

The Juristic Preferences of al-Hafiz Ibn Hajar al-Asqalani in Fath al-Bari through the Book of Fasting: A Case Study on Issues Related to the Timing of Ramadan

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Abstract:

Praise be to Allah, the Lord of all worlds, and blessings and peace be upon our Prophet Muhammad and upon his family and companions, all together. After this, due to the scholarly stature of Al-Hafiz Ibn Hajar Al-Asqalani and the importance of his book "Fath al-Bari," this research titled "Juridical Choices of Al-Hafiz Ibn Hajar Al-Asqalani in his Book Fath al-Bari Through the Chapter of Fasting: Issues Related to the Start of Ramadan as an Example" has been presented. The aim is to elucidate the jurisprudential choices of Ibn Hajar Al-Asqalani concerning the issues of "the start of Ramadan" and to study them through the chapter of fasting in his book "Fath al-Bari".

This research consists of an introduction, two main sections, and a conclusion where the most important recommendations and findings derived from the study are presented.

The first section, titled "Confirmation of the Crescent Moon of Ramadan by Astronomical Calculation," elaborates on the issue, analyzes it, and then delves into the choice of Al-Hafiz Ibn Hajar and compares it with other jurisprudential schools. As for the second section, titled "Anticipating Ramadan by Fasting a Day or Two," it also details the issue, analyzes it, and then explores the choice of Al-Hafiz Ibn Hajar and compares it with other jurisprudential schools.

Keywords: Al-Hafiz Ibn Hajar Al-Asqalani, Juridical Choices, Ramadan, Start of Ramadan, Crescent Moon Confirmation.

Introduction

All praise is due to Allah, described with the attributes of perfection, the One who alone bestows blessings and favors, the beneficent throughout nights and days. I praise Him with abundant praise that will never change nor vanish.

I bear witness that there is no deity except Allah, alone with no partner, a testimony I reserve for a Day in which there will be no bargaining and no friendship. And I bear witness that Muhammad is His servant and Messenger, the caller to the soundest of statements and the most beneficial of deeds, the establisher of rulings and the distinguisher between the lawful and unlawful. May Allah's blessings and peace be upon him, his family, his companions, and those who follow them in goodness until the Day of Judgment.

As for what follows:

It is well known that the juristic preferences made by jurists represent the preponderance reached through their juristic reasoning among the different schools of thought. Such preferences aim at establishing the stronger opinion regarding issues of juristic disagreement and discarding the weaker one to put an end to disputes. Moreover, juristic preferences reflect the *ijtihad* of the jurist concerning matters in which earlier jurists had already expressed opinions.

Anyone who examines the works of our classical scholars will find that, within their writings, they often addressed juristic preferences and the weighing of opinions among the jurists. There is hardly a book, whether in jurisprudence, hadith, tafsir, or other fields, that does not touch on this aspect. This is because most of the scholars of this Ummah were encyclopedic in their knowledge; one would find in a single person a muhaddith, jurist, mufassir, and expert in the Arabic sciences. This was due to their dedication of valuable time in the pursuit of knowledge and their sincerity of intention, seeking only the Face of Allah with their learning.

Among those scholars was al-Hafiz Ibn Hajar al-Asqalani , who was a muhaddith, mufassir, jurist, linguist, and historian. This is testified to by a large number of contemporary scholars of his time, and his works themselves stand as proof of this.

There is no doubt that his book Fath al-Bari deserves the utmost attention from researchers. It is one of the fountains from which every researcher may draw his quest, whether in juristic, usuli, hadith, or tafsir issues, and in other sciences and disciplines as well.

Since juristic preferences carry such importance, and given the high status of al-Hafiz Ibn Hajar al-Asqalani and the significance of his Fath al-Bari, I decided that my research—Allah willing—would focus on his juristic preferences in Fath al-Bari, in comparison with the juristic schools. I have limited the scope to the Book of Fasting, specifically “Issues Related to the Timing of Ramadan – A Case Study,” due to its great importance to the Islamic Ummah.

