

HISÂB IMKÂN RU'YAT: **A Unification Effort in Determining of the Beginning of Months of Qamariah**

Watni Marpaung

Fakultas Syariah dan Hukum UIN Sumatera Utara
Jl. Willem Iskandar Pasar V Medan Estate, Medan, Sumatera Utara, 20371
e-mail: watni_marpaung@yahoo.com

Abstrak: *Hisâb Imkân Ru'yat: Suatu Upaya dalam Penyatuan Penentuan Awal Bulan Qamariyah.* Studi ini mencoba untuk menjelaskan mengenai eksistensi *hisâb imkân ru'yat* dalam upaya penyatuan penentuan awal bulan qamariyah di Indoensia. Kondisi perbedaan penentuan awal bulan qamariyah khususnya bulan Ramadhan, Syawal, dan Dzulhijjah menjadi motivasi dan ketertarikan dalam penulisan ini. Metode *hisâb imkân ru'yat* merupakan metode yang mencoba untuk menjembatani dua metode penentuan awal bulan qamariyah yang telah ada sebelumnya yaitu *hisâb* dan *ru'yat*. Metode *hisâb* dan *ru'yat* telah menjadi sebuah rumusan yang di-perpegangi organisasi Islam Nahdlatul Ulama (NU) dan Muhammadiyah. Persoalan yang serius adalah terjadinya perbedaan dalam penentuan awal bulan qamariyah yang berkelanjutan. Melalui metode *hisâb imkân ru'yat* diharapkan menjadi sebuah solusi untuk menemukan titik temu dalam penentuan awal bulan qamariyah. Dalam hal ini, penulis mencoba untuk menunjukkan bahwa eksistensi *hisâb imkân ru'yat* menjadi penting dalam upaya penyatuan penentuan awal bulan qamariyah dengan mengikuti ketentuan yang disepakati.

Abstract: This study attempts to explain the existence of *hisâb imkân ru'yat* as effort the unification of determination of *qamariyah* in Indonesia. The condition of difference in determining *qamariyah* especially Ramadan, Shawwal, and *Dzulhijjah* is motivation and interest in this writing. *Hisâb imkân ru'yat's* method is a method that tries to bridge the two methods the determining of beginning of *qamariyah* that had existed before the *hisâb* and *ru'yat*. The method of *hisâb* and *ru'yat* has become a formula be holder Islamic organization Nahdlatul Ulama (NU) and Muhammadiyah. A serious problem is the difference in determining the beginning of the month *qamariyah* sustainable. Through the method of *hisâb imkân ru'yat* expected to be a solution to find common ground in determining the beginning of the month *qamariyah*. In this case the author tries to show that the existence of *hisâb imkân ru'yat* is important in unification of determining of the beginning of *qamariyah* following the agreed conditions.

Keywords: *hisâb*, *ru'yat*, *hisâb imkân ru'yat*, astronomi

Introduction

The determination of the first date of *qamariah* in Islam is important. In various practices of worship is prescribed Allah for Muslims is always associated with time in the form of a matter of daily, weekly, monthly, or yearly. Implementation of fasting begins when determining the beginning of *Ramadhan*. Muslims celebrate *'Idul Fitri* when *Shawwal* has been determined. Celebration of the *'Idul Adha* cannot be removed from the determination of the beginning of the month of *Dzulhijjah* itself. In other words, the three major's events for Muslims depends on determination of the beginning of month.

Interestingly in determining the beginning of *qamariyah* month into a serious discourse and continued when related to the method used in determining the beginning of *qamariyah* month. The methods which used to determine the beginning of *qamariyah* month start from the classical era until now, it still constantly debated. In the course of developing the method at least refer to *hisâb* and *ru'yat*.

Discourse the determination of *qamariyah* in Indonesia particularly related to the beginning of *Ramadhan*, *Shawwal*, and *Dzulhijjah* which has its own uniqueness. Its uniqueness in diversity of patterns used to determining the beginning of *qamariyah* month by Islamic organization, such as Nahdlatul Ulama (NU), Muhammadiyah, Al-Jam'iyatul Washliyah, Persis. In principle, even though no one in organization has differences and similarities but in determining the beginning of *qamariyah month* refer to the two methods above.

On the basis of differences in the methods used each Islamic organization in Indonesia are not uniform resulting in frequent of differences in the determination of the great days of Islam. In other words, all Muslims and its group retain to each method will continue the differences.

In this context, it is interesting to describe one method that tries to bridge the differences among Muslims in Indonesia. Indonesian Muslims have been trapped and confined in the method of *hisâb* and *ruk'at*, resulting in almost impossible for the agreement in determining the beginning of *qamariyah*. Alternative methods that allow unifying views on the establishment the beginning of *qamariyah* are *hisâb imkân ru'yat's* method which is a synthesis of *hisab's* method and the *rukyat's* method.

In other words, that this paper was asserting the existence of method of *hisâb imkân ru'yat* will be a solution in the formulation of togetherness in determining the beginning of *qamariyah month* in Indonesia. At least *hisâb imkân ru'yat* tried to offer, draw and sharing possibilities that can glue the differences that have been taking place in the middle of the Indonesian Muslim community.

