



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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حمد لله حمد الشاكرين، والصلاة والسلام على المبعوث رحمة للعالمين، وهادياً للناس أجمعين.
صلاةً وسلاماً دائمين إلى يوم الدين، وآله وصحبه ومن تبعهم بإحسان، وسلم تسليماً كثيراً، أما بعد:

The Correct 'Mushahadah' Time at which Subh Sadiq and Shafaq Commences

Establishing Salah Timetables According to 18 Degrees below the Horizon



إيضاح يوايت

العلامة محمد الوسى البغدادى رحمه الله: (- سورة تكوير) ان تنفس الصبح وضيائه بواسطة قرب الشمس إلى الأفق الشرقى بمقدار معين ، وهو فى المشهور ثمانية عشر جزء (تفسير روح المعانى)

Allah ﷻ has stated in the Holy Qur'an: 'And eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night), then complete your Saum (fast) till the nightfall.' (s2,v187)

In this verse of the Qur'an, Allah ﷻ has referred to the darkness of night as the black thread (الخييط الأسود) and the light of dawn as the white thread (الخييط الأبيض). These two times are then stipulated as the defining moments to commence and terminate the fast. Let it be known that the entire Ummah is united upon this principle. (Mu'alim-ul-Tanzeel, vol 1, p138/ Fath-ul-Mulhim, vol 3, p112)

Salah (Prayer) is a pillar of the religion of Islam and it is compulsory to perform it on time as stipulated by Shari'ah, it is only on this condition that it is accepted. Similarly, fasting on time and in the correct intervals is also compulsory for its acceptance.

'Adi bin Hatim رضى الله عنه related: 'When this verse of the Holy Qur'an was revealed, then I placed two threads (a black and a white one) under my pillow and kept observing them throughout the night. I was unable to distinguish a clear distinction between the two. In the morning, I went to the Prophet ﷺ and related my experience to him ﷺ. The Prophet ﷺ stated that the white and black thread refers to the commencement of the day and the darkness of the night (Subh Sadiq).' (Sahih Bukhari #2191)

The commencement of the fast occurs from Subh Sadiq, if a person eats after this time, his fast is not valid. When an individual is certain that Subh Sadiq has been established, it is Haram to eat. Eating after this time causes the fast to break even if a person was to eat for an extra minute. (M'ariful Qur'an, vol1, p454)

The Prophet ﷺ stated in a Hadith: 'The Athan of Bilal رضى الله عنه should not prevent you from eating Sahur (Sehri) because he gives Athan at night, even after hearing Bilal's Athan keep eating until you hear the Athan of Abdullah ibn Umme Makhtum رضى الله عنه. He (Abdullah ibn Umme Makhtum) gives Athan at the correct time of Subh Sadiq.' (Sahih Bukhari/ Sahih Muslim vol 2, p2160)

The above Hadith shows that the Rasulullah ﷺ has stated the final moment to which a person can eat is Subh Sadiq, the Holy Qur'an also states the same: 'the white thread (light) of dawn appears to you distinct from the black thread (darkness of night)'. To therefore give permission to eat after Subh Sadiq will be to go against the Qur'an and Sunnah.

Subh Sadiq and Subh Kadhif according to the Sahih Ahadith:

The Prophet ﷺ stated: 'There are two types of Fajr, one due to which eating becomes impermissible on the fasting person (Subh Sadiq) and the other in which praying is not permissible but within which the fasting person can eat (Subh Kadhif). (Ibn Khuzaimah/ Mustadark Hakim)

Samurah bin Jundub رضى الله عنه related that the Prophet ﷺ stated: 'The vertical light (مستطيل Fajr-e-Mustateel) should not prevent you from eating (Suhur). You can eat and drink until the light appears to spread (مستطير Fajr-e-Mustateer). (Sahih Muslim/ Sunan Nasai/ Sunan Abu Dawood/ Jami Tirmidhi #706)

Allamah Baghawi رضى الله عنه writes: 'Understand this, that there are two types of Fajr in the morning. One is Subh Kadhif (Fajr-e-Mustateel (مستطيل) the light of which is similar to the tail of a wolf and is tall in the sky. The appearance of this light does not signal the end of the night and it does not prevent the fasting person from eating. Then this light vanishes and light begins to spread on the horizon, this is referred to as Subh Sadiq (Fajr-e-Mustateer (مستطير) due

to which the day commences and the eating of food is not permissible for the fasting person.’ (Mu’alimul Tanzeel, vol 1, p138)

Abdullah ibn Masood رضي الله عنه related that the Prophet ﷺ stated: ‘The Athan of Bilal رضي الله عنه should not prevent you from eating Suhur, the Athan of Bilal is a means of causing (those busy in worship) to return home and to wake those who are sleeping.’ (Sahih Muslim vol 2, p2160)

Imam Ibn-ul-Humam رحمه الله writes: ‘There is no reliance on Subh Kadhib, it appears as a tall light in the sky and it is for this reason that the Prophet ﷺ said: ‘Do not let Bilal’s Athan of Fajr-e-Mustateel (مستطيل) deceive you.. Verily, Fajr occurs when light spreads on the horizon.’ (Fathul Qadeer, vol 1, p193)

The Statements of the Mufasireen, Muhaditheen and Fuqaha:

