



# The Problems of Implementing *Imkan Rukyat* in the Case of an Invisible Hilal (Crescent): A Perspective of Syafi'i Scholars

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## Abstract

*Imkan rukyat* refers to the conditions under which the new moon (*hilal*) can likely be sighted based on specific criteria. When the hilal is visible, the following day can be confirmed as the start of the new lunar month. However, if the hilal is not seen during the rukyat observation, a dilemma arises between two choices: whether the next day should be declared as the first day of the new lunar month based on the criteria of imkan rukyat, or whether the current month should be completed (*istikmal*) to a full 30 days. All Islamic mazhabs including Hanafi, Maliki, and Hanbali generally advocate for *istikmal* if the hilal is not sighted. However, within the Syafi'i Mazhab, there is a divergence of opinion, with some scholars advocating for *istikmal* and others for *hisab* (astronomical calculations). This duality of opinion is particularly relevant in Indonesia, a country with a majority of Syafi'i followers. The aim of this research is to analyze the views of Syafi'i scholars on this matter. This study is a type of library research, focusing on the decisions of the Ministry of Religious Affairs of the Republic of Indonesia's isbat meetings regarding the start of the lunar month and the moon sighting data provided by Nahdlatul Ulama. The research is grounded in the Quran, Hadith, and Syafi'i jurisprudence (*fiqh*) texts. The findings of this study indicate that the majority of Syafi'i scholars hold that if the hilal is in a position of imkan rukyat but is not sighted, the month should be completed to 30 days (*istikmal*). However, some Syafi'i scholars permit the determination of the start of the new lunar month the next day based on *hisab imkan rukyat*, provided that the calculation is done by at least seven qualified astronomers who are unlikely to err, and that the non-sighting of the hilal is due to technical or natural factors. These results can serve as a reference for determining the start of the lunar month when the hilal is not visible due to cloudy conditions.

**Keywords:** *Imkan Rukyat*, Hijr Month, Syafi'i Mazhab, New Moon, Crescent.

## Abstrak

*Imkan rukyat* adalah kondisi di mana hilal kemungkinan dapat dilihat dengan kriteria-kriteria tertentu. Ketika hilal bisa dilihat, maka dapat dipastikan keesokan harinya adalah awal bulan kamariah. Namun jika saat pelaksanaan rukyat, hilal tidak terlihat, muncul permasalahan antara dua pilihan, yakni apakah keesokan harinya sudah masuk tanggal 1 karena sudah memenuhi kriteria imkan rukyat ataukah perlu di*istikmalkan* (penyempurnaan hitungan bulan kamariah menjadi 30 hari). Semua Mazhab baik Hanafi, Maliki, Hanbali menetapkan berdasarkan *istikmal*, sedangkan dalam kalangan mazhab Syafi'i terdapat perbedaan pendapat yaitu *istikmal* dan *hisab*. Dualisme pendapat semacam itu sangat mungkin terjadi di Indonesia, jika melihat Indonesia sebagai negara dengan mayoritas penganut mazhab Syafi'i. Tujuan penelitian ini adalah peneliti mencoba untuk menganalisa bagaimana pandangan ulama-ulama Syafii dalam melihat perbedaan tersebut. Jenis penelitian yang digunakan ini adalah penelitian kepustakaan, dengan mencermati keputusan sidang isbat tentang awal bulan kamariah Kementerian Agama RI dan data hasil rukyat yang dilakukan oleh Nahdlatul Ulama yang dilandaskan pada dasar al-Qur'an, hadis serta kitab-kitab fikih ulama mazhab Syafii. Hasil dari penelitian ini menunjukkan bahwa pendapat mayoritas ulama mazhab Syafi'i menyatakan bahwa jika hilal berada dalam posisi imkan rukyat namun tidak terlihat, harus sempurnakan menjadi 30 hari (*istikmal*). Namun, sebagian ulama mazhab Syafi'i memperbolehkan penetapan awal bulan kamariah esok harinya berdasarkan *hisab imkan rukyat*, dengan syarat bahwa *hisab* tersebut dilakukan oleh minimal 7 ahli *hisab* yang kemungkinan tidak melakukan kesalahan, dan bahwa ketidakterlihatan hilal disebabkan oleh kendala teknis dan faktor alam. Hasil penelitian ini dapat menjadi acuan penentuan awal bulan kamariah saat hilal tidak terlihat karena mendung.

**Kata Kunci:** Imkan Rukyat, Qamariah, Mazhab Syafi'i, Hilal.



The problem that occurs in the Hijri calendar system is determining when to enter the beginning of the lunar/komariah month. In this case, different determination criteria emerge. One of the criteria used by the government in Indonesia in determining the beginning of the lunar/komariah month is *imkan rukyat*. *Imkan rukyat* itself is a combination of the *hisab* method and the *rukya*t method. The combination between the two is by combining the *hisab* method to find out the hilal data which is then used as a reference for the implementation of hilal rukyat in the field.

*Imkan rukyat* is a condition in which the hilal (crescent/new moon) is likely to be seen with certain criteria. In other terms, it is called hilal visibility. More broadly related to the condition of the hilal at the time of rukyat, Fukaha divide it into two parts, namely: 1) *Istihalah* rukyat, which is a condition in which it is impossible to see the hilal; and 2) *Imkan rukyat*, which is a condition in which it is possible to see the hilal.<sup>1</sup>

Thus, it can be understood that in the first condition, namely the hilal is impossible to see, through *imkan rukyat*, it is certain that if anyone claims to see the hilal, his testimony will be rejected and *istikmal* will be carried out in determining the beginning of the *kamariah* month. This is based on the opinion of Imam 'Ubbadi which is used as the basis of the Government's opinion (Ministry of Religious Affairs of the Republic of Indonesia), and the opinion of Imam al-Subky from the Syafi'i Mazhab which is used as the basis by NU.<sup>2</sup> Meanwhile, when the *hilal* is in the second condition, namely the *imkan rukyat* condition, when the *hilal* can be seen, it can be determined that the next day is the beginning of the *kamariah* month.<sup>3</sup> However, if the moon is not seen, this is where the problem arises, whether the next day is the first day because it meets the *imkan rukyat* criteria or whether it is necessary to perfect the count of the *kamariyah* month to 30 days (*istikmal*).<sup>4</sup>