Definition and Basic of *Hisâb Imkân Ru'yat*

Hisâb imkân ru'yat is composed of three syllables derived from the Arabic that *hisâb*,

imkân and *al-ru'yah*. The word of *hisâb* is a form of the word *hasaba*, *mashdar*, *yaḥsibu*, *hisâban* which the meaning of calculations despite having different meanings in the Qur'an like doomsday. In a deeper meaning that *hisâb* always identified with the study of the calculations in order to determine the position of celestial objects with the rotation of the earth to the sun and the moon around the earth to determine the times of worship. Meanwhile, *imkân* derived from the word *amkana*, *yumkinu*, *imkânan* in the Indonesian language has absorbed the meaning of allowing or possibility. The word *imkân* is derived from the word *ra'a*. *Ru'at*, generally has a meaning as look with eyes.¹

When *hisab*, *imkan* and *al-Rukyah* combine togetherness, it has a meaning can see something. The terminology of astronomy that *hisâb imkân ru'yat* usual juxtaposed with the word *hilâl* or new moon. In other words, simply that *hisâb imkân ru'yat* be called a condition of *hilâl* that its position can be seen with the eye. The experts of astronomy call this condition the visibility or appearance of *hilâl*.²

From definition above, it can be explained that in principle *hisâb imkân ru'yat* is a method used in the framework to define the beginning of qamariyah month. In this case, that the benchmark calculations used the criteria of possibility moon can be seen or *imkân ru'yat*'s criteria. In this case, the *hisâb imkân ru'yat* try to go beyond the methods used so far are only using *hisâb* or *ru'yat* only.

Hisâb imkân ru'yat's method is a method that has found in Qur'an and hadith. This statement explain that *hisâb imkân ru'yat* not only method that is made without foundation texts. In the Qur'an there are at least Q.S. Yûnus/10: 5,

هُوَ الَّذِي جَعَلَ الشَّمْسَ ضِيَاءً وَالْقَمَرَ نُورًا وَقَدَرَهُ مَنَازِلَ لِتَعْلَمُوا عَدَدَ السِّنِينَ وَالْحِسَابَ ...³

He who makes the sun shine and the moon shine and set his manzilah-manzilah (places) for the journey of the month, so that you may know the number of years and the hisâb (of time). God did not create this, but with the right. He explains the signs (of his greatness) to those who know.

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 ...⁴

The month of Ramadhan, the month in which derived (beginning) of the Qur'an as a guidance for mankind and the explanations of the clues and the difference (between the right and falsehood).

¹Louis Ma'luf, *al-Munjid fi al-Lughah wa al-A'lam* (Beirut: Dâr al-Mashriq, 1975), p. 122; H.S. Farid Ruskanda, *100 Masalah Hisab & Rukyat: Telaah Syari'ah, Sains dan Teknologi* (Jakarta: Gema Insani Press, 1996), p. 41.

²Nabhan Maspoetra, "Ephemeris Hisab and Rukyat: Hisab with Data," in Choirul Fuad Yusuf, and Bashori A. Hakim (ed.), *Hisab Rukyat dan Perbedaannya* (Jakarta: Depag, 2004), p. 183.

³Q.S. Yûnus/10: 5.

⁴Q.S. al-Baqarah/2: 185.

Therefore, whoever of you is present (in the country where leave) in the month, let him fast the month, and whoever sick or on the way (and then he break the fast), then (obligation him up) from days abandonment, on the other days. Allah desires ease for you, and does not want hardship for you. And be ye replenish his number and you shall glorify God for His guidance given to you, that ye may be grateful. (Q.S. al-Baqarah/2: 185).

From two verses above, it is understood that firstly, the sun and the moon used as media to know the process of change in the context of time both *Qamariyah* and *Syamsiah*. This understanding can be understood by the phrase “so that you may know the number of years”. Such as, in order to determine the beginning of *Qamariyah* month using media to calculate the position of moon.

Secondly, the second verse defined the phrase “*Syahida*” has a meaning can see the moon with eye or *ru'yat*, but also look at the astronomical testimony or *hisâb*. On that basis, the existence of *hisâb imkan rukyat* becomes important. In other words, that the two verses above do not do the dichotomy of the two methods that exist between the *hisâb* and *ru'yat*, but combine them into a single method called the *hisâb imkân ru'yat*.

Furthermore, the method of *hisâb imkân ru'yat* also reinforced in the hadis of the Prophet that decomposes in a variety of expressions in spite of the same substance, namely:

صوموا الرؤيته وأفطروا لرؤيته فإن غبي عليكم فأكملوا عدة شعبان ثلاثين (رواه البخاري)⁵

Fasted because seeing the new moon and finish because seeing. If you are blocked then complete the number of days of the month of Sya'ban numbers into thirty “.

إذا رأيتم الهلال فصوموا وإذا رأيتموه فأفطروا فإن غم عليكم فصوموا ثلاثين يوماً (رواه مسلم)⁶

If you have seen the new moon, then fasted and if you saw back then finish fasting. But if the moon is blocked over you then fasted for 30 days.

