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Press Release

TANZANIA'S INCREASE OF FUEL PRICE: CAPITALISM TO BE BLAMED

Recent increase of fuel prices in Tanzania has brought further hash and a worse economic situation motivating more trend of 3.8 percent in inflation (in April 2022) in almost everything including fares for commuter buses within the cities and long-distance buses and rising prices of vital goods leading to rise cost of living and economic difficulties especially among the majority, the ordinary poor people.

The government impacted the situation to the Russia-Ukraine conflict which is hitting global economies resulted from the rising global oil prices which has also affected Tanzania. President Samia Suluhu Hassan said in mid-March 2022: "...This is not the leader's issue, it is the state of the world" ... "all goods will rise in price, all fares will rise, everything it will go up in price" (The East African 14/03/2022).

The issue of petroleum products supply in Tanzania has been conducted through a Bulk Procurement System (BPS) since 2011, under which purchases of petroleum products are made from a pool of imports obtained from few selected suppliers.

Furthermore, the government imposed many taxes in fuel importation process which amounted up to Tsh 920 per litre of petrol, Tsh 800.13 per litre of diesel and Tsh 745.77 per litre of kerosene. The taxes and levies include wharfage, customs processing fees, Weight and Measurement Agency - WMA fees, Tanzania Bureau of Standards (TBS) charge, The Tanzania Shipping Agencies Corporation (TASAC) fees, regulatory levy, service levy, Tanzania National Roads Agency (TANROADS) fees, Tanzania Rural and Urban Roads Agency-TARURA fees, etc.

The government confirmed on 10/05/2022 to pump the subsidy of Tsh 100 billion as a rescue package which means nothing serious would change the course, since the subsidy of Tsh 102 billion last year (October 2021) led only to decrease in price by Tsh 29.38 for petrol, Tsh 30.05 for diesel and Tsh 26.99 for kerosene per litre in which some 3.8 billion litres of petrol, diesel and kerosene were consumed in Tanzania in 2021. Thus, if it didn't work last year, it won't work this year either, and in the long run the same problem will happen again and again from the following reasons:

a. Capitalist economic policy of privation of fuel production:

Capitalism unlike Islam, allow fuel and its extraction as private property that can be owned by individuals, private firms and companies. As a result, this oppressive capitalist economic policy with its multinational companies globally deprives the public of their properties into the hand of a few individuals in the name of privatization and investment leaving the world and general public suffering from severe poverty in spite of world having massive public wealth.

b. Issue of US Dollar dominance:

Global economic injustice in international trade is linked with the currency of a single state that erode the issue of sovereignty. World especial developing ones suffers economic instability and misery such as inflation perpetuated from the shackling of US Dollar currency today.

c. Existence of bureaucracy of the few to import petroleum products:

This scenario offers capitalists companies an upper hand in the whole dealings encourages bribes among administration departments leading to companies full and control in this sector and resulted into lack and scarcity of oil several times.

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d. Existence of many taxes and administrative levies as a source of revenue:

In spite of developing nations having massive wealth including natural resources and minerals, for instance Tanzania estimated with gold reserves of about 45 million ounces (1,275 tonnes), has become the third-largest gold producer in Africa, after South Africa and Ghana, yet in absence of enlightened ideology (Islam), and existence of Western capitalist exploitation failed to utilize them to the extent that the only solution to gain government's revenue is introduction of new forms of taxes which bring more hardship to the majority poor.

All above challenges merely caused by capitalist ideology forcing developing nations including Tanzania and its people in desperation and economic shackle of the West. It is vividly clear that humankind needs a just and fair ideology which is Islam, via its Khilafah (Caliphate) state would totally liberate humankind from evil, brutal and exploitative economy to true prosperity of this world and Hereafter.

Masoud Msellem

Media Representative of Hizb ut Tahrir in Tanzania

Press Release

Democracy: A Tool for False Hopes

With days to the general poll on August 9, 2022, the main contest is between the Deputy President William Samoe Ruto who leads the Kenya Kwanza alliance and former Prime Minister Raila Odinga of Azimio la Umoja. The two contestants and their henchmen are campaigning in every corner of the country promising the electorates of bringing reforms and improving their livelihood.

With new political brandings of 'Azimio la Umoja and Kenya Kwanza, unleashing their political ambitions by raising false hopes among the electorates is a true manifestation of the cunning face of Democracy. These new political formations are built on selfish driven interests that are portrayed as common good for the people.