The differentiation of Subh Sadiq and Subh Kadhib has been mentioned by the well known Mufasir, Allamah Abu Bakr Jassas Razi رحمه الله (d:370H): ‘There is no dispute within the Muslims that the light which spreads on the horizon (Subh Sadiq-Faraje Mustateer) makes it impermissible for the fasting person to eat.’ (Ahkamul Qur’an, vol 1, p285)

وعلى قول أبي حنيفة المعتبر في الحصتين أن يكون الشمس منقطة بح (18) نرة لأرتفاع يح 18 بدرجة النظير هو الحصة لكل منها 18 درجة المتساويان (ربع المجيب ص23)

And based upon the opinion of Imam A’azam Abu Hanifa رحمه الله: ‘Subh Sadiq and dusk (Shafaq); these two occur at the same time - when Isha time starts the sun is 18 degrees below the horizon.’ (Rub-’ul-Mujayyab, p23)

Imam Nawawi رحمه الله writes: ‘There is Ijma (unanimous opinion) of the Ummah that the time for Salat-ul-Fajr is when Subh Sadiq commences. This Subh Sadiq is the 2nd Fajr of which there are two types. The first is known as Subh Kadhib and the other is known as Subh Sadiq. The first Fajr causes light to be seen vertically in the sky, after a while this vanishes and the second light spreads horizontally, this is Subh Sadiq. The scholars state, the rulings of the Shari’ah are dependent upon Subh Sadiq. The appearance of this horizontal light causes the time of Fajr Salah to commence; it ends the time for Isha Salah. It commences the time of fasting and makes it impermissible for the fasting person to eat and drink. It is also upon this that the day starts and the night ends. There is Ijma of the Muslims on this.’ (Sharah Muhathab, vol 3, p34)

Mufti A’azam Baghdad, Allamah Muhammad Aalusi رحمه الله writes: ‘This is the first light which appears before Subh Sadiq, it is similar to the tail of a wolf and is referred to as Subh Kadhib. Then light spreads over the width of the horizon, this is referred to as Subh Sadiq.’ (Tasfeer Ruh-ul-M’aani, vol 2, p69)

Allama Shami رحمه الله writes: ‘The time for Salat ul Fajr occurs at the beginning of the 2nd Subh (Subh Sadiq). Subh Sadiq is that light which spreads on the horizon.’ (Raddul Muhtar, vol 1, p359)

About 100 years ago in 1313H (1896) Hadhrat Maulana Mufti Muhammad Lutfullah Rampuri رحمه الله stated: ‘the time of (commencement of Fajr) Subh Sadiq and the commencement of Isha both occur at the same point (degrees). When the sun rises to 18 degrees below the horizon, it causes a light to spread across the horizon...this is referred to as Subh Sadiq. This light continues to increase until sun rise.’ (Hal-ul-Daqaiq Fi Tahqiq Al-Subh-us- Sadiq, p32)

In the same era, Munshi Muhammad A’alaa Mirthee رحمه الله justified Subh Sadiq as occurring at 18 degrees. (Risalah Subh-Sadiq)

The statements in the two above mentioned books have been approved by signatures and authoring of a preface by many great scholars of Deoband Ahle Sunnat Wal Jamaat, including: Hujatul Islam Maulana Muhammad Qasim Nanotwi رحمه الله founder of Darul Uloom Deoband, Shaykhul Hind Hadhrat Maulana Mahmood Hasan رحمه الله, Hadhrat Maulana Khalil Ahmed Saharanpuri رحمه الله, Hadhrat Mufti Azizur Rahman رحمه الله and Maulana Habibur Rahman Usmani رحمه الله.

العلامة السامحة الشيخ محمد يوسف : أنه عرف با (ثمانية) (ثمانية) من دائرة ارتفاع الشمس المارة بمركزها (28 2)

Allamah Muhammad Yusuf Binori رحمه الله writes: ‘The commencement of Subh Sadiq (Fajr) and the end of the evening white light, Shafaq-e-Abyadh after Magrib which signals the commencement of Isha, both occur when the sun is 18 degrees below the horizon.’ (M’arif-Al-Sunan, vol 2, p28)

The Statements of the Researchers upon the Commencement of Subh Sadiq:

The commencement for the time of Salat ul Fajr at Subh Sadiq has clearly been proven from the Holy Qur’an, Ahadith and statements of the scholars of the Ummah. The teachings and principles of Shari’ah have been formulated in relation to the disposition of Mankind and the world that we live in. This makes the performance of acts of worship easy for us (Muslims) to follow and implement wherever we may be.

In this day and age, to observe from Cities and Towns in the presence of light pollution, smog, mist, and air pollution makes the distinguishing of Subh Sadiq almost impossible. Therefore in this situation, it is necessary to assess the research of the pious predecessors and present scholars in this respect to distinguish and act upon the time of Subh Sadiq.

الأستاذ ابوريحان البيروني (440هجري، 1048) :
 (2 مقاله 8 13)
 تى كان ثمانية

In this matter Allamah Abu Rayhan Al Beiruni (d:440Hijri, 1048) writes: 'When the sun descends to 18 degrees below the horizon in the East, that is the commencement of Fajr (Subh Sadiq).' (Al Qanun Al-Mas'udi, vol 2, ch 8, heading 13)

In the Muslim Ummah there were such intellectuals and specialist researchers in this matter; 950 years ago they established 18 degrees as the defining moment of the commencement of Subh Sadiq. Even today, the scholars of Islam and the Muslim Astronomers have verified this fact of specifying 18 degrees for the commencement of Fajr, Subh Sadiq. Those who indicate a finding of 12-15 degrees have no doubt been deceived in their research in the distinguishing of Subh Kadhib and Subh Sadiq.