The purpose of this study was to find out how the opinion of the scholars of the Syafi'i Mazhab in the implementation of *imkan rukyat* in determining the beginning of the lunar/komariah month with the new moon that has reached *imkan rukyat* but not visible. The discussion of the determination of the beginning of the *kamariyah* month has certainly been carried out by several previous studies, including Hamid-Reza Giahi Yazdi who discussed "Al-Khazini's Complex Tables for Determining Lunar/komariah Crescent Visibility". The results of his research review the concept of *imkan rukyat* by including the *imkan rukyat* table written by al-Khazini in his work entitled: *zīj al-mu'tabar al-sanjāri*.<sup>5</sup>

Wanti Marpaung in her research entitled "Mazhab Negara: Alternative Solutions to Differences in Determining the Beginning of the Qamariyah Month in Indonesia" reviews the state madhab as a new idea and solution to the problems of Muslims in Indonesia, namely the differences in starting the month of Ramadan, Shawwal and others. Wanti Marpaung proposes

<sup>1</sup> Ibnu Hajar Al-Haitāmi, *Ithāfu Ahli Al-Islām Bi Khusūsiyyāt Al-Ṣiyām*, Cetakan 1 (Madinah: Maktabah Ṭayyibah, 1990), 99.

<sup>2</sup> Sayyid Abū Bakr 'Usmān ibn Muhammad As-Syaṭa, *I'ānatuṭ Ṭālibīn* (Jakarta: Dar Al-Kutub Al-Islamiyah, 2009), 387; juga Muhammad Syarbani Al-Ḥātīb, *Muḡnī Al-Muḥtāj* (Mesir, n.d.), 421; 'Amir Husai Hasan, *Al-Adillatu Al-Syari'ah Fi Iṣbāti Al-Syahr Al-Arabiyyah* (Dar Al-Kitāb Al-Dahabi, n.d.), 30.

<sup>3</sup> Ibnu Rusyd, *Bidāyat Al-Mujtahid Wa Nihāyat Al-Muqtaṣid* (Al-Ḥaramain, n.d.), 207–8; Nizar Mahmūd Qāsim, *Al-Ma'āyir Al-Fiqhiyyah Wa Al-Falakiyyah Fi I'dād Al-Taqāwīm Al-Hijriyyah* (Beirut: Dārul Basyāir al-Islāmiyyah, 2009), 204–119; Muhammad bin Ismail al-Āmir Al-Ṣana'ani, *Subul Al-Salām* (Mesir: Maktabat At-Tijariyah Al-Kubra, n.d.), 151.

<sup>4</sup> Ibn Hajar Al-Asqalānī, *Fatḥu Al-Bārī, Terj. Amiruddin* (Beirut: Dar Al-Fikr, 2007), 478; Syaikh Niẓām, *Al-Fatāwā Al-Hindiyyah*, Juz 1 (Beirut: Darul Kitāb Al-Alamiyah, 1991), 219.

<sup>5</sup> Hamid-Reza Giahi Yazdi, "Al-Khāzini's Complex Tables for Determining Lunar Crescent Visibility," *Jurnal Suhayl* 9, n.d., 149.

the existence of a state madhab to unite differences in the implementation of Muslim worship in Indonesia.<sup>6</sup> While Nurul Badriyah in her research entitled "Determination of the Beginning of the Month by *Ittihadul Mathla'* Method in Indonesia" proposes that all Muslim countries can use the concept of *ittihadul mathla'* or the unification of matlak so that the implementation of worship of all Muslims in the world can be equalized.<sup>7</sup>

Research on the theme of determining the beginning of the lunar/komariah month is sometimes focused on deepening the problems that become the background of differences in determining the beginning of the month. The emergence of the problem of differences in the determination of the beginning of the lunar/komariah month cannot be separated from the historical facts of differences in Islamic community organizations such as NU and Muhammadiyah from the government's decision (Ministry of Religion of the Republic of Indonesia) in determining the beginning of the lunar/komariah month.<sup>8</sup> Another study focused on analyzing the maqashid sharia perspective. *Maslahah ammah* in the form of the need to carry out worship together is a strong reason for the unification of the determination of the beginning of the lunar/komariah month.<sup>9</sup>

In line with this research, Kusdiyana examines the determination of the beginning of the *kamariyah* month in the view of the Syafi'i mazhab. The difference is that Kusdiyana focused on deepening the theory and ijihad considerations made by the scholars of the Syafi'i mazhab regarding the determination of the beginning of the month.<sup>10</sup> Meanwhile, this research focuses on the problem of invisible hilal during *imkan rukyat* conditions.

## Method

The type of research used in this study was library research, by looking at the decision of the *isbat* session of the beginning of the lunar/komariah month of the Ministry of Religious Affairs of the Republic of Indonesia and the data of *rukya*t results conducted by Nahdlatul Ulama (NU) as primary data. While secondary data were from the text of the fiqh books of Syafi'i mazhab related to *imkan rukyat* as well as books of tafsir and ushul fiqh. The primary data is then analyzed using the opinion of the Ulama of the Syafii scholars related to the invisible moon in *imkan rukyat* conditions.