With the country immensely divided into tribal and regional lines which indeed is a democratic necessity since in any election, numbers are the only key determinant to achieve the reins of power. Unfortunately, important decisions that make or break real people's lives are being pushed to the rear to make way for the selfish political interests. Whatever the election outcome the common man will still be languishing in uncertain livelihood.

We say these elections reveal the façade of Democratic fallacy by giving false hopes in confining progress, reform and the future in the ballot box. Indeed the failures of the system are plain and clear for all to see. Democracy is the best system ever money can buy where all are politicians are on the political market to be bought by the highest bidder.

In contrary, Islam did not leave people's lives to be toyed with and easily manipulated by the greedy elite who only preach democracy as a way to keep people in-line with their selfish plan. Allah (swt) sent His final Messenger (saw) with the true Islamic way of life that does not lie to the people offering them only pseudo-accountability and participation in politics. But, rather Islam has ordained the management of people's affairs as a great and divine responsibility to achieve Allah's pleasure.

Shabani Mwalimu
Media Representative of Hizb ut Tahrir in Kenya

NEWS & COMMENTS

Capitalist Policies Promote Low Total Fertility Rate (TFR)

News:

Kenya: Mandera County leads with the highest fertility rate of 8, followed by Marsabit County at 7, Wajir at 6.7, Turkana at 6.4, West Pokot at 5.6, Samburu at 4.9 percent. On the other hand, Nairobi County leads with the lowest fertility rate of 2.5, followed by Nyamira, Kirinyaga and Kiambu Counties all three each at 2.7, Makueni at 2.8, Meru, Tharaka-Nithi, Embu and Mombasa and Nyeri Counties all five each at 2.9. That is according to the latest Economic Survey for 2022 conducted by the Kenya National Bureau of Statistics. In addition, the survey stated that the TFR at the national level declined from 4.8 births in 2009 to 3.4 births in 2019. (The Star, Friday, 6 May, 2022).

Comment:

This latest survey is just a drop in the ocean in comparison to the global statistics. The global TFR statistics of 2022 paint a grim picture of social collapse and deeply entrenched social decadence as a result of the implementation of contemptible capitalist policies. Catastrophic lower TFR is experienced in most countries from Europe and East Asia. Some of the said nations are South Korea its TFR is at 1, Hong Kong and Singapore each at 1.1, Macau and Malta each at 1.2, Italy, Spain, Ukraine, Moldova, Bosnia and Herzegovina, Cyprus and Andorra each at 1.3, Japan, Greece and Portugal at 1.4 etc. (World Population Review, 2022).

Earlier in July 10, 2020, the Population Reference Bureau (PRB) released the 2020 World Population Data Sheet report. Partly it stated that, "in 91 countries and territories—nearly 45% of the world's population—total fertility rates are below replacement level, the average number of children at which a population exactly replaces itself from one generation to the next in the absence of migration. And in 21 countries and territories, including several that have suffered devastating loss during the COVID-19 pandemic, people ages 65 and older account for at least 20% of the population."

Some of the capitalist policies noted for the cause in lower TFR are urbanisation, increased adoption for gender equality, increased number of women accessing contraception methods, women seeking education and employment opportunities across the world. On the other hand, the reasons mentioned for higher TFR is due to inadequate efforts by democratic regimes to fast-track policies that champion gender equality, women's access to contraception methods, education and employment opportunities amongst others.

The above reasons are true in relation to the fact that they are all extrapolated from the liberal value social system that prioritizes personal freedom. Furthermore, humanity's value in Capitalism is considered from the viewpoint of their economic productivity. Hence, it is unsurprising to witness immeasurable social decadence in the name of seeking women empowerment and general economic emancipation. The 21st century is considered the century of cut-throat competition between the gender for fewer career opportunities. Indeed, the opportunities are fewer as a result of the existing monopolization of the world's resources (wealth) by a few capitalists via their conglomerates that have captured and micro-manage all the democratic governments globally.

Today giving birth or having children is considered a socio-economic burden since most people prefer to live their life as if they are birds moving from one nest to another in the name of enjoying their unlimited personal freedom. Therefore, people engage in fornication with no worries for accountability as long as they mutually consented. Fallacious slogans have permeated the society such as 'my dress my choice, my body my choice, my womb my choice,' etc. Social chaos is the order of the day where if children are given birth, they are used for financial extortion! Family units are in ruins with children facing the social brunt!

