



**SHAYKH ADAM
ABDULLAHI AL-ILORY**

in the

Tableau of Immortality

Volume II

Edited by:

Razaq 'D. Abubakre

المركز النيجيري للبحوث العربية

مكتب الرياض

The Nigerian Center for Arabic Research
Riyadh Office



SHAYKH ADAM ABDULLAHI AL-'ILORY IN THE TABLEAU OF IMMORTALITY

Edited by
Razaq D. Abubakre

Volume II

Published by:

The Nigerian Center for Arabic Research

P.O. Box 5701

Post Code: 11432

Riyadh, Kingdom of Saudi Arabia

Tel: +9662585075

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First Published 2012

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ISBN: 978-977-493-109-3

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A REVIEW OF AL-ILORY'S NEO-IJTIHAD ON THE OBSERVANCE OF RAMADAN FAST AS CONTAINED IN AS-SAWM WAL FITR

Kazeem Adekunle Adegoke

Introduction

Ramadān fasting and issues surrounding it is a paramount annual event in Islam. Various religious issues surrounding the *Ramadān* fasting are sighting of the new crescent, the doubtful day, the possibility of sighting new moon in the day time, collective acceptance of the moon sighting, use of calendar and mathematical calculation in commencing and terminating the *Ramadān* fasting and the sighting of the new crescent of the month of *Shawwal* for the celebration of 'Idu'l-Fitr.¹ These previous-mentioned *Ramadān* fasting-related issues have been causing a lot of confusion and controversy among the Nigerian Muslims for some years. The annual event of *Ramadān* fasting which should have been a joyous moment for the universal Muslims is now marked with high emotion and sentiment arising from the unnecessary legal conflict and controversy from the different verdicts of both indigenous and foreign Islamic scholars. In response to this unwanted situation, Shaykh Adam rose up to this challenges by writing a material titled "*As-Sawm Wa'l - Fitr*" in which he exercised² his own neo-*Ijtihād* so as to serve as an end to the controversy surrounding the commencement and termination of the *Ramadān* fasting in Nigeria.³ It is a result of this, that the paper aims at examining the neo-*Ijtihād* of Shaykh Adam Al-Ilory on the commencement and termination of *Ramadān* fasting among Nigerian Muslims.

Definition of Terms

The term "neo- *Ijtihād*" is coined out of the two words Neo and *Ijtihād*. The prefix "Neo" according to Hornby means "new" or "in a later form"⁴ while the word *Ijtihād* according to Al-Alwani means the interpretation of the source materials inference of rules from them, or giving a legal verdict or decision on any issue on which there is no specific guidance in the Qur'an and *Sunnah*.⁵ The term "Neo- *Ijtihād*" according to Doi quoting Muhammad Abduh of Egypt, is an intellectual interpretation of various issues.⁶

To Ajetunmobi, neo- *Ijtihād* is an offshoot of an early *Ijtihād* of the earlier generation of Muslims which is now re-interpreted so as to bring out new legal ruling according to the culture and custom of a particular society.⁷ The term "*Ramadān*" is the ninth month of Islamic lunar calendar in which the Muslims used to observe their obligatory fasting.⁸ Al-Ilory is an

arabicised name signified that such person belong or relate to Ilorin, a town in Nigeria. This is what is known as *Nisbah* in Arabic grammar (*Nahw*).⁹

Life Sketch of Shaykh Adam Al-Ilory

Shaykh Adam Ibn 'Abdul-Baqī Ibn Habibullah, Ibn 'Abdullah Al-Ilory was born in the Republic of Benin (formally Dahomey) in the year 1917/1337 A.H.¹⁰ At the age of five, Shaykh Al-Ilory started his educational carrier with his father, Abdul-Baqi (1879-1956) who taught him the Holy Qur'an and some fundamental aspects of Islam.¹¹ On getting to Ibadan along with his father in 1934, his father directed him to go to a famous Muslim Scholar in the person of Shaykh Salihu Ibn Muhammad Awwal (1900-1985). This man hailed from Agbaji area of Ilorin and was widely known as (*Esin ni o biwa*) from whom Al-Ilory learned *Nahw* (Syntax), *Hamziyyah* (Lyrics), *Sarf* (Etymology) and Methodology of *Da'wah* (Islamic Propagation) before he graduated from him.¹² On getting to Lagos in 1935, Al-Ilory took to his second teacher, Shaykh Salihu's advice who had directed him before he left Ibadan for Imam Umar of Agbaji who resided in Lagos by then. He did so by continuing from him some Arabic and Islamic sciences.¹³

