Again and again, from AbdulRahman bn Abubakar on the authority of Abubakar that, the Apostle of Allah (SAW) had said: "The month of two '*Ids* are not incomplete. And in the Hadith narrated by Khalid (The words are): the Month of '*Ids* are Ramadan and Dhul-Hijjah.[70]

There are many interpretations on the above traditions, but the most common one is this: The good deeds done in these two Months are rewarded fully weather these Months are of 29 or 30 days. There is no harm if a Muslim unknowingly starts fasting on a wrong day, or stands at

Arafat during the Hajj on the day other than the prescribed one, on condition that the crescent should be watched carefully. For example, if two person witness that they have seen the Crescent and the people Fast or stay at *Arafat* accordingly, and later, the two witnesses turn-out to be liars, the acts of worship performed by the Muslims will not be rejected by Allah.

2.5.17 Fasting Twenty Eight Days and the Obligation of Compensating the Remaining Days.

Baihaqi (n.d) recorded a tradition through Abu Muhammad bn Ibrahim Al-Farsi, who heard it from Ibrahim bn Abdullah al-Asbahani, who heard it from Muhammad bn Sulayman bn Fars, who heard it from Muhammad bn Isma'il al-Bukhari, who heard it from Abu Na'im, who heard it from Humayd i.e Ibn Abdullah al-Asumm al-Kufi, who heard al-Walid said: "We fasted twenty eight days with Aliy (RA) and commended us to compensate the (remaining) day."[71]

Ibn Abdul-Razaq reported a tradition from Thauri, from Humayd, from Walid bn Utbah who said: "We fast twenty eight days with Aliy (RA), on the day of *Fitr* he commanded us to compensate the (remaining) day."

2.6 Complete Thirty Days When the Sky is Cloudy

The Apostle of Allah (SAW) ordered the Muslims to complete thirty days if sky is cloudy or overcast, and the Moon is hidden from the sight of people. Baihaqi (n.d) recorded a tradition in his *Sunnan* through Abdullah al-Hafiz, from Abdurrahman Hasan al-Radi, from Ibrahim bn Hussain, from Shubah, from Ziyad who said I heard Aba-Hurayra saying: the apostle of Allah or Abul-Qasim said:

> …When you sighted it, and break when you sighted it, if is not visible to you due to cloudy complete thirty days, (i.e complete Sha'aban to thirty days).[72]

Muslim recorded a similar tradition in his *Sahih* from Abdullah bn Mu'adh, from Shubah its example.[73] The same tradition had been reported by Bukhari from Adam.[74] Ibn Abdul Razak recorded the same tradition in his *Sunnan* from Mu'ammal bn Hisham from Ismai'l, from Sha'aban, and also from Muhammad bn Abdullah from Ubay from Waraqah from Shubah. And its example from Ahmad bn Uthman, from Hibban bn Bilal, from Hammad bn Salamah, from Ibn Dinar, from Ibn Abbas. And again, from Hammad bn Yazid, from Sufyan from Amr bn Dinar, from Muhammad bn Hunayn, from Ibn Abbas.

Daraqutni (1994) recorded it through Muhammad bn Mukhallad, from Aliy bn Dawud from Adam, its example.[75] Abu Dawud at-Tayalisi in *Minahatul Ma'abud,* through Imran al-Qattan, from Qatada, from Hassan, through writing, Sa'id from Simak, from Ikrimah from Ibn Abbas. Darimi in his *Sunnan* reported a tradition through Abdullah bn Sa'id from Isma'il bn Uliyyah, from Hatim bn Qasim from Shu'bah its example. Al-Bazzar (n.d) reported in his *Mukhtasar*, through Muhammad bn Muthannad and Amr bn Ali from Abi Dawud, from Qatada, from Hasan, from Abi Bakr.[76]

In another tradition Baihaqi recorded in his *Sunnan* through Ibn Nasr Muhammad bn Ahmed bn Isma'il as-Sa'iq, from Ruh, from Zakariyyah bn Ishaq from Abu Zubayr that he heard Jabir bn Abdullah saying: the Apostle of Allah said: *"Fast when you see Moon and break when you see it, and if it is not visible to you due to the clouds complete thirty days.*[77] Ibn Majah reported the same tradition through Marwan al-Uthmaniyya, from Ibrahim bn Sa'id from Zuhri, from Sa'id bn Mussayyib, from Abi Hurayra. Nasa'i reported it from Muhammad bn Yahya, from Sulayman bn Dawud, from Muhammad bn Muslim, from Sa'id as in Ibn Majah.

2.6.1 Weakness of Ikmal (completing 30 days) argument.

Completing 30 days in case of cloudy weather is the most agreed upon position among the majority of the classical scholars, but again it is not the only categorical stance accepted by the *Ummah*. Leading authority such as Ibn Umar, Imam Ahmad, and other are reported to start Ramadan and it fasting follow 29th of Sha'ban if it was cloudy, and not to have completed 30 days of Sha'ban, as most of the narrations report the prophet (SAW) requiring completion by the phrase. *"Fa in ghubbiya alaikum, fa'akmilu iddata sha'bana thalatheen.*"

It is ironic that Ibn Umar himself is the original narrator of the most of these prophetic Hadiths. In reality, the pictures come out quite differently when one look at such Prophetic narrations in detail. In what follows I will try to analyze some of these reports in an effort to prove that no such consensus of openion exists, even when it comes to the discussion of the ending part of the reports, where there are a number of difficulties. This difficulties can be appreciated only when we study these reports indepth and compare the ending part of the report with each other.

2.6.2 Discussion on the Variation of Reports

i.) Al- Bukhari and Muslim:

The Prophet (SAW) said: *Fast with sighting it (the Moon) and break the fast with sighting it. Complete thirty days of Sha'ban if it is cloudy".* (Al-Bukhari). The Prophet (SAW) said: *"Fast with sighting it (the Moon) and break the fast with sighting it. Count thirty days if the Moon is uncleared from you (being cloudy)".* (Muslim). It is pertinent to note that, the beginning part of these reports is quite consistent in almost all the *Hadiths*, but the ending part has an array of variety. It seems that at the end portion of the *Hadiths*, the reporters are explaining something

rather than just reporting the exact words of the Prophet (SAW) some of this report is not authentic as they seem to be.

In two *Hadith* above, IT is important to note that Bukhari and Muslim both are narrated from Abu Hurayrah through Muhammad bn Ziyad. The first part of the Hadith is the same in both the narrations, but the ending parts are different. Al-Bukhari narrates *"Fa'in ghubbiya alaykum, fa akmilu 'iddata Sha'abana thalathin".*

The verb used by al-Bukhari '*ghubbiya'* (obscured from you) while Muslim used a little different construction: "*ghummiya alaykum al- Shahr"* (if the Month is obscure from you). Secondly, Al-Bukhari narrates *"Fa akmilu 'iddata Sha'abana Thalatheen"* (Complete counting thirty days of Sha'ban) and Muslim narrated "*Fa 'Uddu Thalatheen"* (then count thirty), without using the phrase of al-Bukhari "*Then complete thirty days of Sha'aban"* it is also a fact that some of these narrations require completing 30 days only for Sha'ban while others require so for the Month of Ramadan also.

ii.) Ahmad Ibn Hambal

Imam Ahmad has reported a numbers of these narrations:

> The Prophet (SAW) said: "Fast with sighting it (the Moon) and break the fast with sighting it. Complete 30 days of Sha'ban if the clouds come between you and the Moon. And do not start the Month ahead of time". Hatim said it means "counting thirty days of Sha'ban".

In the above, Hatim seems to be giving his interpretation of the *Hadith* also.

> Start fasting by sighting it and break fast by sighting it. Complete the counting if the cloud covers it and the Month is twenty nine days, that is it is incomplete".

It is interesting to note that both of the above narrations are from Ibn Abbas. Imam Ahmad used the same chain through Simak and 'Ikrimah, but again the ending part of the narration are quite different. In the first narration the ending is "*if the cloud comes between you and the Moon.* And not start the Month ahead of time." Hatim said it means "counting thirty days of Sha'ban" while the second narration, the ending part is *"complete counting if the cloud covers it and the month is twenty-nine days, that is, it is incomplete".*

In both of the above narrations the narrator explains the idea with the word *ya'ni* (it means). Ahmad reports in his Musnad the following Hadiths from Abu-Hurayrah:

> Fast with the sighting it (the Moon) and break the fast with sighting it. Count thirty days if the Moon is concealed from you (being cloudy). And, Fast with the sighting it (the Moon) and break the fast with sighting it. Complete thirty days (of Sha'aban) if it is cloudy. And again, Fast with the sighting it (the Moon) and break the fast with sighting it. If it is cloudy, count thirty days.

Two of the above *Hadith* are reported through Muhammad bn Ziyad and one through 'Ataa'. Interestingly enough, the ending parts of the narrations are also from Al-Bukhari, who uses narration from Abu Hurayrah through Muhammad ibn Ziyad as well. Al-Bukhari's version is *"Fa in ghubbiya alaikum, fa akmilu 'iddata Sha'bana Thalatheen.*" The verb is "*ghubbiya*" instead of '*ghumma'* and it is "*Akmilu 'iddata Sha'bana thalatheen" i*nstead of Ahmad rendering, which is "*Akmilu-'idata thalatheen"* or "*Fa'uddu thalatheen"*.

Further more, in Ahmad the above three narrations from Abu Hurairah also show a little more variance. In the first two, the *"Fa akmilu"* portion is common while the report says "*fa'in ghumma alaikum al-Shahr"* while the second one just brings "*Fa in ghumma alaikum"* the

differences between the second and the third report is that the second report brings the rendering "*fa akmilu iddata thalatheen"* while the third report brings "*fa iddata thalathin*" and both of them use the phrase "*fa in ghumma alaykum"*.

iii.) Shu'bah's comment

The prophet (SAW) said:

> Do not fast until you see the crescent and do not break the fast until you see the crescent" And again said: "Fast by seeing it and break the fasting by seeing it. If confusion takes place then count thirty days.

Shu'bah said: "To the best of my knowledge he said 'Do not fast until you see the Moon and do not break the fast until you see the Moon." (Musnad Ahmad). Shah (2007) explains that:

> Shu'bah's comment at the end of this narration is not clear when he said "who is he" referring to? Is 'he' referring to the Prophet (SAW) or to Muhammad ibn Zayd or to Abu-Hurayrah? Shu'bah's comment to the best of my knowledge he said, *'Do not fast until you see the Moon and do not break the fast until you see the Moon'* also clearly indicates that perhaps he was aware of the differences in various narrations when it come to the last part of these Hadiths. The beginning portion, of the both positive and negative rendering, seems to be agreed upon while the ending time is somewhat problematic in that it varies in different narrations. Most of these narrations do not agreed with Al-Bukhari's rendering but do agreed to a greater extent with Muslim.

iv.) Additional Variations

The following narrations present additional variations in the text of these reports.

> The Prophet (SAW) said: "Do not start the Moon i.e Ramadan (*Ya'ni* Ramadan) a day or two ahead of time (except that if it coincide with one routing observed days of fasting), observe fasting with sighting it (the Moon) and break fasting by sighting it. Count thirty days if it is cloudy then break the fast" (Ahmad).

The use of the phase "*ya'ni Ramadan"* in the above narration indicates that the narrator is explaining something or given his personal understanding of the issue and not just confirming that he is transmitting the original text as it is. Moreover, this narration adds that the Month of

Ramadan should also be counted 30 days which is not the case in the previous discussed narrations. Qays bn Talq reported that his father said:

> The Prophet (SAW) said: "Truly Allah has made these new Moons as sign to mark fixed period of time in the affairs of people. Fast by sighting it and break the fast by sighting it, and complete the number of thirty days if it is cloudy." (Ahmad)

Abu-Hurayrah reported that:

> The Prophet (SAW) said: "Fast with sighting it (the Moon) and break fast with sighting it. Complete thirty days of Sha'ban if it is cloud". (Ahmad)

Abd al-Rahman ibn Zaid bn al-Khattab gave a khutbah on the day of doubt and said: I sat with the Companions of the Prophet (SAW) and asked them and they told me that:

> The Prophet (SAW) said: Fast by sighting it, and break fast by sighting it. If you are in doubt, then complete *(atimmu)* the thirty (days of Sha'ban) if it is cloudy, but if two Muslim witness testify (that they saw the new Moon) then fast or break your fast accordingly". (Ahmad)

There are a number of additional issues discussed in this last narration. It addressed the issue of fasting the day of doubt and used the verb phrase "*Wa in tashku laha*" instead of "*akmilu"* or "*'Uddu*" it use the verb "*Atimmu"*. This sides with the jurists who go by the sighting of two rather than one witness, which is opinion of Imam Malik. Abdur-rahman Ibn Zaid bn Al-Khattab does not mention the names of the companion from whom he is narrating. He just report that he has heard some companions of the Prophet and they narrated to him. Muhammad Ibn Zaid narrated that he heard Abu Hurairah saying:

> I heard Abu Qasim (that is the Prophet, peace and blessing be opon him) saying: "Fast by sighting the new Moon (*al-Hilal*), and break your fast by sighting it, and count thirty days if it is cloudy [*ghumma alaikum*]". (Ahmad)

It is significant to note that although Muhammad bn Zaid narrated it from Abu-Hurayrah, the same chain previously discussed in al-Bukhari's narration, the text is not exactly the same. It adds the word "*al-Hilal*" before "*li ru'yatihi*" uses the phrase "*ghumma alaikum*" instead of

"*ghubbiya alaikum"* and finally, uses the verb phrase "*'uddu Thalathin"* instead of Bukhari's version "*fa akmilu iddata sha'bana thalatheen"* It differs from Muslim's narration in that it bring "*al-Hilal*" before "*Li ru'yati*" which does not occur in Muslim's narration, and in that is uses "*ghumma alaikum"* instead of Muslim "*ghumma alaikum al-Shahar.*" Al-Hasan reported from Abu Bakrah that, the Prophet (SAW) said what means *ya'ni:*

> Fast by sighting the new Moon (*al-Hilal*) and break your fasting by sighting it, and complete the number of fasting to thirty if it is cloudy. The month is thus and thus (that is either 29th or 30th days) and he (the Prophet SAW) pointed with his hand fingers. (Ahmad).

Abu-Hurayrah reported that the Prophet (SAW) said:

> None of you shall fast a day or two before Ramadan except if it coincides with a day that a person customarily fasts. Fast when you see the new Moon and break it when you see it. If cloudy obscures it, then complete the thirty days of (Ramadan) then break your fast. (At-Tirmidhi)

In this report emphasis is upon completing 30 days of Ramadan rather than Sha'ban as in the case with the majority of the narrations quoted above. It also goes into the matter of fasting or not on the day of doubt or not. Qutaybah narrated from Abu al-Ahwas, from Simak bn Harb, who reported that Ibn Abbas said:

> The Prophet (SAW) said: Do not fast immediately before Ramadan. Start the fast with sighting the new Moon and break your fast with sighting it. If the sky is overcast, then complete thirty days". (At-Tirmidhi).

Simak Ibn Harb narrated that:

> I woke up one day being confused whether the day was (the last) day of Sha'ban or the first of Ramadan, so I started the day as fasting. Then I went to Ikrimah and I saw him eating bread and herbs so he said: come and have lunch with me, so I told him I was fasting, thereupon he said: "I swear by Allah that you have to break your fast". When I saw him swearing without making any exception, I went forward and asked him about his proof. He said "Ibn Abbas reported that the Prophet (SAW) said: *Fast by sighting it (the moon), and break*

> *by sighting it. And complete thirty days if it is cloudy, and do not immediately fast before the month of Ramadan starts*". (Ad-Darimi)

On the authority of Hudhayfah, who reported that:

> The Prophet (SAW) said: "*Do not fast a day or two before Ramadan until you see the new moon or complete thirty days of (sha'aban).Then fast until you see the moon (of shawwal) or complete thirty days.*" Abu Dawud adds: This Hadith has been narrated by sufyan and others on the authority of Mansur, who reported it from Rabi'i from a companion of the prophet (peace and blessings be upon him) who was not named Hudhayfah (ad-Darimi).

It is clear from the above narration that a number of additional alteration have taken place in the narration of the same Companion from the same chain. All these narrations agree upon the positive or negative formula of the phrase "*sumu li ru'yatihi wa aftiru li ru'yatihi*" and in the other aspects of the narration of they differ tremendously. Some of the narrators are not even sure of the names of the Companions, or at least they do not mention the name of some of them as in the case of Hudhayfah, for instance, in the above narration by Ad-Darimi. Rabi'i bn Jarash reported on the authourity of Hudhayfa who narrated that the Prophet (SAW) said:

> Do not fast immediately before the Month of Ramadan until you see the new Moon of Ramadan unless it is a day on which a person customarily fast, and do not fast until you see the new Moon. Then fast until you see it, but if the cloudy obscure it, then complete number of thirty days, then break your fast, the Month has twenty nine days. (Al-Bayhaqi).

v.) Significance of Variation

Most of the reports narrated in the known books of *Hadith* were brought with the intent of showing the range of variations among them. It is clear from the *Hadiths* quoted above that the first portion, "*Fast with sighting it break your fast with sighting it"* is almost agreed upon while the ends of this Hadith have variations even with the same original narrator or with the same chain. Shafaat (2003) opines that:

> The amount of variations in language shows that transmitters of Hadith are describing an idea freely in their own words rather than attemting to transmit the Hadith with faithfulness to the original words". He also concludes that Bukhari's version is the result of some alteration during the process of transmission. Let me point out here that, it must have been an unintentional alteration, as the sincerity of the Scholars is beyond any doubt.