It is imperative to note that there is NO nation throughout the world, that does not suffer from this lower TFR crisis. It is one of the major crises facing the nations irrespective of being from the so-called first, second or third world. In capitalism, women's value is based on their sexual utilization in economic production. That is contrary to Islam, where women are honoured with the role of nurturing generations of Islamic enlightened scholars, rulers and soldiers in the cause of Allah (swt) and His Prophet (saw). In the upcoming reestablished Khilafah (Caliphate) on the method of Prophethood, women's honour will be restored to their former glory as it were before the destruction of the Khilafah on 28 Rajab 1342 AH (3 March 1924 CE). InshaAllah

**Written for the Central Media Office of
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The Islamic Economic System a Panacea to Capitalist Economic Catastrophes

Ali Nassoro Ali

Member of the Central Media Office of Hizb ut Tahrir

Allah (swt) said: وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِّلْعَالَمِينَ “And We have not sent you, [O Muhammad], except as a mercy to the worlds. [21. Al-Anbiya: 107] Islam is an ideology i.e. a complete way of life emanating from the Creator of the universe, man and life, Allah (swt). Hence, Allah (swt) challenged mankind to recognize His presence by using his mind. It is via thinking that judgements and decisions can be made. Subsequently, actions are done as a result of the concepts emanating from the said thoughts. In additions, mankind’s inherent organic needs and instincts require him to satisfy them based on what he adopts in terms of thought. Therefore, man’s mentality (akliyya) and disposition (nafsiyya) together form his personality (shaksiyya). That means he can either have an Islamic personality or otherwise.

An Islamic personality is that which the thinking and the satisfaction is limited within the confines of the Islamic Shari’ah (Quran, Sunnah, Ijma’ Sahaba and Qiyas). A Muslim with an Islamic personality is a slave to Allah (swt) i.e. he submits to His commandments and prohibitions. On the other hand, whoever does not have an Islamic personality will always be slave to his desires and possess a secular capitalist personality. That is the essence of the current reality today where people with no Islamic personality either Muslims or not have abrogated the supreme role of the Creator in legislation to themselves. They are now ruling and managing people’s affairs based on their yearnings! In the process causing immeasurable catastrophes in all spheres of life

by their adoption of the secular capitalist ideology and implementing its poisonous systems including but not limited to the capitalist economic system. A destructive system that continues to tighten economic nooses on people’s lives and causing miseries and desperation across the world!

Every secular capitalist economist, politician and scholar is engaged in a rat-race of giving hope in tomorrow whose coming is not guaranteed! In other words, the economic system is irreparable broken and cannot be fixed. Since the root cause of its failure is the basis upon which it was founded. The capitalist economic system is premised on the fallacy of scarcity of resources unable to satisfy the unlimited needs of mankind! Anchored on such an incorrect principle it embarked on production of goods and services as a solution to its alleged problem! Hence, we are witnessing the exponential wealth accumulation by a few individuals and their respective entities while the masses are plunged in perpetual and inconceivable poverty. For instance, America that alleges to be the land of milk and honey, its citizens are homeless, hungry and unhealthy! What about the rest of the world?

To make matters worse the capitalist economic system emboldens democratic regimes to perpetuate daylight robbery of citizens hard earned property. It achieves its evil aims via drafting and executing of draconian and oppressive taxation policies and laws that further burden

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the languishing citizens. In addition, the governments embark on white elephant projects funded by loans that incur punitive and exorbitant interests' payment plans. That is why the GDP of all secular capitalist nations is based on the productivity, profits and losses made by conglomerates and not the ability of the individual citizens in satisfying their basic needs and providing incentives for meeting luxurious needs!

Economies of secular capitalist nations across the world are just speculative! Yes, since their value is shackled to the dollar! In essence, their nominal value keeps depreciating as long as the confidence in the American hegemony keeps fading! No, wonder every blunder made by American companies is felt across the world via the ripples effect dichotomy! When America prints more papers (fiat money) and its economy and that of the rest of world shrinks and inflation peeks! All as a result of Bretton Woods Institutions, World Bank and International Monetary Fund policies! Two institutions that were setup in at a meeting of 43 countries in Bretton Woods, New Hampshire, USA in July 1994. Their main aim was to rebuild the shattered postwar global economy after the Second World War. They came about as a results of ideas of three key experts – US Treasury Secretary Henry Morgenthau, his chief economic advisor Harry Dexter White and British economist John Maynard Keynes. An entire global economy pegged on three people whose minds are limited! Alas! Catastrophes continue unabated to-date! Bretton Woods Project

In contrary the Islamic economic system that emanates from Allah (swt). It is part of the perfection of the Islamic system that is implemented by the Islamic state of Khilafah. The Islamic system was implemented under the guardianship of Prophet Muhammad ibn Abdullah (saw) in Madinah as the President of the Islamic State. Then later followed by the Khulafaa (Caliphs) who numbered 101. For almost 13 centuries the Islamic state implemented the Islamic economic system. A system that is clearly explained by the above verse, stated at the beginning of this piece. It is a system of mercy not oppressive, ruthless or exploitative to the people implemented upon like what is being witnessed today across the world.