Research Problem (Ishkaliyyah):

Since this study focuses on the juristic preferences of al-Hafiz Ibn Hajar al-Asqalani in Fath al-Bari through the Book of Fasting, “Issues Related to the Timing of Ramadan – A Case Study,” the main research question is: What is the timing of Ramadan, and what are the scholars’ opinions regarding these matters?

This is addressed through a number of sub-questions:

- What is the ruling on determining the crescent of Ramadan through astronomical calculation?
- What is the ruling on preceding Ramadan by fasting one or two days?

Methodology:

The nature and title of the subject necessitated reliance on the descriptive-analytical method, along with the investigative-comparative method. This serves as a systematic way to explore and analyze the issues under study through sound scientific methodology.

Significance of the Research:

- This research opens the way for a deeper understanding of the juristic preferences of al-Hafiz Ibn Hajar al-Asqalani in Fath al-Bari through the Book of Fasting, specifically on issues related to the timing of Ramadan.
- It highlights the methodology adopted by al-Hafiz Ibn Hajar al-Asqalani in his juristic preferences and identifies it through the issues studied in this work.
- The study showcases an aspect of ijtiḥād of al-Hafiz Ibn Hajar al-Asqalani , namely his juristic preferences.
- This research clarifies the disagreement among scholars concerning the two issues: determining the crescent of Ramadan by astronomical calculation, and preceding Ramadan by fasting one or two days. It seeks to establish the stronger view by comparing the different scholarly opinions, showing at the end whether Ibn Hajar’s choice was the stronger or the weaker.

Research Plan:

The research consists generally of an introduction, which includes the significance of the topic, the research problem, and the methodology.

It also consists of two chapters:

- **Chapter One:** *Determining the crescent of Ramadan by astronomical calculation*, in which the issue was analyzed in detail. The three opinions on the matter were presented: those who do not consider it, those who consider astronomical calculation for confirming the crescent, and those who partially accept it. Each view was discussed with its evidence, while Ibn Hajar's preference was identified and compared with the other opinions, leading to the conclusion of the stronger view.

- **Chapter Two:** *Preceding Ramadan by fasting one or two days*, where the two opinions on the issue were discussed: those who prohibit it and those who consider it only disliked. Each opinion was analyzed with its evidence, and Ibn Hajar's preference was identified and compared with the other views, also leading to the stronger conclusion.

The research concludes with a conclusion presenting the most important findings and recommendations derived from the study.

Chapter One: Determining The Crescent Of Ramadan By Astronomical Calculation

On the authority of 'Abd Allah ibn 'Umar رضي الله عنهما, the Messenger of Allah ﷺ mentioned Ramadan and said: «لا تصوموا حتى تروا الهلال ولا تفطروا حتى تروه فإن غم عليكم فاقدروا له»¹.

The jurists differed regarding the ruling of determining the crescent of Ramadan by astronomical calculation and relying on the statement of the astronomer into three opinions:

The First Opinion:

Those who hold this view state that the beginning of Ramadan cannot be established by astronomical calculation under any circumstance, and the statement of the astronomer or astrologer is not to be considered. This is the choice of al-Hafiz Ibn Hajar, who said: "The ruling of fasting and other acts was linked to sighting in order to remove hardship from them in dealing with calculations of ease. The ruling of fasting continued even after people appeared who knew such calculations. Rather, the apparent meaning of the wording indicates a negation of linking the ruling to calculation at all. This is clarified by his saying in the previous hadith: «فإن غم»², and he did not say: Ask the people of calculation."³

This opinion was adopted by the majority of jurists from among the **Hanafis**⁴, **Malikis**⁵, **Shafi'is**⁶, and **Hanbalis**⁷.

The Second Opinion:

Its proponents allowed reliance on astronomical calculation to determine the crescent of Ramadan. This was transmitted from some of the early scholars by Imam al-Nawawi⁸, and among the contemporaries who held this view was Ahmad Shakir⁹.

