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## The Tradition of *Bilang Mule* in Determining the Beginning of the Month of Ramadan from a Islamic Legal Perspective

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### Abstract

This study aims to find out how the determination of the beginning of the month of Ramadan in Islam and the review of Islamic law on the *Bilang Mule* Tradition in determining the beginning of the month of Ramadan is a case study in Badak Village, Central Aceh. The problems raised in this study are; First, how to determine the beginning of the month of Ramadan in Islam in Badak village, Central Aceh. Second, what is the Islamic view regarding the mule word in determining the beginning of the month of Ramadan in Badak Aceh Tengah village. In an effort to obtain answers to the problems, the researchers used a type of field descriptive research, using a normative, historical, and phenomenological approach. The research results found are; First, the determination of the beginning of the month of Ramadan from the perspective of Tengku Samin as the Chief Imam in Badak village, Central Aceh is carried out by the reckoning method in the form of a count of five method, the count of five method is included in the reckoning method because in the daily market it follows the concept of urfi reckoning. Second, the Islamic view regarding saying mule in determining the beginning of the month of Ramadan is not permissible because there is no similarity in how to follow the rukyatul hilal and reckoning.

**Keywords:** Tradition, *Bilang Mule*, Ramadan, Islamic

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## 1. INTRODUCTION

Fasting was first prescribed by the Prophet Muhammad saw. on the 10th of Shaban in the second year after the hijrah of the Prophet Muhammad. to Madinah, after the order was given to change the Qibla from the Al Aqsa Mosque to the Al Haram Mosque. Starting from that, Rasulullah saw. fasting during Ramadan until the end of his life nine times in nine years. Fasting is one of the oldest worships in the history of human

life. In fact, the obligation to fast is not only for the followers of the Prophet Muhammad.<sup>1</sup> Fasting is one of the oldest worships in the history of human life. In fact, the obligation to fast is not only for the followers of the Prophet Muhammad. but the previous people had also received orders to fast. It's just that the form and procedures are slightly different from those treated by the Prophet Muhammad.<sup>2</sup>

In Jewish and Christian teachings, fasting is one of the practices that must be carried out. Arabs during the Jahiliyah era also set certain days, such as Ashura and others, for them to fast. Likewise, other nations in the world practice fasting with their own methods and goals.<sup>3</sup> A Muslim is not qualified to say that fasting stops life activities and abandons society, because living and living according to Islamic teachings, as is well known, is jihad. Moreover, Allah's religion and His Shari'a are a matter of convenience, not difficulty, so that Islam allows breaking the fast and requires breaking the fast during travel and war. Because people who fast are seen as different people in fatigue.<sup>4</sup>

There are 2 (two) methods or ways to determine the beginning of the month of *Qamariyah* which are often used in Indonesia. First, *Rukyat Al-hilal* is observation with one's own eyes the appearance of the crescent moon shortly after sunset on the day the second *ijtima'* (conjunction) occurs, *Hisab* is the calculation of the movements of celestial bodies to determine the conditions at a desired moment pioneered by the Islamic social organization, namely Muhammadiyah, and *Imkanu Rukyat* is the criterion for determining the beginning of the month determined based on the Deliberation of the Ministers of Religion of Brunei Darussalam, Indonesia, Malaysia and Singapore (MABIMS) which is used by the government.<sup>5</sup>

*Bilang mule* is a tradition in determining the start of the month of Ramadan in Badak village, Kec. Blangkejeren, Kab. Central Aceh. The question arises among the Muslims who are there whether the tradition of saying mule can be used as a method for determining the start of the month of Ramadan. Based on this assumption, researchers are interested in conducting research related to the tradition of *bilang mule*. The problems raised in this research are; (1) How is the start of Ramadan determined in Islam; (2) What is the Islamic view regarding *Bilang Mule* in determining the start of the month of Ramadan?

Previous research or scientific writings that are references for this study include; Nur Laila Safitri, Student at the Sharia Faculty of UIN Maliki Malang in 2011 entitled Determining the Beginning and End of Ramadan Based on "Aboge" (Case Study in Rembun Village, Dampit District, Malang Regency). In this research, more emphasis is placed on the use of the Javanese calendar by the Rembun Community, Dampit District, Malang Regency. The results of this research show that the determination of the beginning and end of Ramadan in the Rembun community is very identical to the kurup Asopan and Aboge. As calculated based on the Javanese calendar "Aboge" which he believes. The results of determining the start and end of Ramadan often precede government decisions. This difference is caused by the fact that the people of Rembun Village use the Kajawen "Aboge" calendar method which has been going on for

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<sup>1</sup> B. Ali Muhammad, *Ensiklopedia Rukun Islam: Puasa* (PT Borobudur Inspira Nusantara, 2014). h.4

<sup>2</sup> B. Ali Muhammad, *Ensiklopedia Rukun Islam: Puasa*. h.4

<sup>3</sup> B. Ali Muhammad, *Ensiklopedia Rukun Islam: Puasa*. h.2

<sup>4</sup> Wahbah Al-Zuhily, *Puasa Dan Itikaf: Kajian Berbagai Mazhab* (Bandung: Remaja Rosdakarya, 1995). h.100.