The Islamic economic system of Islam is founded upon the basis that the problem is in distribution of wealth and not scarcity of resources as alleged by the capitalist economic system. Allah (swt) said, **كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ** “So that it will not be a perpetual distribution among the rich from among you.” [Al-Hashr: 7]. In addition, the Islamic economic system recognize that the needs of mankind are limited and not unlimited as claimed by the capitalist economic system. So, the Islamic economic system strives to solve the distribution of the resources to individuals and enable them to meet their basic needs i.e. clothing, food and shelter; societal needs i.e. education, security and health and provide

them with incentives to realize their luxurious needs. The following are some of the empirical evidences of the economic prosperity under the Khilafah when it was present before its destruction on 28 Rajab 1342 AH | 3 March 1924 CE:

First: It was during the era of the second Khalifah (Caliph), Umar ibn Khattab, the conquest of Persia was realized and huge amounts of treasure were seized as war booty and distributed to the Muslims and others used in the sustenance of the Khilafah crucial apparatus such as the army. The Khalifah himself used to ensure that citizens were fed from the Baitul-Mal. In other times, withdrawing policies that seem to be oppressing the citizens such as cutting of hands of thieves during the time of famine until it past. Furthermore, he ordered that old non-Muslim men unable to pay the Jizya to be waived from them and instead to be provided for from the Baitul-Mal. That is contrary to exploitative taxation mechanisms imposed by secular democratic regimes across the world, they do not care for the old or youth, men or women; what they see is just a human being is a factor of production!

Second: It was during the era of the Khalifah, Umar ibn Abdul Aziz, within a span of 2 years and 5 months, the Khilafah was able to see record numbers of non-Muslims converting to Islam due to the administration of Islam in all spheres of life and especially on the economic front. The Khalifah himself strived to lead by example by being steadfast in avoiding committing economic injustices to his citizens. In turn it led to a situation where there were no poor people to be given Zakat. However, the Zakat funds kept increasing with decreasing number of those deserving allocation.

Third: The era of the Abbasid Khilafah that begun on the mid-7th century to the mid-13th century. This is also known as the Islamic Golden Age. It is in this duration that Islam and Muslims flourish. The major contributor of this flourishing was expanding of knowledge as a result of the defeat of the Chinese Tang Dynasty by the Muslims in the Battle of Talas in 751 CE. The Muslims captured knowledgeable paper makers who taught the Muslims the craft of making paper. In turn it led to expansion of knowledge since paper mills became numerous and people could write and pass knowledge. At the same, the paper industry revolutionized the economy as the scholars engaged in further astounding and breakthrough researches were conducted in the fields of medicine, mathematics etc. That led to furthering the economy of the Islamic state, the Khilafah.

The above three are just some of the highlights of the outcome of the Islamic economic system implemented under the Khilafah. The Khilafah will not rob its citizens their hard-earned money in the name of sustaining or running the State affairs. Since the Shari'ah has clearly laid out its sources of income and expenditure. Hence, doing away with the perennial annually budget making

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processes that is extremely cumbersome and most times keeps shifting in terms of gluttonous prioritizes by those in power. White elephant projects will not be entertained since every coin will be used and accounted by the Khilafah's citizens, but also a monumental task awaits the Khalifah on the Day of Judgement to expound the same before Allah (swt).

The three above are just a snapshot compared to the current reality where the Muslims are about 2 billion scattered around the world. If they were to be united under one leader, one banner and one state with Islam as the only unifying bond and factor. It will not only be long the Muslim Ummah will be an unrivaled force not to be messed with politically, socio-economically and militarily. However, since the destruction of the Khilafah, the Muslim Ummah is disorganized and poisoned with nationalism concepts and turn a blind eye to the continuous proliferation of their lands and looting of their immense resources such as oil, arable land, human resources etc.

The absence of the Khilafah keeps choking peoples' life irrespective of their age, gender, race, religious, socio-economic or political background to-date 101 Hijri years. The only tested and viable solution is the reestablishment of the Islamic state, the Khilafah on the method of Prophethood. In this Rajab of 1443 AH is a decisive moment to seize the moment and opportunity of the global of the global pandemonium being witnessed across the world to replace the world order with a New Islamic order that is mercy to humanity.