Shah (2007) opines that:

> Completing 30 days of Sha'ban or 30 days of Ramadan in case the new Moon is obscured, is the adopted opinion of the majority of the jurists (*al-Jamhur*). In view of this majority, there are only two methods of confirming the Islamic Month, that is, either through actual Moon sighting or though completion. It is pertinent to note here that, the sighting portion of the Hadiths is almost agreed upon (in positive as well as to a great deal in the negative form) while the completion portion of the Hadiths is the only part that present an array of variation *as seen above*.

The majority (*al-Jumhur*) has derieved from the above quoted clear and authentic prophetic narrations that completing 30 days and counting 30 days (are the same) the explaining phrase complete 30 days".

> It is pertinent to mention here that, there is no concensus among the jurists even in this interpretation of *'Faqduru lahu'* as a leading authority in *Fiqh*. Imam Ahmad argued that it means "shorten the month." An-Nawawi himself reported that Imam Ahmad and a few others said that, the meaning is not 'completing 30 days' but "restrict it or shorten the Month by considering the Moon under the cloud". That is why Imam Ahmad contended that, fasting should be observe from the next day, the day after 29th of Sha'ban if due to obsecurity the Moon is not sighted on the evening of the 29th of Sha'ban. Abu Dawud reported that such was the action and opinion of Ibn 'Umar. An-Nawawi (n.d: Vol. 6:276).

vi.) Ibn Umar's Narration

Ibn 'Umar narrated that the prophet (SAW) said: "*The month is twenty nine therefore do not start fasting until you see it and do not break fast until you see it, count thirty days if it is cloudy*" He (Nafi from Ibn Umar's narration) said:

> Ibn Umar used to ask people to see Moon for him on the 29th day of Sha'ban. If the Moon was seen then well and good, he will not fast if he is not seen and it was not cloudy or rainy if on the 29th of Sha'aban it was cloudy or rainy weather he will start fasting next day. He (Nafi) also said: Ibn Umar use to break fast with the people and not depend upon these calculations (Abu-Dawud and al-Baihaqiy).

Al-Baihaqi also reports the same:

> Ibn 'Umar narrated that the Prophet (SAW) said: "Truly the Month consist of twenty nine days, so do not fast until you see it and do not break your fast until you see it. And estimate for it if it is cloudy". This narration is important from a number of persfectives:

Firstly, Ibn 'Umar himself did not go by calculations. It seem that some of the jurist have explain the sentence "*wa la ya'khuthu biha thal-hisab"* (not depend upon this calculations) to mean that ibn 'Umar did not go by calculations. The interpretation is incorrect. Azeemabadi (n.d) clearly shows that:

> Ibn 'Umar used to break the fast with the rest of the Muslims and used not to worry about his calculations of the day he had started fasting for Ramadan. If Ramadan was 29 days, then his starting day was 30th day for him. If Ramadan ended up being 30 days, then he considered his first day as suplimentary fasting for Sha'ban. This is the correct interpretation of the quoted phrase.

Secondly, Shah (2007) viewed that:

> This is the only narration from Ibn 'Umar on this subject that brings the phrase '*then count or estimate of it 30 days'.* All the other reports confine themselves only to the phrase '*faqduru lahu'* and are explained by the *Jamhur* in light of this oddly attached report. This narration contradicts itself. Ibn Umar's action is posted against his own narration of '*complete thirty days if it is cloudy'*. He started fasting after completing only 29 day of Sha'ban if the horizon was obscured.

Ibn Qudama (n.d:7) argued that:

> Ibn Umar explained the true meaning of the Hadith by his own action and that must be taken as incumbent, as he is the original reporter of the Hadith that require use to estimate in case of cloudy weather or completing 30 days: The meaning of '*Calculate for it'* are to restrict the counting for it and Allah has said in the Qur'an [*the One whose*

> *sustainnance was restricted*] meaning decreased or shortened and also the statement of Allah (SWT) that is Who expand the sustainance for the ones He likes and decreases for the ones He likes. Shortening or decreasing in case of cloudy weather will mean to make the Month of Sha'ban 29 days. Ibn Umar has explained the meanings of the Hadith by his action. He is the origional narrator of this report and is better equipped to understand the true meanings. Therefore, it is obligatory to return to his explanation.

Abu Muhammad Ibn Hazm (n.d: 445) said: "This Ibn Umar himself narrated that fasting is not permitted until the new moon is sighted, then he himself does what we have just mentioned". Is Ibn Umar going against Prophet's command that, he himself is narrating by fasting on the day after the 29th of Sha'ban in case of obscurities? It is reported that many Companions of the Prophet and their successors fasted in case of obscurities so as not to miss a day of Ramadan. Ibn Qudamah (n.d:7) reported that:

> If any obscurity such as cloudy or rain comes between the new Moon and it sighting, then fasting is obligatory. This day will be accepted as the first day of Ramadan. There are contradictory report from Ahmad about this issue. The report which is reported by Al-Kharqi from Imam Ahmad is accepted by majority of the teachers of our scholarship. And that is also the preferred opinion of the caliph Umar and his son Abdullahi, 'Amr Ibn al-Ass, Abu-Hurairah, Anas, Mu'awiya, A'isha, Asma' (the two daughters of Abubakar). The same opinion was held by Bakr Ibn Abdullah, Abu Uthman an-Nahdi ibn Abi Maryam, Mutarraf, Maymun Ibn Mahran, Tawus, and Mujahid.

An-Nawawi (n.d: 460) reported that, Imam Ahmad required starting the Month of Ramadan if the new moon was not sighted due to obscurity on the 29th day of Sha'ban. That was the opinion of the eight knowns companion of the Prophet (SAW) and seven of their successors. Azeemabadi (n.d: 457) viwed that:

> Its meaning is narrated from Abu Hurairah and Ibn Abbas A'isha and Asma (the two daughters of Abu Bakr) use to fast this days. Aisha use to say "it is better for me to fast a day of Sha'ban rather than miss a day from Ramadan". Abdullahi Ibn Umar use to fast the day of doubt if there were obscurities in the horizon such as cloud or rain. He will not fast if the horizon was free of obscurity and the people were at loss

> to sight the Moon. The same is the opinion of Ahmad. Some scholars have argued that Ibn Umar and others used to fast the day of doubt with the intention of supplementary fasting and not as a day of Ramadan. This interpretation is incorrect also. They use to fast with the intention of fasting the Month of Ramadan as is clearly reported from Imam Ahmad "It is obligatory to fast the day as the first day of Ramadan".

The day of doubt is define by Al-'Ayni as in Azeemabadi (n.d: 457) that:

> The day of doubt is the day when people like about sighting the moon but it is sighting is not confirmed. For instance, it was reported by only one witness and his report was denied, or two untrustworthy individuals report and their witness was rejected.

Thirdly, Shah (2007) opines that:

> The report established the fact that the original narrator, Ibn 'Umar himself did not accept the explanatory note as "*complete thirty days"* but went against it and fasted after the 29th day of Sha'ban in case of obscurity. How could some one claim that there is a consensus among the *Jamhur* that "*complete thirty days*" is the true meaning of the phrase "*count for it"* actually, there existed no consensus even among the companions or suscessors that the phrase "*complete thirty days*" is explanatory for the prophetic phrase "*count or estimate for it"*. Had it been accepted norm as an-Nawawi and many other contended then Abdullahi Ibn 'Umar, Aisha, Asma, Imam Ahmad and many others would not have violated it by fasting after the 29th day of Sha'aban in case of cloudy weather.

Fourthly, Shah further re-iterates that:

> This position of ibn 'Umar and Ahmad of fasting on the cloudy day after the 29th without actual sighting the Moon categorically refutes the argument of the so called majority (*Al-Jamhur*) that either actual sighting by the naked human eyes or completing 30 days is the only prescribed method for comfirming the month of Ramadan as well as other Islamic Month. Ibn 'Umar or Imam Ahmad stated the Month of Ramadan on counting the 29kth of the month of Sha'aban this method of confirming the month in case it is cloudy on the 29th of Sha'aban is neither by actual sighting nor by completion, but by mear counting the days.

Fifthly, There is a *Hadith* in al-Bukhari, Muslim and others that the Prophet himself started or ended the month without resorting or actual sighting or completing 30 days:

> Umm Salamah narrated that, when the Prophet (SAW) tooks an oath opun not seeing his wives for a Month when 29th passed he came to them he was told that he took an oath not to enter the home for a Month. He said: "*the month consist of twenty nine days"* (Al-Bukhari).

Azeemabadi (n.d: 457) commented on this Hadith:

> He (SAW) just counted the day and completed his Month or started the new Month without seeing the new Moon. He (SAW) did not say that, he had seen the Moon and none of his wives asked him wheather or not he had seen the new Moon. The Hadith does not say that it was cloudy that evening. It is also clear that the prophet (SAW) did not complete 30 days.

Muslim narrated the same from different narrator Anas Ibn Malik, at-Tirmidhi authenticated the narration. It seem from the *Hadith* that, the prophet (SAW) determine the Moon just by counting 29th days and not by actual Moon sighting or completing 30 days. Shafat Ahmad has a through job of analyzing these difficulties:

> The word *Fa'aqduru 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 try to make the phrase more specific and establish a simple rules applicable in all situation. One simple way to do that is to give to the Month a particular number of days in case of obsecurity 29 or 30. This raised the question whether the same number will applied to both Sha'ban and Ramadan. The following four answer were possible depending on whether in case of obscurity both Sha'ban and Ramadan are taken to consist of 29 day or 30 days or one of them is take to consist of 29 days and other 30 days:

a) If there is obsecuritry on 29th of Sha'ban take that Month to be 30 days and the same is true of Ramadan.

> In this case, you would never fast for less than 30 days but some times you will fast for only 28 days. For, suppose that both Sha'ban and Ramadan are 29 days but it is cloudy on the 29th of Sha'ban and clear on 29th of Ramadan. You will be able to see the *Hilal* of Ramadan and therefore end fasting, even though you fasted only for 28 days. In places like Caribbean Island, Trinidad, and Guyana where it is cloudy very often this process could lead even to less than 28 days of fasting.

b) If there is obsecuritry on the 29th of Sha'ban take that Month to be 29 days and the same is true of Ramadan.

> In this case, you would never fast for less than 29 days but some times you will fast for 31 days or more day or have '*Id al-Fitr* in Ramadan. For, suppose that both Sha'ban and Ramadan are 30 days and it is cloudy on 29th of Sha'ban and clear on 29th of Ramadan. By the rule of restricting the Month to 29th days in case of obsciurity, you will count Sha'ban as 29th days and thus fast on the last day of Sha'ban, but since the sky is clear on the 29th of Ramadan has not ended. So you will fast 30 days of Ramadan and one day of Sha'ban, a total of 31 days. In case it is cloudy for several Months leading to Ramadan take it to be 29 days.

c) If there is obscurity on the 29th of Sha'ban, take that Month to be 30 days, but if there is obscurity on the 29th of Ramadan take it to be 29 days. In this case, you will never fast for more than 30 days but sometimes you will fast 28 days.

d) If there is obscurity on the 29th of Sha'ban, take that Month to be 29 days, but if there is obscurity on the 29th of Ramadan take it to be 30 days.In this case, you will never fast for less than 29 days but sometimes you will fast 31 days.

Shafat Ahmad (2003) makes a significant observation in the conclusion:

> Today we all assume that, in case of obscurity we take the Month as of 30 days weather it is Sha'ban or Ramadan. It will therefore surprise some people to hear that, all of the above views have been held by Muslims. Indeed the differences in the various narrations of Hadith about starting or ending Ramadan can be explained as attempts to reflect this interpretations.

2.6.3 Weakness of the Ijma (concensus) Argument

In spite of the overwhenming majority, there have been always voices of discent among the three school of though, with the exception being the Hambali school. Known authorities in the Hanafi, Maliki and Shafi'i schools have argued against the total rejection of the calculations in establishing the commencement of Ramadan, e.t.c. It is only the Hambali school of *Fiqh* especially in the classical period that seemed to be enjoying a kind of concensus regarding absolute rejection of calculations in the above mentioned matters.

A minute minority among the earlier jurists and an ever increasing number among the contemporary jurists disagreed with the notion of complete dismissal of Astronomical Calculations. They, in opposition to establish opinion, argue that Calculations are in definitive way of knowing the movement of celestial bodies and are more certain than just sighting Moon with naked human eyes. This group does not see any prohibition either in the Qur'an or in the *Sunnah* manifestly banning usage of calculation in the matter of *deen*. They actually find support for their argument from within the Qur'an and *Sunnah*, in addition to resorting to scientifically logical argument. Shah (2007) opines that:

> There are two main groups among this catgegory of scholars. The first group accepts Astronomical calculations only in negating the beginning of the Month. That is if the calculations is prove it is possible to sight the new Moon or negates the birth of the new Moon, then they do not accept witness claiming the actual sighting even if the witness are trustworthy, righteous Muslims. This is an old trend among some of the scholars and can be traced back all the way to the first century of Hijrah. Mutarrif Ibn Abdullah (a successor *Tabi'i*) Abul Abbas Ahmad Ibn 'Umar Ibn Sarij (d. A.H 306) and Taqi ad-Din Ali as-Subki (A.H 683-756) from the old times and contemporary Scholar like Sheikh Yusuf al-Qardawi Director of the *Sunnah* and *Sirrah* Research Centre University of Qatar and many others have championed this position.

Shah (2007) further reiterates that:

> The second group accepts astronomical calculations both in establishing the beginning of this Month as well as negating or dismissing any claim to sighting if the calculations prove otherwise. This is a recent phenomenon among recent scholars of last century and contemporary scholars such as Dr. Muhammad Mustapha al-Maraghi grand Imam of Al-Azhar 1935-1945; the celebrate Egyptian and encyclopedic authority and 1984 king Faisal international prize-winner Sheikh Muhammad Shakir (1909-1997); sheikh Mustapha Az-Zarqa (1901-1999); the Syrian born judge, broadcaster, author, editor, teacher, orator, and 1990 king Faisal international prize-winner Sheikh Ali Al-Tantawi (1908-1999); the contemporary Jordanian jurist Dr. Sharaf Al-Quda and many others.

2.7 Contradictory Opinions Among the Muslim Scholars Regarding the Uniform Commencement of the Fasting and *Eid* Prayers.

Muslim Scholars disagree among themselves regarding the commencement of fasting at the same time by all Muslim communities in the world or in one country. This came about, as a result of the diverse understanding of the sources of explanations that sprang on this issue. Allah (SWT) said: "*Whoever witness the Month among you let him fast it"* (al-Baqarah, 2:185). According to Sharehu (2004:5) here it means that:

> Any Muslim who is alive at that period, either he has seen the Moon by himself or he received authentic information regarding the sighting of the Moon, then the commencement of fasting has became compulsory on him. The Prophet (SAW) said: *"You should fast as a result of seeing it, and you should drop as a result of seeing it".*

Islamic Scholars are on the agreement that if a Moon is sighted in one community, it is binding on all those who are in that community to commence fasting. Just as they agree that if the Moon is not sighted, then the Moon should be completed to thirty days. Disagreement regarding the sighting of new Moon depends on clarity of the weather. As a result of this fact, there is no dispute among the Muslims that, if a new Moon is not sighted on twenty ninth day, the thirty days of the Moon should be completed. The differences of opinion arose mainly in the area of the sources of information that are either farway or nearby from the person seeking the information. It is the manner in which the imformation is being used that differences of opinion come in, for example:

1. Starting of fasting or ending it in one country based on the sighting of the Moon by one part of the country. If the Moon is sighted in one state of Nigeria, could the sighting of that state become obligatory and binding on all Nigerians to use it as a basis for either starting or ending of fast?
2. The starting or ending of fasting by all, based on the sighting of Moon by one country or to rely on the sighting of the Moon by Saudi Arabia, on the basis that Saudi Arabia is the

direction of the *Qiblah* where all Muslims face for prayers, could this point be used as the basis for starting or ending of the fast?

To answer these questions we can base our explanations on the Hadith of Kurayb (R.A) in order to give guidance on this issue. Although a large number of Muslim Scholars interpret the tradition narrated by Kurayb (R.A) differently. The following item highlighted the views of some scholars.