صوموا لرؤيته وأفطروا لرؤيته فإن أغمى عليكم فاقدروا له ثلاثين (رواه مسلم)⁷

Do fasting because you seeing the new moon and finish it because seeing it back. If block fined then estimate fasting for 30 days.

صوموا لرؤيته وأفطروا لرؤيته فإن غبي عليكم فأكملوا عدة شعبان ثلاثين (متفق عليه)⁸

You seeing the new moon fasting and finish it because seeing it. But if the number is blocked then complete the Sya'ban 30 days.

⁵Imam Bukhârî, *Shahîh Bukhârî* (Beirut: Dâr al-Kutub al-'Ilmiyah, n.d.), p. 1776.

⁶Imam Muslim, *Shahîh Muslim* (Beirut: Dâr al-Kutub al-'Ilmiyah, n.d.), p. 1796.

⁷*Ibid*, p. 1808.

⁸*Ibid*.

صوموا لرؤيته وافطروا لرؤيته فان حال بينكم وبينه سحاب فأكملوا عدة شعبان ثلاثين (رواه أحمد بن حنبل)⁹

Do fasting because seeing the new moon and finish it because seeing it. But if between you and the moon blocked the clouds, then complete the number of Sya'ban 30 days.

لا تصوموا حتى تروا الهلال ولا تفطروا حتى تروه فإن أغمي عليكم فاقدروا له (رواه مسلم)¹⁰

Do not fast so that you see the new moon and break the fast so that you also see it back. However, if covered from your eyes then calculate/ determine.

فانغمي عليكم - فانحسب اليكم. Form the words can be understood that at the time of the Prophet that the benchmark is the sighting of the new moon, meaning that the position of the moon above *ufuq* beginning has become a benchmark in determining the beginning of *Qamariyah*. However, in the hadith is also implied meaning that there are other factors that affect the look of the new moon itself. The condition is the weather conditions at the time can see the new moon or not. Thus, it is understood that the Apostle has given signs to estimate or calculation of the position of the moon itself. In other words, that the calculations or estimates mentioned Apostle in various redaction on the basis of indicators of the existence of *hisab imkan rukyat*.

Although that *hisâb imkân ru'yat* have a basic set in the Quran and Hadith, but in the discourse of jurisprudence there is a difference in its use. Among the *Shâfi'i's fiqh* there is a difference with the *fiqh's Hanafi*, *fiqh Mâliki*, and *Hanbali's fiqh*. Not only that, in *Shâfi'i's fiqh* own friction embracing differences that determining the beginning of the month of *Qamariyah* only use pure *ru'yat*, while others assert the determination the beginning of *Qamariyah* using *imkân ru'yat*.¹¹

Among scholars of Syâfi'i who use *hisâb imkân ru'yat* is Imam al-Subkî. Al-Subkî explained that the position of the new moon that allows doing *ru'yat* (*imkân ru'yat*) through the results of *hisâb* itself. Meanwhile, the testimony of the new moon is tentative. On that basis, al-Subkî insists that more important than the practice define a tentative nature.¹² Further than that, al-Subkî stressed that if there are one or more persons who testify witness *hilal*, while *hisâb* that it confirms that the moon cannot be done *ru'yat* then the testimony is considered to be false and rejected.¹³ The same thing is confirmed al-Subkî:

⁹Aḥmad bin Ḥanbal, *Musnad Aḥmad ibn Ḥanbal* (Beirut: Dâr al-Kutub al-'Ilmiyah, n.d.), p. 1720.

¹⁰Imam Muslim, *Shahîḥ Muslim*, p. 1795.

¹¹Abd al-Rahmân al-Jazirî, *Al-Fiqh 'ala Mazâhib al-Arba'ah* (Beirut: Dâr al-Fikri, 1986), p. 500.

¹²Imam al-Subkî, *Fatawa al-Subkî fî Furû' al-Fiqh al-Syâfi'i*, Jilid I (Beirut: Dâr al-Kutub al-'Ilmiyah, 2004), p. 220.

¹³*Ibid.*

إذا دل بمقدمات قطعية على عدم إمكان رؤية الهلال لم يقبل فيه الشهود¹⁴

If hisab shows definitively that the moon may not be able done rukyat, the testimonies (have seen the new moon) is not acceptable.

This assertion explains that *ru'yat* cannot stand alone and is regarded as something final result. But it should be seen from *hisâb* that allows or does not the position of the new moon. So the results of *hisâb* that nature has certainly would reject the testimony of a person who claimed have seen the *hilâl* or new moon.

Syâfi'iyah argued that there is *hisâb imkân ru'yat* by Syarwanî. Syarwanî stated:

أن الحساب إن اتفق أهله على أن مقدماته قطعية وكان المخبرون منهم بذلك عدد التواتر ردت الشهادة وإلا فلا¹⁵

Behold, hisab that if the experts (reaching number mutawatir) agreed that based on the prediction is accurate (the new moon could not be done rukyat) rukyat testimony was rejected. Otherwise it is not.

The statement of Syarwanî almost similar to that of al-Subkî affirmed that if the experts had agreed on the *hisâb* that the apparent position of the new moon cannot be seen or *ru'yat*, the testimony of someone who claimed new moon looks rejected. On that basis, the *hisâb imkân ru'yat* be something to be calculated and considered in the determining the beginning of the month of *qamariyah*.