This is a moment to do away with complacent mindset that nothing can be done. Alas! We must rise above and respond to the call of Allah (swt) to the believers. Now is the moment to proclaim that enough is enough with this trial and error system of governance. A failed system that is just waiting for the reemergence of the Khilafah on the method of Prophethood to be declared dead and to be buried instantly.

ANSWER TO QUESTION

The Sighting of the Crescent and the Astronomical Calculation

Praise be to Allah and prayers and peace be upon the Messenger of Allah, his family, companions and those who are loyal to him, and so...

To the brothers and sisters who sent to our webpage asking about the sighting of the crescent and the astronomical calculation...

Assalamu Alaikum Wa Rahmatullah Wa Barakatuh,

I have read your questions about the sighting and astronomical calculations, we have repeatedly issued answers on this subject, but never mind, I will add to it in clarification and confirmation, hoping that the brothers and sisters will reflect on it carefully and with scrutiny, so I say, and Allah grants success:

1- We, brothers and sisters, do not include the astronomical calculation in the subject, for the text depends only on sighting, and we fast and break our fast based on it. If we do not see it (the new moon) on the evening of the 29th of Ramadan, we must complete the thirty days, even if the new moon is present by astronomical calculation, but it is obscured by clouds or weather conditions. Sighting is what is relied on because the text is regarding the sighting and not the cosmic phenomenon. Look at the Hadith of the Messenger (saw) which was extracted by Al-Bukhari: He said: I heard Abu Huraira (ra) say: The Prophet (saw) or Abul-Qasim (saw) said: **صُومُوا لِرُؤْيَيْهِ وَأَفْطَرُوا لِرُؤْيَيْهِ فَإِنْ غُيِبَ عَنْكُمْ فَأَكْمَلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ** “**Start fasting on seeing the crescent [new moon] (of Ramadan), and give up fasting on seeing the crescent [new moon] (of Shawwal), and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban.**” And the Hadith extracted by Ahmad: He said, I heard Abu Huraira say: the Messenger of Allah (saw) said: **لَا تَصُومُوا حَتَّى تَرَوْا الْهَيْلَالَ وَلَا تَفْطَرُوا حَتَّى تَرَوْا الْهَيْلَالَ،** **“Do not fast unless you see the crescent [new moon] and do not break your fast unless you see the crescent [new moon]. Start fasting on seeing the crescent [new moon] (of Ramadan), and give up fasting on seeing**

the crescent [new moon] (of Shawwal), and if the sky is overcast (and you cannot see it), count thirty days.”

If the clouds obscured it, for example, and the Muslims did not see it even though it is present behind the clouds by astronomical calculation, then we do not break the fast accordingly, but we must fast on the thirtieth day because we did not see it.

I reiterate, review the Hadith: **فَإِنْ غُيِبَ عَنْكُمْ فَأَكْمَلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ** “**...and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban**”.

Although it is present according to the astronomical calculations.

2- We realize that the astronomical calculation can show the conjunction by the second, and can show when the new moon is born, and when it will disappear and how many minutes it remains after the sunset... But the Shariah text did not stipulate the cosmic phenomenon but rather the sighting. Look, for example, at prayer times, and you will find that the text mentioned the cosmic phenomenon and was not limited to the sighting.

عِشَاءً إِذَا زَالَتِ الشَّمْسُ “**Establish prayer at the decline of the sun [from its meridian]**” [Al-Isra': 78] **فَصَلُّوا** “**Pray when the sun passed the meridian.**”

The prayer is dependent on the time, so you pray as soon as you verify the time by whatever means. If you looked at the sun at the time of passing the meridian (zawal) or if you observe the shadow and see that all objects have the same size of their shadow or like it, as stated in the Hadiths of prayer times, if you did that and verified the time, the prayer is valid. If you do not do that, but calculated it astronomically, and you find out that time of the sun passing the meridian is such-and-such, and you look at your watch without going out to see the sun or the shade, your prayer is valid. i.e., that you verify the time using any means. Why? Because Allah (swt), asked

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you to pray when the time enters, and left you to verify its entry without specifying how to verify it.

As you can see, if you looked at the sun at the time of passing the meridian (zawal), you pray, and if you calculate it on your watch, you pray, i.e. here (by sighting and calculation) you pray because the text does not rely on the sighting but on the cosmic phenomenon... And this is contrary to the Shariah text of fasting and breaking the fast that stipulates sighting.