2.7.1 Misconception About the Moon Rising Position (Matla'i)

The issue of Moon rising position (*Matla'I)* among the Muslim Scholars has become controversial and a comfussion, each depending on the following tradition:

> Kurayb reported that Umm al-Fadl Bint al-Rith sent him on a mission to Mu'awiya at al-Sham. He accomplished his mission and was still at ash-Sham when Ramadan was started. He saw the new Moon on Friday evening. He then turned to al-Madinah arriving there near the end of the month. He met Ibn Abbas who asked him when was the new Moon of Ramadan sighted in al-Sham? Kurayb said: We saw it on night of Friday. Ibn Abbas enquired did you see it yourself? Kurayb replied yes I saw it, and people did too. Based on that they fasted and Mu'awiya fasted as well. Where upon Ibn Abbas said, but we saw it on the night of Saturday. And we should continue to fast until we complete thirty days or see it (the new Moon of Shawwal) Kurayb asked, wouldn't you accept Ma'awiyya's sighting and fasting? Ibn Abbas answered no! This is how Allah's Messenger (SAW) commanded us to do.

After discussing this narration, Ibn Taymiyyah (1970:111) opines that:

> A person who learnt about the sighting of the Moon in good time to be able to utilize it for fasting, for ending his fast, or for sacrifice, he must definitely do so. The text (of Islam) and the reports about the *Salaf* point to this. To limit certain distance or a country would contradict both the reason and *Shari'ah* (Islamic law).

Khan (n.d:224) opines that:

> If the crescent is seen by people in One location, people in another location must abide by their sighting. This is based on *Hadiths* that declared the beginning and the end of fasting at the sighting of the

> crescent. These *Hadiths* address the whole Muslim *Ummah*. When one Muslim sees the crescent anywhere, this sighting will be a sighting for all Muslims. It will not be correct to challenge this Hadith of Kurayb (in *Sahih* Muslim), because Ibn Abbas did not declare in it that the prophet (SAW) commanded them not to follow sighting of other locations.

In this regard also, Albani (1410AH:398) said that:

> *Matla's* are relative. They have no definite boundary which people can distinguish and to which they can refer. Most *Ulama* give no weight to differences in *Matla's*. This is base on the general meaning of the authentic Hadith. 'Fast when you see it (Moon) and break your fast when see it (Moon), this is the truth and non else can be accepted. One may not dispute this with the tradition of Ibn Abbas concernig those who follow their locality's sighting and later during Ramadan learn that the Crescent was sighted one day either in such case, they will continue to fast with country men until they complete thirty days or see their own Crescent. This remove the confusion and leave the above Hadith applicable and general to all those who received the news of seeing Crescent from any location. It is well known that this matter is very easy to accomplished nowadays.

Sharehu (2004:8) viewed that:

> This is the Hadith that, some Islamic country rely on as a basis for instance, the kingdom of Saudi Arabia refuse to accept the sighting of Moon by its neighboring countries like Syria, Jordan and Yemen while accepting the sighting of Moon by any part of its kingdom no matter remote distance. For example, if a Moon is sighted in Riyadh (the capital city) it would be accepted and use in other cities like Makkah and Madinah, which are far away from each other. He further re-iterate that, this proof is what some Nigerian Islamic Scholars use as a basis when they accepted and rely on sighting of the Moon by other section within the countries such as Egypt, Libya, Yemen, Sudan and the rest of them rely on the same principle.

Another important thing worthy of consideration is that, if we Nigerian Muslims accept the information of Saudi Arabia regarding the Moon sighting, can they accept our information on the new Moon sighting? Or can Saudi Arabia accept the sighting of new Moon announced by its neighboring Islamic countries? Sharehu (2004:9-10) opines that:

> If those who are in power in Saudi Arabia today are leaders who give prominence to Moon sighting, there may come a set of rulers in future who may not give that prominence or who might want to base the issue of Moon sighting on modern technologies rather than on the clear provision of Islamic law regarding the sighting of new Moon. Therefore, we as Muslim communities, it is better for us to use what is provided in Islamic law rather than to follow the ideology of any country.

Al-Asqalani (1970) as in Kazaure (2009:7) held the view that:

> Sighting of the new Moon in one region relied on the fact that, the obligation to fast is fixed with the collective sighting not individual. That is to have one or two persons to establish the sighting, that is enough for all. And those who held the opposite opinion capitalized on the saying of the prophet (SAW) "Do not fast until you see it (i.e. the Moon)". He maintained that, the literal meaning of the above injuction i.e "Do not fast until you see it" should be ignored. That is to say sighting should neither be consider to be binding only on one person nor should it be binding on one region to the exclusion of other regions.

Al-Asqalani (1970) as in Kazaure (2009:8) further re-iterates that:

> Some Scholars hold that every region is only bound by its sighting. This opinion is reported by Ibn Munzir from Ikramah, Al-Qasim and Ishaq bn Rahawayh. It is also reported by al-Mawardi as one of the two opinions attributed to Shafi'I school of law. The second view as an opposite of the first one, in this view it is held that, if the new Moon is sighted in a region it becomes binding on the people of all other regions. This is the popular view of Maliki's school of law.

However, Ibn Abdul-Barr (1980) as in Kazaure (2009: 8) reported the concensus among the jurists in which he said:

> The Scholars unanimously agreed that, the sighting of the new Moon between regions of remote distance, like Khurasan and Spain, is not considered as binding (on other regions). Some Scholars from Shafi'I school of though held the view that, if the regions are close the sighting becomes binding on all. And if they are dispersed there are two opinions, the first which is the majority's opinion is that, the sighting is not binding on all. And this opinion is reported by al-Bagawi from Imam Shafi'i.

Binji (1960) as in Kani and Aminu (2009:8) maintained that some scholars held the view that:

> Sighting a Moon in a country is binding on them only, not any other country, while other group held the contrary view, but they unanimously agreed when two country are so much far from one another like between India and Spain, each country should depend on sighting Moon at home. This is because the distance between India and Spain is approximately 6000 Kilometres.

Ibn Arabi (n.d: 82) opines that: "Every country should stand on its own in terms of sighting the crescent. That is, they should not use information from other countries". He supported his view with the tradition of Kurayb in Sahih Muslim. Nasif (1980:57) as in Mu'Allahyidi (2009:7) opines that:

> The acceptance of information on the sighting of the new Moon is determined by the location of the country, if the place is located in the east and they happen to see the new Moon it is binding on those located in the west as long as they got the information for either starting or stoping fasting. For example If Saudi Arabia should see the new Moon and the information comes down to Nigeria, its binding for us to fast with their vision.

Al-Sushi (1418/1998) as in Ladan (2009:6) maintains Abu Hamid's position on the Moon sight. He was also of the view that if a Moon is sighted in a town closer to another town, in variably fasting has became obligatory on the two towns. Jawad (1995:143) explains that:

> The Hambalis, Malikis and Hanafis state: If the sighting (*Ru'yah*) of the new Moon has been comfirmed in a particular region the people of all other regions are bound by it regardless of the distance between them, the different of the distance of the horizon of the new Moon is of no quensequence. The *Imamis* and Shafi'is observe: if the people of particular place see the new Moon while those at another place don't in the event of this two places being close by with the respect of the horizon, the latters duty will be the same; but not if their horizons differ.

Ibn Arafat (n.d) as in Isa (2009:4) said: "There is concensus that, place far apart like between Indonesia and Khurasan will not work with the sighting of one another". Isa (2009:4) further quoted the commentary of Ibn Marzuq in *Al-Umda*. It is said: "Ishaq is of the opinion that, to every people, is their sighting. This is the view of al-Qasim, Salim and Ibn Abbas. That is how

Bukhari interpreted Kurayb's Hadith". Shawkani (1973) as in Isa (2009:7) viewed that, "the minimum distance between one place to another should be the distance of Syria and Medina". Isa (2009:8) reiterate that:

> "As at now, the distance between Damasscus and Madinah is about 1350 Kilometres, which implies that, that should be the minimum distance between the two countries".

Salih (1999:426) as in Isa (2009:8) stated that, Sheikh Muhammad Ibn Abdul-Wahab bn al-Maraqishi had said in his book *al-Azbuz Zallaal Fi Mubahithi Ru'uyatil Hilaal* that, if the distance between the two lands (country or places) is less than 2,226 kilometres the Moon is one and if it is more than that, their Moon sighting is not common. Isa (2009:8) Opines that: "Makkah and Madina held their *Eids* on different dates in 10 A.H. This means that the minimum distance should be at least the distance between Makkah and Madinah or about 450 Kilometeres". Kazaure (2009: 9) opines that:

> The divergent view regarding the precise distance, one is that, if the regions differ in their time (of their rising and setting of the celestial bodies e.g. Sun, Moon, and dawn) the sighting of one region should not be binding on another region. This is the view adopted by the people of Iraq. And it is authenticated by Imam an-Nawawiy in his book *Al-Rawdah*. The second view is if the distance between the regions reached the sitipulated distance for reducing prayers for a traveler (i.e. *Qasr* prayer) then sighting of the one region should not be binding on another region. Thirdly, if the regions are different administrative province such that one region is under another administrative province, then the sighting of the Moon in one region may not be binding on the other region.

Ash-Shawkaniy (1980) as in Kazaure (2009:10-11) said:

> Those that held the view that, the sighting of a Moon in a region is not binding on another region capitalized on the report of Kuyayb mentioned aboved. They argued that, Ibn Abbas did not work with the sighting of the people of Sham. He even said at the end of the report *"this is how the Prophet (SAW) commanded us"*. They contended that the *Hadith* shows that Ibn Abbas must have learnt from the Prophet (SAW) that, the sighting of the Moon in a region should not be binding

> on the other regions. However, holders of the opposite view respond to this that, what Ibn Abbas is pointing at, or rather what he means by his saying: *"This is how the prophet (SAW) commanded us"* at the end of the report refers to the prophetic saying as reported by Al-Bukhari and Muslim *"Do not fast until you see the Moon"* and this does not confirmed to a region of people independently, such that every people will be concerned only with their sighting as being proclaimed by the advocate of this opinion. Rather it is a general command to every Muslim that can see. Thus, according to them, the report rather support their view.

Isa (2009:4) opines that:

> Kurayb's *Hadith* is specific while that of Abu-Hurayrah is general, according to the rule of '*Usul al-Fiqh'* the rules gvoverning the application of texts in arriving at Islamic opinions, the specific takes precedence over the general since Kurayb's Hadith to a particular locality or country. He supported his view with Rawhani who says in his *Hashiyah,* to me is general (Abu-Hurayrah's *Hadith*) and it cannot limit the specific (Kurayb's *Hadith*). He further reiterates that, the two *Hadith* are not mutually exclusive. It is therefore, possible of the two *Hadith* to work together, which means that, a particular area of common jurisdiction can only begin and end fasting if the Moon is sighted or outgoing Month attains thirty days. After all, the rules of '*Usul'* also states that, it is better to combine comflicting texts rather than take one and throw out or over rule the other.

Therefore, we as Muslim communities, it is better for Muslims to use what is provided in Islamic law rather than to follow the ideology of any country. The claim of those who opined that it is possible to follow the sighting in Saudi Arabia or the sight of Makkah as the direction of Islamic worship, or the sight of other countries to commence fasting or '*Id* prayers according to their sighting, this does not tally with the views of Saudi *Ulama.* This is because the Supreme Council of Saudi Arabian Scholars under the leadership of Ibn Baz (n.d:85) concluded that: "Every country or nation should use its own Moon sighting, due to the tradition of Ibn Abbas and the tradition that confirmed its meaning". This is also the opinion of al-Bassam (1997:134-135) in his *Taudi al-Ahkam.*

Concerning the differences of *Matla'I* Ibn Baz (n.d:79) opines that: "Whether we say that we will use the differences of *Matla'I* or we say that we will not use it, the issue is that, both Ramadan and *Adha* are the same, there is no differences among them to the best of my knowledge in Islamic law".

However, as far some people are concerned the Muslim world wide should use the sight of Makkah to commence fast or '*Id* prayers, since Makkah is the *Qibla* for all the Muslims of the world. This is for the sake of unity and peace of the Muslim *Ummah*. Here Ibn Uthaymin (1423AH:451-453) opines that:

> The issue of using the *Matla'i* of Makkah, is impossible on the part of *Falak*, this is because the rising position of new Moon according to Ibn Taimiyyah: It usually differ according the consensus of those who posses the knowledge of *Falak* and if it usually differ, it is better to follow the *Nas* and *Qiyas* to confirmed it, therefore, on the issue of Moon sighting each and every country should depend on its sight.

Sharehu (2004:9) opines that:

> Such kind of opinion (to follow the sight of Makkah or Saudi Arabia) is against the fact, which are provided in Islamic law on the issue of fasting and '*Id* prayer, Just as on our own, we cannot provide on suitable position for their divergent opinion in the varied clear provision of Islamic law.

Those who propagate this opinion attempted to bring unity among the Muslims all over the world at a time of starting or ending of fasting. But, instead of unifying the Muslims this will create disunity among them.

2.7.2 Misunderstanding of the Word Balad in the Tradition of Kurayb (R.A).

Understanding of the tradition of Kurayb (R.A) saying that Ibn Abbas (RA) refused to use the sighting of Moon by the people of Sham while he was at Madinah. This *Hadith* is the basis upon

which some Scholars said that: "each country (*Balad*) should rely on the sighting of the Moon by itself". So they misunderstood country (*Balad*) to mean an area which the distance can warrant *Qasr* prayer, (shortened prayer for travelers) as for example, if the Moon is sighted at Kano it will not be binding on the people of Zaria to use it. Sharehu (2004:11-12) looks at this view from two directions i.e. from the meaning of the word town (*Balad)* :

a. My understanding is that Ibn Abbas (RA) who is staying at Madinah refused to accept the Moon sighted by the people of Sham because of the distance between the two cities. The city of Madinah to day is in the Saudi Arabia, while the city of Sham is presently in Syria. We can clearly see that, the distance between the two cities is such that, there can be changes in whether or time for the appearance of the Moon or its non appearance between this two distant cities. This is the basis for Madina (Saudi Arabia) refusing to use the Moon sighted by Sham (Syria). Therefore, distance has been used as a basis for sighting the Moon by Saudi Arabia up till today. Saudi Arabia does not use the Moon sighted in Syria, just as Syria does not use the Moon sighted in Saudi Arabia. And that is the reason why every country relied on the Moon if sighted, but not the Moon that is sighted in another country. Furthermore, when a Moon is sighted in a particular country, all the various sections of that country will accept and use it uniformly. In Nigeria, this is what Islamic Scholars relied on when cities or towns are within a country. Then, provision for the sighting of the Moon is one, but if countries are far away from each other according to most Scholars, the sighting of the Moon is not used uniformly.

b. On the issue of the word *Balad,* he further reiterate that, the word *Balad* whose plural is *Buldan* actually means a town, city or country, just as you can say *Baladi Nigeria* that is 'Nigeria is my country'. Thus, we can understand it in the Hadith, the meaning of the word *Balad* is referring to 'Sham' meaning a 'country'.

2.8 The Consensus of the Jurists Regarding Sighting the Crescent of Ramadan.

There is consensus among the schools of laws and certain disagreements do exist with regard to some matters relating to the issues of Moon sighting. For instance, completing thirty days in case of cloudy and the position of classical jurists among the majority of Scholars. There is also the evidence of the new Moon concerning the uniform commencement of fast or '*Id* prayers and

other various aspects or related matters. The jurists also differ among themselves on some other issues like the number of witnesses and their conditions. The following items will givemore light on the consensus and the differences among the jurists.

2.8.1 The Evidence of the New Moon

There is general consensus among Muslims that a person who has seen the new moon is himself bound to act in accordance with his knowledge, whether it is the new moon of Ramadan or Shawwal. Hence it is *wajib* upon one who has seen the former to fast even if all other people have not, and to refrain from fasting on seeing the latter even if every one else on the earth is fasting, irrespective of whether the observer is *Adil* or not, man or woman. The schools differ regarding the following issues: The Hambalis, Malikis and Hanafis state:

a. If the sighting (*Ru'yah*) of the new Moon has been confirmed in a particular region, the people of all other regions are bound by it regardless of the distance between them; the difference of the horizon of the moon is of no consequence. The Imamis and Shafi'is observe: "If the people of a particular place see the new Moon while those at another place don't, in the event of these two places being closed by with respect to the horizon, the latter's duty will be same; but not if the horizons differ".[78]

b. If the new Moon is seen during the day, either before or after midday, on 30th Sha'aban will it be reckoned the last day of Sha'aban (in which case, fasting on it will not be *wajib*) or the first of Ramadan (in which case fasting is *wajib*)? Similarly, if the new Moon is seen during the day on 30th of Ramadan, will it be reckoned a day of Ramadan or that of Shawwal? In other word, will the day on which the new Moon is observed be reckoned as belonging to the fast for the forth coming Month? The *Imamis*, Shafi'is, Malikis and Hanafis observe it belong to the fast Moon and not to the forth coming one. Accordingly, it is *wajib* to fast on the next day if the new Moon is seen at the end of Sha'aban and to refrain from fasting the next day if its seen at the end of Rarnadan.[79]

c. The schools concur that the new moon is confirmed, if sighted as observed in this tradition of the Prophet (SAW): "Fast on seeing the new Moon and stop fasting on seeing it". The Imamis observe: It is

> confirmed for both Ramadan and Shawwal by *Tawatur* (i.e. testimony of sufficiently large number of people whose conspiring over a false claim, is impossible), and by the testimony of two *Adil* men, irrespective of whether the sky is clear, cloudy and regardless whether they belong to the same or to different near by towns, provided their descriptions of the new Moon are not contradictory. The evidence of women, children, *Fasiq* men and those of unknown characters is not acceptable.