Most likely that what is stated al-Subkî and al-Syarwanî, is the result of understanding the Hadith of the Prophet as follows:

جاء أعرابي إلى النبي صلعم فقال إني رأيت الهلال قال أتشهد ان لا اله إلا الله قال نعم قال أتشهد أن محمدا رسول الله قال نعم قال يا بلال أذن في الناس فليصوموا غدا¹⁶

Arabi came to the Prophet, he said: "Indeed, I have seen the new moon (of Ramadhan)." He asked: "Do you testify that there is no God but Allah?". He replied: "Yes!" He asked again: "Do you testify that Muhammad is the Messenger of Allah?". He replied: "Yes!". Then the Prophet said: "O Bilal, Call upon the people so that they are fasting tomorrow!"

From the hadith above can be understood that when the Prophet received the testimony *ru'yat al-hilâl* of an Arab that the testimony is under the supervision of revelations. In other words, if the testimony of an Arab was wrong or mistaken course will go down the revelation that give warning to the Prophet, but in reality there is no warning. Therefore, the report

¹⁴Imam al-Subkî, *Fatawa al-Subkî*, Vol. I, p. 219.

¹⁵Al-Syarwânî, *Hâsiyah al-Syarwânî 'ala Tuhfatil Muhtâj*, Vol. III (Mesir: Maktabah Tijariyah Kubra, n.d.), p. 382.

¹⁶Al-Syaukânî, *Nail al-Authar*, Vol. IV (Mesir: Musthafa Bâbî al-Halabi, n.d.), p. 209.

is an Arab regarded as true statements. The problem is lately and today's era that the Messenger is no again and the revelation has been completed, then the next what controls the outcome testimony of someone who has watched the moon already visible. Therefore, the *hisab* will be as tool to measure validation the results of the report the sighting of the new moon can be accepted or rejected. With another language, that revelation's function in the control of the Apostle decision in the context of the report *hilâl* as if moved to the role of *hisâb*.

The Dynamics Determination of Criteria of *Hisâb Imkân Ru'yat*

Hisâb imkân ru'yat an attempt to try doing sistensis to methods that have long been used Muslims in Indonesia between the *hisâb* and *ru'yat*. The problem that then arises is the determination of the criteria of *imkân ru'yat* itself. On that basis, the necessary effort in order to frame the diverse opinions and views regarding the criteria *imkân ru'yat*.

Framework conducted *hisâb imkân ru'yat* is something that is a theory in determining the beginning of *qamariah* month stating that the new moon will be visible when *ru'yat* if it fulfills certain criteria that have been agreed. If it does not suitable to both criteria in terms of theory, as well as observation (*ru'yat al-hilâl*), then the previous month to be improved, to 30 days, or *istikmal*.¹⁷ When observances visible but in theory *imkân ru'yat* does not get the criteria, the results of observations are used as benchmarks measuring.

In Indonesia criteria of *hisâb imkân ru'yat* in accordance with the agreement that was agreed upon that the minimum height of the new moon MABIMS + 2 degrees. The group that followed this theory by Ahmad Izzudin called *ru'yah* schools and who follow the theory *wujûd al-hilâl* called *wujûd al-Hilâl School*.¹⁸

In the context of the provisions of the criteria that evolve at least five theories about *imkân ru'yat*: *first*, 12 degrees (*Kitâb al-Lu'mah*), *second*, 7 degrees (Imam Ba Machromah), *third*, 6 degrees. *Fourth*, fourth and fifth degrees, there are 2 degrees (as agreed in Indonesia).¹⁹ In addition there are at least two theories *imkân* which clarify about *ru'yah*. The first theory is based on the Agreement; the theory is based on expert opinions (astronomer).

There are two the agreement theory. *First*, based on agreements from Istanbul, Turkey, in the Almanac of the Islamic Conference in 1978 declared the visibility of the crescent can be seen when the moon no less high 5 degrees (above the horizon) with distance (distance curved moon-sun when the sun sets) at least 8 degree.²⁰ *Second*, the agreement MABIMS

¹⁷Maskufa, *Ilmu Falaq* (Jakarta: Gaung Persada Press, 2009), p. 150.

¹⁸Ahmad Izzudin, *Fiqih Hisab Rukyah: Penyatuan NU dan Muhammadiyah dalam Penentuan Awal Ramadhan, Idul Fitri and Idul Adha* (Jakarta: Erlangga, 2007), p. viii.

¹⁹Majelis Tarjih PP Muhammadiyah, *Penggunaan Hisab*, p. 27.

²⁰The Ministry of Relegion, "The Sistem of Islamic Regulation in Malaysia, related with the Great Day," in Choirul Fuad Yusuf, and Bashori A. Hakim (ed.), *Hisab Rukyat dan Perbedaannya* (Jakarta: Depag, 2004), p. 266.