3- As for the witness who may be mixed up on the matter, he may testify that he saw the new moon while he did not see it, but rather he saw something else. This is the task of the judge or the person with the authority to announce the beginning and end of the month. He checks the witnesses and their number, the higher the number, the closer to reassurance. He checks how good is the witness's eyesight, the direction of the crescent arc. He verifies the length of time the new moon stays after sunset, the place in which it was seen and if the witness is a Muslim and if he is an immoral person (fasiq), etc. Muhammad ibn Abd al -Aziz told us, Ibn Abi Razmah said: Al-Fadhli Ibn Musa from Sufyan from Simak from l'krima from Ibn Abbas said: A Bedouin came to the Prophet (saw) and said: **فَقَالَ رَأَيْتَ الْهَلَالَ فَقَالَ أَتَشْهَدُ أَنْ لَا إِلَهَ إِلَّا أَنَا اللَّهُ وَأَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ قَالَ نَعَمْ فَنَادَى النَّبِيُّ ﷺ أَنْ صُومُوا 'I have sighted the crescent [new moon]. He said: 'Do you bear witness that there is none worthy of worship except Allah, and that Muhammad is His slave and Messenger?' He said: 'Yes.' So, the Prophet gave the call saying: 'Fast.'**[Sunnan An-Nasa'i]

This is how you verify the witness, but without bringing the astronomical calculation into the subject, that is, not to mention to him that the astronomical calculation determined that new moon is located behind the clouds, or that they decided that it does not exist, because the introduction of the astronomical calculation into the issue is contrary to what was mentioned in the Hadith of the Messenger (saw): **صُومُوا لِرُؤْيَيْتِهِ، وَأَفْطَرُوا لِرُؤْيَيْتِهِ، فَإِنْ غُيِبَ عَلَيْكُمْ: "Start fasting on seeing the crescent [new moon](of Ramadan), and give up fasting on seeing the crescent [new moon] (of Shawwal), and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban."**

The text is clear, and it is that the month should complete thirty, even though if it is (the new moon) behind the clouds, but it is not seen.

4- As for the question: (the Prophet (saw) said: **إِنَّا أُمَّةٌ أُمِّيَّةٌ، لَا نَكْتُبُ وَلَا نَحْسَبُ، الشَّهْرُ هَكَذَا وَهَكَذَا يَغْنِي مَرَّةً تِسْعَةً وَعِشْرِينَ وَمَرَّةً ثَلَاثِينَ "We are an illiterate nation; we neither write, nor know accounts. The month is like this and this, i.e., sometimes of 29 days and sometimes of thirty days."** [Bukhari]. "Should it not be understood in contradiction to the fact that we take sighting, because we do not write and calculate, so if we learn arithmetic, then we take

astronomical calculations).

This understanding is incorrect and it is rejected as it is known in the Usul, as this concept is disrupted (mu'atal), because the description of Umiyyah (illiterate) describes the majority (al-Ghalib), so the Arabs were in the most general illiterate, in addition to that this concept has been disrupted by the wording of other texts, including the Hadith: **"...and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban."** [Bukhari]

No restriction was mentioned with it, i.e. if the sighting of the new moon is not possible due to clouds or rain or any reason that prevents sighting, the Shariah ruling has been determined by completing the month thirty days, even if the new moon was present, but the clouds obscured it. Accordingly, the wording (mantooq) of the Hadith is used and the concept of contradiction (mukhalafa) is disrupted. That is, the concept of contradiction (mukhalafa) here is disrupted by two things: it describes the majority, and because there is a wording of another text that contradicts this concept.

This is true in the conditions of working with the concept in more than one case. It is disrupted if it describes the majority, or if another text disrupts it with its wording, such as:

"And do not kill your children for fear of poverty. We provide for them and for you. Indeed, their killing is ever a great sin" [Al-Isra': 31].

"Fear of poverty" is a defining description, i.e., fear of poverty. Likewise, it is describing the majority, for they used to kill their children for fear of poverty, then this concept has been disrupted by a text:

"But whoever kills a believer intentionally - his recompense is Hell, wherein he will abide eternally" [An-Nisa: 93].

Therefore, this concept is disrupted, so it is not said that what is forbidden is killing children for fear of poverty, and it is permissible to kill them if parents are rich! Rather, it is forbidden in both cases, whether out of poverty or richness, and the same is true for the verse,

"O you who have believed, do not consume usury, doubled and multiplied" [Aal-Imran: 130].

So "multiple times" is an understandable description, and it describes the majority. They took usury in multiple times.

This concept was disrupted by the text:

"But Allah has permitted trade and

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has forbidden interest” [Al-Baqara: 275].

