

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Assalamu alaikum wa rahmatullahi wa barakatuh,

I have been receiving many questions about the difference between the MIA and WCM Ramadan prayer schedule, and the new one published by Imam Hosni Azzabi. As such, I will humbly attempt to clear up the misconceptions and misunderstandings that have arisen due to the differing times in the schedules.

Question 1: Why is the schedule published by Imam Hosni different from those being used by the MIA masjids and WCM?

Answer: The main difference between the two schedules is in the time for Fajr prayer (there is about one hour difference!). This is simply because the Imam's schedule is based on a different method of calculation for the prayer times which he introduced in Winnipeg two years ago. It is based on when the sun is 18 degrees below the horizon to calculate the time for Fajr, while the current schedule is based on 15 degrees (which has been used in Winnipeg and other North American cities for many years).

Question 2: Which prayer schedule is correct?

Answer: This topic is not a matter of right and wrong. Based on my extensive research, and discussions with numerous scholars, the summary of what I found is that scholars calculate the time for Fajr and Isha using different criteria. We have a number of different studies with different results. Astronomers themselves have differing opinions on this subject. Some astronomers state that the use of any fixed degree is not correct (moonsighting.com, please also refer to the study by The Society of Muslim Scholars in the UK called *Why 18 Degrees is Incorrect*¹), some say 18 degrees is correct, others say 15, some say 17, or even 19, etc.

So this issue is still controversial and debated among scholars and scientists. It is not clear cut and there is no *ijma'* (consensus). I think the main problem we are currently facing is that the unilateral manner in which this significant change (switching to the 18 degree method of calculation) was made completely neglected our Islamic tradition of *Shura* and left many in the community confused.

Question 3: Are we the only city that uses the 15 degree angle?

Answer: No. In fact, there are still many scholars and mosques following this method of calculation in North America. For example, I discussed this issue at length with Dr. Waleed Edrees Meneese² last year and the year before. He informed me that they are still using the 15 degree method of calculation in Minnesota.

Question 4: Is it true that ISNA does not use the 15 degree angle?

¹ www.hizbululama.org.uk/highlights/Why_18_Degrees.html

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Answer: It seems that ISNA never had any official position on this matter. I am not aware of any official announcement by ISNA. Imam Hosni indicated that FCNA (Fiqh Council of North America) recently (2011) adopted 18° for Fajr and 15° for Isha. However, this is irrelevant because we never claimed that we are following ISNA in this matter (using the 15° method of calculation).

Question 5: On what basis is the 15 degree angle being used for calculating prayer times?

Answer: a.) As I mentioned earlier, this method is still accepted by a number of scholars including Dr. Iqbal Nadawi, and Dr. Hamid Slimi both of whom were consulted by the MIA. Therefore, the 18 is not the only acceptable method of calculation. Also there are some studies that we need to take into consideration, such as the one by the Egyptian astronomer Dr. Nabil Yusuf, which is in favour of an angle of 14.5 degrees. Also, there is a new research paper (in Arabic) called “The Time for Fajr: Between Right and Wrong” by Muhammad Al Misri³. This researcher stated that the 15 degree angle is the method of calculation which is closest to accuracy. I am just mentioning these studies to clarify that the 18° angle is not unquestionable, nor is it the only valid option that we can take.

b.) Personally, I am in favour of the schedule from moonsighting.com (maybe this is something we should consider for the future) because in my opinion it is the most correct as well as being the easiest and most reasonable to follow.⁴ They have been studying this issue for years, and their study has included physical observations. However, the difference between the current schedule (15 degrees method) and that of moonsighting.com is not significant. For example, on July 22 the moonsighting.com schedule lists Fajr time at 3:57 am, while ours is at 3:50 am.

c.) Islam is a religion of ease and tends to remove hardship or difficulty from the believers, and this is one of the main objectives of *Shari'ah*. With the time for Isha being so late, the schedule prepared by the Imaam is very difficult for people to follow because the time for Fajr would be very early. For example, according to his schedule on July 22 Fajr time is at 2:47 am, while Isha is at 11:15 (~3 ½ hours in between). Some may argue that we should be more cautious, and it's not acceptable to take the easier opinion. However, taking the easier option (when it is acceptable) is something that has been practiced by scholars both in the past and the present.