(Ministers of Religion Brunei Darussalam, Indonesia, Malaysia and Singapore) in 1992 stated that the visibility of the new moon can be seen if high *hilâl* at least 2 degrees at a distance of curved moon-sun at least 3 degrees and age in at least 8 hours after *ijtimak*.²¹

The several opinions that have been suggested by experts in explaining the criteria of *hisâb imkân ru'yat*, but at least can be formulated in theory, namely: *First*, according Donjon based on the study of scientific is distance between the moon and the sun, at sunset minimum of 7 degrees. According to him there is a relationship between the height of the new moon Pythagoras, different Azimut and distance. *Secondly*, proposed by Muhammad Ilyas with *hilâl* minimum height of 5 degrees with minimum distance of 10.5 derajat.²² *Third*, Tomas Djamaluddin, based his study proposes moon-sun distance of at least 5.6 degrees. Then the height of the new moon is no longer always 2 degrees but must pay attention to the difference Azimut in the sun with the details: height difference 3 degrees (high of *hilâl* two degrees) for different Azimut 6 degrees, but when the difference Azimut its 6 degrees necessary height difference more greater. For different Azimut zero degrees, different height must be 9 degree.²³ Further criteria formulated Unification Conference on the beginning of Moon's *Hijri* International in Istanbul in 1978 which stipulates that the following criteria: first, the beginning of the month starting if the arc distance between the moon and the sun is greater of 8 degrees and the second, the high month of the horizon at sunset is greater than 5 degrees.

In principle, the government has seen that the importance of *al-ru'yah imkân's* criteria, in these government conditions the Ministry of Religious felt need to provide an alternative solution by offering criteria that are acceptable to all parties including by means of holding the Working Group held in 1997/1998 *hisâb ru'yah* in Ciawi, then followed up with a consultation in March 1998 which was also attended by astronomers resulted in the decision that essentially "the determination of the beginning qamariyah based on *imkân ru'yat* with high criteria of *hilâl* 2 degrees, the age of the month 8 hours from the time *ijtima'* at sunset with the calculation of *hisâb haqîqî tahqîqî*.²⁴

In responding to the two major Islamic organizations, Muhammadiyah and Nahdlatul Ulama (NU) promised to bring the results of these deliberations to muktamar respectively. In reality that the Nahdlatul Ulama (NU) in its decision on the determination of the beginning of Shawwal 1418 H have practiced *imkân ru'yat* with evidence at the time rejected the report *ru'yah* of *Bawean* and *Cakung* because of the position of the new moon in Indonesia at that time may not be visible. Meanwhile, Muhammadiyah has not been willing to practice *imkân ru'yat* and remain steadfast in the form of *al-hilâl*.²⁵

²¹*Ibid*, p. 267-268.

²²Ruskanda, *100 Masalah Hisab dan Rukyat*, p. 61-62.

²³Izzudin, *Fiqh Hisab Rukyah*, p. 161, 170.

²⁴*Ibid*.

²⁵*Ibid*.

One of the reasons for objection of Muhammadiyah is due to the assumption that criteria do not support the scientific. According to T. Jamaludin this is true and the criteria are only based on a simple analysis, not taking into account different *azimuth* moon-sun as is done in astronomical criteria and the criteria was lower than the astronomy recognized criteria. However, if being honest, form of *al-hilâl* criteria currently used Muhammadiyah is also no support by scientific.²⁶ At least, the government's efforts to harmonize and unify each criteria that can be used as the basic foundation to get together and resolve the differences.

Application of *Hisâb Imkân Ru'yat* in Indonesia

In Indonesian, the problem of determining the beginning of *qamariyah* month is a discussion that will never be completed. This condition is based on methods used by Muslims in determining the beginning of *qamariyah* month. The most serious issue is determining the beginning of Ramadhan, Shawwal, and Dzulhijjah without denying the other months. Something cannot deny because collective worship and symbol of Islam.

The determination of *qamariyah* month in Indonesia always is some differences. If we look carefully caused by two factors, namely, in terms of the legal establishment and the terms of the systems and methods calculation. The terms of the legal establishment in Indonesia in general consist of four groups:²⁷

First, a group that adhered to *ru'yat*. Basically this group is not doing *hisâb*. For success doing *ru'yat*, it requires *hisab*. It's just that this group considers that *hisab* it as a tool only for the success of rukyat. For those that *ru'yat* the evidence used to establish the beginning of Month Qamariyah related with worship. If the new moon had been *ru'yat*, and after *itsbat* and then implemented as according to the rule, then the result of *ru'yat* published to the public.

Secondly, the group that holds the *ijtima'* as a guide to determine the beginning of the month Qamariyah. The group is guided only happen *ijtima'* to determine the beginning of a new moon. They underlie the *ijtima'* to determine the beginning of the Month Qamariyah, with no need to explain the position of the moon and how many degrees above the height of *ufuq*. They argue if there has been *ijtima'* before the sun goes down, then the next day already the beginning of a new moon of Qamariyah. But if the condition of conjunction after *maghrib* or sunset after the Sun, then the next day is considered tomorrow months on going. It is based on the reason of Quranic verse, Yunus verse five, as Allah determine the *manzilah-manzilah* has set for the circulation of the Sun or Moon are useful for humans to determine the calculation of the numbers of days per year and ways of calculation.