## The legal basis and opinion of the Syafi'i school scholars on *imkan rukyat*

The legal basis for rukyat hilal contained in the Qur'anic text is found in Surah Al-Baqarah: 2 (189), as follows:

يَسْأَلُونَكَ عَنِ الْأَهْلِ قُلْ هِيَ مَوْقِيَةٌ لِلنَّاسِ وَالْحَجِّ وَلَيْسَ الْبِرُّ بِأَنْ تَأْتُوا الْبُيُوتَ مِنْ ظُهُورِهَا وَلَكِنَّ  
الْبِرَّ مَنْ اتَّقَى وَأَتَى الْبُيُوتَ مِنْ أَبْوَئِهَا وَأَتَقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ

<sup>6</sup> Wanti Marpaung, "Mazhab Negara: Alternatif Solusi Terhadap Perbedaan Penentuan Awal Bulan Qamariyah Di Indonesia," *Jurnal Ilmu Syari'ah, Perundang-Undangan Dan Ekonomi Syariah*, 2018, 121.

<sup>7</sup> Nurul Badriyah & Faisal, *Penetapan Awal Bulan Dengan Metode Ittihadul Mathla' Di Indonesia* (Al-Qadhâ Vol. 5, No. 1, n.d.), 48.

<sup>8</sup> Wildani Hefni, "Komodifikasi Agama Dalam Polemik Penentuan Awal Bulan Qamariah Di Indonesia," *Al-Marshad: Jurnal Astronomi Islam Dan Ilmu-Ilmu Berkaitan* Vol. 6, No (n.d.): 75.

<sup>9</sup> Ahmad Fauzan, "Penetapan Awal Bulan Qamariyah Dalam Perspektif Maqāshid Al-Shari'ah," *Jurnal Hukum Islam* Volume 16 (n.d.): 18.

<sup>10</sup> Kusdiyana, "Penentuan Awal Bulan Hijriyah Menurut Mazhab Syafi'i," *Jurnal Kajian Hukum Islam* Vol 5 Nomo (n.d.): 231.

The Companions asked you (Muhammad) about the hilal (crescent moon), say: " the crescent is a sign of the time for mankind and the Hajj, and it is not a good thing to enter a house from above it but the good of the pious", enter you houses from their doors and fear Allah that you may be fortunate.

The above verse explains that the hilal is a guide in determining the time, especially the times related to worship in each month. "Ahillah" is the plural form of the word hilāl. Hilāl is the name for something that appears at the beginning and end of the month.<sup>11</sup> The plural form of the word "ahillah" actually explains that the object has only one meaning, but the word "ahillah" functions to show the difference in time expressed, thus the verse uses the plural form instead of the *mufrad*, namely hilāl.

The evidence for the obligation to fast when Ramadan begins is found in Surah al-Baqarah: 2 (185):

شَهْرُ رَمَضَانَ الَّذِي أُنزِلَ فِيهِ الْقُرْآنُ هُدًى لِّلنَّاسِ وَبَيِّنَاتٍ مِّنَ الْهُدَىٰ وَالْفُرْقَانِ فَمَن شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ وَلِيُكْمِلُوا الْعِدَّةَ وَلِيُتَّكِبُوا اللَّهَ عَلَىٰ مَا هَدَىٰكُمْ وَلَعَلَّكُمْ تَشْكُرُونَ

Ramadan is the month in which the Qur'an was revealed, which is a guide for mankind, and some explanations of it, and a discriminator. So, whoever of you witnesses the moon should fast, and whoever is sick or traveling should make up for it on another day. Allah will ease for you, and He wills no hardship for you, and let the number of the months be completed, and let you praise Allah for what He has guided you with, and that you may be grateful (Q.S. Al-Baqarah/2: 185)

Tafsir al-Misbah explains, that this verse obliges fasting for those who witness the hilal either with the eyes or through the method of hisab, and the hilal can be seen with the eyes even if in reality it cannot be seen for example covered by clouds, then we must fast.<sup>12</sup>

Based on the above interpretation, the Qur'anic text does not explain in detail the exact method or method to be used in determining when to enter the beginning of the lunar/komariah month. Then the Prophet explained about the method by looking at the sighting of the hilal, namely the hadith:

حدَّثني حرملة بن يحيى اخبرنا ابن وهب اخبرني يونس عن ابن شهاب قال حدَّثني سالم بن عبد الله انَّ عبد الله بن عمر رضي الله عنهما قال سمعت رسول الله صلَّى الله عليه وسلَّم يقول إذا رأيتموه فصوموا وإذا رأيتموه فأفطروا فإن غمَّ عليكم فاقدروا له. (رواه مسلم)

Harmalah bin Yahya related to me, Ibn Wahbi related to me, Yunus related to me, from Ibn Shihab said: Salim bin Abdillah narrated to me that Abdullah bin Umar r.a. said: I heard the Messenger of Allah saying: when you see it (the new moon of Ramadan) then fast, and when you see it (the new moon of Shawwal) then break the fast, then if the new moon is clouded over you then estimate it. (Narrated by Muslim).<sup>13</sup>

<sup>11</sup> Al-Imam Muhammad Bin Ali Bin Muhammad Asy-Syaukani, *Fath Al-Qadir (Al-Jami' Baina Al-Riwayah Wa Al-Dirayah Min Ilm Al-Tafsir)* (Beirut: Dar al-Ma'rif, 2007), 122.

<sup>12</sup> M. Quraish Shihab, *Tafsir Al-Misbah* (Jakarta: Lentera Hati, 2016), 488.

<sup>13</sup> Abi Husain Muslim ibn Hajjaj, *Shahih Muslim* (Beirut: Dar al-Kutub al-Ilmiyah, 1991), 760; Abi Abdillah Muhammad bin Yazid Al-Qazwaini, *Sunan Ibnu Majjah* (Riyadh: Maktabah al-Ma'rif linnasir Wa al-Tauzi', n.d.), 290.