Growing in enthusiasm and in quest for continuous Arabic and Islamic education, Shaykh Al-Ilory joined the *Zawiyyah* group of a Kano-born Islamic leader, Shaykh Adam Namaji (1320-1364/1900-1944) who was residing in Lagos by then in 1941. From him, Al-Ilory learnt Sufism (Islamic Mysticism) according to the *Qadiriyyah* order.¹⁴ Al-Ilory did not only learn from Shaykh Adam Namaji the *Qadiriyyah* sufistic order but equally continued with his educational career with him. He learnt from him, Arabic Rhetoric's (*'ilmu'l-balaghah*), Prosody (*'Arūd*), Rhyme (*Qafiyah*), elementary logics (*Mabadi'u'l 'ilmi'l Mantiq*), Philosophy (*Falsafah*): Astronomy (*'ilmu'l-Falak*), and mysticism (*Tasawwuf*).¹⁵

In 1946, Al-Ilory embarked on self-education and assessment through his journey to Al-Azhar Islamic University, Cairo, Egypt where eight eminent lecturers examined him and they subsequently accorded him recognition and distinction. It was realized that, he was worth more than what was known to him. He earned the merit certificate and distinction and thus became one of the African Scholars to be found worthy in learning to receive such a certificate at al-Azhar University and this feat was completed within six months of intensive interaction, learning and vigor instead of the requirement number of years.¹⁶

Having lived quite in accordance with the Qur'an and Sunnah, Shaykh Al-Ilory died on Sunday, May 3, 1992/1412, at a London hospital after a brief illness and buried according to the Muslim rites in his *Markazu't-Ta'limi'l-cArabī Al-Islamī* (Centre for Arabic and Islamic Academy), Agege, Lagos, Nigeria, on Tuesday, May 5, 1992/1412.¹⁷

Al-Ilory's View on the Source of Legal Ruling in Islam (*Masādiru'l-Ahkām*)

According to Al-Ilory the obligatory nature of *Ramadan* fast is quite uncontestable among the Islamic scholars. Due to this, Al-Ilory deals extensively with the source of legal ruling in Islamic law (*Shari'ah*) popularly known as *Masādiru'l-Ahkām*, with the aim of attempting a seemingly final solution to those problems confronting the Muslim community (*Ummah*) in Nigeria on the unnecessary controversy surrounding *Ramadān* fasting.¹⁸ Al-Ilory asserted that all the Islamic legal rulings are categorically sourced from the Qur'ān and *Sunnah* of the Messenger of Allah, Prophet Muhammad (S.A.W.). These Islamic legal rulings, in terms of their significances could be divided into two divisions namely *Dilālatun Qaf'iyah* (Absolute Ruling) *Dilālatun Zaniyyah* (Presumptive Ruling).¹⁹ *Dilālatun Qaf'iyah* is the absolute legal ruling which is sourced out from the Qur'ān and *Sunnah* of the Prophet (S.A.W.) in which neither *Ijtihād* nor neo-*Ijtihād* is entertained while the *Dilālatun Zaniyyah* is the presumptive legal ruling from the legal assumption or presumption of the renowned Islamic legal expert such as *Usūlī* and *Faqīh*.²⁰

Dilālatun Qaf'iyah and its Divisions

Al-Ilory²¹ further sub-divided *Dilālatun Qaf'iyah* into two sub-divisions namely *Qaf'iyatu'th - Thubut* and *Qaf'iyatu'd-Dilālah*. According to him, *Qaf'iyatu'th - Thubūth* is the absolute guidance meant for the Muslims from the Qur'ān only. It can also emanate from the *Sunnah*. But, whenever it comes up from the *Sunnah*, it could be featured in either absolute or presumptive ruling. As for the *Qaf'iyatu'd-Dilālah*, it is the type of guidance which does not contain any other instruction rather than guidance. The best sample of this is the order on the performance of obligatory *Salāt* (canonical prayers in Islam), *Siyām* (fasting), *Zakāt* (obligatory charity) and *Hajj* (pilgrimage) in the Qur'ān.