²⁶*Ibid.*

²⁷Susiknan Azhari, *Hisab dan Rukyat: Wacana untuk Membangun Kebersamaan di Tengah Perbedaan* (Jakarta: Rajawali, 2004), p. 20

Third, the group considers that *Ufuq* true as a criterion for determining of *hilâl*. The group is based on the legal basis similar to the reasons given by the second group, only they have to understand the verses of the Quran and the Hadith as a whole so that they conclude that if the position of the new moon has been known to reason was above *ufuq*, then the sense of knowledge that cannot be layed again and is a powerful tool to determinate the beginning of the month. This group was developed by Muhammad Wardan's term *hisâb wujûd al-hilâl*. For *hisâb wujûd al-hilâl*'s methodology developed in the beginning of date of the new moon in the *hijriah* calendar is not merely a process occurred *ijtima'*, but also consider the position of the new moon when the sun goes down. So it can be said wujudul hilal's theory. As the middle way between *hisâb* system (*ijma' qabl al-ghurub*) with system *imkân ru'yat* or between *ru'yat* pure and *hisâb* pure. Theory of *wujûd al-hilâl* adhered by the Muhammadiyah organization, so in practice the beginning of fasting Ramadan, id al-Fitr and id al-Adha" there is a difference among the people of the Muslim Indonesia. The height of *hilâl* already on *ufuq true* when the sun goes down, but has not achiev the criteria *imkân ru'yat* (2°), meanwhile the observation of *ru'yat*, and the moon unsuccessful be done *ru'yat* (not visible), then this condition raises the difference, even though there was a Ministry Religion's decision.

Fourth, a group that adhered to the position of the *hilâl* above *ufuq mar'i*, namely: *ufuk* which can be viewed directly by the eyes of the head as criteria in the beginning of the Month.²⁸ The legal basis used by the fourth group is similar to the third group, but besides the verses of the Quran as a whole, related with soul in the Hadith, the position of the determining of month with precision in such a manner in accordance with viewer. Therefore, the correction made to the high of *hilâl* is half diameter of month. Refraction parralaraxs done with seriously by taking into account the condition of the air and temperature for the position of the Moon is not based on calculations by *ufuq true* as the third group. Systems and methods to detereminate the beginning of Qamariyah The determination of the beginning of Months Qamariyah by way of *hisâb* on the outline there are two ways, namely: *hisâb 'urfi* and *hisâb haqîqî*.²⁹

Hisâb 'urfi, the method of determining the beginning of the Month with the calculation based on the circulation of the moon and the Earth's average in around the sun. In *hisâb 'urfi* this, set 12 months a year, every month 30 or 29 days except on the month of Zulhijjah.

The scholars agreed that the system of *hisâb 'urfi* cannot be used in a time that has to do with the worship, except in the calculation of the time (*haul*) in zakat. For this, *hisâb 'urfi* can be used, because the number of days in a year is equal to the number of days used by *hisâb haqîqî*, namely 354 days in regular years (*bassitah*) and length of 355 days in the year (*kabisat*).

²⁸*Ibid.*, p. 30.

²⁹*Almanak Hisab Rukyat*, Direktorat Jenderal Badan Peradilan Agama Mahkamah Agung RI Tahun 2007.

Named by *hisâb 'urfî*, because the calculation is based on the activity rules of traditional nature, which made budgets in determining the calculation of the beginning the month on the circulation of the Month.³⁰

Hisâb haqîqî that determination of qamariyah month with calculations based on the circulation of the moon and the earth actually. *Hisâb haqîqî* discussion focused in the determination of Qarmaiyah in connection with the implementation of the worship. This *hisâb haqîqî* is the system of beginning of the month Qamariyah with the method of determining the position of the moon at the time of sunset

The ways has to do in which the system is the *hisâb haqîqî: ghurub* determine the sun for a place; on this basis the adherent's *hisâb haqîqî* calculate longitude Sun and the Moon and other data with the coordinates of the ecliptic; on the basis of this longitude they calculate the *ijtima'*; the position sun and moon are determined by the ecliptic coordinate system projected to the equator. Thus it transpired *mukuts* (the angular distance track the Sun and Moon at the time of the setting of the Sun); with the position of the Sun at the equator coordinate system is projected again to the vertical so that it becomes coordinates horizon. Thus, it is determined how high the moon (*hilâl*) at the time of sunset and how it's azimuth.

In this system also varied according to the data used and marked by literature used. The level of accuracy contained in the books of literature they vary, causing differences in the results of *hisâb*. In principle hisab divided into three systems namely, *hisâb urfi*, *hisâb haqîqî*, *hisâb contemporer*. Thus, of the three systems, in determining the beginning of the Moon Qamariyah divided into several groups, which are divided into 6 groups: (1) Group which adhered to *ijtima' qabl al-ghurub*. For this group to apply, if *ijtima'* occurs before sunset, the evening is already considered the new moon. But if the conjunction after the sun set, the night and the next day set as the 30th day of the running. Thus, this system did not question *ru'yat* or calculation of *ufuq's* position of the moon. In short, is used as measure is whether *ijtima'* had occurred before or after the sun set. (2) Group are guided by the conjunction *ijtima' qabl al-fajr*. This system adheres, if *ijtima'* occurred before *fajr*, the night was already in the beginning of months, though at the time sunset on that night, has not happened *ijtima'*. The reason is because when the conjunction has nothing to do with the incident sunset. Their opinions are solely adhering to pure astronomy and determine when dawn as the beginning of the day. This stance in understanding the Qur'an Surah al-Baqarah verse 187; which means: "And eat and drink until the white thread from a black began of the dawn". This system has never been adopted by experts *Hisâb* in Indonesia, but allegedly occurred in Saudi Arabia in the face of the Idul Hajj. As the events that occurred in 1395 H/or 1975 AD, where Saudi Arabia feast dated December 12, 1975, while in Indonesia officially falls on Saturday 13 December 1975, at which time