حدَّثنا آدم حدَّثنا شعبة حدَّثنا محمد بن زياد قال سمعت أبا هريرة رضي الله عنه يقول قال النبي صلى الله عليه وسلّم أو قال أبو القاسم صلى الله عليه وسلّم صوموا لرؤيته وافطروا لرؤيته فان غي عليكم فأكملوا عدة شعبان ثلاثين. (رواه البخاري)

Adam narrated to us, Shu'bah narrated to us, Muhammad bin Ziyad narrated to us, he said: I heard Abu Hurairah r.a. said: The Prophet (peace be upon him) said or Abu Qasim (peace be upon him) said: fast on the basis of seeing it (the new moon of Ramadan) and break your fast on the basis of seeing it (the new moon of Shawwal), if it is covered by a cloud over you, then complete the number of days of Sha'ban to 30 days. (Narrated by Bukhari).<sup>14</sup>

Scholars have different opinions about the procedure for determining the beginning of the month, which consists of rukyat, istikmal, and hisab. First, rukyat hilal is a process of observing the stray hilal after sunset towards the beginning of the lunar/komariah month with the naked eye or using the help of optical devices such as telescopes or others.<sup>15</sup> Second, istikmal means the completion of the number of days in the lunar/komariah month to thirty days.<sup>16</sup> Third, *hisab* linguistically means count, arithmetic, reckoning, estimation and appraisal, and the meaning of *hisab* in the perspective of language is a science that discusses the ins and outs of calculation.<sup>17</sup> In other words, the definition of *hisab* is a calculation to determine the position of the Sun or the Moon so that the data is known about the position of both on the celestial sphere at a certain time.<sup>18</sup>

Regarding the problem when the hilal has reached the height of *imkan rukyat* but is not visible among the Syafi'i Mazhab, there are differences of opinion,<sup>19</sup> as explained in the book *al-Majmu' Syarḥ Muḥaẓẓab*.

قال المصنّف إذا غمّ الهلال وعرف رجل الحساب ومنازل القمر وعرف بالحساب أنّه من رمضان فوجهان) قا (ابن سريج يلزمه الصّوم لأنّه عرف الشهر بدليل فأشبهه من عرفه بالبينة) وقال (غيره لا يصوم لأنّنا لم نتعبّد إلّا بالرّؤية

Musanif said: When the new moon is obscured by clouds, and a man who knows the science of hyssop and astronomy about the cycles of the moon knows from his hyssop that it is the first night of Ramadan, then there are two opinions among the Shaafa'is; First is the view of Ibn Suraij that this man must fast, because he knows the beginning of Ramadan from evidence, and he is similar to one who knows from witnesses. Second

<sup>14</sup> Abi Abdillah Muhammad bin Ismail ibn Ibrahim bin Mughirah bin Barzabah al-Bukhari al Ja'fiy, *Ṣaḥih Bukhārī* (bairut, n.d.), 452; Abdul Wadir Syaibah Al-Hamd, *Al-Jami' Al-Saḥih Li Al-Bukhari*, 2008, 523.

<sup>15</sup> Dito Alif Pratama, "Rukyat Al-Hilal Dengan Teknologi: Telaah Pelaksanaan Rukyat Al-Hilal Di Baitul Hilal Teluk Kemang Malaysia," *Al-Ahkam* 26 (2016): 273.

<sup>16</sup> Kusdiyana, "Penentuan Awal Bulan Hijriyah Menurut Mazhab Syafii," *Mahkamah: Jurnal Kajian Hukum Islam* 5 (2020): 234.

<sup>17</sup> Jaenal Arifin, "Fiqh Hisab Rukyah Di Indonesia; Telaah Sistem Penetapan Awal Bulan Qamariyyah," *Yudisia: Jurnal Pemikiran Hukum Dan Hukum Islam* 5 (2014): 409.

<sup>18</sup> Misbah Khusurur, "Perpaduan Hisab Dan Rukyah Sebagai Metode Penentuan Awal Bulan Hijriyah," *Jurnal Al-Wasith: Jurnal Studi Hukum Islam* 5 (2020): 153.

<sup>19</sup> Ahmad bin Ṣalih bin Ali Bafaḍah, *Ḥusnu Al-Maqāl Fi Istiḥāḥ Ru'yah Al-Hilal* (Tarim: Dār al-Ilmi wa al-Da'wah, 2021), 15.

is According to a view other than that of Ibn Suraij, it is not permissible for him to fast, because there is no requirement to fast except on the basis of sighting the new moon."<sup>20</sup>

From the information in al-Majmū' Syarh Muhāzab above, if the moon is covered by clouds when the moon is in the *imkan rukyat* position, there are two opinions, namely:

First, determining the beginning of the lunar/komariah month based on *istikmal* (completing 30 days of the current month), and it is not permissible to fast for both those who understand *hisab* and those who follow it. This is the view of the majority scholars of the Syafi'i Mazhab because they only use *rukyat* and *istikmal* when the new moon is not sighted, as explained in one of the books of the Syafi'i Mazhab.

يجب صوم رمضان بإكمال شعبان ثلاثين أو رؤية الهلال

The obligation to fast Ramadan by completing 30 days of Sha'ban or by sighting the new moon.<sup>21</sup>

The Istinbat law used by these scholars is to interpret the term *Faqdurū Lahu* in the Prophet's Hadith narrated by Ibn 'Umar by completing the month of Sha'ban to thirty days, because they say that the Hadith is a *mujmal* phrase,<sup>22</sup> or some say absolute, which requires another *mufasar* Hadith to explain the term. So that the meaning of the Hadith becomes clear and detailed without the possibility of diverting to another meaning.<sup>23</sup> According to the majority of scholars, the *mufasar* hadith is the one narrated by Abu Hurairah which ends with the word completing 30 days.

Second, the view is to set the beginning of the month on the following day and not to do *istikmal*, and to allow fasting for the one who is knowledgeable about the science of *hisab* and the one who follows it. This is the view of Imaam al-Subki, which is the view of Ibn Suraij, Imaam al-Qafal, Abu Tayib, and some scholars from other than the Shafa'i school,<sup>24</sup> such as Imam Mutharif and Ibnu Qutaibah.<sup>25</sup>

The ijthad method of these scholars is to interpret the term *Faqdurū Lahu* linguistically to the actual meaning found in Arabic dictionaries, because the essence of the meaning has the meaning of the closeness of brain processing such as considering, measuring, and thinking.