The Third Opinion:

This is the view of those who adopted a detailed stance. Some scholars stated that:

- It is permissible to rely on astronomical calculation in the case of cloudy skies but not clear skies. This was the view of Ibn Daqiq al-Id¹⁰ and al-Ghumari¹¹.
- Others said that it is permissible to rely on it for negation but not for affirmation, and this was the opinion of Imam al-Subki¹².

Cause of Disagreement

The cause of their difference is the ambiguity in the Prophet's ﷺ statement: «صوموا لرؤيته وأفطروا»¹³. They differed regarding the meaning of "estimation (taqdir)": «لرؤيته فإن غم عليكم فاقدروا له»¹³.

some interpreted it as “complete the count to thirty,” while others interpreted it as “determine it by calculation.”¹⁴

Evidences and Their Discussion

Evidences of the First Opinion

1. **The saying of Allah Almighty:** ﴿شَهْرُ رَمَضَانَ الَّذِي أُنْزِلَ فِيهِ الْقُرْآنُ هُدًى لِّلنَّاسِ وَبَيِّنَاتٍ مِّنَ الْهُدَىٰ وَالْفُرْقَانِ ۚ فَمَن شَهِدَ مِّنْكُمُ الشَّهْرَ فَلْيَصُمْهُ ۖ وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ ۗ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ وَلِتُكْمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَىٰ مَا هَدَاكُمْ وَلَعَلَّكُمْ تَشْكُرُونَ﴾ [al-Baqarah: 185].

– **Aspect of inference:**

The noble verse indicates that the establishment of Ramadan occurs only by witnessing the month and having certain knowledge of its commencement. Certainty is achieved either through valid widespread sighting or completing the count to thirty¹⁵.

2. **The hadith of Abu Hurayrah that the Messenger of Allah ﷺ said:** «صوموا لرؤيته» وأفطروا لرؤيته فإن غبي عليكم فأكملوا عدة شعبان ثلاثين»¹⁶

– **Aspect of inference:**

The Prophet ﷺ linked fasting and breaking the fast to the sighting of the crescent of Ramadan or completing thirty days of Sha‘ban¹⁷. Astronomical calculation does not replace the sighting commanded in this hadith.

– **It was discussed:**

Based on other narrations from the Messenger ﷺ in which he said: «فإن غم عليكم فاقدروا له»¹⁸, meaning: estimate it through calculation of the lunar phases¹⁹.

3. **On the authority of Ibn ‘Umar رضي الله عنهما from the Prophet ﷺ who said:** «إنا أمة» أمة meaning sometimes twenty-nine and sometimes thirty²⁰

– **Aspect of inference:**

The Prophet ﷺ described the Ummah as unlettered, not writing and not calculating. The intended calculation here is astronomical calculation. Thus, he linked the ruling of fasting to sighting in order to remove hardship from engaging in calculation²¹.

– **It was discussed:**

That this description applied at that time, when writing and calculation were scarce and known only to a few. As for our present era, writing and calculation are common and easily accessible to most people, especially with scientific progress and inventions that have made these matters simple.

Evidences of the Second Opinion

Those who permitted reliance on astronomical calculation based their view on the following evidences:

1. **The saying of Allah Almighty:** ﴿شَهْرُ رَمَضَانَ الَّذِي أُنْزِلَ فِيهِ الْقُرْآنُ هُدًى لِّلنَّاسِ وَبَيِّنَاتٍ مِّنَ الْهُدَىٰ وَالْفُرْقَانِ ۚ فَمَن شَهِدَ مِّنْكُمُ الشَّهْرَ فَلْيَصُمْهُ ۖ وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ ۗ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ وَلِتُكْمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَىٰ مَا هَدَاكُمْ وَلَعَلَّكُمْ تَشْكُرُونَ﴾ [al-Baqarah: 185].