Shaikh Naseer ud Deen Muhaqiq Toosi (d:672Hijri) writes: 'If the sun is lower than 18 degrees then Subah Sadiq does not commence. If it is higher than 18 degrees, Subah Sadiq has commenced. If the sun is at 18 degrees, then this is the beginning time of Subah Sadiq.' (Baysat Baab, vol9, p16)

Shaikh Bahuddin Muhammad bin Hussain Al Harithi Al Aamili Al Humthani (d:1031Hijri) writes: 'If the sun is above 18 degrees then Fajr (Subah Sadiq) has commenced. If the sun is below 18 degrees on the horizon then Subah Sadiq has not yet commenced. If the sun is level to 18 degrees below on the horizon, this is the commencement of Subah Sadiq.' (Al Kashkool by Ibn Khayaat)

It is understood from this that the correct time for Subah Sadiq commencing is when the sun is 18 degrees below the horizon, not before it nor after it.

It has been stated in Sharah Chagmani: 'Verily, from experience it is proven that Subh Sadiq and Shafq occur when the sun is 18 degrees below the horizon.' ()

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Mufti A'azam Baghdad, Allamah Muhammad Aaloosi (d:1031Hijri) writes: 'Allah ﷻ says: And by the night when it departs, And by the dawn when it spreads' (s81, v17-18). The day commences due to the light spreading on the horizon, this occurs at 18 degrees according to the well known statements. (Tafseer Roohul Ma'ani)

ان علمنا أن بداية الفجر وهو صلاة الصبح بيده عندما تكون الشمس تحت الأفق الشرقى بمقدار 18 ، وإن وقت العشاء بيده عند مآصير الشمس تحت الأفق 18. (تعيين مواقيت الصلوات)

The teacher of Dr Qamaruddeen, Muhammad bin Saud of the Islamic University Riyadh writes: 'Subh Sadiq, meaning the start of Fajr commences when the sun is 18 degrees below the eastern horizon. The time for Isha Salah starts when the sun is 18 degrees below the western horizon' (Mawaqit-ul-Salawat)

The Arab peninsula (Haramain Sharifain), Hindustan, Pakistan, Bangladesh and rest of the Islamic World until today have been establishing the commencement of Fajr from when the sun is 18 degrees below the horizon...this is referred to as Subh Sadiq.

Allamah Shami (d:1031Hijri) has also advocated 18 to 19 degrees as the time of Subh Sadiq. (Raddul Muhtaar, vol 2, p93)

The Fatawa board of the Arab world known as Wazarat ul Awqaaf wa Shoonul Islamia (Kuwait) has produced a Fatwa by Dr Saleh Al Ajeeri, which states: 'The research upon Subh Sadiq shows that it occurs at 18 degrees, some scholars have specified 19 degrees below the horizon as being the time to stop eating (Suhur) due to cautiousness. But, the commencement of Fajr occurs when the sun is 18 degrees below the horizon.' (Majmooatul Fatawa Al Shariah, vol1, p193)

Imam Ghazali (d:1031Hijri) writes: 'Subh Sadiq can be established by viewing the moon of two nights. On the 26th night the moon appears at the same time as Subh Sadiq and on the 12th night the moon disappears at the time of Subh Sadiq.' This phenomenon is witnessed throughout the World, although there are some areas which due to the geographical location may experience a slight difference. (Ahya ul Uloom, vol 1, p173)

Hadhrat Hakim ul Ummat Thanwi (d:1031Hijri) also agreed with the statement of Imam Ghazali (d:1031Hijri) stating: 'by witnessing the moon on the 26th and 12th nights a person is able to adjust his timetable accordingly. Erring on the side of caution, one should stop eating 10 minutes before this time.' (Imdadul Fatawa, vol 1, p100)

Hadhrat Hakim ul Ummat Thanwi رحمته received a letter from Scotland, UK in 1350H (1932) requesting a Fatwa in respect of the timings of Salah in the UK. Hadhrat Thanwi رحمته responded in *Imadatul Fatawa*, vol 1, p176 by providing a Salah timetable which through research establishes Subh Sadiq at 18 degrees.

Shaykhul Hadith, Mufti Saeed Ahmed Palanpuri رحمته has stated numerous times in his discourses that Subh Sadiq should be performed at 18 degrees.

There was a question posed to Mufti Muhammad Taqi Usmani رحمته حفظه الله by an individual from America to determine whether 15 degrees (ISNA) or 18 degrees below the horizon should be used to commence the time of Fajr. In response, Mufti Sahib writes: 'After a good deal of research and continuing observation, my father (Mufti Muhammad Shafi Usmani رحمته) as well as 99% of the Ulama in Pakistan and India are unanimous on the point that the time of Isha and Fajr begins when the sun is 18 degrees below the horizon. This basis has been confirmed by scientific as well as religious research by a large number of scholars in both fields.' (Al Balagh)

Mufti A'azam Pakistan, Mufti Muhammad Shafi Usmani رحمته writes: 'When an individual is certain that Subh Sadiq has been established, it is Haram to eat. Eating after this time causes the fast to break even if a person was to eat for an extra minute.' (Mariful Qur'an, vol1, p454)

What is Subh Sadiq and when does it commence?