Ibn Suraij also added as quoted by Ibn al-'Arabi, by compromising (al-jam'u) between the hadith whose wording is "*faqdurū lahu*" (then estimate) narrated by Ibn 'Umar with the hadiths that use the wording "*fa akmilū al-'iddah*" (so complete the current month) narrated by Abu Hurairah.<sup>26</sup>

Imam Ibnu Hajar al-Haitami in his book Tuḥfat Al Muḥtaj explains that imam al-Ubbadi and imam al-Syarwani think that the beginning of the lunar/komariah month can be

<sup>20</sup> Al-Nawawi, *Al-Majmū' Syarh Muhāzab, Jilid 6* (Jiddah: Maktabah al-Irsyad, n.d.), 279.

<sup>21</sup> Abu Zakariya Yahya ibn Syaraf Al-Nawawi, *Minhāj Al-Ṭalibīn Wa 'Umdah Al-Muftīn* (Bairut: Dār al-Minhāj, 2005), 178.

<sup>22</sup> Abu Hamid Muhammad bin Muhammad Al-Gazali, *Al-Mustafa, Juz 3* (al-Madinah al-Munawwarah: Fakultas Syariah perguruan tinggi Islam, n.d.), 27; Muhammad bin Ali Al-Syaukani, *Irsyādul Fukhul, Juz 1* (Riyad: Dar al-Fadilah, 2000), 722.

<sup>23</sup> Abdul Karim Zidan, *Al-Wajiz Fi Uṣūl Fiqh* (Bagdad: Muassasah Qurtubah, n.d.), 343.

<sup>24</sup> Bafaḍah, *Husnu Al-Maqāl*, n.d., 13.

<sup>25</sup> Ibn Rusyd, *Bidāyatul Muḥtahid, Juz 2* (Kairo: Maktabah Ibnu Taimiyah, n.d.), 143.

<sup>26</sup> Ibnu Hajar Al-Asqalani, *Fathu Al-Bārī Syarh Ṣaḥīḥ Bukhārī* (Beirut: Dār al-Kutub, 1989), 154.

determined based on *qat'i hisab* which shows that the new moon has met the *imkanurrukyat* criteria.

(قوله لولاه) أي الغيم (لرئي قطعاً) أي بعد الغروب إيعاب (قوله؛ لأنّ الشّارع إنّما أناط الحكم بالرّؤية بعد الغروب إلخ) ينبغي فيما لو دلّ القطع على وجوده بعد الغروب بحيث يتأتى رؤيته لكن لم يوجد بالفعل أن يكفي ذلك فليتأمل سم

(Utterance: If there were no clouds (then the new moon would have been visible) after sunset. (Utterance: Since the Shari'ah relies on *rukya*t after sunset) it should be the case that if the *hisab qat'i* has shown that the new moon appears after sunset and it is possible to see it, but it is factually not seen, then that is sufficient for determining the beginning of the lunar/komariah month".<sup>27</sup>

Ibn Hajar al-Haitami's opinion also states that the calculation of hyssop experts that can be used as a basis in determining the beginning of the lunar/komariah month is hyssop that has reached *mutawatir*. Regarding the term *mutawatir*, Abu Bakr bin Ahmad al-Hadrami stated that the existence of five astrologers or five books of astrologers has been categorized as *mutawatir*.

ونقل الشيخ العلامة عبد الله بن قطنه عن السيّد العارف بالله علويّ باحسن أنّه إن وجد في عصر خمسة من أهل الفلك واجتمع كلامهم في تحرير تلك المسألة كفى، وإن لم يوجدوا فكتبهم تغني عنهم، وإذا وجد اجتماع كلام خمسة في تصانيفهم كان ذلك من الخبر المتواتر

Al-Shaykh al-'Allamah 'Abdullah ibn Qutnah, from al-Sayyid Alawi, said that if at one time there were five astronomers who agreed on a astronomy's ruling, that would be sufficient. If there are not five astronomers, then their books can replace them. And if the five books show agreement on the results of their calculations, then it is *mutawatir* information.<sup>28</sup>

According to Ahmad ibn Muhammad als-Siddiq al-Gamarī, if the moon is not visible on the 29th of Sha'ban due to cloud cover, then the beginning of Ramadan can be determined using the results of *hisab* experts, as explained in his book *Taujih al-Anzār*.

الحق وجوب الصوم والفطر بالحساب بشرطين: احدهما ان يكون المخبر بذلك من اهل الحساب جماعة متعددة يؤمن معهم الخطأ ويحصل العلم والظن القوي من اتفاقهم على عدم الخطأ فالحساب

The fact that it is obligatory to start the fast of Ramadan and end it by using *hisab* is subject to two conditions, namely: <sup>29</sup> 1) the *hisab* is based on the calculations of several *hisab* experts who are unlikely to have any errors in their calculations. Some scholars require a

<sup>27</sup> Ibnu Hajar Al-Haitami, *Tuhfat Al Muhtaj Fi Syarḥ Al-Minhaj, Dalam Hawasyi Asy-Syarwani Wa Al-'Ubbadi, Juz 3* (Kairo: Maktabah Mushtafa, n.d.), 374.

<sup>28</sup> Abu Bakr bin Ahmad bin Abdullah Al-Hadrami, *Al-Fatāwa an-Nafi'ah Fi Masā'il Al-Aḥwal Al-Waqi'ah*, Cetakatan (Mesir: Muṣṭafa Babi al-Halabi, 1960), 36.