– **Aspect of inference:**

The word “shahida” in the verse is interpreted as “to know.” Thus, the meaning would be: whoever among you knows of the presence of the month by any means of knowledge—whether by sighting, completing the count, or astronomical calculation—must fast²².

– **It was discussed:**

That “witnessing the month” means being present or having certain knowledge of the commencement of the month. Certainty is achieved through clear sighting or completing the count to thirty²³.

2. **The saying of the Prophet ﷺ in the hadith of Ibn ‘Umar:** «... فاقدروا له»²⁴

– **Aspect of inference:**

That the meaning of faqdiru lahu is “estimate it by the calculation of lunar phases,” indicating the permissibility of relying on astronomical calculation ²⁵.

– **It was discussed:**

That the intended meaning is not calculation of the moon’s course in its phases, because the Prophet ﷺ said in another narration: «فاقدروا له ثلاثين», and the unrestricted statement is restricted by this one. Its meaning is: estimate it as thirty ²⁶.

3. **On the authority of Ibn ‘Umar رضي الله عنهما from the Prophet ﷺ who said: «إنا أمة أمية لا نكتب ولا نحسب...»** ²⁷

– **Aspect of inference:**

That the command to rely solely on sighting was linked to the fact that the Ummah was unlettered, not writing nor calculating. If the Ummah changes from its illiteracy, begins to write and calculate, and the general public as well as the specialists can reach certainty through precise calculation of the beginning of the month, then it becomes permissible to rely on it, since the rationale (‘illah) revolves with the ruling in its presence and absence ²⁸.

– **It was discussed:**

That this hadith is purely informative from the Prophet ﷺ to his Ummah that they do not need writing or calculation regarding the crescent, since the month is either thirty days or twenty-nine days ²⁹.

Evidences of the Third Opinion

1. Those who held the view permitting reliance on astronomical calculation in the case of cloudy skies but not in clear skies based their argument on the evidences used by both the first group (those who prohibited) and the second group (those who permitted). They interpreted the evidences of those who permitted as indicating general permissibility, while interpreting the evidences of those who prohibited as restricting the permissibility only to the case of cloudy skies, when sighting is impossible ³⁰.

2. Those who held the view permitting reliance on astronomical calculation for negation but not for affirmation argued on the basis of the evidences used by those who prohibited, while interpreting the evidences of those who permitted as restricted to cases where testimony of sighting is not accepted, if astronomical calculation proves that the crescent has not been born at all. In such cases, the testimony is inevitably flawed with illusion or falsehood, for how can the crescent be seen when it has not yet been born? ³¹.

Preponderant Opinion (Tarjih)

After presenting and discussing the evidences of each opinion, the view that appears stronger—and Allah knows best—is the permissibility of relying on astronomical calculation in cases of negation but not affirmation.

This is because in the case of affirmation, the basis is either actual sighting of the crescent or completing the month to thirty, as the explicit and authentic evidences indicate. However, in the case of negation, astronomical calculation can serve to support the non-sighting, provided that this is issued by accredited and specialized authorities in astronomy who are trustworthy.

Chapter Two: Preceding Ramadan By Fasting One Or Two Days

On the authority of Abu Hurayrah, the Prophet ﷺ said: «لا يتقدم أحدكم رمضان بصوم يوم أو يومين إلا أن يكون رجل كان يصوم صومه فليصم ذلك اليوم» ³²

The jurists differed regarding the ruling of preceding Ramadan by fasting one or two days, holding two opinions:

The First Opinion:

The prohibition (tahrim) of preceding Ramadan by fasting one or two days with the intention of precaution, except for one who already has a regular habit of fasting. This is the choice of al-Hafiz Ibn Hajar, who said:

"The ruling was linked to sighting. Whoever precedes it by one or two days has attempted to undermine this ruling, and this is the relied upon view. The meaning of the exception is that one who has a habitual practice is permitted, because he is accustomed to it, and leaving what is habitual is difficult. This has nothing to do with welcoming Ramadan." ³³

He also said: "This contains a prohibition of initiating a fast before Ramadan if it is for the purpose of precaution. But if more than that is added, then its implication is permissibility." ³⁴

This opinion was held by **the Shafi'is** ³⁵, and it is also **the view** of the Zahiris ³⁶.