Therefore, this concept is disrupted, so it is not said that what is forbidden is multiple usury, and as for little usury, it is permissible. Rather, usury, regardless of its amount, is forbidden because the concept of “multiple times” is disrupted, as we said.

Thus, the concept of the word “Umiyyah” (illiterate) is disrupted, as we have explained, meaning that if sighting was not possible due to clouds or rain, the month should be completed thirty days, whether we know the calculation or not.

5- Regarding Eid ul-Fitr this year, if you noticed, we were late in announcing it this time, and the reason was to verify this matter. There were different testimonies of the sighting:

a- Afghanistan, Mali and Niger announced the sighting after sunset on Saturday 30/4/2022 and then Eid was announced on Sunday, first of Shawwal 1443 AH corresponding to 1/5/2022 CE.

b- About 21 Arab countries announced that sightings were not confirmed after the sunset of Saturday, so they considered Sunday to be the completion of the month of Ramadan, and that Eid is Monday, 2/5/2022.

c- Four countries on their calendar marked Saturday as the 28th of Ramadan, so the sighting was not investigated on Saturday evening, but on the next day, Sunday, and they did not see the new moon, so they considered Monday as the completion of Ramadan and Eid is on Tuesday 3/5/2022, and these countries are India, Bangladesh, Iran and Pakistan

6- Therefore it was necessary to follow the one who saw, because the one who sees has the stronger case against the one who does not see, and the verification of the sighting is as it is in the Shariah texts without introducing the astronomical calculation into the subject because the Hadith of the Messenger (saw) is clear in the Hadith:

“...and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban.”

And because Mali and Niger are west of Afghanistan, i.e. if the sighting is established in Afghanistan, it is with greater reason that it is established in Mali and Niger, and accordingly we have begun to investigate Afghanistan, and the announced sighting were in these three countries:

a- Niger announced that the sighting of the new moon of the month of Shawwal was confirmed, after sunset on Saturday in the regions of Diffa, Tahoua and Maradi, as well as in the city of Zinder.

b- The Supreme Court of Afghanistan announced, on Saturday evening, that Sunday 1/5/2022, will be the first day of blessed Eid ul-Fitr 2022 in the country. And as it was mentioned about those countries, the sighting took place in the states: Ghor, Ghazni, Kandahar, Farah, and 27 valid testimonies were confirmed by the regional committees.

c- Mali also announced that the Shawwal new moon was sighted on Saturday evening in two locations by 8 witnesses.

In other words, the sighting was from about 39 witnesses in different locations... and we made every effort to verify this, especially from Afghanistan, because Mali and Niger are to the west. If sighting is valid in Afghanistan, then with greater reason it is correct in Mali and Niger. We were not sufficed with what we got from the Media and with what we received from the Mu'tamids in the Wilayahs, we even added to that... So, we contacted the Media Office of Hizb ut Tahrir in Afghanistan, as well as some Afghan brothers in Europe to contact some relatives in Afghanistan to verify the matter until we were reassured that the sighting was confirmed, so we announced it around 12 at night, Medina time.

7- As for the question, why do Muslims differ in sighting? The answer is simple and easy, and it is as follows:

a- The disagreement is due to the non-following of the Shariah ruling, although it is clear! The Messenger of Allah (saw) explained to us the obligation to follow the sighting (method), and he (saw) emphasized that by saying: **“...and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban.”**

It is clear from this that the astronomical calculation should be disregarded, because the text required the completion of the month, thirty days, if the new moon was not seen, because the clouds obscured it from sighting; even if it was located behind the clouds and the astronomical calculation proved its presence behind the clouds. Even then, it is not correct to use them (the astronomical calculations), rather we complete the month thirty (days) as stated in the Hadiths Messenger of Allah (saw): **صُومُوا لِرُؤُوسِهِ، وَأَفْطَرُوا لِرُؤُوسِهِ، فَإِنْ غَبِيَ عَلَيْكُمْ فَعُدُّوا ثَلَاثِينَ: “Start fasting on seeing the crescent [new moon] (of Ramadan), and give up fasting on seeing the crescent [new moon] (of Shawwal), and if the sky is overcast (and you cannot see it), count thirty days of Sha'ban.”** And he (saw) said: **لَا تَقْدِمُوا الشَّهْرَ حَتَّى تَرَوْا** **“Do not anticipate the month until you see the crescent [new moon] before it, or you complete the number of days. Then fast until you see the new moon, or you complete the number of days.”** [Narrated by Abu Dawud]. He (saw) said: **إِذَا رَأَيْتُمُ الْهَيْلَانَ فَصُومُوا وَإِذَا رَأَيْتُمُوهُ فَأَفْطَرُوا**

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“When you see the crescent [new moon] (of the month of Ramadan), start fasting, and when you see the crescent [new moon] (of the month of Shawwal), stop fasting; and if the sky is overcast (and you can't see it) then fast 30 days.” [Narrated by Muslim].