<sup>29</sup> Abu al-Faid ahmad bin Muhammad as-Siddiq Al-Gamary, *Taujih Al-Anzār Li Tauhīd Al-Muslimīn Fi Al-Saum Wa Al-Iftār* ('Aman: Dār al-Biyaraq, 1999), 52–53.

minimum of 7 or 8 *hisab* experts. This requirement is based on the term "*faqdurū lah*" in the Prophet's hadith which means to determine based on the calculation of the position of the Moon, and also the command in *faqdurū lah* contains an obligatory law. 2) the hilal was not sighted in cloudy weather, not in clear weather, because the Hadīth uses the word "gumma". For example, ibn 'Umar sent a team for *rukyyatulhilal* on the 29<sup>th</sup> of Sha'ban, and if the moon was sighted, the next day the fasting month of Ramadan began. If the hilal was not sighted and it was not obscured by clouds, then he did not fast the next day, but if it was not sighted because it was obscured by clouds, then he fasted the next day. The requirement of cloudy weather is based on the hadith "فان غم عليكم فاقدروا له" command in the word *faqdurū lah* which is related to the word "gumma". It is not permissible to use *hisab* unless it is cloudy, according to the Prophet's Hadīth.

### ***Imkan rukyat* method and criteria according to Minister of Religious Brunei, Indonesia, Malaysia and Singapore (MABIMS)**

The term *imkan rukyat* is a combination of two Arabic syllables, *imkān* and *al-ru'yah*, which have their own meanings. *imkān* dan *al-ru'yah*, yang mana dari dua suku kata tersebut mempunyai makna tersendiri. *Imkān* is a masdar form of *fi'il māḍī amkana* which follows the *wazan af'ala yuf'ilu if'ālan*<sup>30</sup> which means possibility.<sup>31</sup> While the word *al-ru'yah* is a masdar *sima'ī* form of *fi'il māḍī ra'a* which follows the *wazan fa'ala yaf'alu fa'lan*<sup>32</sup> which means to see.<sup>33</sup>

Regarding the term *ru'yah*, Louis Ma'lūf in al-Munjid dictionary gives several meanings to the word *ra'ā* (the root form of the word *ru'yah*). *Ra'ā* (in the form of *fi'il māḍī*) can mean *'alima* or *adraka* which means understanding or seeing with the mind. In addition, *ra'ā* can also be interpreted as *ẓanna* or *ḥasiba* which means to suspect, believe, think, and see with the heart.<sup>34</sup> This may be similar to those who interpret *ra'ā* with *ru'yah bi al-'ilmi*.<sup>35</sup> In this sense, the masdar of *ra'ā* is not *ru'yah*, but *ru'yan*,<sup>36</sup> and the context of its meaning is an abstract object. The term *ra'ā* can also be interpreted as seeing with the eyes. In this case, the word *ra'ā* has the masdar form *ru'yah*. The object of this *ra'ā* is a concrete object (has a clear physique) such as the stars, the Moon or the Sun.

Meanwhile, *rukyyat* itself according to the term is the activity of observing *hilal*, which is the appearance of the crescent Moon for the first time after *ijtimak*. The activity is carried out when almost the first sunset after *ijtimak*. In the context of the lunar/komariah month, what is meant by *rukyyat* is *rukyyatulhilal*, which is observing the hilal when the Sun sets on the western horizon before the beginning of the lunar/komariah month using the naked eye or a telescope.<sup>37</sup>

From the above explanation, it can be concluded that what is meant by *imkan rukyat* is the criteria or conditions in which the hilal is possible to be seen which is then used as the

<sup>30</sup> Muhammad Ma'sum, *Al-Amsilati Al-Taṣrifiyah* (Semarang: Pustaka Alawiyah, n.d.), 16.

<sup>31</sup> Munawwir, *Kamus Al-Munawwir Arab-Indonesia*, n.d., 1353.

<sup>32</sup> Ma'sum, *Al-Amsilati Al-Taṣrifiyah*, n.d., 4.

<sup>33</sup> Munawwir, *Kamus Al-Munawwir*, n.d., 460.

<sup>34</sup> Syihābudīn Ahmad Ibn Ahmad Ibn Salamah Al-Qalyūbi, *Hāsyiyah Al-Qalyūbi* (Beirut: Dār Al-Kutub Al-Ilmiyah, 1997), 78; Ibrahim Mustafa, Ahmad Hasan Al-Zayyat, and Dkk, *Al-Mu'jam Al-Wasit, Juz I* (Beirut: Dār al-Fikr, n.d.), 320.

<sup>35</sup> Suhadirman, "Kriteria Visibilitas Hilal Dalam Penetapan Awal Bulan Kamariah Di Indonesia," *Jurnal Khatulistiwa - Journal Of Islamic Studies* Volume 3 N (n.d.): 75.

<sup>36</sup> Louis Ma'lūf, *Al-Munjid Fi Al-Lughah Wa Al-A'lam* (Beirut: Dār al-Masyriq, 2003), 397.

<sup>37</sup> Suksinan Azhari, *Ensiklopedia Hisab Rukyat* (Yogyakarta: Pustaka Pelajar, 2008), 130.



basis for determining the beginning of the lunar/komariah month.<sup>38</sup> *Imkanurukyat* (hilal visibility) is the result of collaboration between two methods, namely *hisab* and *rukya*t as a method of determining the beginning of the *komariyah* month. This is because formulating the *imkanurukyat* criteria requires *hisab* as a method and requires the results of *rukya*t as data material. This means that *imkan rukya*t can work if it is supported by the *hisab* method and the results of *rukya*t data. The group that adheres to *imkan rukya*t will use the *hisab* method in determining the beginning of the lunar/komariah month, while still considering the feasibility of the *hilal* to be able to be observed. That is what *imkanurukyat* means.