The Second Opinion:

That it is disliked (karahah) to precede Ramadan by fasting one or two days. This is the view of the majority: **the Hanafis** ³⁷, **the Malikis** ³⁸, and **the Hanbalis** ³⁹.

Evidences and Their Discussion

Evidences of the First Opinion

Those who held the opinion of prohibition (tahrim) argued with the following:

1. **The hadith of Abu Hurayrah:** «لا يتقدم أحدكم رمضان بصوم يوم أو يومين إلا أن يكون رجل كان يصوم صومه فليصم ذلك اليوم» ⁴⁰

— **Aspect of inference:**

This hadith contains a prohibition against preceding Ramadan by fasting one or two days. The basic rule regarding prohibition is that it indicates tahrim. The intended meaning is forbidding fasting with the intention of preceding Ramadan, which is why it specifies one or two days, as this is most common among those who intend precaution.

The rationale of the prohibition is to strengthen oneself by eating before Ramadan so as to enter it with energy and vigor ⁴¹.

— **It was discussed:**

That this hadith prohibits preceding Ramadan by one or two days, and the least degree of prohibition is karahah. Thus, it is carried upon that, in order to reconcile it with other evidences. Also, the implication of the hadith is that if someone precedes it by three or four days, it would be permissible ⁴².

Likewise, fasting the entire month or most of it creates strength for Ramadan, as fasting then becomes familiar to the soul and part of its habit, so it does not become difficult ⁴³.

2. **The hadith of al Ala on the authority of Abu Hurayrah** ⁴⁴ «إذا انتصف شعبان فلا تصوموا»

— **Aspect of inference:**

This hadith prohibits fasting in the second half of Sha'ban, and prohibition indicates tahrim unless there is evidence diverting it otherwise. Therefore, fasting in the second half of Shaban is haram, and preceding Ramadan by one or two days is included within this prohibition.

— **It was discussed:**

That the hadith is weak and also contradicted by authentic narrations regarding fasting in Shaban.

— **It was answered:**

That the claim of weakness is not agreed upon, as many scholars authenticated it. Al-Hafiz Ibn Hajar said: "The hadith was reported by the authors of the Sunan, and Ibn Hibban and others declared it authentic." ⁴⁵.

Evidences of the Second Opinion

Those who held the opinion of *karahah* (dislike) for preceding Ramadan by fasting one or two days argued based on the general narrations concerning the virtue of fasting in Sha‘ban, and that the Messenger ﷺ used to fast much in Sha‘ban and even connect it with Ramadan. They also cited the hadith of ‘Imran regarding fasting the last days of Sha‘ban ⁴⁶, and the hadith of Abu Hurayrah : « لا يتقدم أحدكم رمضان بصوم يوم أو يومين إلا أن يكون رجل كان يصوم صومه فليصم ذلك اليوم » ⁴⁷

– **Aspect of inference:**

They interpreted the prohibition in the hadith as indicating *karahah*, because the reason is the fear that one might fast a day that is from Ramadan or add to it. This is what is disliked. Moreover, it is narrated that the Prophet ﷺ used to fast in Sha‘ban voluntarily ⁴⁸.

– **It was discussed:**

That the statement of the Prophet ﷺ « لا يتقدم أحدكم رمضان بصوم يوم أو يومين » ⁴⁹, is evidence that it concerns voluntary fasting, since doubt cannot apply to two days. The Prophet ﷺ only fasted voluntarily, not out of fear that it might be Ramadan. His fasting was a habitual practice, and thus falls under the exception ⁵⁰.