The Hanafis differentiate between the new Moon of Ramadan and Shawwal; they states:

> The new Moon of Ramadan is confirmed by the testimony of a single man and single woman, provided they are Muslims, sane and *Adil*. The Shawwal new moon is not confirmed except by the testimony of two men or one man and two women. This is when the sky is not clear. But if the sky is clear and there is no difference in this respect between the new Moon of Ramadan and Shawwal, it is not confirmed except by the testimony of a considerable number of persons whose reports result in certainty.

In the opinion of Shafi'is, the new Moon of Shawwal and Ramadan is confirmed by the testimony of a single witness provided he is a Muslim, sane and *Adil*. The sky being clear or cloudy makes no difference in this regard. According to Malikites, the new Moon of Ramadan is confirmed except by the testimony of two *Adil* men, irrespective of the sky's being cloudy or cloudless. The Hambalis say: the new Moon of Ramadan is confirmed by the testimony of two *Adil* men. There is consensus among the schools except in the Hanafites that:

> If no one claims to have seen the moon of Ramadan fasting will be *wajib* after the thirtieth day allowing thirty days for Sha'ban.This is in respect to the new Moon of Ramadan as to the new Moon of Shawwal, the Hanafis and the Malikis observe: If the sky is cloudy thirty days of Ramadan should be completed and *iftar* will be *wajib* on the following day, but if the sky is clear, it is *wajib* to fast on the day following the thirty days by rejecting the earlier testimony confirming the first of Ramadan regardless of the numbers.

The Shafl'ites considered *Iftar* as *wajib* after thirtydays even if the sighting of Ramadan was confirmed by the evidence of a single witness, irrespective of the sky having been cloudy or clear. According to Hambalis:

> If the sighting of Ramadan was confirmed by the testimony of two *Adil* men, *Iftar* following the thirtieth day is *wajib* and if it was confirmed by the evidence of a single *Adil* it is *wajib* to fast on the thirty-first days as well in the opinion of the Imamis both Shawwal and Ramadan are confirmed after completion of the thirty days regardless of the sky's being cloudy or clear, provided their beginning was confirmed In the manner provided by the Shari'ah.

2.9 Opposers of Astronomical Calculations

The preferred opinion among all the Scholars of Islamic jurisprudence in the past was that, the Month of Ramadan cannot be determined by Calculations. Astronomical Calculations, in the view of the majority of the jurists, rest on mere assumption and are hypothetical in nature. Therefore, significant act of worship such as the beginning and end of Month of Ramadan cannot be base on probabilities and uncertain presumptions. Consequently the Month connected with the act of Islamic acts of worship (*Ibadat*) such as Ramadan, Shawwal and Dhul-Hijjah, can only be determined either by practical sighting (*Ru'yah*) or by completion of 30 days.

The majority of classical Scholars argued that actual sighting is required by the Qur'an, Sunnah, *Ijma* (consensus of the jurist) and the linguistic meaning of the word *Hilal* (Crescent). This four main argument were usually presented to substantiate the claim that actual sighting by the naked eyes is a prerequisite to the fasting of the Month of Ramadan.

2.9.1 Arguments of the Majority.

The Qur'an narrates:

> Ramadan is the Month in which was sent down the Qur'an, as a guide to mankind, also clear (signs) for guidance and judgement (between right and wrong). So every one of you who is present (at his home) during that Month should spent it in fasting, but if any one is ill, or on a jorney the prescribed period (should be made up) by days later. Allah intends every facility for you; He does not want to put you to difficulties. (He wants you) to complete the prescribed period, and to

> glorify Him in that he guided you; and perchance ye shall be grateful. (al-Baqarah 2:185)

The phrase "*Faman Shahida Minkum al-Shahr*" [So every one of you who is present] in the above verse is interpreted by the majority as requiring practical sighting of the new Moon. Such interpretation seems to be authenticated by the Prophet's injuction such as the following:

The Prophet (SAW) said: *"Fast with the sighting it (the Moon) and break the fast with the sighting it, compeleted 30 days of Sha'aban if it is cloudy."* (Al-Bukhari). The Prophet (SAW) said: *"Fast with the sighting it (Moon) and break the fast with sighting it. Count 30 days if the Month is concealed from you (being cloudy)."* (Muslim). The Prophet (SAW) mention Ramadan and said: *"Do not fast until you see the Moon and do not break the fast until you see it. Estimate about incase it is cloudy."* (Al-Bukhari and Ahmad)

2.9.2 Actual Sighting is Required by Ijma'

The Hanafi jurist Abubakar bn Ali al-Razi Al-Jassas (n.d:279) stated the following in his *Ahkam Al-Qur'an*:

> The statement of Prophet (SAW) "*Fast with the sighting it*" is in line with the Qur'anic verse that said: [*They ask you about the new Moon, say: they are timing for people and for Hajj*] (Al-Baqarah 2:189). The Muslim have agreed about the meaning and relationship of the verse and the Hadith with sighting of the Crescent as a condition of the fasting of Ramadan. It is proves that the sighting of the new Moon is what is termed as witnessing the Month.

He concluded that, actual sighting is the only method prescribed by the Prophet (SAW) to confirm the Month of Ramadan. If it cannot be determined by actual sighting on 29th, because of unfavorable conditions such as cloudy weather, then completing 30 days of Sha'ban is required and that is the original rule. Al-Jassas (n.d:280) further stated that:

> In light of the prophetic *Hadith*, the original rules is that the month consist of a 30 days for every month we are at a loss to see the Moon due to cloudy weather. This rules applied to all the month connected with Islamic rituals. Only the actual sighting of the new moon will make the Month less than 30 days.

He also said that there was a consensus among all the Muslim jurists not to accept Astronomical Calculations in confirming or negating the Month of Ramadan: "The one who believes in stages of the Moon and Calculation of the stargazers is out of Shari'ah. This is not the area of *Ijtihad* as the Qur'an, the Sunnah and consensus of jurists are absolutely against it". (al-Jassas, n.d:280).

The reason for the starting the month with actual sighting, according to al-Jassas, is to begin the act of worship with the certainty and not to base it upon mere probabilities. ('*Umdat al-Qari* Vol. 10, :265). This is what the Prophet (SAW) says:

> *Begin fasting by sighting it and stop fasting by sighting it. If is cloudy then complete counting thirty days of Sha'ban"*. He (the Prophet SAW) has obligated us to count thirty days of Sha'ban when it is cloudy and also count 30 days of Ramadan in case it is cloudy (on 29th of Ramadan) before starting the month of Shawwal. It is require so that we can start the act of worship base upon certainty and stop the act of worship based upon certainty. This is what the prophet (SAW) has manifested commanded by another authentic saying: *"Do not fast until you see the new Moon and do not break until you see the new Moon*". And at-Tirmidthi has narrated on the authority of Abu Hurayrah that the Prophet (SAW) said: "*Count the Moon of Sha'ban to determine Ramadan.*" (*Umdat al-Qari*, Vol. 10:117)

Al-Jassas represents the majority's view of the classical jurists. The official position of Hanafi, Maliki, Shafi'i and Hambali schools of law is that, Astronomical Calculations are not the authentic way of determining the Islamic Months. These Months must be confirmed either by actual sighting or by completion. In the following pages, we will see how this classical Scholars argued in favor of this established position. Ahmad bn Muhammad al-Hamawi (n.d Vol. 2:66), another famous Hanafi jurist stated as follows:

> For us, the condition for the fast and breaking the fast is sighting the Crescent, and the Calculation for the stargazer cannot be follow in this matter. In *Al-Tahzib* according to the Shafi'i school it is also stated that stargazing Calculations cannot be trusted neither in the beginning no in ending the month of the fasting.

Muhammad bn Abdullah Al-Kharashi (n.d:509) presented the Maliki's position in the following words:

> The fasting cannot be observed by the following statement of a stargazer. Neither the stargazer no any one else can fast based upon that because the Prophet (SAW) has confirmed the fasting solely to the sighting of the witnesses or completing the 30 days. No other method is prescribed. Therefore, no attention shall be paid to the statement or Calculations of the stargazer regarding the month, whether one believes in the preciseness of his Calculations or not.

Imam Malik as in al-Baji (n.d:38) was reported to have said that: "If an Imam does not follow the sighting methodology but prefers the calculations over that, such an Imam is not to be obeyed or followed in daily prayers". Qadi Abul-Walid argued that: "One should make up for the days one has fasted based upon Calculations and not upon sighting or completion".

2.9.3 The Muslim Ummah is Unlettered.

Shihab Ad-Din Ibn Ahmad Ar-Ramli, the known Shafi'i jurist argued that: The Prophet (SAW) did not depend upon calculation at all but absolutely negated it by statement he said: "*We are an unlettered nation, we neither write nor calculate*". Ibn Daqiq Al-'Id (n.d Vol. 2:59) stated that, Calculations cannot be the source of confirming the fasting (of Ramadan). Imam Yahya bn Sharaf An-Nawawi in *al-Majmu*' also quoted the above *Hadith* and gave almost the same reasons for rejection of Calculations. He added that:

> It would cause people hardship if they were required to follow the calculations, as calculations are known only to a few people living mostly in big cities. Therefore the majority position is the right position and whatever else is there is rejected by the authentic saying of the prophet (SAW) (an-Nawawi, Vol. 6:276).

Az-Zurqani also argued saying:

> And it is not true that 'estimation' means Calculations, because if people were required to follow Calculations, they will find it hard because only a few people know about Calculations, and Shari'ah only requires people to follow what has been known by the majority of them.

Abdur-Rahman Ibn Al-Hussain al-Iraqi, another renewed Shafi'i Scholar contended that:

> Clouds are very often in the horizon. The *Shar'i* reasons for fasting is the actual sighting. The majority of jurist connected the fasting with actual sighting without resorting to the any other method. This was the opinion of Malik, Shafi'I Abu Hanifa and majority of Scholars in the past and the present. (al-Iraqi, Vol. 4:113-114).

2.9.4 Calculations are Connected with Magic and Stargazing.

One of the main reasons for such a total rejection, in the view of these Scholars was the close connection between stargazing (Astrology) and magic, which is forbidden by the Prophet (SAW) Al-Hafiz bn Hajar strictly prohibited the use of calculation by quoting the prophetic saying that warns Muslims about the evil of stargazing such as *"no one would learn any part of stargazing except that he had learned a part of magic."* Caliph Umar has been quoted as saying: "*Learn from stargazing whatever portion is helpful in guiding you through the land and ocean and then stop."* Therefore, any part of stargazing other than the directional symbols and signs to Ibn Hajar was un-Islamic (*at-Talkhis*, Vol. 2:360).

Ibn Taymiyyah (1970:590), a renowned Hambali authority was the staunch opponent of using stargazing Calculations to confirm or negate the Islamic months. He empathetically argued that calculations could never lead to a certain method of finding out the Crescent and he, like al-Iraqi and al-Jassas, also claimed agreement among the Scholars about this matter. Ibn Taymiyyah contended that:

> The mainstream Scholars of *Shari'ah* agree that using calculations in determining the new Moon is forbidden. The wise stargazers also agreed that there is no way to authentically determine the Crescent through Calculations. That is why the expert stargazers do not indulge in Calculations but deny them. Only a group from the posterity out of ignorance, has indulge themselves in that. This is basically changing the *deen* of Allah by misleading people and by following the misguidance of the Jews in this matter.

Here, Ibn Taymiyyah seems to be referring to the Jewish Rabbinical Council's decision to adopt Astronomical Calculations as the authentic source of confirming the Jewish lunar months. At another place he register his opposition to the use of Calculations in the following strong words:

> Undoubtedly the Calculations are rejected by the Sunnah as well as consensus of the companions, as the authentic Hadith say: ….. Therefore, the one who depend upon the Calculations is a misguided innovator, not only mistaken in the matter of *Shari'ah* but also in the matter of logic and stargazing. (Ibn Taymiyyah, 1970:207).

2.9.5 Calculations are Inaccurate.

Ibn Taymiyyah (1970:62) also argued that, knowledge of stargazing was misleading and itself was a forbidden act. Its cons outweighed its pros. He quoted several narration of the Prophet (SAW) to denounce stargazing:

> He substantiate his point by a practical encounter that he had with the stargazers of his time. He concluded that the method of stargazing Calculations was based purely upon falsehood and teaching. This is how the stargazers are! I, by logical argument, prove the wrong nature of their profession when I debated their chiefs in Damascus. One of them told me 'By God we concoct a hundred lies to be able to come up with one truth'.

He further contended that:

> The argument against this profession and its prohibition in Islam are too many. It is not a place to go into detail of that. It is sufficient to quote what Muslim narrated from the prophet (SAW) *"One who asked a stargazer (Arraf) about something (unseen) will not have his prayers accepted by Allah the Most High for forty days."* The term *Arraf* denotes the magician, the stargazer, and the others.

This group of scholars suggested a number of punishments for the individual who engaged themselves with stargazing and Calculations. For instance, Muhammad Ibn Ahmad al-Alish (n.d:114) pointed out that:

> No body, neither the stargazer himself nor any one else should fast according to the Calculations. It was forbidden to approve of a stargazer. The stargazer should be killed without any chance of repentant if he openly propagates that the stars are directly involved in human destiny. He will be treated as aposted if he conceal his belief but argued indirectly about the impact of star on human life. He should be asked to repent and if he refuse to do so, he should be killed. He will be a sinful believer if he takes the stars as sign indicating the events in the world but believes that the actual power lies with Allah and not with the stars.

In the view of Ibn Rushd (2004) another renowned classical jurist, stargazer must be disciplined. Al-Hafiz bn Hajar called them human devils as they based their Calculations on mere conjecture, mere hunch and anticipation. He also quoted the above *Hadith* that connects the knowledge of stargazing with the knowledge of magic (*An-Nihaya fi Gharib al-Athar*, Vol. 2: 205).

2.10 Supporters of Astronomical calculations.

Those who supports astronomical calculations believed that, it is lawful in Islam. They supported themselves with the verses of the Glorious Qur'an that says: "The Sun and the Moon follws meticulous Calculations"(ar-Rahman, :4). They further stressed that, those traditions that prohibited the calculations are referring to the one that is connected with magic, not the astronomical one. The followings are their arguments:

2.10.1 Objective of the sunnah.

Firstly, the prophetic Hadith clearly ask for sighting of a new Moon as a means of a certainty and not a precondition, on or for the *Ibadah* {act of worship}. Fasting is true as required by the Prophet (SAW) as it was the only authentic method available during this time to confirm the

presence of a new Moon. The sign of the new month's commencement. That is what the prophet (SAW) said: "*We are unlettered people, we neither write nor calculate."* Shah (2007) opines that:

> The Month sometime consists of 29th days and some times of 30th. The *Ibadat* are connected with time, which in Islamic understanding is connected with the Moon and not with the Sun, as the Islamic calendar is lunar, not solar. The *Shari'ah* does not want us to start fasting when the Month of Ramadan has not even begun, nor to lose a day of Ramadan celebrating the '*Id* on the last day of Ramadan that is why the Prophet (SAW) advised us not to start or finish fasting the month of Ramadan a day or two ahead of time. He wanted us to start and end Ramadan with the certainty that the new moon is here.

He futher re-itrated that:

> Actual sighting of the new moon was only mechanism then at Muslim's disposal to attain the certainty. That is why the Prophet (SAW) emphasizes so much opun sighting the new Moon. Not because sighting is the objective of sighting or in any way or goal of *Ibadat*. But because it was a means to ascertain the present of the new Moon. The knowledge for which presences the objective of *Ibadat*. Now when the objective is achieved through a more authentic and precise method that is Astronomical Calculations then replacing actual sighting, which of the probable mean of certainty, with a more accurate method that is based on categorical certainty will not constitute any deviation from the prophetic commandment or objective of Islamic *Shari'ah* but will complement them.