After the sun sets, it falls 6 degrees below the horizon, and then continues to fall to 12 and 18 degrees. At 18 degrees, the light in the sky finishes, night envelops the sky and the time for Isha commences. The advent of a new day occurs in the opposite manner, the sun rises from 18 degrees then 12 and then 6. Subh Sadiq is therefore the point at which the sun rises in the morning and reaches 18 degrees below the Horizon.

In today's scientific observation, there are 3 times when the day is said to have commenced. Those associated to work on the sea are familiar with these times:

1. Civil Twilight () – occurs at 6 degrees.
2. Nautical Twilight () – occurs at 12 degrees.
3. Astronomical Twilight () – occurs at 18 degrees.

Astronomical Twilight: it is the unanimous opinion of the Jurists of the early generations and this age that Subh Sadiq occurs at this time. This is the time that a slight light is seen on the horizon, large items are visible but small details are not easily distinguishable. Large stars are still visible in the sky at this time.

In light of Sahih Hadith, Imam Malik, Imam Bukhari Imam Tirmidith رحمته related through Hadhrat Aisha رضي الله عنها. 'We, the Muslim women would attend the morning prayer behind the Prophet صلى الله عليه وسلم with our bodies covered in sheets. After the prayer, when we would return home, () due to the darkness we could not recognise each other.' (Muwatta Imam Malik, #4/ Sahih Bukhari #578/ Jami Tirmidith vol 1, p40)

Hafiz Ibn Hajar Al Asqalani رحمته writes: 'due to the darkness we could not recognise each other' means, due to the darkness they could distinguish the form of a body but not recognise whether it was Khadija or Zainab.' (Fathul Bari Sharah Bukhari vol 2, p22)

In this Hadith ' Al Ghalas' is translated by expert translators of the Arabic language (lexicographer) as 'the last part of the darkness of the night which is joined to the first light of the day.' (Lisanul Arab/ Majma'ul Bahar, vol 4, p52)

(273 1) سماحة الشيخ محمد زكريا الكاندهلوى رحمته : () قال ابن الأثير ظلمة آخر الليل إذا اختلطت بضوء الصباح)
Shaykhul Hadith Maulana Zakariya Kandhalawi رحمته uses the statement of Ibn Atheer رحمته to explain the meaning of ' Al Ghalas' in the same manner. (Awjazul Masalik Shara Muwatta Imam Malik, vol 1, p273)

To witness Subh Sadiq properly certain points need to be taken into consideration:

1. The sky needs to be clear of clouds, fog, mist etc.
2. It should not be witnessed in such a location where the light of the moon is eminently severe.
3. It should not be a very windy night.
4. The witnesses should have clear vision (I.e. no defect in Eyesight) and experience in this field.
5. The location where the witnessing takes place should not have street lights.
6. The individual or group should not be on land that is too low (i.e. a valley) nor should it be raised.
7. The witnessing individual should be experienced in distinguishing the signs of Subh Sadiq from the Islamic and scientific perspective.

In this respect, Hadhrat Maulana Zafar Ahmed Usmani رحمته writes: 'the commencement of the fast and start time of Fajr occurs as soon as Subh Sadiq sets in. It should not be observed after light is seen to be spreading. As in the Qur'an, Allah ﷻ says: 'until the white thread (light) of dawn appears to you distinct from the black thread (darkness

of night)'. The distinction between night and day occurs at the very first occurrence of light – referring to the 'thread'. The spreading of the light on the horizon, does not remain a thread, but becomes clearly distinguishable to the eye. Murshidi Hakim ul Ummat Shaykh Ashraf Ali Thanwi ربه had the habit of stopping eating a little while before the appearance of the white thread (Subh Sadiq), this was his cautiousness. As stated above, to eat after the occurrence of Subh Sadiq is not permissible at all. (Ahkamul Qur'an, vol 1, p247)

The Occurrence of Dusk and Subh Sadiq in the UK During the Summer Months:

Allah ﷻ says: 'Verily, Salah has been enjoined on the believers at fixed hours.' (s4, v103)

It is also proven from the Sahih Hadith that Allah ﷻ sent Jibril ﷺ to the Prophet ﷺ for two days to show him ﷺ when the times for prayer falls. On the 1st day Jibril ﷺ would come and perform the prayer at the start times of each Salah. On the 2nd day Jibril ﷺ would come and perform prayer at the end time of each Salah. Jibril ﷺ said to the Prophet ﷺ: 'O Prophet of Allah ﷻ, this was the timings for prayer of the previous nations. You should pray between these two times.' (Sunan Abu Dawood/ Jami Tirmidhi vol 1, p38)

The praying of Jibril ﷺ would occur at the intervals and signs of the day which are attached to each prayer: Subh Sadiq, Sunrise, Zawaal, Mithl (one shadow length), Mithlain (two shadow lengths), sunset and dusk.

There are certain countries of the Earth where all the signs of day and night are not able to be witnessed. For example, some countries experience 6 months of daylight with no darkness in the year. However, the UK lies above 48 degrees latitude. From 21st May to 23rd July in London, the sun does not descend more than 15 degrees below the horizon. There is no real distinction between day and night; as a result darkness does not set in. This phenomenon is called Persisting Twilight.