Preponderant Opinion (Tarjih):

After presenting the evidences of each opinion, their aspects of inference, and the discussions surrounding them, the stronger view—Allah knows best—is that it is haram to precede Ramadan by fasting one or two days as a precaution for Ramadan, except for one who already has a habitual practice. This is due to the strength of the evidences cited and the explicit prohibition reported on this matter.

Conclusion

In conclusion, I can only say: this is the effort of one with limited ability, with shortcomings, and I do not claim that my work is free from error or deficiency, for perfection belongs to Allah alone and infallibility is for His Prophets. Yet, I spared no effort and did not withhold any endeavor in presenting it in this form. If it is correct, then it is by the grace and guidance of Allah; and if it is otherwise, I ask Allah to enable me to correct what shortcomings it contains. I also ask Him, the Almighty and Glorious, to make this work sincerely for His noble Face and to benefit me with it and benefit the Muslims in general.

Here are the most important findings and recommendations that I reached through this research:

Findings

- The purpose of juristic preferences is to establish the stronger opinion among the differing views of the jurists and to discard the weaker ones.
- Al-Hafiz Ibn Hajar al-Asqalani was one of the independent scholars (*mujtahidun*) who based his conclusions on his own reasoning through examining the texts of the Qur’an and Sunnah, and he was not biased toward a particular opinion or school. His method in juristic preferences is clear, and he did not adhere to a fixed methodology in this regard.
- Ibn Hajar’s preferences in the two issues studied here were in agreement with the Shafi‘i school, while it is known that he belonged to this school.
- The study concluded that it is permissible to rely on astronomical calculation (*hisab falaki*) to determine the crescent of Ramadan for negation but not for affirmation.
- The study confirmed the prohibition of preceding Ramadan by fasting one or two days for the sake of precaution, except for those who already have a habitual practice.

Recommendations

- Intensifying studies and research on the works of Ibn Hajar al-Asqalani and organizing them into different themes across the fields of jurisprudence, usul, hadith, tafsir, and other sciences.
- I recommend for myself first, and for students of knowledge and researchers, to follow this line of research, as it is a vast field rich with comparative jurisprudence. They should continue studying Fath al-Bari and extract from it the abundant benefits in various sciences.
- Benefiting from the juristic preferences of al-Hafiz Ibn Hajar in different chapters of his work Fath al-Bari, because, as mentioned, he was not a blind follower bound by the opinions of men, but rather an independent scholar who ruled according to the evidence that supported his conclusion.
- Working on completing the jurisprudence of al-Hafiz Ibn Hajar al-Asqalani in Fath al-Bari in the remaining juristic chapters.
- Studying the methodologies of scholars in their weighing of opinions and preferences, because understanding their methodology makes it easier for researchers to analyze their views and to discern their correctness from error.
- I also recommend myself, with my shortcomings, and then address all students of knowledge in general, and students of Sharia in particular, to be diligent and strive earnestly in seeking knowledge with sincere intention for Allah, the Almighty and Glorious, and to gain understanding in every science that is available to them.

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¹ Agreed upon: Reported by al-Bukhari in his *Sahih*, Book of Fasting, Chapter: Saying of the Prophet ﷺ «إِذَا رَأَيْتُمُ الْهَالَ فَصُومُوا وَإِذَا رَأَيْتُمُوهُ فَأَفْطَرُوا» no. 1906, vol. 1/p. 380; Muslim in his *Sahih*, Book of Fasting, Chapter: Obligation of fasting Ramadan by sighting the crescent and breaking the fast by sighting it..., no. 1080, vol. 1/p. 420.

² Reported by al-Bukhari in his *Sahih*, Book of Fasting, Chapter: Saying of the Prophet ﷺ «إِذَا رَأَيْتُمُ الْهَالَ فَصُومُوا وَإِذَا رَأَيْتُمُوهُ فَأَفْطَرُوا» no. 1907, vol. 1/p. 380.

