

Completing Sha'baan as thirty days if do not know start of Ramadhan



Completing Sha'baan as thirty days if do not know start of Ramadhan

Shaykh Aboo `Abd-al-Mu`iz `Alee Farkous al-Qoobee

Article taken and slightly adapted from: ferkous.com

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

Completing the month of Sha'baan as thirty days if we do not know the beginning of Ramadan by sighting the lunar crescent or by a declaration by the one who has sighted it

Question: While a young man was taking his breakfast, his mother told him that they were on the day of doubt. The young man resumed his breakfast and told to himself that: if one of the other Muslim countries is fasting this day, I will fast; otherwise, I will not. What is the ruling concerning this case? And what are the consequences linked to it?

Shaykh Aboo `Abd-al-Mu`iz `Alee Farkous al-Qoobee (*May Allaah the Most High preserve him*): All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers till the Day of Resurrection.

It is obligatory for the person who neither saw the new moon nor was informed by who saw it to complete the month of Sha'baan with thirty days, then he has to start fasting; the Prophet (*May the peace and blessings of Allaah be upon him*) said: “**Fast when you see it [the new moon] and stop fasting when you see it, and if it is cloudy then complete the month with thirty days**”¹. Also, it is not permitted to him to fast the thirtieth day of Sha'baan because it is the day of doubt. On this subject an interdiction of fasting is mentioned in the hadeeth of the Prophet (*May the peace and blessings of Allaah be upon him*) reported by `Ammaar Ibn Yaassir (*May Allaah be pleased with both of them*): “**Whoever fasts the day of doubt, has surely disobeyed Aboo Al-Qaasim**^{2,3}. Yet, he must inquire about his fasting as

¹ Reported by Al-Bukhaaree, chapter of “Fasting” (hadeeth 1909) and by Muslim, chapter of “Fasting” (hadeeth 2568), from the hadeeth of Aboo Hurayrah (*May Allaah be pleased with him*).

² Aboo Al-Qaasim is the nickname (Kunyah) of the Prophet (*May the peace and blessings of Allaah be upon him*) (translator’s note).

³ Reported by Al-Bukhaaree without mentioning its chain of narrators but with an expression of certainty, concerning the hadeeth of the Prophet (*May the peace and blessings of Allaah be upon him*): “If you see the crescent start fasting ...”, by Aboo Daawood, chapter of “Fasting” (hadeeth 2336), by At-Tirmidhee chapter of “Fasting” (hadeeth 689), by An-Nasaa’ee, chapter of “Fasting” (hadeeth 2200), by Ibn Maajah, chapter of “Fasting” (hadeeth 1714), by Ad-Daaraqutnee in his “Sunan” (hadeeth 2147), on the authority of `Ammaar Ibn Yaassir (*May Allaah be pleased with both of them*). See “Al-Irwaa” by Al-Albaanee (4/126). Moreover, the Shaykh Aboo `Abd Al-Mu`iz made a study about this hadeeth, included in “Silsilat Fiqh Ahaadeeth As-Siyaam” the second series.

Completing Sha'baan as thirty days if do not know start of Ramadhan

far as possible; using the available means in order that he worships Allaah (*Mighty and Majestic is He*) in a sure and clear way. He should, as well, have an intention to fast since the night if he knew, by seeing the crescent of the moon, that the first day of Ramadhan would be the day after.

Furthermore, even if the opinion which says that seeing the crescent of the moon has to be unified all over the Islamic countries implies accordance between the rulings of the Sharee'ah and the moon locations, and goes with the Sharee'ah's will to unify the Muslims, to gather them in performing the rites of Islam and to preserve them from divergence; except that the purposive measure requires that if the Muslims' ruler considers to apply one of the two opinions: whether the unification or the divergence of moonrises; and declares a ruling according to it, it becomes incumbent on each person under his ruling to observe fasting or not, as the Muslim believes that the ruler has precedence to make Ijtihaad (jurisprudential effort) although it is in one Muslim country; as what is considered in prayers in group is to perform them in a group with an Imaam in order to ward off disunion. This opinion is unanimously adopted, whether by those who consider the time of moonrises or those who do not, in accordance with the Prophet's (*May the peace and blessings of Allaah be upon him*) saying: "**Fasting is the day when you (i.e., the Muslim community) fast, Iftaar (breaking the fast) is the day when you (all) break your fast and Adha (sacrifice) is the day when you (all) offer your sacrifice**"⁴.

Allaah is the Source of success to all good. Our last prayer is all praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon our Prophet (*May the peace and blessings of Allaah be upon him*), his Family, his Companions and Brothers till the Day of Resurrection.

Algiers, Sha'baan 24th, 1416 H

Corresponding to January 15th, 1996.

⁴ Reported by At-Tirmidhee chapter of "Fasting" (hadeeth 701), by Ibn Maajah, chapter of "Fasting" (hadeeth 1729), by Ad-Daaraqutnee in his "Sunan" (hadeeth 2206), from the hadeeth of Aboo Hurayrah (*May Allaah be pleased with him*). This hadeeth is judged authentic by Al-Albaanee in "Assilsilah As-Saheehah" (1/45) and by Al-Arna'oot in his recension of "Sharh As-Sunnah" by Al-Baghawee (6/248).