There are many Hadiths regarding this, and they indicate that what counts in this is sighting of the new moon or completing the month thirty days. The purpose of these Hadiths is not for each one to see the new moon himself, rather what is meant is the just testimony as evidence, for it was authenticated on the authority of Ibn Umar - may Allah be pleased with them, he said: “The people tried to see the new moon and he informed Allah’s messenger that he had seen it, so he fasted and commanded the people to observe the fast.” [Narrated by Abu Dawud].

b- As for the second reason, the Muslims are united by a Khilafah (Caliphate), they have no one ruler that removes the dispute without division. By studying the Hadith of the Messenger (saw) this is clear.

Ahmad extracted in his Musnad, he said, Hushaim told us, Abu Bishr told us, from Abi Umair ibn Anas, uncles of mine from the Ansar told me and from the companions of the Messenger of Allah (saw): **عَمَّ عَلَيْنَا هَلَالٌ شَوَّالٍ فَأَصْبَحْنَا صِيَامًا فَجَاءَ رَجَبٌ مِنْ آخِرِ النَّهَارِ فَشَهِدُوا عِنْدَ رَسُولِ اللَّهِ ﷺ أَنَّهُمْ رَأَوْا الْهَلَالَ بِالْأَمْسِ فَأَمَرَ رَسُولُ اللَّهِ ﷺ أَنْ يُفْطَرُوا مِنْ يَوْمِهِمْ وَأَنْ يَخْرُجُوا لِعِيدِهِمْ مِنَ الْغَدِ** “The crescent [new moon] of Shawwal was hidden from us (by clouds) so we arose the next morning fasting. Then a caravan from outside Madinah arrived towards the end of the day and the people init witnessed to the Prophet (saw) that they had seen the crescent [new moon] yesterday, so he (saw) commanded us to break our fast and to gather for Eid the following morning.” [Musnad of Ahmad]

Despite the difficulty of communication between villages and cities at that time, the problem was resolved by the Messenger (saw), when he (saw) commanded Muslims in Medina to break the fast because the new moon was seen in the Badiya desert, then he (saw) commanded Muslims to pray Eid the next day, because the Badiya delegation arrived in Medina after the time for the Eid prayer had passed that day. This is at the time when communication of news from one country to another took a long time. So how is it today, when the news is transmitted at rapid speed? If the Muslims had a caliph and one state, they would be the servants of Allah as brothers, especially since adoption in everything that unites Muslims and their unity is commanded by Islam for the state, the party and the individual according to the Shariah. So, adopting the Shariah opinion that unites Muslims is a matter of great status in Islam.

It is these two matters that remove the dispute, and it is the duty of the Muslims to make every effort to achieve them so that the Muslims return to being the best nation

brought to humankind as Allah (swt) revealed in His Noble Book.

كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَأَنْتُمْ بِاللَّهِ وَتُؤْمِنُونَ بِاللَّهِ “You are the best nation produced [as an example] for mankind. You enjoin what is right and forbid what is wrong and believe in Allah. If only the People of the Scripture had believed, it would have been better for them. Among them are believers, but most of them are defiantly disobedient” [Aal-i Imran: 110].

In conclusion, I ask Allah (swt), to guide all Muslims to the best in their affairs, to make them honoured with the honour of Islam, and to establish their state after a long absence, and then they do not differ in obedience to their Lord, but rather be as Allah (swt) says:

فَانْقَلَبُوا بِنِعْمَةٍ مِنَ اللَّهِ وَفَضْلٍ لَمْ يَمَسَّسْهُمْ سُوءٌ وَاتَّبَعُوا رِضْوَانَ اللَّهِ وَاللَّهُ ذُو فَضْلٍ عَظِيمٍ “So, they returned with favor from Allah and bounty, no harm having touched them. And they pursued the pleasure of Allah, and Allah is the possessor of great bounty” [Aal-i Imran: 174].

May Allah accept your worships, Wassalam Alaikum Wa Rahmatullah Wa Barakatuh.

Your Brother,

Ata Bin Khalil Abu Al-Rashtah

10 Shawwal 1443 AH

10/5//2022 CE