MABIMS stands for the Ministers of Religious Affairs of Brunei Darussalam, Indonesia, Malaysia, and Singapore, which is meant to be an annual meeting of the Ministers of Religion or Ministers responsible for taking care of the religious affairs of the four countries. This form of agreement is to maintain the benefit and interests of the people without interfering with the political matters of member countries. In the latest development, the meeting is held every two years. MABIMS began to be held in 1989 in Brunei Darussalam. One of the important issues of concern to MABIMS is the unification of the Regional Islamic Calendar.<sup>39</sup>

*Imkan rukya*t or old MABIMS hilal visibility requires *hilal* height of not less than 2 degrees, elongation of not less than 3 degrees, and a moon age of not less than 8 hours. So, what is meant by *imkan rukya*t MABIMS is the criteria for determining the beginning of the lunar/komariah month (calendar) which is determined based on the deliberations of the Religious Ministers of Brunei Darussalam, Indonesia, Malaysia, and Singapore (MABIMS), and is used officially for determining the beginning of the lunar/komariah month in the official government calendar, with the principle that the beginning of the lunar/komariah month occurs if; a). At sunset, the altitude of the Moon above the horizon is at least 2°, b). The Moon-Sun elongation angle is at least 3°, or c). At the time of Moonset, the age of the Moon is a minimum of 8 hours, calculated from the *ijtimak*.<sup>40</sup>

The MABIMS *imkan rukya*t criteria until 2021 became Indonesia's reference in determining the beginning of the lunar/komariah month. However, on December 8, 2021, in a virtual meeting, the MABIMS *imkan rukya*t criteria (2, 3, 8) were changed and ratified by the ministers of religion of Brunei Darussalam, Indonesia, Malaysia, Singapore to a minimum elongation of 6.4 degrees and a hilal height of 3 degrees according to 2017 Jakarta Recommendation Criteria.<sup>41</sup> The new MABIMS Criteria (Neo MABIMS) were implemented in 2021 AD (1443 H) or according to the readiness of each country to implement it. However, Indonesia applies the new MABIMS criteria starting April 2022, at the beginning of Ramadan 1443.<sup>42</sup>

### **Problems in implementing *imkan rukya*t in the case of invisible hilal.**

In the implementation of *rukya*t with the position of the *hilal* has reached *imkan rukya*t, not always successfully seen, but also sometimes experienced the failure to see the hilal due to the factor of cloud cover in all locations of *rukya*t *hilal* so that there is no testimony to see the hilal. This happens in *rukya*t organized by the Indonesian government to determine the

<sup>38</sup> Hamid, *Mizān Al-I'tidāl*, n.d., 7.

<sup>39</sup> Susinkan Azhari, "Visibilitas MABIMS Dan Implementasinya," accessed September 3, 2022, <http://museumastronomi.com/visibilitas-hilal-mabims-dan-implementasinya/>.

<sup>40</sup> Sado, "Imkan Al-Rukyat Mabims Solusi Penyeragaman," n.d., 25.

<sup>41</sup> Hasil Keputusan Rekomendasi Jakarta, 2017, 2.

<sup>42</sup> Thomas Djamaluddin, "Memaknai Kriteria Baru MABIMS Dalam Kerangka Unifikasi Kalender Hijriyah Indonesia," 2022.

beginning of Ramadan, Shawwal, and Zulhijah, and also *rukyat* organized by Nahdlatul Ulama to determine the months of other months.

Meanwhile, what has been experienced by the Indonesian government is the *rukyat hilal* of Ramadan 1407 on Tuesday, April 28, 1987 coinciding with the 29th of Sha'ban 1407, *ijtimak* occurred on Tuesday, April 28, 1987 at 8:35 WIB with hilal height of 1°16' to 3° (already *imkan rukyat* old MABIMS), and rukyat hilal from 3 locations namely: POB Pelabuhan Ratu Sukabumi, Tugu Munas Jakarta and Lhok-Nga Banda Aceh there was no testimony that saw the hilal because it was covered by clouds.<sup>43</sup>

Nahdlatul Ulama at the end of each lunar/komariah month also conducts hilal rukyat to test the hisab data, such as in Muharram 1438 H to Zulhijah 1440 H. In the implementation of hilal rukyat in months other than Ramadan, Shawwal and Zulhijah there are hilal imkan rukyat that are not visible.

Tabel 1. Height of hilal by years

No	Month of Komariah	Height of Hilal		Visibility
		On 29th	Height of Hilal	
1	Muharram 1438	Saturday, October 1, 2016	3°54'	None
2	Fri. Beginning of 1438	Saturday, January 28, 2017	3°01'	None
3	Fri. End of	Monday, February 27, 2017	8°58'	None
4	Muharram 1439	Wednesday, September 20, 2017	2°00'	None
5	Fri. Beginning of 1439	Wednesday, January 17, 2018	2°08'	None
6	Fri. End of 1439	Friday, February 16, 2018	5°11'	None
7	Zulqa'dah 1439	Friday, July 13, 2018	3°13'	None
8	Fri. Beginning of 1440	Sunday, January 6, 2019	2°58'	None
9	Fri. End of 1440	Tuesday, February 5, 2019	5°15'	None

Source: Nahdatul Ulama Falakiyah Institute

On the implementation of rukyat hilal of the month of Rabiul Akhir 1442 H on Sunday Kliwon 29 Rabiul Awwal 1442 H/November 15, 2020 AD. Reports from the provinces of South Sulawesi (Makassar city), West Nusa Tenggara (Mataram city), East Java (Bondowoso, Pamekasan, Gresik, Jombang and Jember districts), Central Java (Semarang city), Yogyakarta (Yogyakarta city) and DKI Jakarta (North Jakarta city). All of these locations stated that they did not succeed in seeing the *hilal*.<sup>44</sup> While the position of the hilal is imkan rukyat, namely the height of the hilal 2 ° 19 'and elongation 3 ° 56 '.

<sup>43</sup> Kementerian Agama RI, *Keputusan Menteri Agama RI 1 Ramadan, Syawal Dan Zulhijah 1381 H – 1440 H / 1962 M – 2019 M* (Jakarta: Direktur Urusan Agama Islam dan Pembinaan Syariah, 2019), 153–56.