Dilālatun Zaniyyah and its Divisions

Al-Ilory²² again further sub-divided *Dilālatun Zaniyyah* into two sub-divisions namely *Zaniyyat'th-Thubūt* and *Zaniyyatu'd-Dilālah*.²⁵ *Zaniyyat'th-Thubūth* is a presumptive legal guidance, the methods of transmission of which unto the Muslims, is never broken such as *Akhbārul-Ahādī* which is the *hadīth* narrated by very few people. *Zaniyyatu'd-Dilālah* is also a legal guidance which indicates various interpretations and meanings. However, there is no discrepancy among the Muslims with regards to the compulsory nature of any of its decisive legal guidance. In *Zaniyyatu'd-Dilālah*, its legal ruling and the indication of their interpretations and meanings are extremely decisive in nature. Therefore, any discretion is not permitted in it and its denial or rejection is quite untenable.

Al-Ilory's Neo-*Ijtihād* on Some Issues Surrounding the *Ramādān* Fasting

Al-Ilory in his work "*As-Sawm Wal-Fitr*" exercised some neo-*Ijtihad* on the various issues surrounding the observance of Ramadan fasting which are as follows:

Al-Ilory's Neo-*Ijtihād* on the Sighting of a New Crescent

Al-Ilory in his neo- *Ijtihād*, put up the argument that the new crescent can never be universally sighted at a single period of time as a result of natural differences in the rising and setting of the sun which have great effect upon the season and climate of a particular environment.²³ As a result of this unavoidable circumstance, there is high tendency of discrepancy concerning the commencement and termination of the *Ramādān* fasting in Nigerian environment. In support of this view, Al-Ilory²⁴ claimed that Prophet Muhammad (S.A.W) was not in the habit of sending any message in respect of the sighting of the new crescent to another town or land nor did he command the people of the environment to observe or break the fasting. To be precise, the legal argument of Al-Ilory in this juncture is that the new crescent sighted in one environment may not be sufficient for the other environment where the new crescent is never sighted.

Al-Ilory²⁵ further goes on to geographically buttress his legal argument by pointing out that there are sharp differences in the time of the rising and setting of the sun in various geographical locations in the world as a result of which the season and climate in the northern hemisphere of the world are poles apart literally from those of the southern hemisphere and which has in turn made it almost impossible to pinpoint a single minutes in a whole year that is equal and same throughout the whole world.

On the limitation of the sighting of the new crescent Al-Ilory²⁶ opines that limitation in the implementation of the sighted new crescent can be technically limited to the nearby environment alone and not to the distant environment. According to him, this is due to the three following reasons; (i) the confined distance (ii) the difference in the geographical region both in the height and declines (iii) and difference in the places of sunrise through the longitudes that extend from the north (pole) to the south (pole). Al-Ilory²⁷ further argued that this limitation is based on the *hadith* of the two Bedouins who solemnly bore witness in the presence of the messenger of Allah (S.A.W) that the new crescent was sighted in their local environment on the previous night and the Prophet (S.A.W) therefore, instructed people to terminate their fasting and go *enmass* to the 'Id praying ground for 'Id prayer.