Secondly, If the actual sighting were such an objective or a prerequisite without which fasting could not be started, then it would have been required even on the 30th of Sha'ban no body goes out to see the new Moon of the 30th of Sha'ban or on the 30th of Ramadan. No jurist has ever required such a sighting because the sighting was prescribed for certain of the beginning or end of the month. And not for the sake of sighting itself. Once that certain is achieved by completing 30 days (as the Islamic month cannot go beyond 30 days). Sighting is not even required and the new month is started. Every body knows that the new month must be above the horizon by the 30 of Sha'ban and no body worried about seeing it. If seeing the new Moon is precondition for

fasting, and sighting will go hand in hand, but we see that is not. Therefore, sighting is not the prerequisite for fasting, but is to achieve certainty that the new Moon is above the horizon. Thirdly, Shah (2007) opines that:

> If it is said that sighting is not required on the 30th of Sha'ban because the Prophet (SAW) said: "*Complete thirty days if it is cloudy,"* I will argue that this prophetic statement commends us to complete 30 days if it is cloudy, it does not say, Do not see the moon on the 30 of Sha'ban if it was not cloudy on the 29th of Sha'ban. "Suppose it was not cloudy on the 29th of Sha'ban and the new Moon was not seen that evening, then will not the Hadith have require Muslim to see it on the 30th of Sha'ban have it be precondition for fasting? The clause *"If it is cloudy"* cover only when it is cloudy but does not cover when it is not cloudy had the sighting be intrinsic to fasting then it would have been required even on the 30th especially when the new Moon was not seen not because some obscurities hampered it sighting, but because it was not above the horizon. But if we agreed that sighting is not the precondition for fasting, but certainty is, then one can understand why sighting is required on the 29th of Sha'ban and not on the 30th of Sha'ban.

Shah (2007) further opines that:

> Sighting is not prerequisite for fasting even on the 29th of Sha'ban had it been a precondition, then no Muslim will be allowed to start the month of Ramadan except by sighting the new Moon of the 29th of Sha'ban, Ibn Umar along with A'ishah and Asma'u Bint abi Bakr (may Allah be pleases with them) used to start fasting the next day if it was cloudy on the 29th of Sha'aban and the new Moon was obscured. They will not fast that day as supererogatory day of fasting but as a mandatory day of Ramadan. That was the case with many of *Tabi'in* (successor, the generation after the Prophet) and a whole school of *Fiqh* is based upon this opinion. Imam Ahmad followed the action of the Companions of the Prophet (SAW) adopt this position and the entire Hambali school follow his position. It became important when we knew that Ibn 'Umar is the original narrator for many of the Hadith found in all the authentic sources of the Hadith that require sighting as means of fasting. For instance, the prophet (SAW) mentioned Ramadan and said: "*Do not fast until you see the Moon and do not break the fast until you see it, estimate about it in case of cloudy"* (Al-Bukhari)

2.10.2 Sighting Not a Pre-requisite to Fasting

As it could be seen Ibn ‘Umar (RA) will start the month of Ramadan by just counting the day of Sha’ban and without actual sighting the new Moon if it was cloudy on the 29th of Sha,aban. This act of Ibn ‘Umar the original narrator of the prophetic reports that asked for the actual sighting to confirm or negate the month of Ramadan explained the true meaning of those Hadith and repudiates the second most important argument for the majority that there is a cause and a effect of relationship between the actual sighting and the act of fasting. Logically speaking sighting in itself cannot be the sole reason for prescribing the month of Ramadan or the act of fasting. It must be a means to achieve the goal of certainty, the following point must be kept in mind while discussing this matter. It is known fact that among jurists sighting in itself is not a condition for the month of Ramadan as Muhammad Ibn Ali Al-Eid (n.d:8) the renown Shafi’i authority stated:

> The actual sighting is not a prerequisite to the fasting. There is agreement (among the jurists) that if some one is imprisoned in the basement and known either through completing 30 days or through estimation by following the signs, that the month of Ramadan has stated, then he is required to start fasting even if he has neither sighted the Moon by himself nor has been informed by the one who actually sighted it.

The famous classical Hanafi jurist Sa’ad-Din bn ‘Umar at-Taftazani (n.d:401) stated that:

> All the Muslim jurists agreed that sighting the new Moon is just a means and not the objective in itself. The meaning of the Qur’anic verse [*who ever witness the Moon*] means being present in the month witnessing month is just a means the prophet statement: *Fast by sighting it”* also lead to that, all the Muslim jurist agreed that actual sighting is not the objective but the objective is what the sighting prove, and that is the coming of a new month.

The late contemporary jurist Mustafa Az-Zarqa argued that:

> It is an established fact that sighting the new Moon in itself is not an act of Islamic worship. It is just a means to know the time. It was the only way available to a nation which new not how to write or calculates. It is unlettered status was the sole reason for it to be dependent upon the naked eye. According to the text of Hadith that is the source of the rule.

Shah (2007) opines that:

> Actual sighting with the naked human eye was prescribed by the Prophet (SAW) as it was the only method available to the Muslim of that time to confirm with certainty the beginning or ending of the month. The reason for such a need was also given by the Prophet (SAW) and that was the unlettered status of the Ummah of that time.

2.10.3 Astronomical Calculations Exist

Astronomical Calculations are a means to achieve the aspired goal of certainty. The Prophet tradition prohibited them because at tht time the overwhelming majority of the *Ummah* were unlettered in the matter of sophisticated Astronomical Calculations. The same was true with the latter generation of the *Ummah*. The majority of the classical Scholars were absolutely right in rejecting Calculations, as they were inaccurate and mostly done by Astrologist and Magicians. Shah (2007) is of the view that:

> Astronomical Calculations in our time is no longer the work of magician or fortune teller. But the work of bona-fide scientist ans Astromers who based their knowledge on scientific observation or fact, the margin of error in this Calculations is close to zero. The argument of inaccurate and magic were rejected by jurists even in the classical time. What about in the 21st century where the science of the Astromy has reached a climax?

Zain Ad-Din bn Ibrahim bn Nujaym (n.d:211) argued that:

> Ibn Ash-Shihna said that, the Magicians and Astrologists mentioned in the *Hadith* are the one who told about unseen or claimed knowledge of the future. The statement of such a person will not be accepted and approving such claim will constitute an act of disbelief. But Calculations of the Moon has nothing to do with that. They are base upon precise Calculations and are not fortune telling or thing connected with the unseen. Do you know what Allah said in the Qur'an: [*He prescribe (for the Moon) computed stage so that you can learn about the number of years and Calculations*].

Taqi Ad-Din Ali bn Abdul-Kafi as-Subki (A.H 683-756), when discussing the *Hadith* quoted above put the point in a nutshell:

> It cannot be that the *Shari'ah* has categorically prohibited use of Astronomical Calculations. That is not the case how could it be while

> the Calculations are being used in the obligatory as well as other matters (of *din*) the oft-quoted *Hadith* mention writing and Calculations. Now, when writing is not forbidden, how could Astronomical Calculation be! As-Subki (n.d:211)

Qardawi (2003:212) contended that:

> Muslims all over the globe and especially in the west, suffer many hardship due to uncertainty connected with actual sighting. Some of them wait till mid night just to start their *Tarawih* prayer or to decide about their '*Id* prayers. There are many hardship for the working class as well as for Muslim students. Therefore, depending upon actual sighting rather than Astronomical Calculations is the source of hardship in our time. It is also a historical fact that the Astronomical Calculations and their use in the matter of *din* and *Ibadat* is nothing new. They have been used since long ago to determine the time of five daily prayers, *Sahur* and *Iftar* and also to determine the direction of the *Qibla*.

And Ahmad bn Muhammad al-Hamawi (n.d:66) the known Hanafi jurist stated the same as follows:

> The Calculations relating to the new Moon and eclipse are based upon actual realities and experiences. They do not come under the category of prohibited acts by the Prophet (SAW) This argument is substantiated by the fact that the jurists have allowed knowledge of calculations when it comes to knowing the timing of daily prayers and direction of the *Qibla.*

Perhaps these are the reasons that amazed Mustafa Az-Zarqa (n.d:157) who said:

> A good number of present day conservative jurists were so adamant in accepting the Astronomical Calculations in confirming or negating the month of Ramadan while they are using the same Calculations in acts of worship that are far more important in significance as well as in frequency, such as daily prayers. The classical jurists were correct in their stans against this Calculations during their time. The science at that time has not reached the level of authenticity as they were in our time.

2.11 Summary of the Chapter Two

The above chapter reviewed many issues related to historical background of Zamfara State and the geographical location of the area. It discussed on the verses of the Glorious Qur'an, guidance of the prophetic traditions and the divergent views of Scholars regarding various aspects of moon

sighting. The chapter further highlighted the position of Scholars concerning Astronomical calculations.

End Note to Chapter Two

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CHAPTER THREE
RESEARCH METHODOLOGY

3.0 Introduction

This chapter captures the methodology that would be used to realize the goal of this research. It therefore, entails research design, research population, sampling and sampling procedure method, instruments and approaches used in the collection of relevant data or information for this research.

3.1 Research Design

In this research, the researcher seeks to determine the various misconceptions and differences among people with regard to sighting the Moon of Ramadan in Zamfara State, especially issues regarding the commencement of the fasting of Ramadan and '*Id* prayers. On the other hand, it seeks to determine the divergent views of scholars regarding the sighting of the new Moon of Ramadan and the commencement of '*Id* prayers.

The instruments used for the collection of data for this research are interview, library sources and observation method. This interview is designed and used so as to cover the scope of the study. Three different interview sessions have been organised. The first phase contains ten (10) questions to cover the issue of Moon Sighting and the interview has been conducted with the Moon Sighting Committee Members of Zamfara State.

The second one is made up ten questions also, used to interview the scholars of various backgound and localities of the sampled areas designed for the study, in order to have their own responses on sighting the Moon of Ramadan.

The third interview questions are meant for the Traditional Rulers from the sampled areas of study, so that they may air their views on the relevant issues related to Moon Sighting in their emirates. This is with a view to knowing the problems existing under the emirates and that of the role of traditional rulers.

The above three sessions of interviews were designed to obtain divergent informations from the respondents. The researcher had officially imformed the prospective interviewees of various categories with letters before making a contact, this made them get prepared for the task ahead. The reason for this kind of arrangement is due to the right of the respondents . This is because some of them were very busy with time, particularly the Ministry for Religious Affairs officials, traditional rulers and some few scholars who may likely be very busy in educating the people morning and evening. The researcher also interviewed some literate Civil Servants and students in order to gather much relevant data required for the study. The researcher hoped that all the categories of the respondents would give their maximum co-operation in the course of this research.

3.2 Population

This refers to the total number of humans and all other things in their environment.[1] In other words, it refers to the entire universe under study. Population is not restricted to human beings only, but it covers the events, things and ideas as well. However, it is impossible to consider the whole population in a research, but only the relevant sample and subjects were taken and used.

The researcher used the following subjects or categoriy of people to derieve data for this research activity. The category of people includes: Ministry for Religious Affairs Officials, Members Moon of Sighting Committee, Civil Servants and students, religious scholars and traditional rulers.

This was done on the assumptions that, it might be the best way of obtaining data, that are and relevant to this research. It was very easy to obtain data from the respondents because local and accessible language (Hausa) was used, as a means of communication. Even when English language was used, it was kept very simple for the respondents to understand. This process yielded much data for the study.

3.3 Sample and Sampling Procedure

Sampling is fundamental to educational research. It is a specific portion or fraction of a population.[2] It is used to describe a procedure employed by the researcher to select subject to research the full population on the basis of equal chance.[3] The sampling procedure used by the researcher is quoterly sampling. This is a selection that usually gives right to each and every quoter its right of being selected to represent the population and statistical treatment. The researcher used this sampling procedure and gave each quoter its right for every zone of the population. The total of six (6) Local Governments quoterly selected from the fourteen (14) Local Governments in the State. The State has three (3) geopolitical zones i.e North-West zone, Central zone and the North-Southern zone, otherwise known as, K/Namoda zone, Gusau zone and Talatar Marfara zone. These Local Governments from which the sample will be drawn includes: Gusau Local Government, Kaura Namoda Local Government, Maru Local

Government, Shinkafi Local Government, Talata-Mafara Local Government and Tsafe Local Government.

In each of these Local Governments, a visit was made by the researcher to some religious scholars and other categories of the study where the researcher received some valid information relevant to the research study from same subjects. Interview was conducted with various respondents which gave the researcher an opportunity to get the vital information necessary for the research.

3.4 Research Instruments

The research instrument refers to the techniques used in data collection. The concept of data collection in any research study will not be beyond the qualitative and quantitative information collected from a body, group or individual about subject used in the conduct of research. The researcher used three different methods of data collection in order to achieve the aim and objective of the research. These instruments include: library work, interview and observation. The interview was conducted to various respondents from all the categories of the research subjects.

The interviews are designed in English language. This is why the researcher expects to find it easy since most of the categories of respondents are literate and were able to answer the questions, though some people among the *Ulama* lacked western education, their local language was used instead. The aim of this interview is to obtain a valid and relevant information for the study in relation to the problems of sighting the Moon of Ramadan in the State.

3.4.1 Interview

This is one of the data collection techniques that was used by the researcher to make the finding possible in this research work. Using observation and library sources would not be enough to gather the whole data required. The researcher therefore, considered interview as another technique to be used to source data. Hence, many interview sessions were conducted with various people among the literates of the sampled areas in order to obtain the level of information required in relation to sighting the new Moon of Ramadan and the commencement of '*Id* prayers. The personal interview has no doubt contributed immensely to the realization of the research objectives. The interview questions were already fashioned in simple language for quick understanding.

3.4.2 Library Sources

Many libraries were visited to check for relevant books, journals, articles and publications that are beneficial to this research. In the same vein, many internet cafe ware also visited so as to provide and obtain the relevant data in this field of study.

3.4.3 Observation Method

This is another instrument used to obtain direct information about an individual behavior, objects or situations. There are two different kinds of observations i.e participant and non-participant observation. Here, the researcher adopted a participant observation in order to be fully involved in this research process.

3.5 Method of Data Analysis

The research used tables of parcentage to analyse the data obtained from the respondents of various categories. Library method and use of tables of percentage is the easiest way of data analysis, related to this field of study.

Consequently, the use of library method and use of percentage in the data presentation and analysis enabled the researcher to analyze the different categories of responses by different respondents or sample of research work. This method also formulated the data and various points of the study, simply because it is the best way to present and analyzes the required responses.

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CHAPTER FOUR

PRESENTATION AND ANALYSIS OF DATA

4.0 Introduction

The data collected from the study samples for this research are presented and discussed in this chapter. The data gathered through interviews are supplemented by information gathered through libraries, internets and observations. The chapter therefore, discusses the categorization and characterization of respondents. The chapter also, presents the research findings from the research studies which contains tables and data presentations. Findings which are linked to the objectives of the study are clearly highlighted.

4.1 Distribution of Respondents by Local Governments and Ministry for Religions Affairs Officials.

The study samples were drawn from six Local Government Areas out of fourteen Local Government Areas including the Ministry for Religious Affairs Officials. They include both male and female respondents. Moon Sighting Committee, Scholars, Traditional Rulers, Civil Servants and Students. The table 4.1 shows the distribution of respondents by Local Governments and Ministry for Religious Affairs Officials.

Table 4.1 Distribution of Respondents by Local Government Areas and Ministry for Religious Affairs Officials.

S/N	Name of Local Governments and ZSMRAO	Number of Respondents Drawn	Percentage of the Total sample
1	Gusau	26	18.05
2	Kaura-Namoda	24	16.67
3	Maru	20	13.89
4	Shinkafi	25	17.36
5	Talata-Mafara	25	17.36
6	Tsafe	19	13.19
7	ZSMRAO	05	3.48
	Total	**144**	**100.0**

From the table above of 144 respondents Gusau produced up to 26 respondents or 18.05% of the total sample of study. This is followed by Shinkafi and Talata-Mafara with 25 respondents each or 17.36% each of the total sample respectively. Kaura- Namoda contributed with the 20 respondents or 13.19% of the total sample of study. Ministry for Religions Affairs officials produced the least respondents in the table above with 5 respondents or 3.48% of the total sample of study, this is largely due to limiting the interview to the rank of Directors and above.

4.1.1 Categorization of the Respondents

In all, categories of this research were classified into six (6). These are: Moon Sighting Committee, Ministry for Religions Officials, Islamic Scholars, Traditional Rulers, Civil Servants and Students.

Table 4.1.1 Categorization of the Respondents

S/N	Categorization of the Respondents	Number of Respondents Drawn	Percentage of the Total Sample
1	ZSMRAO	05	3.48
2	ZSMSC	06	4.17
3	Islamic- Scholars	48	33.33
4	Traditional Rulers	07	4.86
5	Civil Servants	41	28.47
6	Students	37	25.69
	Total	**144**	**100.0**

The table above shows that Islamic-Scholars consist of 48 respondents or 33.33% of the total sample of study, followed by the Civil Servants with the total number of 41 respondents or 28.47% of the total sample. Students of tertiary institutions within the State produced up to 37 respondents or 25.70 of the entire population of the sample. Traditional Rulers contributed with the 7 respondents i.e. 4.86% at least one from every Local Government sampled Areas of study while Zamfara State Moon Sighting Committee (ZSMSC) produced 6 respondents or 4.17% of

the total sample of study. Ministry for Religions Affairs Official (MRAO) produced the least contribution with the 5 respondents or 3.47% of the total sample.