³ Ahmad ibn Ali ibn Hajar al-‘Asqalani: *Fath al-Bari Sharh Sahih al-Bukhari*, ed. Abu Qutaybah Nadhar Muhammad al-Fariyabi, Dar Taybah, 1st ed., 2004, vol. 5/p. 250.

⁴ Al-Tahtawi: *Hashiyat al-Tahtawi*, Dar al-Kutub al-‘Ilmiyyah, 1st ed., 1997, p. 646.

⁵ Al-Qadi Abu Muhammad ‘Abd al-Wahhab ibn Ali ibn Nasr al-Baghdadi al-Maliki: *Al-Ishraf ‘ala Masa’il Nukat al-Khilaf*, ed. Abu ‘Ubayd Mashhur ibn Hasan Al-Sulayman, Dar Ibn al-Qayyim & Dar Ibn ‘Affan, 1st ed., 2008, vol. 1/p. 281.

⁶ Al-Mawardi: *Al-Hawi al-Kabir*, ed. Ali Muhammad Mu‘awwad & ‘Adil Ahmad ‘Abd al-Mawjud, Dar al-Kutub al-‘Ilmiyyah, 1st ed., 1994, vol. 3/p. 408.

⁷ Ibn al-Najjar: *Muntaha al-Iradat fī Jam‘ al-Muqni‘ ma’a al-Tanqih wa Ziyadat*, ed. ‘Abd Allah ibn ‘Abd al-Muhsin al-Turki, Mu‘assasat al-Risalah, 1st ed., 1999, vol. 2/p. 6.

⁸ Al-Nawawi: *Al-Majmu‘ Sharh al-Muhadhdhab li-l-Shirazi*, ed. Muhammad Najib al-Muti‘i, Maktabat al-Irshad, n.d., vol. 6/p. 276.

⁹ Ahmad Shakir: *Awa’il al-Shuhūr al-‘Arabiyyah hal yajūz shar‘an ithbatuha bi-l-hisāb al-falakī*, n.d., p. 15.

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¹⁰ Ibn Daqiq al-‘Id: *Ihkam al-Ahkam Sharh ‘Umdat al-Ahkam*, ed. Muhammad Hamid al-Fiqi, Matba‘at al-Sunnah al-Muhammadiyah, 1953, vol. 2/p. 4.

¹¹ Al-Ghumari: *Tawjih al-Anzar li-Tawhid al-Muslimin fi al-Sawm wa-l-Iftar*, Dar al-Nafa’is, 1st ed., 1999, p. 53.

¹² Al-Subki: *Al-‘Ilm al-Manshur fi Ithbat al-Shuhur*, n.d., p. 36.

¹³ Previously cited.

¹⁴ Ibn Rushd al-Hafid: *Bidayat al-Mujtahid wa Nihayat al-Muqtasid*, ed. Abu Aws Yusuf ibn Ahmad al-Bakri, Bayt al-Afkar al-Duwaliyyah, 2009, p. 326.

¹⁵ Ibn ‘Abd al-Barr: *Al-Istidhkar*, Dar al-Wigha & Dar Qutaybah, 1st ed., 1993, vol. 10/p. 15.

¹⁶ Previously cited.

¹⁷ Abu al-Hasan Ali ibn Muhammad ibn Habib al-Mawardi: *Al-Hawi al-Kabir*, ed. Ali Muhammad Mu‘awwad & ‘Adil Ahmad ‘Abd al-Mawjud, Dar al-Kutub al-‘Ilmiyyah, 1st ed., 1994, vol. 3/p. 408.

¹⁸ Previously cited.

¹⁹ Ibn Hajar al-‘Asqalani: Op. cit., vol. 5/p. 243.

²⁰ Agreed upon: Reported by al-Bukhari in his *Sahih*, Book of Fasting, Chapter: Saying of the Prophet ﷺ, «لا نكتب ولا نحسب», no. 1913, vol. 1/p. 381; Muslim in his *Sahih*, Book of Fasting, Chapter: Obligation of fasting Ramadan..., no. 1080, vol. 1/p. 421–422.

