207382 - Does Seeing the New Moon during the Day Count?

the question

The Prophet (blessings and peace of Allah be upon him) said: “Do not fast until you see the new moon, and do not break the fast until you see it, and if it is cloudy then work it out.” But he did not specify the time of seeing it.

We may understand that at his time, seeking the new moon took place after sunset, because that was the only solution then and that is fair enough. But today – by means of modern equipment – perhaps a few seconds after the birth of the new moon it is possible to see it, and this is what happened in Paris. The new moon was photographed on the morning of Thursday 29 Sha`ban. And that was done easily. Moreover, it was also photographed in America at 18.08 local time.

My question is: on what basis do the contemporary jurists insist that the new moon is to be sought after sunset and not before?

Please note that the hadith of the Messenger (blessings and peace of Allah be upon him) did not limit seeing the new moon to the time of sunset.

Summary of answer

Sighting the new moon during the day is of no significance; rather what matters is sighting it after sunset only.

Detailed answer

Praise be to Allah.

Moon is the sign of the night

Allah has made the moon the sign of the night, which is the time when it dominates and appears.

He, may He be Exalted, says (interpretation of the meaning):

{And We have appointed the night and the day as two Ayat (signs etc.). Then, We have made dark the sign of the night while We have made the sign of day illuminating, that you may seek bounty from your Lord, and that you may know the number of the years and the reckoning. And We have explained everything (in detail) with full explanation.} [Al-Isra' 17:12]

Ibn Kathir (may Allah have mercy on him) said:

"Allah has given the night a sign, i.e., a feature by which it is known, which is darkness and the appearance of the moon. And the day also has a sign, which is light and the appearance of the brightly shining sun. And He made a difference between the light of the moon and the light of the sun so that the one may be distinguished from the other, as He, may He be Exalted, says (interpretation of the meaning):

{It is He Who made the sun a shining thing and the moon as a light and measured out its (their) stages, that you might know the number of years and the reckoning. Allah did not create this but in truth.} [Yunus 10:5]" (End quote from *Tafsir Ibn Kathir*, 5/50)

Therefore, all rulings having to do with the moon can only be proven by seeing it at night not during the day.

Abu Al-Hasanat Al-Laknawi (may Allah have mercy on him) said:

"This indicates that the moon is indeed the sign of the night, and not the sign of the day, so sighting it during the day is of no significance. It also indicates that the new moons are signs to mark fixed periods of time for mankind and for the pilgrimage, fasting and so on, and to know the number of years and the reckoning and the like. But this is only when it rises during the night, and not otherwise." (End quote from *Al-Falak Ad-Dawwar fi Ru'yat Al-Hilal fin-Nahar*, p. 18)

Therefore the jurists clearly stated that the lunar eclipse prayer is not to be offered if the moon appears eclipsed during the day, because it is not dominant at that time.

An-Nawawi (may Allah have mercy on him) said: "If the lunar eclipse begins after sunrise, then (the eclipse prayer) should not be offered, and there is no difference of opinion concerning that (in our madhhab)." (End quote from *Al-Majmu` Sharh Al-Muhadhdhab*, 5/54)

Does seeing the new moon during the day count?

The majority of scholars – and this is the established view among the four Schools of Fiqh – are of the view that sighting the new moon during the day does not lead to any rulings. So if a fasting person sees it during the thirtieth day of Ramadan, he should continue with his fast and not break it, and if one who is not fasting on the thirtieth day of Sha`ban sees it, he should not stop eating and drinking, or make up that day. Sighting the new moon during the day is of no significance; rather what matters is sighting the new moon after sunset only.

In Musannaf Ibn Abu Shaybah (3/67), it is narrated with an authentic chain of narration from Abu Wa'il that he said:

"A letter came to us from `Umar when we were in Khaniqin, saying: Some new moons are bigger than others, so if you see the new moon during the day, do not break the fast, unless two Muslim men testify that they had seen it the night before." (End quote)

Al-Bayhaqi narrated with an authentic chain of narration from Salim ibn `Abdullah ibn `Umar that some people saw the new moon of (`Eid) Al-Fitr during the day, but `Abdullah ibn `Umar (may Allah be pleased with him) continued his fast until the night, and he said: No, not until it is seen when it is usually seen, at night. (End quote from *Sunan Al-Bayhaqi,* 2/435)

In *Al-Fatawa Al-Hindiyyah* (1/197) it says:

"If they see the new moon before or after the meridian, they should not fast or break the fast on that basis."

Is-haq Ash-Shirazi (may Allah have mercy on him) said:

"Fasting and breaking the fast are not connected to anything except what we see after sunset."

(End quote from *Al-Muhadhdhab,* 3/33)

Shams Ad-Din Ar-Ramli (may Allah have mercy on him) said:

“If it is seen on the day of the twenty-ninth, but it was not seen at night, then there is no scholar who says that seeing it during the day is of any significance. Therefore it is clear that sighting it during the day has no consequences.” (End quote from *Fatawa Ar-Ramli,* 2/78)

In *Kashshaf Al-Qina`* (2/303) it says: “Sighting of the new moon during the day has no consequences; it only counts if it is sighted after sunset.” (End quote)

Al-Laknawi (may Allah have mercy on him) said: "The imams of the four Schools of Fiqh clearly stated that the correct view is that sighting of the new moon during the day does not count; rather what counts is sighting it at night.” (End quote from *Al-Falak Ad-Dawwar*, p. 19)

The Hadiths that speak of beginning and ending the fast according to the sighting of the new moon only refer to sighting it at night, not during the day.