Even though the signs to distinguish the occurrence of each Salah are not readily visible in the summer months, it is compulsory upon every Muslim to pray 5 times a day. The proof for this is the Hadith of Dajjal, where the day will be like one year and the Companions ربه were instructed to read their Salah by their own judgement of time. (Sahih Muslim p289/ Masnad Ahmed/ Mustadrak Hakim)

بن سمعان رضى الله عنه قال ذكر رسول الله صلى الله عليه وسلم الدجال ذات غداة ... يا رسول الله ماليتك في الأرض؟ قال اربعون يوما يوم كسنة، ويوم كشهر، ويوم كجمعة، وسائر أيامه كأيامكم، قلنا يا رسول الله فذلك اليوم الذى كسنة اتينا فيه صلاة يوم؟ قال لا اقدر والله قدره (صحيح مسلم ص 289)

For us, the judgement of Salah times has been made very practical and simple as we have the blessing of a 24 hour timetable for the day; this allows us to prepare for a Salah slightly before the time sets in. (Fatawa Darul Uloom vol 2 p30)

In such a situation where the signs mentioned in the Islamic principles, by which salah times can be established are not readily witnessed, then the sayings and actions of the Salaf us Saliheen and Aimmah Mujtahideen are a source of guidance for us.

In the (UK) summer months, due to the Presence of Light throughout the Night, Islamic Theologians have provided 4 methods that can be used to Calculate Fajr and Isha Times:

1. Nearest Latitude (أقرب Al Balad) – take the times of the nearest city or country where the signs and times of Salah are easily distinguishable.
2. Nearest Day (أقرب الأيام Aqrab Al Ayyam) – to use the Fajr and Isha times from the last day when it was possible to calculate these times for that location.
3. Middle of the Night (نصف الليل Nisf Al Lail) – split the time between sunset and sunrise into two halves. Isha is offered before the midpoint and Fajr is offered after the midpoint.
4. One seventh of the Night (الليل Sube Al Lail) – split the time between sunset and sunrise into seven segments. Isha is offered after the 1st segment and Fajr is offered after the 6th segment.

حديث عن سعد القرظ قال أذانا زمن رسول الله صلى الله عليه وسلم بقاء وفى زمن عمر بالمدينة ، وفى الصيف لسبع بقى ، (تلخيص الحبير جلد 1 179)

When the signs for doing so are not clearly distinguishable, it is permissible to adopt any of the above mentioned methods to establish the Salah times. However, it is incorrect to label one method as incorrect as opposed to the other. It is my opinion that the general masses, no matter how much you try to explain intricate details of Islamic principles etc to them, there will always be some confusion. For this reason, each town or area should unite on one method to avoid this confusion and difference. The Scholars and learned personalities should be satisfied with adopting one of the opinions above and be able to transfer this confidence to the general masses.

The Scholars of Fiqh have mentioned many points in respect of acting upon أقرب Al Balad. I will present a few opinions here: Shaykh-ul-Islam Muhaddithil Asar, Allamah Syed Muhammad Anwar Shah Kashmiri ربه stated on the commentary of the Hadith mentioning the emergence of Dajjal: 'In my opinion, in those countries where there is no clear Islamic night, it is compulsory to pray in that time frame. It is compulsory to pray the 5 prayers in the day and night. The only matter that remains are how to distinguish the timings for Salah and Fasting in this instance

(where there are no clear distinguishing factors to ascertain). In this respect, there has been no greater research undertaken, than by the Scholars of the Shafi Fiqh. They state: 'The time of Isha should be adopted from the closest location where the Islamic night is observed, the fast should then also be regulated using this time frame, ascertain from the neighbouring location.' (**Al Urf'ul Shazi, p464**)

Hakim-ul-Ummat Shaykh Ashraf Ali Thanwi مه stated in various locations in his renowned Fatwa book called Imdaadul Fatawa and Bawadir-un-Nawadir: 'In those areas where Salah and Fasting cannot be distinguished from the clear signs, they should adopt the timings of the closest area where these signs can be witnessed to regulate the timings for Salah and Fasting.

ويقول صاحب ردالمختار: وحاصله أنالانسلم لزوم وجودالسبب حقيقة بل يكفي تقديره كما في أيام الدجال، ويحتتم
من أنه يكون وقت العشاء في حقه بقدر ما يغيب فيه الشفق في أقرب البلاد إليهم (1 /322)
المالكية، فيذبون إلى التقدير قياساً على أقرب البلاد إليهم، فقد جاء على حاشية شرح الأمير ج 1 /135 المنهاج ج 1 /128
3 /43 بالتقدير المذكور هو مقاله الشافعية (157)

Those that act upon أقرب الأيام Aqrab Al Ayyam, close their fast at 1.23am (London) in the summer months are considerably the most cautious. This is the best and most cautious from an Islamic viewpoint. This is the united ruling of the UK Ulama under the leadership and supervision of Hadhrat Moulana Mufti Mahmood Hassan Gangohi مه Hind (Senior Khalifa of Hadhrat Shaykhul Hadith Moulana Muhammad Zakariyya Kandhlavi مه . This meeting was held at Jamia Masjid, 30 Howard Street, Bradford, England on 16 Sha'ban 1403Hijrah, 29th May 1983.