³⁰*Ibid.*

occurs *ijtima'* on December 3, 1975 hours 00:50 GMT or 3:50 hours local time Mecca.³¹ (3) Group are guided by the position of *hilâl* above *ufuq haqîqî*. This group argues that in order to determine the beginning of the month *Qamariyah*, the position of the new moon should already be above *ufuq haqîqî*. Not taken into account the effect of the height of the observer. This system is found if the following occurs *ijtima'* *hilâl* already be on top form *ufuq true* when the sun goes down. Then night had considered entering the new moon. Conversely, if in the event *ijtima'* *hilâl* still under *ufuq*, it is not considered a new moon. (4.) Group are guided by the position of moon above *ufuq hissi*. This group argues, if at the time of sunset after the *intima'*, *hilâl* already on *ufuq hissi*, then a night that has included the date of the new moon. For groups who cling to *ufuq hissi*, determining the height measured from the new moon on the earth's surface, as understood *ufuq hissi* is plane through the eye parallel to *Ufuk* and Essential. (5) Group are guided by the position of moon above *ufuq mar'i*. This system is basically the same as that applicable to the system *hisâb* guided by *ufuq haqîqî* and *hissi*, which takes into account the position of the new moon when the sun goes down after the *ijtima'*. Only in this system assessing the height of the new moon of *ufuq true* then added corrections to the value of the height of the new moon. (6). Group are guided by the position of the new moon which may be done *ru'yat (imkân ru'yat)*. In this system, guided by determination of new moon, taking into account the criteria height when the new moon after the sun goes down *ijtima'*. Experts of *hisâb* in the class or school is not in agreement on the criteria of height of *hilâl* could be done *ru'yat*. Some say 8°, 7°, 6°, 5° and others.³²

In line great that the two great currents using the method of determining the beginning of the month of *qamariyah*, on one side of the Nahdlatul Ulama (NU), Al Jam'iyatul Washliyah, which uses the determination of *qamariyah* by the *ru'yat's* method. Meanwhile, *Muhammadiyah* and who agree the determining of the beginning of the month of *qamariyah* using the *hisâb's* method. This condition becomes a landscape that contrasts when it is associated with the condition of Indonesian Muslims there were fasting and more earlier than other Muslims.

When be done an inventory of differences in determining the beginning of the month of *qamariyah* is based on, *first*, that the legal basis used as an excuse by experts *hisâb* cannot be accepted by experts *ru'yah* and conversely that the legal basis proposed by experts *ru'yah* regarded by experts *hisâb* is not the only the legal basis that allows the way in determining the beginning of the month *qomariyah*.³³ *Secondly*, that the institutionalism ego into something that is not denied. That Muhammadiyah is known as a follower of *hisâb* and Nahdlatul Ulama (NU) with *ru'yat* somewhat difficult to extricate themselves and the doctrine and

³¹*Ibid.*

³²*Ibid.*

³³*Ibid.*, p. 160.

thinking to the wider interests, Indonesian Muslims not only thinking of Muslims Muhammadiyah or Muslims Nahdhtul Ulama (NU).

If seeing the factors above that in principle these differences are actually irreconcilable differences and united. It is based on that conversation about the beginning of the month along with the determination of their argument is the area of jurisprudence that is *zhanni*, not including the problems *i'tiqadi*. The formulation of *ijtihad* were formulated Apostle is that correct *ijtihad* get two rewards while one get one reward. In this context the principle of *ijtihad* nothing wrong or sinful. In other words, should that difference that has lasted a long time in Indonesia can be resolved by looking vises benefit the wider community.

Thus, is the ability of the figures of organizations able to sit together and open ourselves with sincerity and vision of *ummah* nationally by releasing ego agencies with efforts to find a mutual agreement in realizing the common good as well? The ability of the figures is in a large Islamic organization to think it out by looking at the box to large vision.

In line with that in mind, should that the method of *hisâb imkân ru'yat* become red thread and a meeting point among the many methods of determining the beginning of the month of *qamariyah* in Indonesia which formulated on two shafts between the *hisâb* and *ru'yat*. Therefore, theoretically *hisâb imkân ru'yat* is the idea formed and implemented by the government in this case the Ministry of Religion of the Republic of Indonesia.