Az-Zarkashi states in his book *al-Bahr al-Muhîr* (6/31): “Adopting the easiest opinion might take place between different schools of thought. It might take place between two conflicting indicators. Some jurists have adopted this approach, on account of the verse: ‘Allah desires ease for you, and He does not desire for you difficulty.’ [Surah al-Baqarah:185] And the verse: ‘He has chosen you, and has imposed no difficulties on you in religion.’ [Surah al-Hajj:78] And the Prophet’s statement: ‘I was sent with the true and tolerant religion.’ ”

Also At-Tufi states in *Sharh Mukhtasar al-Rawdah* (3/669): “The third scholarly stance is that the easier of two opinions should be adopted. This is because of the general statements in the Qur’an and Sunnah that indicate the tendency in Islamic Laws for making matters easy.”

³ www.archive.org/download/Fajr...Fajr_Sadek.pdf

⁴ Imam Dr. Hamid Slimi has said: “Summer time versus Winter times and the movement of the globe affects greatly countries of the far north such as Canada and countries of the south such as Argentina... Therefore, sticking to 15 degrees is not wrong because there is room for disagreement but if you could build a consensus I would suggest adopting what Dr. Khalid Shaukat has explained in his moonsighting.com which makes a lot of sense.”

Furthermore, there are leading contemporary scholars that have taken this approach such as Mustafa Az-Zarqa, ibn Bayyah, and Yusuf Al-Qaradawi.

Question 6: Shouldn't we be more cautious rather than being at ease since this controversy impacts the determination of Fajr time which may raise a question about the validity of the fast?

Answer: a.) The Qur'an made it very clear that we are allowed to eat and drink until we are certain of the arrival of the true dawn. "And eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night)" [2:187].

This is why various Imams and scholars of Islam have shown leniency and flexibility with regard to this matter (even though they did not live in an area with an abnormal time zone like we do here). For example, if one doubts (based on acceptable reasons) the arrival of dawn, one may eat or drink until he/she is certain of its arrival.

It was narrated that Ibn 'Abbas sent two men to see if the time for Fajr had arrived. Upon returning, one of them said to him that it was time, while the other said it was not. Ibn 'Abbas said to them: "You disagreed. Where's my drink?" For further details, please refer to An-Nawawi's *Al-majmu': Book of Fasting* (vol. 6, pp. 325-326), and Ibn Qudama's *Al-Mughni* (vol. 4, pp. 390).

b.) We also need to keep in mind the principle that "certainty cannot be removed by doubts."

(اليقين لا يزول بالشك) Scholars have stated that "night is a certainty", and Fajr comes after night. Therefore, this certainty cannot be removed until we are certain that Fajr has arrived.

Question 7: Is there any English article you would recommend that will shed more light on this matter?

Answer: Yes, there is an article written by the well-known scholar and Mufti, Sh. Ahmad Kutty, called *The Sunnah and Elements of Flexibility in Determining the Times of Fajr and imsak (beginning of fasting)*. This article provides a well-written and concise explanation of the issue at hand. It can be found at this website: <http://askthescholar.com/5-251-2--the-sunnah-and-elements-of-flexibility-in-determining-the-times-of-fajr-and-imsak-beginning-of-fasting-by-shaikh-ahmad-kutty.aspx>

Finally, let's not allow these types of disagreements to be a reason for division and enmity between brothers and sisters in this blessed month. We should use our time wisely to increase our righteous deeds in this month.

I pray to Allah (SWT) to guide us to the straight path and shower his mercy upon us.

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