Those that follow سبع الليل Sube Al Lail (close their fast approx 3.30am in London) do so for the ease of the people, which is also valid as allowance is given. There a few select Scholars in the UK who are not in favour of adopting Sube Al Lail, due to the fact that sunlight spreads considerably in the UK at this time, hence they prefer to adopt a stance that is more cautious.

Hakim-ul-Ummat Shaykh Ashraf Ali Thanwi مه writes: 'by splitting the night into 7 parts, a person can eat in the first 6 parts.' (Imdadul Fatawa, vol2, p98, 12/12/1322Hijri) This is a similar statement to Allamah Shami مه in Rad-ul-Muhtar. Mufti Shafi Usmani مه said: 'This statement is presented via assumption. In those countries where Subh Sadiq cannot be clearly distinguished (the UK in the summer months) it is permissible to act upon this advice.' Erring on the side of caution, one should stop eating 10 minutes before this time.' (Imdadul Fatawa, vol 1, p100)

السحور إسم للمأكول في السحر وهو السدس الأخير من الليل (369)
والسحور ما يؤكل في السحر وهو السدس الأخير في الليل (2 /292)
التسحر مستحب ووقته آخر الليل ، قال فقيه أبو الليث : وهو سدس الأخير (فتاوى هندية باب كراهية الصوم وعدمه)

However, one cannot mix the principles of the four methods. The discipline and commandment of Holy Qur'an and Sunnah must always be adhered to, for example: Suhur (eating food) always precedes Fajr Salah, to eat food after Fajr Salah is not permissible and is against the Holy Qur'an and Sunnah.

(في فرضي العشاء وإن لم يغيب الشفق) The Time of Isha (Shafaq) In The Summer Months:

" يقع على الحمرة في المغرب بعد الغروب وعلى البياض الباقي بعدها (3 /237) "

The time of Isha commences on the disappearance of Shafaq which is after the sun has set, hence Isha time starts after Magrib when both the red (شفق) and white light (شفق أبيض) disappear. (Majm'ul Bihar-il-Anwar, vol 3, p237)

Imam Raqib Asfahani مه writes: 'After the sun sets, Shafaq occurs when the last light of the day meets the first darkness of the night.' (Qamusul Qur'an)

Allamah Ibn Qudamah Hanbali مه writes: 'There is no difference in the scholars that the time of Isha commences when Shafaq disappears. There is only a minor difference between two sayings as to exactly when Shafaq is said to have occurred. Some say Shafaq disappears when the red light after Magrib disappears, others say it is when the white light disappears.

1. Ibn Umar رضي الله عنه and Ibn Abbas رضي الله عنه, Ata', Mujahid, Saeed Ibn Jubair, Imam Zuhri, Imam Thawri, Ibn Abi Layla, Ishaq, Imam Malik, Imam Ahmed, Imam Shafi and Imam Abu Yusuf and Muhammad Shaybani مه , all state that Shafaq disappears with the disappearance of the red light (شفق) after Magrib.
2. Anas bin Malik رضي الله عنه, Abu Hurairah رضي الله عنه, Umar bin Abdul Aziz, Imam Awzai', Ibn Munzir and Imam Abu Hanifa مه all states that Shafaq disappears when both the red (شفق) and white light (شفق أبيض) have disappeared after Magrib and night commences. (Al Mughni, vol 1, p382)

Allamah Sarkhasi مه writes: 'Imam Abu Hanifa مه states there is more caution in acting upon the second opinion. Imam Abu Yusuf مه and Muhammad Shaybani مه state that there is ease for the Ummah in acting upon the first opinion.' (Multakiyul Abhar, vol 1, p70/ Hidayah, vol 1, p66)

However, cautiousness in this matter is the better opinion and Isha should be performed upon the disappearance of both red and white light after Maghrib. At the same time, the UK is such a country, due to it being located above 48 degrees latitude during the summer months (May, June, July) the sun does not descend more than 12/15 degrees below the horizon. As a result, due to the sun not descending below 12/15 degrees a white light is seen throughout the night, the darkness of night is not witnessed. Upon this phenomenon, the scholars have stated the following:

Imam Ibn Humam رحمه الله writes: 'In this condition, it is necessary to still pray Isha due to the Hadith of Dajjal.' (**Fathul Qadir, vol 1, p156/ Radd-ul-Muhtar, vol 1, p834/ Fatawa Darul Uloom Deoband, vol 2, p30**)

To perform Isha Salah is compulsory on all Muslims. Take the example of a person who needs to perform Salah, it is obligatory for him to have Wudhu. If one does not have a leg or hand then this person has no body part to perform full ablution upon. However, this does not prevent him from performing Salah. In the same manner although the visible signs of Salah have not appeared in a day, to pray all five Salahs in a 24 hour period is obligatory (Fardh) and necessary. (**Fathul Mulhim, vol 6, p378**)

Hadhrat Maulana Zafar Ahmed Thanwi رحمه الله writes: '(For the inhabitants of the UK) in the summer months after the sun sets, the night remains for five hours. It is compulsory for the inhabitants of London (UK) to pray Maghrib, Isha and Fajr in their stipulated times. They should pray Isha 1 hour after the sun has set. Imam Abu Yusuf رحمه الله and Imam Muhammad رحمه الله stated that the start time of Isha occurs on the disappearance of Shafaq-e-Ahmer (red light in the horizon). The red light which occurs after sunset is not visible 1 hour after sunset (Maghrib). (**Imamdul Ahkaam, vol 1, p314**)

From eye witness accounts it can be seen that in reality after 1 hour the red light (Shafq-e-Ahmer) does not completely disappear from the horizon, as stated before, there are slight differences depending on geographical location.