4.3 Characterization of the Respondents

The respondents for this research are characterized by Sex, Age, and Educational qualification.

Table 4.3.1 Sex of the Respondents.

S/N	Sex of the Respondents	No. of Respondents Drawn	Percentage of the Total Sample
1	Male	122	84.72
2	Female	22	15.28
	Total		**100.0**

The Responses collected shows that the Male respondents of this research were made up 122 Male population i.e 84.72% of the total sample of study. While the female contributed with 22 respondents or 15.28% of the total sample of study. The number of female respondents were very little, this is because female respondents did not take part in most of the categories of the respondents, they only happened to fall among the Civil Servants and Students, even then, there were very few female compared to the number of male respondents. Another reason was that, some families are still reluctant in sending their daughters to both lower and high schools, as such women in this study did not reach even 20% of this study. Another point that led to the low response of women was that, there were no female Muslim scholars and traditional rulers, and usually they did not take part in the field activities like Moon Sighting Committee and others. In addition to that, many of them left schools and got married. Even those who finished their secondary schools got married before proceeding to tertiary institution. Again, most husbands did not care to allow their wives to further their education. With this poor educational attainmen women cannot participate in the matters of Moon Sighting, and most of them follow their

husbands in this respect. The majority of the female's respondents were students, and few of them were from the Civil Servants. More so, most of them prefer not take part especially in the field activities.

4.3.2 Age of the Respondents

Age is another part of the characters of the respondents for this research. it was noted that majority of the respondents fall between 30-39 years age brackets, while those of age bracket 40-49 years were the least of the respondents. The following table shows the age bracket of the respondents.

Table 4.3.2: Age Bracket of the Respondents.

S/N	Age Bracket of the Respondents	No. of Respondents Drawn	Percentage of the Total sample
1	20-29	32	22.22
2	30-39	50	34.72
3	40-49	24	16.68
4	50 and Above	38	26.38
	Total	**144**	**100.0**

The Table above indicates that 50 respondents or 34.72% of the total sample of study fall within the age bracket of 30-39 years, followed by those of 50 and above with 38 respondents or 26.38% of the total sample of study. This is because majority of scholars, traditional rulers, some ZSMSC members and some civil servants fall within this range, then, 20-29 which shows 32 respondents i.e 22.22% of the total sample of study. The least of this table are those between 40-49 with 24 respondents i.e 16.68% of the total sample of study. The high number of the respondents 30-39 years age bracket was largely due to the large number of Civil Servants and some Students, few Scholars also fall to be within this age bracket.

4.3.3 Educational background of the Respondents.

The data so far obtained from the respondents was from different Educational background of individual respondents. Since Islamic and Western Education spread in almost all the areas in Nigeria, it is not something to be surprise that all the respondents were found to be educated, although they differ in their qualifications, but they are all found to be relevant in their responses. The Educational qualification of the respondents were as shown below:

Table 4.3.3: Educational Qualification of the Respondents

S/N	Educational Qualification of the Respondents	Number of Respondents	Percentage of the Total sample
1	Masters Degree	22	15.28
2	Degree/HND	44	30.56
3	Dip/NCE	35	24.30
4	GR II/SSCE/NECO/HIS	27	18.75
5	Local Arabist	16	11.11
	Total	**144**	**100.0**

The table above shows that 44 respondents or 30.56% have Degree/HND, next to it was 35 respondents or 24.30% passed Diploma/NCE, and that 27 respondents or 18.75% possessed secondary education certificates, then followed by the 22 respondents or 15. 28% of the total sample have Masters Degree on various discipline including Islamic- studies. The least of the table shows 16 respondents or 11.11% of the total sample of study whom are Local Arabists largely from the category of Muslim scholars.

Table 4.4: Methods for the Determination of New Moon by the Respondents

S/N	Accepted Methods for the Determination of New Moon by Respondents	No. of Respondent	Percentage of the Total Sample
1	Sincerity of the eye witness should be confirmed	14	9.72
2	Every Districts, Town, Local Government and State should have trusted people to	08	5.56

	search the Moon monthly		
3	Youth should be involved for their strong sight	04	2.78
4	If the two just witnesses reported to have seen it	20	13.86
5	Completing thirty days if the sky is clondy	15	10.41
6	If the new Moon is sighted by many people	27	18.76
7	Using Modern Techniques	09	6.26
8	Using Local methods (i.e naked eyes sighting)	16	11.11
9	Using Astronomical Calculations	06	4.16
10	If the Crescent is sighted at a nearby distance	08	5.56
11	Using the guidance of texts (i.e Qur'an and sunnah	17	11.80
	Total	**144**	**100.0**

The Table above shows the various opinions of the respondents as a profer methods for the determination of the Crescent. Item 6 of the table shows a large number of 27 respondents or 18.76% of the total sample, followed by item 4 which constituted 20 respondents or 13.86 of the total sample. Item 11 shows 17 respondents or 11.80% of the total sample, then item 8 which shows 16 respondents or 11.11% of the total sample of study, followed by item 5 with 15 respondents or 10.41% of the total sample. Item 1 shows 14 respondents or 9.72% of the total sample of study followed by item 7 with 9 respondents or 6.26% of the total sample of study, item 2 and 15 produce 8 respondents or 5.56% of the total sample each. The last but not the least of the table was item 9 that contains only 6 respondents or 4.16% of the total sample of study. The least of the table was item 3with only 4 respondentsor 2.78% of the total sample of study.

Table 4.5: Problems that Happen More Frequently in the State Respondents

S/N	Problems that are More Frequently Happeening in the State by Respondents.	No. of Respondents	Percentage of the Total Sample
1	Absence of uniform commencement of fasting and '*Id* prayers in some areas.	38	28.35
2	Performing '*Id* prayer a day or two days after the body of *Jama'ah* in some areas.	35	24.30
3	Going to a nearby village, Town or neighboring state to observe '*Id* prayers in order to avoid Government's tention	10	6.94

4	Absconding totally from '*Id* prayer every year by some Muslims who fails to join the body of *Jama'ah*	21	14.59
5	Conflicts between spouses, blood relations, parents and children with regard to differences in the commencement of fast and '*Id* prayers	06	18.05
6	Observing 2 or more '*Id* in the same town or village	26	18.05
7	some *Ulamah* and their followers usually goes to '*Id* Grounds while they were fast in order to avoid challenges and accusation people	08	5.56
	Total	**144**	**100.0**

The above table indicated a high response from the people in item 1 which has 38 respondents or 26.39% of the total sample of study, followed by item 2 which constituted 35 respondents or 24. 30% of the total sample. Item 6 produced 26 respondents or 18.05% of the total sample, then item 4 which has 21 respondents or 14. 59% or the total respondents. Item 3 possessed 10 respondents or 6.94% of the total sample population of the study, item 7 also has 08 respondents or 5.56% of the total sample of study. The next of the table is item 5 which has only 06 respondents or 4.17% of the total sample of study. This is because some respondents did not want to reveal such conflicts between the spouses, blood relations or parents and children.

Table 4.6 Factors that Lead to the Misunderstandings, Diversity and Disagreements Among Muslims by Respondents.

S/N	Forces accepted to be the Sources of Division Among Muslims by the Respondents.	Number of Respondents	Percentage of the Total Sample
1	Ignorance and poverty	10	6.94
2	Blind fellowship and sectarian discrepancies	15	10.41
3	Tribalism and Regionalism	04	2.77
4	Hereditary factor and political influence	05	3.48
5	Poor understanding and interpretation of text (i.e. Qur'an and *Sunnah*)	12	8.33
6	Lack of sound knowledge of Arabic language	06	4.17
7	Greediness of some Islamic-scholars (love of wealth and position)	04	2.77
8	Fasting on the Day of '*Id al-Fitr*	05	3.48
9	Differences of Moon rising positions (*Matla'i*)	07	4.86
10	Poor Administration of Government	06	4.17
11	Absence of Uniform commencement of fasting and '*Id* prayers	12	8.33

12	Following the Local Mosque's Imams	06	4.17
13	Observing Two '*Ids* after one or two days in a same Town.	08	5.56
14	Insincerity of witnesses	06	4.17
15	Lack of proper continious counting of the new Moon to the end of it.	10	6.94
16	Non recoganision of sultanate by some people	05	3.48
17	The question that, why do we always fast 29 days and not complete thirty as in other countries.	06	4.17
18	The views that, why has it become a tradition to sight the Crescent on the first day of search.	06	4.17
19	The claims that it is possible or impossible to sight the Crescent in the morning and in the evening of same day.	06	4.17
20	Contradictory opinions among the Muslim Scholars	05	3.48
	Total	**144**	**100.0**

The above Table shows that item 2 produced the highest number of 15 respondents or 10.41% of the total sample of study. Item 5 and 11 contained 12 respondents or 8.33% of the total sample each, followed by item 1 and 15 with 10 respondents or 6.94% of the total sample each. Item 13 shows 8 respondents or 5.56% of the total sample of study. Item 9 indicates 7 respondents or 4.86% of the total sample, item 6,10,12,14,17,18, and 19 contributes with 6 respondents each or 4.17% of the total sample of study respectively. It was observed that, those who responded to item 17, 18 and 19 were Islahuddin Members who were of such opinions. The table further shows the item 4,8, 16 and 20 with 5 respondents each or 3.48% of the total sample respectively. The last and the least of this table were item 3 and 7 with 4 respondents each or 2.77% of the total sample of the study each.

Table 4.7: Negative Effects of Muslim's Division Regarding the Moon Sighting by Respondents.

S/N	Nagative Effects of Muslim Division by Respondents.	No. of Respondents	Percentage of Total Sample
1	Enmity and hatred among Muslims	38	26.39
2	Confusion, diversity and disunity	46	31.95
3	Lack of unity among Muslims	32	22.22
4	Weakening strength of the Muslim *Ummah*	28	19.44
	Total	**144**	**100.0**

The above table shows that item 2 produced the highest number of 46 respondents i.e 31.95% of the total sample of study. Item 1 contained 38 respondents i.e 26.39% of the total sample, followed by item 3 with 32 respondents i.e 22.22% of the total sample. The last of this table was item 4 with 28 respondents i.e 19.44% of the total sample of study.

Table 4.8: Ways to Solve these Problems by the Respondents.

S/N	Ways to Solve Problems by the Respondents.	Number of Respondents	Percentage of Total Sample
1	Public preaching to be sponsored by the Government and Muslim organizations	14	9.72
2	Government intervention and support	30	20.83
3	Educating people through Mass Media	21	14.59
4	Organising dialogues, confrences and seminars to enlighten Muslims from time to time	27	18.76
5	Existance of co-operation, peace, unity, sincerity and fearing Allah among the Muslims	37	25.69
6	Uniform monthly counting in all the media agencies	15	10.41
	Total	**144**	**100.0**

The above Table shows the opinions of the respondents on how to solve the existing problems. Item 5 shows 37 respondents or 25.69% of the total sample, followed by the item 2 with 30 respondents or 20.83% of the total sample of study. Item 4 indicates 27 respondents or 28.76% of the total sample, where item 3 contributed with 21 respondents or 14.59% of the total sample of study. In the item 15 respondents or 10.41% of the total sample of study have opined that uniform counting of moon by all the media agencies (i.e Radio, TV, Newspapers, Magazines e.t.c) will actually help in solving these problems and confusions. The least of this table was item 1 with 14 respondents or 9.72% of the total of sample study.

4.9 Number of Cases Gathered Regarding the Commencement of Fasting and *Eid* Prayers from the Local Government Sampled Areas.

In chapter three the researcher explained that six Local Government Areas were quoterly

selected as the sample Areas of this study (i.e Gusau, Kaura- Namoda, Maru, Shinkafi, Talata-Mafara and Tsafe). Many cases regarding the commencement of fasting and '*Id* prayers were discovered from the Local Government Sampled Areas. The following Tables Presented the various number of cases from each and every Local Government sample Areas of study as follows:

Table 4.9.1 Gusau Local Government Area Number of Cases Gathered by Respondents

S/N	Year	Town	Sects	Cases	Location	Comments
1	1996 and 1997	Gusau	Islahuddin	Commencement of fast and '*Id* Prayers.	At one of their scholar's house (name withheld) in Gusau. And 1997 at Gusau main 'Id Ground, but it was not successful and shifted to the ground of one of the adherent (name withheld).	Since before the year 1996 they used to observe their '*Id* prayers in house of one of their scholars secretly until 1997 when they came out openly and observed their '*Id* prayers and that some of them were detained
2	2004	Gusau	Islahuddin	Observance of '*Id aI Fitr* prayer after the body of *Jama'ah*	At *Karar Shanu* behind Government lodge, Gusau.	They finished their payer successfully.
3	2005	Gusau	Islahuddin	Observance of '*Id* al *Fitr* prayer after the body of *Jama'ah.*	At *Karar Shanu* behind Government lodge, Gusau.	They finished their payer successfully.
4	2006	Gusau	Islahuddin	Attempted to observe the '*Id al Fitr* prayer a day after the celebration of the body of *Jama'ah.*	At *Karar Shanu* behind Government lodge, Gusau. Under the Imanship of Malam Lawal Mareri Tudun-Wada.	They were not successful as the Mobile Police expelled them, some of them were captured and detained.
5	2007	Gusau	Islahuddin	They observed their '*Id al-Fitr* prayer a day or 2 days after the public celebration	They changed location from where they were expelled by the Police, and purchased their own permanent '*Id* Ground at Bye-pass way near Sarki Surajo Petroleum Station.	They successfully finished their '*Id* prayer.
6	2007	Rijiya village	Islahuddin	They observed the '*Id* prayer (*Fitr*) a day after *sallah* celebration.	Out side their town	They beated their District head in his attempt to stop them. Their case was reported to Gusau for disciplinary measures
7	2008	Gusau	Izala Jos	Refusal to make sacrifice with the majority of people, due to the clash of '*Id al-Adha* and *Arafat.*	Most of them at their houses and Areas	Most of them made their sacrifices a day after the '*Id al-Adha* although they prayed with people.
8	2009	Gusau	Islahuddin	Observance of '*Id al-Fitr* prayer	At Bye-pass way, near Sarki Surajo Petroleum Station.	They have done it successfully.

Table 4.9.2: Kaura-Namoda Local-Government Area Number of cases Gathered by Respondents.