Consequently, the sighting of the new crescent by the people of Sham could not reach the people of Madinah because of the distance between the two environments, their geographical difference and their difference in the places of their sunrise. Due to these natural reasons, it is legitimate for

each local environment to determine her sighting of the new crescent. Al-Ilory²⁸ was of the legal opinion that the crescent could be sighted at noon in a local environment, though; it may not be visible by the people of such an environment. As a result of this development, such a crescent sighting can not be relied upon and consequently, the *Ramadān* fasting of that day is not made compulsory on the people of such an environment

Al-Ilory's Neo-Ijtihād on the Varied Commencement of *Ramadān* Fasting

Al-Ilory²⁹ clarified the confusion about the commencement of *Ramadān* fasting that it may vary from one environment to another as a result of sighting of the new crescent in different environments on different day. He put up another legal opinion that since there is no controversy in the matter that the Muslims from different continents are not observing the obligatory daily prayers (*Salātu'l-Maktubāt*) at the same period of time. For instance, Muslims from the eastern part of the world do observe *salātu's-Subuh* (Dawn prayer), *Zuhr* (Noon prayer), *Aṣr* (Evening prayer), *Magrib* (Sunset prayer) and *Ishā'* (Night prayer) ahead of the Muslims from the western part of the world. The same case should be applied to the issue of the commencement of *Ramadān* fasting among the Muslims.³⁰ By this, there should be no unnecessary confusion if the eastern Muslims precede the western Muslims on the issue of the commencement and termination of the *Ramadān* fasting. This is the practice of the Muslims ever since the dawn of Islam during the time of the Prophet (S.A.W) and his companions. In support of his legal argument, Al-Ilory³¹ cited one of the materials written by Imam As-Sabkī titled "*Al-ʿIlmu'l-Manshūr Fī Ithbāti'sh-Shuhūr*" that the statement which decreed the legal ruling that sighting of a new crescent in one local environment makes *Ramadān* fasting compulsory for the rest of environment is weak because there is no legal evidence from the orthodox caliphs (*Khulafā'u'r-Rāshidīn*) that when they sighted the new crescent, they sent an information or write a letter to the other Muslims in other environment to abide by it.

Al-Ilory's Neo-Ijtihād on the Hastening of the Acceptance of the Sighting of New Crescent

Al-Ilory³² was of the legal opinion that hastiness in the acceptance of the sighting of the new crescent without proper verification, confirmation and refusal to refute the claim of the person who sees it if the result is proven otherwise, is a great erroneous attitude on the part of Muslims. Due to the sensitivity of this issue, Al-Ilory³³ expatiating further on the essential pre-requisites for a valid sighting of a new crescent by arguing that it is evident

in the Maliki School of Thought that the sighting of the new crescent is hinged on the following three conditions:

- (i) The crescent should be physically sighted by the just men who vigorously fulfill the basic conditions of justice.
- (ii) It should be seen by a group of people whose information will be based on the sound knowledge and which would be impossible for them to co-opt on error.
- (iii) It should be seen by a single person, but the sighting by a single individual lack certainty and could be a proof for him only for fasting and for those who trust him.

Al-Ilory's Neo-Ijtihād on the use of Mathematical Calculation and Calendar

Al-Ilory³⁴ was of the legal opinion that the uses of mathematical calculation (*Al-Hisāb*), calendar calculation, astronomical calculation (*Ilm al-Falak*), astrological science (*Ilm At-Tanjīm*) and technological gadgets or machine and meteorological devices could be utilised to determine the actual position of stars and moon and their motions and phenomena for weather forecast so as to identify the actual time of appearance of the new crescent. He stands by this, that the use of the (*Ilm al-Falak*) is not frowned at by puritanic jurists. Shaykh al-Ilory did not follow those who utilized it for soothsaying and for telling the future which he treated as unlawful in *Shari'ah*.

According to Al-Ilory,³⁵ the positive use of mathematical calculation, calendar calculation, astronomical calculation and astrological science for the purpose of the commencement and termination of the *Ramadān* fasting when the weather is not clear because of the cloud or due to the geographical location of an environment. These methods need rigorous training and can be used to achieve either positive or negative ends. He stressed that the acquisition of certain knowledge is not unlawful if it is not harmful or injurious to the possessor of that knowledge. If these methods are used for the reckoning of time, determination of the *Qiblah* for the prayer and guiding the travelers during the course of their journey, they are permissible in *Shari'ah* as it is pointed out in the following Qur'anic verses.

It is He who made the sun a shining thing and the moon as a light and measured out for it stages that you might know the number of years and the reckoning (Qur'ān 10:5).