It is my humble opinion during the summer months, Isha should commence 1 hour and 5 minutes after sunset using the one seventh method.

To perform Isha later than 1 hour and 5 minutes after sunset (Maghrib) in summer would be a cause of difficulty on the masses and against the Islamic principle of choosing the easier of the two options. Allah ﷻ says: 'And it is He who makes the night a covering for you and sleep repose...' (s25, v47) and: '...and has not laid upon you in religion any hardship.' (s23, v78)

When Maghrib occurs at approximately 9.30pm in the summer and even if Isha is performed after an hour, people will not be free until after 11pm. If Ramadhan occurs in summer, the Salat Al-Taraweeh also has to be performed. In this condition the Jurists of Islam have permitted the following of another school of thought.

وقال الطحاوى فى حاشية
 ..وكثيرا مايبنتلى المسافر بمثله لاسيما الحج، ولا بأس بالتقليد كما فى البحر والنهر (103)
 ان ظهير الدين المرغينانى لماقدم من فرغانه راي كسالى بخارا يصلون العشاء قبل ان يغيب الشفق فأراد منعهم عن ذلك ثم لقي شمس الأئمة السد
 ن منعهم عن ذلك تركوها بالكلية وأما الآن فإنهم يؤدونها فى وقت يجيزهم بعض الأئمة) (165
 وروى عن الزهرى أنه بلغنى أن أباهريرة رضى الله عنه قال من خشى أن ينام قبل صلاة العشاء فلا بأس أن يصلى قبل ان يغيب الشفق) (565

It should also be noted in conclusion that Subh Sadiq, the beginning of Fajr and commencement of the fast is proven from the verse of the Qur'an: : 'And eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night), then complete your Saum (fast) till the nightfall.' (s2,v187)

The entire Ummah is united upon the Qur'an and there is no difference of opinion upon it. There have been scholars throughout the ages who have researched the fundamental principles which lead to the distinguishing of Subh Sadiq. They have ascertained through this that it occurs when the sun is 18 degrees below the horizon. There is no room for being lax and flexible in respect of commencing Subh Sadiq when there is a clear Islamic night and the signs are clearly distinguishable. However, in the matter of Isha, as we have explained above, there are differences in the opinions of the Scholars as to exactly when the time commences.

The Presence of 4 Timetables in the UK and Understanding Their Deficiencies:

Around the world with the selection of a few countries the seasonal norm is that there is complete darkness at night and Subh Sadiq is clearly apparent throughout the year with the exception of a few summer months. This principle applies to the UK as well where Subh Sadiq appears at 18 degrees below the horizon and Fajr time commences thereafter. For a fasting person within this country, at this point where Fajr time has begun it is totally incorrect and invalid to continue eating.

1. In the UK, there is one group that accepts Subh Sadiq at 12 degrees below the horizon for the whole year. However, well before this time Fajr has already commenced and there is no statement from the scholars of the Ummah to date that this is acceptable. Mufti Ubaidullah Asadi حفظه الله Shaykhul Hadith (Jamia Arabia Hathora Banda) writes in his Fatwa: 'To act upon 12 degrees is incorrect as this is against the statements of the scholars of this field and researchers.'

2. Some Masjids within the UK base their timetables upon the calculation of 15 degrees throughout the whole year which they obtain from the observatory. They base the time of Subh Sadiq at 15 degrees and allow people to eat until this time. This is completely incorrect as well, as at this time Fajr has commenced and the fast of a person who eats after Subh Sadiq is not valid.
3. The timetable of Hizbul Ulama UK, which they claim is based upon their own eye witness account of Subh Sadiq. This witnessing was performed from September 1987 to August 1988 in Blackburn. Recent research shows that out of the whole year, they only managed to successfully observe Fajr on 21 days (first light = 21 days and tabyyun = 7 days, meaning 7 days from the 21 days, tabyyun was also observed) and Isha was also observed on 22 days (Shafaq Abyadh 21 days and Shafaq Ahmar 18 days). This information was utilised to formulate a timetable for all the Masajids in the UK through assumption. All the senior scholars and knowledgeable personalities have explained the faults of their 'witnessing' and formulating of timetables for the whole of the UK. However, they are not willing to adopt the advices offered to them. Recent research also indicate that this timetable is based on calculation between 12 degrees for summer months and 15 degrees for winter months.

To create an accurate timetable, 4 observations are required for every day; Subh Sadiq, Subh Khazib, Shafq Amhar & Shafq Abyad. This would equate to 1460 observations, Hizbul Ulema have only carried out 67 in the whole year and not 1460!

It is generally depicted to the masses by the Hizbul Ulama that their timetable was formulated through one whole years of continuous witnessing but figures revealed show that this information provided by Hizb-ul-Ulama is false and misleading. Maybe even those who have been born blind would not accept such an absurd claim! We are all aware that in the UK for 7 or 8 months the sky is very cloudy due to continuous rain, let alone the very fine light of Subh Sadiq, the sun is not even visible during the day, especially in Blackburn where the witnesses claim to have carried out witnessing the sky is mostly cloudy and light pollution is high.