S/N	Year	Town	Sects	Cases	Location	Comments
1	1999/2000	K/Namoda	Islahuddin and Qadiriyyah	Commencement of fast and '*Id* prayer performed 2 days after the body of *Jama'ah.*	Farin Dutse near Kwata K/Namoda.	The '*Id fitr* prayer was observed successfully.
2		Kyambarawa	Islahuddin	*'Id al-Fitr* prayer performed 2 day after the body of *Jama'ah.*	Un-specified	About 30% of the whole Town are members of Islahuddin.
3		Dolen-Kaura	Islahuddin	Observance of '*Id* prayers every year.	Same '*Id* Ground	50% of the town used to participate the Islahuddin '*Id* prayer every year to date
4		Sabon-Gida (unguwar Sarkin Muslim).	Islahuddin	*'Id al-Fitr* performed 2 days after the *Jama'ah*	Town '*Id* ground	There are about 75% of Islahuddin members in the town those who are not part of then used to go to K/Namoda to pray with *Jama'ah* to date
5		Magami	Islahaddin	Refusal to commence fast with the body of *Jama'ah*	Un-specified	25% of them did not used to pray *Eids* with *Jama'ah*
6	2004/2005	Bela	Islahuddin	*'Id al-fitr* observed 2 days after the body of *Jama'ah*	Out side Bela town	90% of the people of theTown follow the idea of Islahuddin.
7		Kurya Madaro	Islahuddin	*'Id al-Fitr* observed 2 days after the body of *Jama'ah*	Out-side Kurya town	Most of them made their sacrifices a day after the '*Id al-Adha* although they pray with people.
8		Dolen-Kaura	Islahaddin	*'Id al-Fitr* observed 2 days after the body of *Jama'ah*	At their own *Eid* ground	They divided their town's Mosque of *Juma'at* prayer into 2 one for them and the other for the people, the Gov't built another one in order to settle the dispute in the town.
9	2005/2006	K/Namoda	Majority of them were from Qadiriyyah sufi order	They observed '*Id al-Fitr* prayer 2 days after the *Eid* of *Jama'ah*	At *Farin Dutsi* near Kwata K/Namada	They were attacked by the Mobile Police and many of them were imprisoned for 2 years.
10	2006/2007	K/Namada	Qadiriyyah and Izala	Comflict between Izala and Qadiaryyah sufi order ensured	At K/Namada *Juma'at* Mosque near Emir's palace	The comflict resulted in the Police intervention and a 20 yrs old person was killed by the Police in their attempt to keep peace

						which soared the matter again .
11	2007/2008	K/Namoda	Qadiriyyah and Islahudidn and some neutral people	Observance of '*Id al-Adha* prayer at K/Namoda	at K/Namoda town	They observed their 'Id prayer privately. This is as a result of clash between *Arafat* day and the '*Id al-Adha* prayer in Nigeria.
12	2008/2009	K/Namoda	Shi'ites, some Tijjaniyyah and few Neutral people.	They commenced their Fast earlier than the people and rejected the *Ikmal* of thirty days announced by the sultanate as they claimed to have sighted the new Moon	K/Namoda	They claimed to have seen the new Moon, they therefore, commenced Fast a day earlier than the others but they prayed '*Id* with Jama'ah other areas that, there is no uniform commencement of Fast and '*Id* prayers every year in K/Namoda L.G includes: Dolen Kaura, Gidan Ajinna, Magizawa and Unguwar Sarkin Musulmi

Table 4.9.3: Maru Local Government Area Number of case Gathered by the Respondents

S/N	Year	Town	Sects	Cases	Location	Comments
1	(2000)	Gwammanan	Islahuddin	They observed their *'Id* prayer personally	At Gwammanan	Late Mal Yusuf was their scholar, their case was reported to the Emir of Maru who sat with them and ressolved their case
2		Dibgawa	Islahuddin	They observed their *Eid* prayers almost every year after the body of *Jama'ah*	At Dibgawa	Their case was so serious, because almost all the people of the town used to commence their fasting and '*Id* prayers after the body of *Jama'ah* every year, either due to ignorance or due to *Taqlid*.
3		Ceboji	Islahuddin	They ceased to observe *Eid* since (2000).		They didn't use to observe '*Id* prayers since (2000) when the gov't detected them from doing it privately. Those who follow the body of *Jama'ah* come to Maru to observe their '*Id* prayers
4	2006	Ruwan Dorowa	Islahuddin	They attempted to observe their *'Id al-Fitr* prayer but failed	At Ruwan-Dorowa	An attempt was made by the Islahuddin to observe their private *'Id* prayer, but Police dispersed them, and those who were involved in this case were reported to Maru Emirate where the matter was solved.
5	2008	Arafa	Izala (Jos)	Refusal to make sacrifice on the day of '*Id al-Adha*	At Arafa	They observed the '*Id al-Adha* prayer with people, but they refused to make sacrifice, both the Imam and District head were involved. Their case was reported to the

	Maru Emirate council, and that they were suspended and their salary was stopped for three (3) months.

Table 4.9.4: Shinkafi Local Government Area Number of Cases Gathered by Respondents

S/N	Year	Town	Sects	Cases	Location	Comments
1	2003	Galadi	Islahuddin	Observance of '*Id al-fitr* prayer 2 days after the body of *Jama'ah*. They also attempt it every year.	At Galadi town	Their case was reported to court, many of them were detained and lost much of their cattles in order to free themselves
2	2006	Shinkafi	Islahuddin	Observance of '*Id al-Fitr* prayer 2 days after	At Shinkafi 1st '*Id* ground	Their number was very small, that is why people did not notice them, they have done it and dispersed immediately.
3		Binin-Yero	Islahuddin	Attempted to observe their private '*Id Fitr* prayer, but Failed	At Birnin Yero	They were dispersed by the people and the then District head.
4		Kware	Islahuddin	They observed their '*Id al-Fitr* prayer	Very closed to Maniya village	Their case was reported to the Emir of Shinkafi, the Emir invited the Council of *Ulama* and discussed the matter with the culprits which was later settled.
5	2006	Mashema and Tungar Kolo	Islahaddin	They observed '*Id al-Fitr* prayer	At Tungar Kolo	Their case was reported to the Emir of Shinkafi who resolve it.
6	2006	Dolen-Moriki	Islahuddin	They gathered to observe *Eid* prayer but the Police dispersed them	At Dolen-Moriki	Some among them were imprisoned for at least a year
7	2008	Galadi	Islahuddin	The whole area of Galadi and its villages did not commence fast with the people	Galadi and it is environments	No attempt to observe their private '*Id aI-Fitr* prayer due to Government's measures.
8	2008	Tubali	Islahuddin	They attempted to observe the '*Id al-Fitr* prayer but failed	At Tubali Town	The Police dispersed their assembly
9	2009	Shinkafi	Neutral	The case of Animals sacrifice with people due to the clash of '*Id al-Adha* and Arafat day	At Tashar-Ekoki, Shinkafi	They deposed their local Mosque's Imam for not making sacrifice with people on the day of *Adha*

Table 4.9.5: Talatar-Mafara Local Government Area Number of Cases Gathered by the Respondents

S/N	Year	Town	Sects	Cases	Location	Comments
1	2001-2009	Talatar-Mafara	Islahuddin	Observance of '*Id* prayers every year after the body of *Jama'ah* from 2000-2009	Behind Abdu Gusau Polytechnic along Sauna way, Talata-Mafara	One of the adherents of Islahuddin organization donated his farm to be their *Eid* ground at Talata-Mafara. Malam Naziru is their Imam.
2	2000-2009	Ruwan-Bore	Islahuddin	Observance of '*Id* prayers every year. In 2008 (1429 A.H) they did not do it at Ruwan-Bore village due to government measures in 2007.	Ruwan-Bore village	In the year (2002) conflict erupted where the Emir of Mafara arrested those involved and handed them over to the Police for further investigation. Malam Ahmad is their Imam.
3	2000-2009	Gilmamma	Islahuddin	*'Id* prayers every year	At Gilmamma village	Mal. Sanusi leads them in '*Id* prayers every year
4	2000-2009	Gora-Daji	Islahuddin	Commencement of fasting and '*Id* prayers after prayers of the body of Jama'ah.	At Gora-Daji village	Interview reveals that the advent of one Malam Isah Mai-Almajirai influenced more people to change their opinion and follow the Islahuddin, and Malam Muhammadu is already their Imam of '*Id* prayers
5	1998-2009	Matusgi	Islahuddin	Fasting and *Eid* prayers after the body of *Jama'ah*	At Matusgi	Malam Ibrahim Matusgi is their Imam
6	1999-2009	Dankalgo	Islahuddin	Observance of *Eid* prayers every year after the body of *Jama'ah*.	At Dankalgo village	Interview discovered that this situation has existed for more than 20 year s.
7	1999-2009	Dankabalin-Fulani	Neutral	Fasting and *Eid* prayers after the body of *Jama'ah*.	At Dankabalin Fulani.	Majority of them were Fulani, they hardly pray '*Ids* and fast with the people. This is existing for more than 20 years.
8	1999-2000	Tsanu	Islahuddin	Problem of the commencement of fasting after a day or 2 days commenced by the body of *Jama'ah*	At Tsanu village	They do not observe '*Id* prayers presently or after the body of *Jama'ah* due to some measures in the area.
9	2006-2009	Tsaune	Islahuddin	Commencements of fasting and '*Id* prayers	At Tsaune village.	They started this idea 3 years back and began to observe

						their own '*Id* prayers
10	1999-2009	'Yangu	Islahuddin	Observance of fasting and '*Id* prayers	At 'Yangu village	They used to observe their own '*Id* prayers every year for more than 25 years.
11	2008	Kagara	Islahuddin	They attempted to observe the '*Id al-Adha* prayer but failed.	At Kagara	They attempted to observe '*Id al-Adha* in (2008) but failed as a result of the District Head intervention. They therefore, headed to Jangebe town under the leadership of Mal. Bello Isah and Mal. Saminu Lawal and offered their prayer at Jangebe.
12	2008	Jangebe	Islahuddin	*Eid al-Adha* prayer at Jangebe Town	At Jangebe Town	They observed their '*Id al-Adha* prayer in (2008) at Jangebe successfully, where some towns around them like Kagara gathered together prayed.
13	1999-2009	Inwala and Gidan-Nagajira	Islahuddin	Lack of uniform commencement of fasting	At Inwala and Gidan-Nagajira.	This areas never commenced fast with the body of *Jama'ah*, but no attempt to observe '*Id* prayers as their number is small.

Table 4.9.6: Tsafe Local Government Area Number of Cases Gathered by the Respondents

S/N	Year	Town	Sects	Cases	Location	Comments
1	2000	Tsafe	Nil	An individual person sighted the Moon at Tsafe	Out-side town in the bush	The then Emir of Tsafe invited the ZSMSC to investigate the claimant, Mal. Nasiru Inwa Mai-Kanwa asked the claimant to swear by Allah if he sighted the Moon, but the late Emir said that the claimant will not swear by Allah, when the claimant was asked to produce his witness he brought his friend as his witnesses where some members of the committee rejected his witnesses while others among them accepted them. It was discovered that those who rejected it were members of the committee representing the Islahuddin organization.
2	2005	Tsafe	Nil	Many people saw the Moon in the town and out-side it.	Tsafe areas like of 'Yaryara	People came-out to look for it on the mountains, Emir's palace and various areas where it was seen at Yar-yara area, and report was prepared by the committee to Sultanate.
3	1999-2009	Bilbis, Kizara, Wanzamai and others.	Islahuddin	Commencement of fasting and Eid prayers	'Yankara	These villages in Tsafe used to go to 'Yankara, a nearby town in Katsina State to join the people of Islahuddin for their observance of their own *Eid* prayers. This is because the late Emir Alhaji Aliyu 'Yandonton Tsafe took a very serious measures against them.

Table 4.9.7: Summary of All the Cases Gathered from the Local Government Sample Areas by the Respondents

S/N	Local Government sampled Areas	No. of Cases by Respondents	Percentage of the Total Cases
1	Gusau	08	16
2	Kaura-Namoda	12	24
3	Maru	05	10
4	Shinkafi	09	18
5	Talata-Mafara	13	26
6	Tsafe	03	06
	Total	**50**	**100.0**

The table above shows that Talata-Mafara Local Government has the highest number of cases related to Moon Sighting especially issues regarding the commencement of fasting and *Eid* prayers with 13 cases or 26% of the total cases. This is because in Talatar-Mafara Local Government, Islahuddin Organization established themselves and spread in almost all the villages in the Area followed by Kaura-Namoda with 12 cases or 24% of the total cases, this is largely due to the combination of Islahuddin and Qadiriyah Sufi Order in the area. Shinkafi Local Government has 18% of the total cases. It is followed by Gusau Local Government with 8 cases or 16% of the total cases, this is because most of the cases are happening in the town of Gusau. Maru Local Government has 5 or 10% of the total cases. The least of all the Local Governments is Tsafe which has only 3 or 6% of the total cases, this might not be unconnected with the measures taken by the late Emir of Tsafe Alhaji Aliyu 'Yadoton Tsafe who control the situation during his life time, although some people do go to the neighbouring towns in Katsina State to observe their '*Id* prayers.

4.10 Efforts of the Zamfara State Government Regarding the Moon sighting by respondents

1. The Government sets a Committee of Moon Sighting in order to handle the matters that relate to Moon Sighting in the State, this comprises majority of sects existing in the State.
2. It provided an office located at Ministry for Religious Affairs Gusau, and provided facilities such as Peugeot 406 and other related equipments for the Moon Sighting Committee.
3. It further sets the local sub-committees in every Local Government in the State who in turn may present the report to the State Committee.
4. The Government monitores the activities of local sub-committees with the view to ensuring effective supervision of the Moon Sighting affairs State wide.
5. The Government usually sends a delegates to Sultanate with the list of verified witnesses who sighted the new Moon for information and testifications.
6. The State Government sponsors annual lectures usually organized by the Moon Sighting Committee from the year 2006 to date, inviting scholars from various Nigerian Universities to deliver lecture.
7. It pays allowances to the State Moon Sighting Committee Members monthly.
8. It is responsible for all the ZSMSC charges such as fueling the vehicles, payment of conferences fees e.t.c.
9. It provides legal verdict for those who offer *Eid* prayers after the body of *Jama'ah* of six months imprisonment and fine of N5000 without option.

4.11 The Role of Traditional Rulers in Relation to Moon Sighting in Zamfara State

1. Emirate Councils serve as a centre of verifying the claims of eye witnesses.
2. They work hand-in-hand with the scholars and other community members.
3. The traditional rulers can suspend or terminate the salary of any District Head or Imam who happens to take part or bring confusion in the society.

4.12 The Role of Islamic Scholars Regarding the Moon Sighting

1. They offer public preaching through media agencies on the issues related to Moon sighting and many other issues.
2. Some of the scholars serve as Moon Sighting Committee Members in the State and Local levels.
3. Presentation of papers, attending seminars and conferences within and outside the State.

4.13 The Formation of Moon Sighting Committee in Zamfara State

Following the creation of Zamfara State on 1st 1996, many religious development were noticed. In 1997 the then military governor discovered the existence of some people called *Islahuddin* who happened to observed their *Eid* prayer after the body of *Jama'ah* in the State. Some of them were captured and detained. The first civilian Governor, Alhaji Ahmad Sani Yariman Bakura noticed such developments in the year 1999. In the year 2000 after the implementation of *Shari'ah* in the State, Moon Sighting Committee was formed under the Chairmanship of Alhaji Sani Khalifa Kaura-Namoda in order to avoid diversity, confusion, misunderstanding , disagreement and provide lasting solutions to the Muslims problems on the issues related to Moon sighting. Few years later the Chairmanship of the Committee was given to Malam Bello

Dan-Malam Gusau and Badamasi Muhammad Dodo as his Secretary.

4.13.1 The Number of ZSMSC Members by the Respondents

Zamfara State Moon Sighting Committee consists of 16 members that involves the following sects in the state:

Table 4.13.1: Number of ZSMSC Members by Respondents

S/N	Name of sects and government respondents	No. of Representatives	Percentage %
1	Government Representatives	4	25.0
2	Qadiriyyah Sufi Order	2	12.5
3	Tijjaniyah Sufi Order	2	12.5
4	Islahuddin	2	12.5
5	JIBWIS Kaduna	2	12.5
6	Neutral	2	12.5
7	JIBWIS (Jos)	1	6.25
8	Salafiyyah	1	6.25
	Total	**16**	**100.0**

The above table shows that, the Government representatives constitutes a large representation with 4 members or 25% of the total numbers, followed by Qadiriyyah, Tijjaniyah, Islahuddin, Izala (Kaduna) and Neutrals with 2 representatives or 12.5% of the total number each. Izala (Jos) and Salafiyyah shows the least representation of 1 member each or 6.25% respectively.

4.13.2 Activities of the Moon Sighting Committees by Respondents

1. The ZSMSC used to organize lectures every year from 2006 to Date, inviting scholars from universities and other tertiary institutions. The following table shows some of their activities annually.

Table 4.13.2: The Annual Activities of ZSMSC

S/N	Year	Invited Scholars and others	Location
1	2006	Hafiz Suleman Wali	Gusau
2	2007	Locally organized	Gusau
3	2008	Professor Aliyu Muhammad Bunza	Gusau
4	2009	A.B.U Moon Sighting Conference	Zaria

2. Publicizing the information that relate to Moon Sighting to various organizations, medias and those who consult them in order to have valid informations.
3. Going-out monthly to search for the new Moon at some locations in the State.
4. Visiting the other States for the confirmation of claims.
5. Organizing monthly meetings and other meetings for the matters arising from local levels and other issues related to Moon sighting.
6. Verifying the individual persons who claimed to have sighted the new Moon through interview.
7. ZSMSC used to host people who occasionally visited them from Northern and Southern States of Nigeria such as Ilorin, Lagos, etc. for dialogue during the month of Ramadan, Shawwal or Zhul-Qadah.

4.13.3 Challenges Facing the ZSMSC by Respondents

1. Absence of Moon sighting reports nation wide as no State report the sighting of any month other than Sha'ban, Ramadan and Shawwal.
2. Lack of enough finance from the Government.
3. Lack of allowances to Local sub-committees State wide.
4. Lack of modern Instruments to confirm the new Moon e.g. optical glasses, zoom glasses, lens and e.t.c.
5. Lack of uniform counting of month by the media houses. Source: (Badamasi

2007)

4.14 Major Findings

1. Many Muslims considered the diversity, misunderstanding, disagreements and confusion as a major problem facing Islam and Muslims. This is because majority of people believed that such causes enmity and hatred and among Muslims.
2. Muslim *Ummah* accepted that socio-economic and political factors are the results of this existing problems. This is because most of the *Ulamah*, traditional rulers and Civil Servants heavily relied on the Government which is now characterized by politics.
3. The research showed total of fitty (50) cases from the sampled areas of study. This showed the extent of division regarding the commencement of fasting and '*Id* preyers among the Muslims in Zamfara state.
4. The research found the impact of Moon Sighting Committee to the Muslim *Ummah* in the State, especially on the issue of Moon Sighting in the month of Sha'ban, Ramadan, Shawwal and Dhul-Hijjah. This is because many people do resort to the committee for comfirmation of crescent sighting.
5. The study also found that, majority of those who refused to commence fast and *Eid* prayers with the main body of the Muslims are Islahuddin organisation, Qadiriyyah Sufi Order and some few among the neutral Muslims.
6. The research revealed the effort of government in providing the Moon sighting committee, committee's office located at ZSMRA, Vehicles, equipments and allowances among the others.
7. The findings of the research outlined the role of traditional rulers, their palaces serves

as centres for verifying the claimants of crescent. On the other hand, the traditional rulers used to solve or treat some cases that are reported to them where possible.