Hisâb imkân ru'yat's method would be a method capable of uniting the difference in determining the beginning of the month *qamariyah* more specifically the beginning of *Ramadhan*, *Shawwal* and *Dzulhijjah*, if carried out under the following conditions:

First, the government must make efforts unification of criteria collectively of *hisâb imkân ru'yat*. The big question that must be hacked is the readiness of all organizations that spearheaded the government in determining the criteria agreed by all parties in determining the beginning of the month of *qamariyah*. In other words, that the criteria that agreed by MABISM (Minister of Religious Affairs of Brunei Darussalam, Malaysia, Indonesia, and Singapore), with provisions 2, 3 and 8 can be done by looking at the *ijtihad* common interests of Muslims in Indonesia.

Secondly, making the *istbat hilâl* that initiated by the Ministry of Religious should bedecisions agreed upon, adhered to and followed by all parties. Every moment of determining the beginning of *Ramadhan*, *Shawwal*, and *Dzulhijjah* that all organizations involved with the Ministry of Religion that should be *itsbat hilâl* the decision of the Minister of Religion who represent the government. The Decision of the Minister of Religion to determination the beginning of *qamariyah* as a rule binding for all Indonesian people. Indeed that all organizations pay attention to the provisions stated in the jurisprudence as it affirmed the scholars of *fiqh al-Qalyubi* for example stating the true obedience to the government as follows:

ولا بد في الوجوب على من لم يره من ثبوت رؤيته عند القاضي³⁴

An obligation for those who do not see the new moon (alone) is the constant presence of the new moon after the counsel qadli (government).

The same thing was also confirmed by al-Syarwanî with the statement as follows;

فإن حكم به حاكم يراه وجب الصوم على الكافة³⁵

If a judge has set crescent sighting of the fasting must be implemented for the entire population in the country.

In other words, all organizations should be able to see the existence of decisions that have been taken by the government. Indeed the entire organization can be mirrored by neighboring Malaysia, Brunei Darussalam and Singapore personal occurred in spite of the diversity of views and opinions, but when the government has made a decision than everything followed.

Seeing the fact of freedom in selecting an opinion in the context of the determination of the *qamariah* in Indonesia there has been a difference in the determination of Shawwal that the differences that have an impact to the more complex issues related to unity and the unity of the nation even more. Therefore, the issue of the establishment of the beginning of *qamariyah*, especially *Ramadhan*, *Shawwal*, and *Dzulhijjah* no longer considered and viewed as jurisprudence individual or *ijtihadi infiradi* but increased to jurisprudence or *ijtihadi* patterned of social.

In the treasury of jurisprudence that matters is social intervention and participation *ulil amr* or the government in question is justified in order to achieve the public interest. Therefore, the issue of determining the beginning of *Ramadhan*, *Shawwal* and *Dzulhijjah* is deemed necessary to interven *ulil amr* (government), even deemed necessary also the opinion that the government is entitled to determine the beginning of months of *qamariyah*, so the rules of "*ḥukm al-ḥakīm ilzam wa yarfa' al-khilâf*" (The judges' decision was binding and eliminate disagreement), can be realized.³⁶

In the *fiqh*'s *Syâfi'i* explain that the determination of the beginning and end of *Ramadhan* should be set by *ulil amr* or government. If the government has to specify the entire community must obeyed.³⁷ Meanwhile most scholarly (*Hanafiyah*, *Mâlikiyah* and *Hanabilah*) does not require a determination by the government. But if governments decide it become binding to all people³⁸.

³⁴Al-Qalyûbî, *Minhâj al-Thâlibîn*, Vol. II (Mesir: Musthafa Bâbî al-Ḥalabi, n.d.), p. 49.

³⁵Al-Syarwânî, *Hâsiyah al-Syarwânî*, Vol. I, p. 376.

³⁶*Ibid.*

³⁷Al-Jazairi, *Al-Fiqh 'ala Mazâhib al-Arba'ah*, p. 433.

³⁸*Ibid.*, p. 434.

Thus, it can be seen that if *ulil amr* (the government) have determined the beginning of the month then all Muslims who are in the government's area must submit and follow what has been determined. This condition certainly, in the context of Indonesia that if the government has to determine and set the beginning of *Qamariyah, Ramadhan, Shawwal*, as well as *Zulhijjah* should all Muslims in Indonesia following the government's decision.

In this context, the role of the government as a strategic principle to resolve the issue is continued. Efforts to make laws that regulate religious issues in which the determination of the issues contained in *qamariyah* is a solution will impact more encouraging.

Many regulations in the country to resolve religious issues more specially relating to Islamic law. Regulating of joint property, the cases of marriage that relate of materials that is not agreed upon laws of Islamic jurisprudence, husband to remarry must have permission from his wife, divorce should be done in the court. This is certainly a reflection of that after the promulgation possibility of determining the issue the beginning of *qamariah* to be finished.

However, one thing that may need to be realized jointly by Islamic organizations that have their own method in determining the beginning of the month need to open up to the idea of the determination of beginning of month by the government with *hisâb imkân ru'yat*. Obviously this is a question of the ability to prioritize the benefit of Muslims collectively instead of the interest groups and parties.

Conclusion

Hisâb imkân ru'yat become one of the great hopes in the accomplishing of the determination difference of *qamariyah*. The government's ability to find common ground in the criteria of *hisâb imkân ru'yat* is one solution. Awareness of all Muslims to adhere and follow government regulations in determining the beginning of the *qamariyah* to make difference can be finished.

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