Just as Hadhrat Hakim ul Ummat Thanwi رحمته الله writes: 'The witnessing of something is associated with the eyes. But, the basis of witnessing Subh Sadiq and Shafq is correct understanding and experience. There can be no comprehension of Subh Sadiq with experience. مثليين Mithlain cannot be established without accounting for it.' (Bawadirul Nawadir, p 429)

It is clear that one can only establish the correct time of Subh Sadiq by continually witnessing it and at the same time as having firm understanding and knowledge of the field.

Dar-ul-Uloom Karachi was asked to comment on the timetable prepared by Hizbul Ulama UK in 1987-1988. They responded with a Fatwa stating: 'When the sun has set and the sun descends to 18 degrees below the horizon, this is the time for disappearance of Shafq and Isha commences. In the same manner, when sun is rising and reaches 18 degrees below the horizon, this is the time of Subh Sadiq. This is when the time of Suhur ends and Fajr commences. This is the accepted statement of the vast majority of scholars and astronomical researchers. A small minority claim that 15 degrees is acceptable. The Timetable that you have sent is formulated a long time after the correct time of Subh Sadiq. For this reason, it is not correct to follow this in any way...Subh Sadiq has occurred long before they claim to have witnessed it. This fault has occurred due to the change in weather, not being experienced in witnessing and not being fully proficient in the knowledge of establishing Subh Sadiq. It would now suggest that you formulate another timetable for when the sun is 18 degrees below the horizon and act upon this. Allamah Abu Rayhan Al Beiruni رحمته الله (d:440Hijri, 1048) writes: 'When the sun descends to 18 degrees below the horizon in the East, that is the commencement of Fajr (Subh Sadiq).' (Al Qanun Al-Mas'udi, vol 2, ch 8) And Allah Knows Best. (3 Rajab 1411H – in 1990) Mufti Muhammad Taqi Usmani, Darul Uloom Karachi'

Now it is clear that those Masajids that follow the Timetable of Hizbul Ulama UK formulated upon 12-15 degrees, it is not acceptable to do so according to Shari'ah and their fast will remain null & void.

All the people who are following the above mentioned timetables; 12, 15 and that of Hizbul Ulama UK are continuing to eat after Subh Sadiq. To the extent that others are returning home after praying Fajr whilst they are still eating their Suhur. Remember, there were differences historically due to Saudi Arabia following the new moon system. Due to following the Saudi system, a person can make a mistake in 1 or 2 fasts. But, due to the mistake of establishing Subh Sadiq by the above mentioned timetables... all the fasts of Ramadhan are incorrectly performed and not accepted.

4. To practice upon Subh Sadiq when the sun is 18 degrees below the horizon, this is the correct manner according to the scholars of previous and present generations and the experienced witnesses and knowledgeable researchers in this field. The signs and descriptions of Subh Sadiq which are found in the Holy Qur'an and Saheeh Ahadith are also associated with 18 degrees.

- سورة تكوير) ان تنفس الصبح وضياته بواسطة قرب الشمس إلى الأفق الشرقي بمقدار معين ، وهو العلامة محمد آلوسی البغدادی رحمہ اللہ: (تفسیر روح المعانی) فی المشہور ثمانية عشر جزء (تفسیر روح المعانی)

Mufti A'azam Baghdad, Allamah Muhammad Aaloosi رحمه الله writes: 'Allah ﷻ says: And by the night when it departs, And by the dawn when it spreads' (s81, v17-18). The day commences due to the light spreading on the horizon, this occurs at 18 degrees according to the well known statements. (Tafseer Roohul Ma'ani)

Whose Responsibility Is It To Correct The Situation?

People should not rely upon the published Salah timetables in newspapers and TV channels, as more often than not, these timings are completely wrong and cause any act of worship to be jeopardised.

The scholars of the Ummah, wherever they reside, have a responsibility for that area. Whether they are an Imam of a Masjid or perform some other form of work, they are scholars and have this responsibility entrusted upon them. It is not the quality of scholars to remain silent when there is a difference of opinion in a matter. The scholars should investigate and approve of the manner which is most in accordance with the Holy Qur'an and Sunnah.

The Management and responsible people of the masajid should assist in propagating the Truth. The political ideology of uniting upon the wrong path for the sake of name, fame or reputation is incorrect and against Islamic principles, this is a matter of worship of the masses and a compulsory fast of Islam, we should adopt Islamic etiquettes. When the management committees and Imams of masjids unite upon the Truth, only then will the community be united and rightly guided.

Abdullah Ibn Abbas رضي الله عنه related that the beloved Prophet ﷺ said: 'The rectification of two groups in my Ummah is the rectification of my Ummah, the leaders and the Ulama (scholars).' (Kanzul A'maal, vol 6, p30 #14708)

May Allah ﷻ grant us the ability to act upon the Truth (Haq) and protect us from the Evil of ourselves and others. آمين Ameen!

هو المسؤول والمستعان وهو الهادي إلى سبيل الخير والسلام .

محمد يوسف دُنكا (عفا الله عنه)

Mufti Muhammad Yusuf bin Yaqoob Danka
Croydon Masjid & Islamic Centre

09- Sh'abaan- 1430HA/ 01- August- 2009.