8. The reaseach further identified the role of Muslim scholars in public enlightment and preaching through media agencies and other means of communication. The result of the reaseach further outlined that, majority of those involved in the moon sighting committee were scholars representing various sects, although few of the committee members seem to be government's representatives.

4.9 Summary of the Chapter

In this chapter, the data gathered from the interview responses of the Local Governments sampled areas are presented and analysed. Tables of percentage are used and major findings of the study are discussed.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

5.0. Introduction

The research was undertaken in order to find out and assess the problem of sighting the Crescent of Ramadan in Zamfara State. This chapter being the concluding part of this research, vital issues were discussed in summary form. It is also aimed at concluding the whole work, recommendations on how to curve the existing problem in the State, are also identified. This chapter in it's recommendation further clarified the solution to the problems if the Government, scholars, traditional rulers, Moon Sighting Committee, and Ministry officials put them into consideration. The chapter further suggested ways for further researches. Field problems and limitation experienced by the researcher are also highlighted.

5.1 Field Problems and Limitation

Although most of the respondents of this research co-operated a great deal, there is a number of problems encountered most especially in the conduct of interviews. One of these problems was the non-challant attitude of some of the respondents who adopted a "come-today-come-tomorrow" policy when ever an attempt was made to interview them. This is largely responsible for why the researcher delayed much in the process of data collection. And in the process a lot of time and money were wasted in travelling.

And again, most of the respondents did not hit the nail on the head, instead they narrated other pieces of story and information some of which were not relevant to this field of study. Although attempts were made to let them go straight to the point, most of them especially scholars feel the interview was an opportunity for them to air their views on this issue related to Moon Sighting, some praise the Government while others criticized it. Although the researcher was very cautious

in taking down the relevant responses, this negative behavior extended to the time of the completion of this work.

Another problem encountered with regard to interview was the issue of "appointment and re-appointment". Most of the respondents particularly scholars, traditional rulers and Government officials could not be interviewed on the spot. Majority of them gave appointment and in some cases they could not be founded. This call for several repeated visits to some of them before the interview could hold. This has also delayed the process of interview and consequently the analysis.

Further still, some of the respondents mostly Government officials refused to answer some questions that required details, especially when the question ought to confirm a negative from Government side. This is mainly due to the fear of being quoted. Although assurance was given to them, they kept away from answering such questions. Yet some of them answered but decided not to express anything against the government policies. The need for transportation in research like this one can never be underestimated. It is noted that to enable the researcher travel to all Local Governments of the sample study transportation was necessary. There was also need for the local running of interview because most of the respondents spread in the various parts even though in the same area.

Although some friends and colleagues assisted much, but still a lot have been wasted.

Another problem is that some respondents feared that the researcher was a government's agent, they therefore feared to respond negatively. And again, some respondents expected that the

researcher will give them something after the interview while others refused to respond without any entertainment which cost more and expanded the spending.

Another problem is that of internet visitations by the researcher from time to time which is usually crowded and too slow to reveal the required information and the printing of relevant and related materials are all financially heavy which is not at the disposal of the researcher. The problem of typing and re-typing due to our corrupted modern system is also one of the major problems faced by the researcher. This work was typed, re-typed and scanned for about three to four times.

5.2. Summary of the Study

This research is carried out in order to find out the problem of Sighting the Crescent Moon of Ramadan in Zamfara State. The study also intended to encourage the Government of Zamfara State, Ministry for Religious Affairs and Zamfara State Moon Sighting Committee to provide a solution to these problems for a better unity among the people of the State.

5.3 Conclusion of the Study

In conclusion, Islamic law is the only means through which all Muslims throughout the world could foster unity. Al-Qur'an and Ahadith of the Prophet (SAW) are the main sources of Muslim's practices to depend on, going beyond them tantamount to satanic practices. In considering the various facts advanced in this research, particularly in the litreture review and the result of our research findings one can deduce that, the whole problem emanated from sheer misconception of facts, misapplication of authorities and deviation from the actual practices of the Prophet (SAW) and his righteous companions. It was also discovered that ignorance,

personal prejudice, poor interpretation of text on some controvertial issues on the Moon sighting made some Muslims to develop certain heretic views which consequently led to the division of the Muslim community.

However, it has to be understood that, the Islamic preachers, scholars and the *Da'awa* organizations today centred themselves in promoting their *Aqida* instead of enlighting and educating people on the true interpretations of some controvertial issues. Contradictory opinions of scholars regarding the commencement of fasting and '*Id* prayers is also one of the major problem that soared the matter among the Muslims. The researcher discovered that, most of those who denied the Astronomical Calculations were primitive scholars. This is because most of them could not deffrenciate between approved Astronomy and the condemned Astrology, they therefore condemned all of them.

Futher still, different methods and approches for the determination of new Moon ranging from local method to modern scientific approaches is also one of the debating area world wide. It was also discovered that, most of those who advanced the argument to depend on the naked eye sighting by one or two witnesses, or by *Tawatur* or *Ikmal* in the case of cloudy conditions as the only sources to determine the new Moon, have the majority respondents than those who believe Astronomical Calculations and modern techniques to discover the Crescent.

Finally, in order to achieve unity, integration, peaceful co-existance among the Muslims it has become necessary to adhere to the precepts of Islamic law. This is because, it will be a remedy for all kinds of misunderstanding, among the Muslims. It is also through this that we can have integrated Islamic society with one leader that will be speaking of the Nigerian Muslims.

5.4 Recommendations

The researcher recommended the followings:

1. The Government should organize a dialogue,orientation programmes, public preaching, conferences and seminars in both urban and rural areas concerning the Moon Sighting through using Medias and other means of orientation. This might ensure co-operation, peace and unity among all Muslims in the State.
2. The Government should provide the modern tools used to discover the new Moon, such as zoom-lens glasses, telescope, eyeglass and e.t.c., in order to ease the hardship and tensions among people and use where necessary.
3. The Government should involve more youth for their strong sight in the Moon Sighting Committee as majority members of the committee were too old and may lack strong sight.
4. The Government should encourage and assist the people to go in search for Knowledge, for it was observed that those who blindly follow some Scholars was undoubtedly, due to ignorance.
5. A well spelt criteria of sighting the new Moon of Ramadan and condition for accepting and verifying the claims of witnesses should be provided by the Government and be implemented by the Moon Sighting Committee.
6. The Government should make the calenders as a guide to people, but it should not

be binding upon them, this is because theoretically and scientifically it can not be ascertain which month is 29 or 30 days.

7. Further more, the researcher suggested that Government should sponsor a research on the method of determining the Crescent to be used by both rural and urban people, and why Islahuddeen Organization refused to commence fast and the '*Id* prayers with the body of *Jama'ah*. More research on how to effect unity among the Muslim and other related field should be employed.
8. The Moon Sighting Committee should confirm the sources of information and its validity through investigation and interviews of those who claimed to have sighted the Moon before broadcasting it for public consumption, and that they should use Radio and T.V station to show the live interviews.
9. The Muslim scholars should teach people methods to determine the Crescent, it's location and proper positioning. They should also fear Allah and stand by the truth even if it against their opinion and Government policies.
10. *Fatawa* (religious verdict) should not be made without the consent of the Council of *Ulamah.* This may actually help to reduce the existing problems. Islamic Scholars should avoid confussing people with their divergent views on some matters related to Moon sighting, and should not resist learning modern ways of confirming the new Moon.
11. The council of Muslim Scholars should screen all the Islamic calenders before allowing them to circulate in order to ascertain the correctness of dates. They should embark on Da'awa programmes based on the teachings of the Qur'an and *Sunnah*, standard and universal method for the proper determination of Crescent should also be provided.

12. The Muslims should be active and avoid sluggishness in the matters of religion and Moon Sighting in particular. They should hold the rope of Allah altogether and not diverge.
13. The Traditional rulers who are well versed in Islam should actively participate in conferences and public meetings. They should take action to solve some common cases in their areas, before it is worsen, and it should be reported earlier to the state or police when the case is beyond their power.
14. Sources of *Shari'ah* should be used to solve problems related to commencement of fasting and '*Id* prayers, this should involve Sultanate, Supreme Council of *Ulama* and Judiciary. Sultanate in collaboration with the Government should implore all States and Local Government to set-up a committee with its members ranging from urban to rural areas, so as to ease the difficulty of the new Moon determination.
15. The informations related toMoon sighting should be given earlier to to the public avoid comfussion. Sources of imformations should be documented for further investigation and references. The Sultanate should not follow the Saudi Arabia's Moon sighting, since every region has right to follow their own sighting.
16. Proper transparency of information to the public should be emplothe governmental and non governmental Media houses. The Mass Media should ensure a proper counting of the days of Moon from the beginning to the end especially the media such as T.V, Radio, Newspapers and Magazines, as they sometime reports differently, which usually lead to confusion among the people.

5.5 Suggestion for Further Researches

This research “An Assessment on the Problem of Sighting the Crescent of Ramadan in Zamfara State” only looked at the area of problems that are frequently happening in the state, and that it didn’t cover all aspects related to Moon Sighting. Therefore, the researcher here could not be able to cover all, due to the time factor of the study programme, financial constrains and the work has to be limited to research subject used and that going beyond the scope of this research is actually beyond the ability of the researcher.

The researcher here suggested to the Governmental Organizations and the Academicians alike within the state, to embark on this field of study for further researches. The State Government also should sponsor the intellectual people to search more on this topic in each and every Local Government area in the state. This will no doubt help in discovering problems that may help the Government to curve it and promote unity among the Muslims in the state.

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APPENDEX 'A'

List of Informants

1. Alhaji Sani Maccido Maradun 50yrs, Ministry Official.
2. Aminu Umar 25yrs Student, C.O.E Maru.
3. Amina Muhammad Abdullahi 18yrs student, ZACAS Gusau.
4. Abdul-Razaq Mustapha Maru 30yrs Student, C.O.E Maru
5. Aliyu Muhammad Kagara 35yrs Civil servant, Talata Mafara.
6. Aliyu Yusuf 35yrs civil servant, Tsafe.
7. Alh. Bature Muhammad Yusuf 50yrs civil servant, Shinkafi.
8. Aliyu Ayuba 36yrs Civil servant, Shinkafi.
9. Alh. Bello Anfanin Sani 43yrs, Shinkafi Emirate Council.
10. Alh. Yakubu Ibrahim Na'umma, Secretary Maru Emirate Council.
11. Alh. Mukhtar Gusau 68yrs, Former National Chairman Islahuddeen.
12. Badamasi Muhammad Dodo 43yrs, Secretary Moon Sighting Committee.
13. Bashiru Adamu 37yrs, Civil servant Shinkafi.
14. Gali Adamu 35yrs, Student C.O.E Sokoto, Shinkafi.
15. Hassan Labbo 24yrs, Student C.O.E Maru, Kauran Namoda.
16. Ibrahim Muhammad 35yrs, Civil servant Shinkafi.
17. Isah Ibrahim 25yrs, Student Talata Mafara.
18. Kabiru Abdulrazaq 28yrs, Student C.O.E Maru.
19. Lawali Salihu Shinkafi 27yrs, Student ZACAS Gusau.
20. Malam, Labaran Abubakar Shinkafi 58yrs, Scholar Shinkafi.
21. Malam. Muhammad Nafaru 60yrs, Scholar Shinkafi.
22. Malam Mamman Dan-Ayya 77yrs, Scholar Shinkafi.
23. Malam Kasimu Shehu 38yrs, Scholar Shinkafi.
24. Malam Surajo Yakubu 37yrs, Scholar Shinkafi.
25. Malam Nasiru Inuwa Maikanwa 60yrs, Chaiman Islahuddeen Gusau.
26. Malam Najibullahi Yusuf 40yrs, Scholar Gusau.
27. Malam Ishak Wadatau 62yrs, Scholar Gusau.
28. Malam Bawa Muhammad Dan Bako 50yrs, Scholar Maru.
29. Malan Khalid Al-Hassan 55yrs, Scholar Gusau.

30. Malam Idris Aliyu Kauran-Namoda 62yrs, Scholar Kaura-Namoda.
31. Muhammad Ahmad Shinkafi 48yrs, Ministry official.
32. Muhammad Nasiru Haruna Gusau 36yrs, Student C.O.E. Maru.
33. Nasiru S. Pawa Mafara 38yrs, Civil servant Talata Mafara.
34. Rilwan Abubakar Ladan 39yrs, Scholar Kurya Madaro.
35. Sufiyhanu Mustapha 32yrs, Civil servant, Talata Mafara.
36. Saliha Aliyu Tsafe 22yrs, Student C.O.E Maru.
37. Salisu Yakubu 46yrs, Scholar Talata Mafara.
38. Sanusi Sama'ila 25yrs, Student C.O.E. Maru.
39. Tijjani A. Sani 36yrs, Civil servant Zurmi.
40. Umar Mudi Tsafe 37yrs, Tsafe Emirate council.
41. Umar Ibrahim Maru 31yrs, Student C.O.E. Maru.
42. Muh'd Salisu Ibrahim 51yrs, Civil Servant, Gusau.
43. Mustafa Alkali 35yrs, Civil Servant, Talatar Mafara.
44. Malam Naziru Mafara 55yrs, Scholar, Talatar Mafara.
45. Abbas Sani Dahiru 31yrs, Civil Servant, Gusau.
46. Abdullahi Haruna 34yrs, Civil Servant, Gusau.
47. Musa Umar Tijjani 37yrs, Civil Servant, Talatar Mafara.
48. Malam Musa Umar 53yrs, Civil Servant, Gusau.
49. Ibrahim Hamisu Maru 33yrs, Civil Servant, Gusau.
50. Lawal Musa Kagara 40yrs, Civil Servant, Talatar Mafara.
51. Salisu Dalhatu 35yrs, Civil Servant, Gusau.

APPENDIX 'B'

INTERVIEW QUESTIONS ON MOON SIGHTING COMMITTEE IN ZAMFARA STATE.

1. What is the administratve proceedure of your Committee?
2. What are the roles played by your Committee to ensure the effective detremination of the new Moon?
3. What are the work of the Committee (i.e. present and the past?)
4. What are the challenges facing the Committee?
5. Is there any relation between the committee and the other State's Committee or any other related bodies?
6. Do you go every Month to search for the new Moon or is it only Ramadan, Shawwal and Dhul-Hijjah?
7. Do you use mordern equipments or use Astronomical Calculations to determine the new Moon?
8. Do you have any report at the Local or State level concerning the cases of *Eid* prayers?
9. Do you have any record or document with you related to this field of study? If yes please can you supply it?
10. What is the actual number of the Moon Sighting Committee Members?

APPENDIX 'C'

INTERVIEW QUESTIONS FOR MUSLIM SCHOLARS

1. What do you consider to be the causes of division among Muslims with regard to the Moon Sighting?
2. What are the negetive effect of Muslim's division on the issue of Moon Sighting?
3. What are the forces that lead to some problem of misunderstanding among Muslims with regard to Moon Sighting?
4. What are the proper ways to use in order to detgermine the new Moon?
5. What are the problem that are frequently happening in our society today?
6. As a Scholar what are the ways you think may solve the existing problems?
7. Do you accept the views of Astronomical Calculations or resort to it yourself?
8. What is your view concerning those who refuse to commence fasting or *Eid* prayers with *Jama'ah*?
9. Do you do any thing inform of *Da'awah* or conference to enlight the Ummah?
10. Do you have any personal ways of solving these problems?

APPENDIX 'D'

INTERVIEW QUESTIONS FOR TRADITIONAL RULERS

1. What are the forces that normally lead to some problems among the Muslims with regard to Moon Sighting?
2. What are the ways of solving these problems?
3. What are the problems that are more frequently happening in your Emirate?
4. What role do your Emirate play to determine the new Moon?
5. Do you have any problem concerning the uniform commencement of fasting and *Eid* prayers in your Emirate?
6. Is there any sectarian conflict among the Muslims regarding the Moon Sighting of Ramadan under your Emirate?
7. Is there any case of two or more *Eid* in your area? If yes where?
8. What are the negetive effect of Muslim's division on the issue of Moon Sighting?
9. What are the root causes of these difference and the possible way to solve them?
10. Did the Government use to render any assistance to your Emirate related to this field of study?