"And landmarks and by the stars, they (men) guide themselves" (Qur'ān 16:16).

To him, the knowledge of mathematical calculation, calendar calculation, astronomical calculation and astrological science is blame

worthy if they are employed to determine the movement of stars and orbital on the future incident for the sake of fortune telling and soothsaying.

Al-Ilory's Neo-*Ijtihād* on the Doubtful Day (*Yawmu's-Sakk*)

Al-Ilory³⁶ defines the doubtful day (*Yawmu's-Sakk*) as a day which can not be categorically declared as first day in month of *Ramadan* or last day of the month of *Sha'bān* in the Islamic lunar calendar. He argues that to eradicate the controversy and confusion connected with the commencement of *Ramadān*, Muslims should take note of *hadīth* reported by 'Ā'ishah that : "The Messenger of Allah (S.A.W) used to be much cautious of the new crescent of *Sha'bān* more than how he used to be cautious of others."³⁷

By this, Al-Ilory³⁸ argues that the Muslims should inculcate the culture of monitoring the crescent of the Islamic lunar months, most especially the month of *Sha'bān* so that there would be no unnecessary controversy about the actual day for the commencement of the month of *Ramadān*. In the legal opinion of Al-Ilory³⁹, *Ramadān* fasting is an obligatory devotional duty in Islam and it can not become a reality until the new crescent of *Ramadān* is sighted because what makes the obligatory devotional duty a reality is also compulsory. On the issue of observing fasting on doubtful day, Al-Ilory was of the legal opinion that observance of fasting on doubtful day is permissible, especially during the cloudy time, because it is highly preferable to observe fasting in the last day of *Sha'bān* rather than missing a single day of fasting in the first day of *Ramadān*.

Conclusion

The paper attempted at examining the neo-*Ijtihād* exercises of Al-Ilory on the observance of *Ramadān* fasting and legal and scholarly views arising from these Ilūrī's neo-*Ijtihād* exercises on the issues surrounding the sighting of a new crescent as the major factor for the commencement and termination of *Ramadān* fasting among Nigerian Muslims. The various neo-*Ijtihād* exercises of Al-Ilory on the different areas of controversy related to the commencement and termination of *Ramadān* fasting among the Muslims were thoroughly examined. At this juncture, the paper makes the following findings:

- i. Shaykh Adam Ibn Abdullah Al-Ilory, without an iota of doubt, was not only Arabic lexicographer but also an Islamic legal expert (*Usulī*) and Islamic Jurist (*Faqīh*)
- ii. Shaykh Adam Ibn Abdullah Al-Ilory and majority of his pairs in Africa can stand in *tandem* with the scholars from any part of Arab world.
- iii. The controversy surrounding the observance of *Ramadān* fasting in a particular environment could be best solved by

the Islamic scholar hailed from such an environment rather than consulting the general materials from foreign scholars who may be unaware of the situation peculiar to the environment.

- iv. Al-Ilory's neo-*Ijtihād*, to some extent, solves the problem of controversy surrounding the commencement and termination of *Ramadān* fasting among Northern and Southern Nigerian Muslims.
- v. Neo-*Ijtihād*, as an offshoot of an early *Ijtihād* of the earlier generation of Muslims is still viable in this contemporary period to meet the demand of the time so as to bring out new legal ruling according to the culture and custom of a particular society.

Based on these findings, the paper recommends that Muslim community in Nigeria should:

- i. make use of the academic outputs of their scholars in procuring a solution to some of their encountered problems in the religious obligation.
- ii. respect the neo-*Ijtihād* exercises of the local scholars as they would have considered several options before they arrive at such a neo-*Ijtihād*.
- iii. explore and make use of some of the unpublished manuscripts of the traditional scholars hiding inside their selves to the mercy of the rats and cockroaches.
- iv. imbibe the culture of immortalization of the local scholars by establishing a school, archive or library in their names where their academic writings could be made available for the public consultation.
- v. embark on the project of publishing some of the unpublished manuscripts of these traditional scholars and render them into English language for public consumption.

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Notes and References

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