<sup>44</sup> Lembaga Falakiyah PBNU, "Pengumuman Tentang Awal Bulan Rabiul Akhir 1442 H," Pub. L. No. 043/LF-PBNU/XI/2020 (n.d.).

In the rukyat hilal of the month of Safar 1443 on Tuesday Legi 29 Muharram 1443 H/September 7, 2021, from 19 rukyat hilal locations spread across Indonesia, no one reported seeing the hilal.<sup>45</sup> While the position of the hilal is *imkan rukyat*, namely the height of the hilal is 3°54' to 6°01' and the elongation is 6°23' to 7°33'.

After the MABIMS *imkan rukyat* criteria were replaced by a hilal altitude of 3° and an elongation of 6.4° in April 2022, in the implementation of *rukkyat hilal* by NU there was also a *hilal* not seen in the *imkan rukyat* position, namely the implementation of *rukkyat hilal* in Jumadil Awal 1444 on Thursday Wage 29 Rabi'ul Akhir 1444 H/November 24, 2022 AD. From 16 locations spread across Indonesia, there were no reports of seeing hilal due to cloudy or rainy weather.<sup>46</sup> While the position of the hilal is *imkan rukyat*, namely the height of the hilal is 3°21' to 5°11' and the elongation is 5°44' to 7°21'.

### The perspective of the Syafi'i scholars regarding the invisible hilal *imkan rukyat*

The thought of the scholars of the Syafi'i Mazhab regarding the hilal that is not visible in the *imkan rukyat* position, above has been explained that there are differences, namely there are opinions that determine *istikmal* (fulfillment of 30 days in the ongoing month and there are opinions that set the next day as the first day of the new month based on *hisab hilal imkan rukyat*).

In the case of the hilal *imkan rukyat* that was not seen in Ramadan 1407 (Tuesday, April 28, 1987) with a hilal height of 1°16' to 3°, the Indonesian government set the beginning of Ramadan 1407 on the next day, Wednesday, April 29, 1987 based on the fatwa of the Indonesian Ulema Council dated July 1, 1981 Number: Kep/276/MUI/VII/1981 concerning the determination of the beginning of the month which states that "if the *hisab qath'i* which indicates the presence of the *hilal* after sunset and the hilal should be visible, but for some reason cannot be seen, then the situation is sufficient to be used as a guideline for determining (the beginning/end of Ramadan). This means that the government negates *istikmal* if the hilal condition has entered the *imkan rukyat* criteria while the hilal is not visible. The 1981 MUI fatwa was also based on the opinions of Imam 'Ubbadi and Imam al-Syarwani<sup>47</sup> as explained by Imam Ibn Hajar al-Haitami in his book *Tuḥfat Al Muḥtaj*.<sup>48</sup>

Nahdlatul Ulama is different from the government in determining the beginning of Ramadan 1407, which is set for Thursday, April 30, 1987 based on *istikmal*. The NU stipulation is based on the results of the NU National Conference in 1983 in determining the beginning of the lunar/komariah month only بالروية او اتمام العدد ثلاثين يوما (with the sighting of the hilal or the fulfillment of 30 days when the hilal is invisible). The results of the NU National Conference are based on the opinion of the majority of scholars of the Syafi'i Mazhab, namely the obligation to fast Ramadan by completing 30 days of Sha'ban or rukyat hilal.<sup>49</sup>

NU's stipulation in determining the beginning of the lunar/komariah month based on *istikmal*, not only in Ramadan 1407 H, but in the following months every hilal is not visible even though the *hilal* is in the *imkan rukyat* position, both the old MABIMS *imkan rukyat* criteria

<sup>45</sup> Lembaga Falakiah PBNU, "Pengumuman Tentang Awal Bulan Safar 1443," Pub. L. No. 029/LF-PBNU/IX/2021 (n.d.).

<sup>46</sup> Lembaga Falakiah PBNU, "Pengumuman Tentang Awal Bulan Jumadil Awal 1444," Pub. L. No. 049/LF-PBNU/XI/2022 (n.d.).

<sup>47</sup> Kementerian Agama RI, "Keputusan Menteri Agama RI" (n.d.), 153–56.

<sup>48</sup> Al-Haitami, *Tuḥfat Al Muḥtaj Fi Syarḥ Al-Minhaj*, n.d., 374.

<sup>49</sup> Al-Nawawi, *Minhāj Al-Ṭalibīn Wa 'Umdah Al-Muftīn*, n.d., 178.

(2, 3, 8) and the new MABIMS (3-6, 4). And according to NU, the *Imkan rukyat* criterion is only to reject the testimony of seeing the *hilal* below the *imkan rukyat*.

## Conclusion

As the data has been presented, there were several times when the *hilal* was not seen in the implementation of *rukyyat hilal* in Indonesia while the *hilal* was in the *imkan rukyat* position or had the potential to be sighted. The dualism of opinion occurs in the condition of the *hilal* is not visible while the *hilal* has entered the *imkan rukyat* criteria with details of the government determining based on *imkan rukyat* and eliminating *istikmal*, while NU applies *istikmal*.

In essence, both opinions are based on the opinion of the Syafi'i Mazhab. *Istikmal* is the opinion of the majority of Syafii scholars, while the determination based on *hisab* (*imkan rukyat*) is the opinion of Imam 'Ubbadi and Iman Syarwani. Determining the beginning of the lunar/komariah month using *hisab* requires two conditions, namely: First, the results of *hisab* calculations are based on a minimum of 7 *hisab* experts who may not have any errors. Second, the *hilal* is not visible due to cloudy weather, not in clear weather. The results of this study can be the basis for determining the beginning of the lunar/komariah month when the *hilal* is not visible while by *hisab* the position of the *hilal* has reached *imkan rukyat*, either by the Indonesian government or Islamic organizations that use *imkan rukyat* criteria in determining the beginning of the lunar/komariah month.

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