Siddiq Hasan Khan (may Allah have mercy on him) said: “The sighting of the new moon that the Lawgiver referred to in the words “Fast when you see it” is sighting it by night, not sighting it during the day, for that does not count, regardless of whether it is before or after the meridian. Whoever claims anything contrary to that is far away from knowledge of the objectives of Shari`ah.” (End quote from *Ar-Rawdah An-Nadiyyah,* 2/11)

Abu Al-Hasanat Al-Laknawi (may Allah have mercy on him) said:

“Some of them claimed that any sighting of the new moon means that it is obligatory to break the fast, because of the hadith: “Stop fasting when you see it,” without differentiating between night and day. They forget that what is referred to in the hadiths is the regular sighting, which is sighting at night, not during the day.” (End quote from *Al-Falak Ad-Dawwaar,* p. 9)

Shaykh Ibn `Uthaymin (may Allah have mercy on him) said:

“The beginning of the month can only be when the new moon is seen after sunset, following it.”

(End quote from *Majmu` Fatawa wa Rasa'il Al-`Uthaymin,* 16/301)

Does the new moon sighted during the day belong to the coming night or the previous night?

According to many of the jurists, if the new moon is sighted during the day, it belongs to the coming night, not the previous night, and they did not mean that there are any consequences to seeing it during the day, because what they are referring to in these words is the sighting of the new moon that happens on the thirtieth day of Sha`ban or Ramadan.

In that case, they ruled that it belongs to the coming night, because the month has been completed when it reached thirty days. So it comes under the heading of telling of a real situation, not determining the ruling on the basis of sighting the new moon during the day. And it is a refutation of those who say that it belongs to the previous night, such as Al-Qadi Abu Yusuf (may Allah have mercy on him).

Imam An-Nawawi (may Allah have mercy on him) said: If they sight the new moon during the day, then it belongs to the coming night, whether they see it before or after the meridian. This is our view, and there is no difference of opinion concerning it. This was also the view of Abu Hanifah, Malik and Muhammad. (End quote from *Al-Majmu`,* 6/279) Something similar was also stated in *Al-Mughni* by Ibn Qudamah (3/173).

Al-Qalyubi (may Allah have mercy on him) said: "Sighting of the new moon during the day does not have any consequences; i.e., it does not belong to the previous night, so that the fast may be broken, and it does not belong to the coming night so that it may be proven that Ramadan has begun, for example. Whoever says that it belongs to the coming night, that is correct if it is sighted on the thirtieth day of the month, but it makes no difference, because the month has been completed, which is different from the situation on the twenty-ninth day, which does not mean that there is no need for it to be sighted after sunset on the coming night, as some of them think." (End quote from *Hashiyat `ala Kanz Ar-Raghibin,* 2/65)

Ibn `Abidin (may Allah have mercy on him) said:

“The fact that it is sighted during the day does not definitely mean that it belongs to the coming night, because sighting of the new moon during the day does not count in their view [namely Abu Hanifah and his companion Muhammad ibn Al-Hasan]. Rather it is proven by the completion of the number of days (of the month), because the difference of opinion – according to what is clearly stated in Al-Bada’i` and Al-Fat-h – has to do only with sighting of the new moon on the day of doubt, which is the thirtieth day of Sha`ban or Ramadan. If the Friday mentioned was the thirtieth day of the month, and the new moon was sighted during the day, then according to Abu Yusuf that day is the first of the month, but according to them [Abu Hanifah and Muhammad ibn Al-Hasan] this sighting is of no significance, and the first day of the month is Saturday, whether the new moon is sighted during the day or not, because the month cannot be more than thirty days. So this sighting does not affect anything. In that case, their saying that this sighting belongs to the coming night, in their view, is simply stating the obvious reality and is a statement on their part that they differ with the view that it belongs to the previous night. In that case, there is no contradiction between their statement that it belongs to the coming night and their statement that sighting it during the day is of no significance. Rather the difference of opinion has to do with sighting it on the day of doubt, which is the thirtieth day of the month, because if it is sighted on the twenty-ninth, no one says that it belongs to the previous night, because that would imply that the month has twenty-eight days, as was stated by some of the scholars.” (End quote from *Hashiyat Ibn `Abidin*, 2/392)

Shaykh Ibn `Uthaymin (may Allah have mercy on him) said, commenting on the words of Al-Hajawi, ‘If it is sighted during the day, then it belongs to the coming night’:

“The pronoun refers to the new moon, and the author did not mean that it belongs to the coming night (in the sense that the next day is the beginning of the next month, based on sighting it during the day); rather he meant to negate the view of those who say that it belongs to the previous night, because some of the scholars said: if the new moon is sighted during the day before sunset on that day, then it belongs to the previous night, so the people must stop eating

and drinking. Some of the scholars differentiated between whether it is sighted before or after the meridian, but the correct view is that it does not belong to the previous night." (End quote from *Ash-Sharh Al-Mumti`*, 6/307)

And Allah knows best.