²¹ Ibn Hajar al-‘Asqalani: Op. cit., vol. 5/p. 250.

²² Al-Ghumari: Op. cit., p. 29.

²³ Abu ‘Umar Yusuf ibn ‘Abd Allah ibn Muhammad ibn ‘Abd al-Barr al-Nimri al-Andalusi: *Al-Istidhkar*, Dar al-Wigha, 1st ed., 1993, vol. 10/p. 15.

²⁴ Previously cited.

²⁵ Ibn Hajar al-‘Asqalani: Op. cit., vol. 5/p. 250.

²⁶ Al-Qarafī: *Al-Dhakhira*, ed. Sa‘id A‘rab, Dar al-Gharb al-Islami, 1st ed., 1994, vol. 2/p. 493.

²⁷ Previously cited.

²⁸ Ahmad Mahmud Shakir: *Awa’il al-Shuhūr al-‘Arabiyyah hal yajūz shar‘an ithbatuha bi-l-ḥisab al-falakī*, n.d., p. 13.

²⁹ Bakr Abu Zayd: *Fiqh al-Nawazil*, Mu’assasat al-Risalah, 1st ed., 1996, vol. 2/p. 211.

³⁰ Al-Ghumari: Op. cit., p. 38.

³¹ Al-Subki: Op. cit., p. 38.

- ³² Agreed upon: Reported by al-Bukhari in his *Sahih*, Book of Fasting, Chapter: Not to precede Ramadan by fasting one or two days, no. 1914, vol. 1/p. 381; Muslim in his *Sahih*, Book of Fasting, Chapter: Do not precede Ramadan by fasting one or two days, no. 1082, vol. 1/p. 422.
- ³³ Ibn Hajar al-‘Asqalani: Op. cit., vol. 5/p. 253.
- ³⁴ Op. cit.
- ³⁵ Ibn Hajar al-Haytami: *Ithaf Ahl al-Islam bi-Khususiyat al-Siyam*, ed. ‘Abd al-Qadir ‘Ata, Mu’assasat al-Kutub al-Thaqafiyah, 1st ed., 1990, p. 311.
- ³⁶ Ibn Hazm: *Al-Muhalla bi-l-Athar*, ed. Ahmad Shakir, Matba‘at al-Nahda, 1st ed., 1347H, vol. 7/p. 23.
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- ³⁹ Shams al-Din ibn Qudamah al-Maqdisi: *Al-Sharh al-Kabir*, Dar al-Kitab al-‘Arabi, 1983, vol. 3/p. 110.
- ⁴⁰ Previously cited.
- ⁴¹ Ibn Hajar al-‘Asqalani: Op. cit., vol. 5/p. 252–253.
- ⁴² Ibn Hajar al-‘Asqalani: Op. cit.
- ⁴³ Ahmad ibn Hajar al-Haytami al-Makki: Op. cit., p. 311.
- ⁴⁴ Reported by Abu Dawud in his *Sunan*, Book of Fasting, Chapter: Dislike of connecting Sha‘ban with Ramadan, no. 2337, vol. 4/p. 25; al-Tirmidhi in his *Sunan*, Book of Fasting, Chapter: What was reported on the dislike of fasting in the second half of Sha‘ban for the sake of Ramadan, no. 738, vol. 3/p. 106, and he said: its chain is authentic.
- ⁴⁵ Ibn Hajar al-‘Asqalani: Op. cit., vol. 5/p. 253.
- ⁴⁶ Previously cited.
- ⁴⁷ Previously cited.
- ⁴⁸ Ibn ‘Abd al-Barr: Op. cit., vol. 2/p. 41.
- ⁴⁹ Previously cited.
- ⁵⁰ Ibn ‘Abd al-Barr: Op. cit., vol. 2/p. 42.