<sup>5</sup> Lajnah Falakiyah, *Pedoman Raukyat Dan Hisab Nahdlatul Ulama* (Jakarta: Lajnah Falakiyah Pengurus Besar Nahdlatul Ulama, 2006). h.39

generations and aims to preserve the traditions of their predecessors.<sup>6</sup> The difference with the research I conducted is the research object. In this research conducted by Nur Laila Safitri, the object of research was community content in Rembun Village, Dampit District, Malang Regency. Meanwhile, the research I conducted took the research object which was located in Badak Village, Central Aceh Regency, Blangkejeren District.

In this research the author used qualitative research with field research. The type of research used in this research is empirical research, namely research with field data as the main data source, such as interview results and documentation. Empirical research is useful for analyzing law which is seen as patterned behavior of people in social life which always interacts and is related in social aspects.<sup>7</sup>

In empirical research, the object of study is social facts. These social facts are the basis for the research process where the information to be analyzed can be obtained from the results of interviews. Field research or what is usually called empirical research aims to intensively study the background of the current situation and social interactions of a social unit, individual, group, institution or society.<sup>8</sup> The approach in this research uses a normative, historical, phenomenological approach.

1. *Normative Approach*, this approach is needed to trace a source of law and these methods, namely by seeking justification and strengthening through the arguments of the Qur'an and as-Sunnah as well as the fatwas of the ulama relating to the review of Islamic law regarding Tradition says mule determines the start of the month of Ramadan.<sup>9</sup>
2. *Historical Approach*, this approach is needed to explore the contexts behind the history of the Islamic legal review of the tradition of saying mule in determining the start of the month of Ramadan.<sup>10</sup>
3. *Phenomenological Approach*, in fact phenomenology is a form of scientific approach that seeks to find the essence or essence behind an event, in this case the manifestation of religion that occurs in human life. In the study of religion, the phenomenological approach is a method for understanding other religions from a neutral point of view and removing one's own identity (epoche) and trying to present the religious experiences of other people.<sup>11</sup>

This research uses two types of data, namely primary data and secondary data. Primary data comes from interviews and field observations, while secondary data is obtained from related library sources. The data collection method is a way of collecting the data needed to answer the research problem formulation. Generally, data collection can be done using interviews, questionnaires, documentation studies, and Focus Group Discussions (FGD).<sup>12</sup> In this research, we used interviews with the head imam of the

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<sup>6</sup> Ilham Nadhirin, "Penentuan Awal Bulan Islam Dalam Pandangan Mursyid Thariqah Syattariyyah Desa Setono Kecamatan Ngerambe Kabupaten Ngawi Provinsi Jawa Timur" (Fakultas Syari'ah UIN Malang, 2013). h.10-11.

<sup>7</sup> Bambang Sungno, *Metode Penelitian Hukum* (Jakarta: PT Raja Grafindo Persada, 2016). h.43.

<sup>8</sup> Cholid Nabuko dan Abu Achmadi, *Metode Penelitian* (Jakarta: Bumi Aksara, 2014). h.46.

<sup>9</sup> Khoiruddin Nasution, *Pengantar Studi Islam* (Jakarta: Rajawali Pers, 2018). h.190.

<sup>10</sup> Muhammad Irfan Helmy, *Pendekatan Sosiologis-Historis Dalam Fiqh Al-Hadist* (Yogyakarta: Kreasi Total Media, 2020). h.78.

<sup>11</sup> Afif Syaiful Mahmudin, "Pendekatan Fenomenologis Dalam Kajian Islam," *At-Tajdid : Jurnal Pendidikan Dan Pemikiran Islam* 5, no. 01 (2021): 83, doi:10.24127/att.v5i01.1597.

<sup>12</sup> Juliansyah Noor, *Metodologi Penelitian: Skripsi, Tesis, Disertasi Dan Karya Ilmiah* (Jakarta: Kencana, 2017). h.138.

Badak village mosque, mosque administrators in Badak village and several Badak villages.

## 2. DISCUSSION

Determining the start of the month of Ramadan can be done using the following two methods:

### 1. Hisab (Reckoning)

Namely, adding to the number of the month of Sha'ban to 30 days. If it has been 30 days, then the 31st day will definitely be the 1st of the month of Ramadan.<sup>13</sup>

### 2. Rukyat

Namely seeing the new moon for the month of Ramadan. If the new moon is visible on the 30th night of the month of Sha'ban, it means that the month of Ramadan has entered and fasting is mandatory. Allah SWT. <sup>14</sup>Word in Q.S. al-Baqarah/2:185.

فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ ﴿١٨٥﴾

Translation:

Therefore whoever is present (in the country where he lives) in that month, let him fast in that month.<sup>15</sup>

Then it was strengthened again by the words of *Rasūlullah* saw.

عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ الشَّهْرُ تِسْعٌ وَعِشْرُونَ لَيْلَةً، فَلَا تَصُومُوا حَتَّى تَرَوْهُ، فَإِنْ غَمَّ عَلَيْكُمْ فَأَكْمِلُوا الْعِدَّةَ ثَلَاثِينَ (رواه البخاري)<sup>16</sup>

It means:

From Abdullah bin Umar *radiallahu anhuma* that the Messenger of Allah said: There are twenty-nine nights of the month (Sha'ban), so do not fast until you see it (hilal) Fast because you see the crescent moon, and celebrate Eid because you see it. If the clouds cover you from it, increase the number of the month of Sha'ban to 30 days. (HR. Bukhari)

In other words, that is, if the sky is clear, the issue of fasting depends on seeing the new moon. You cannot fast unless you see the new moon. Meanwhile, if the sky is cloudy, then the problem is returned to the fulfillment of the month of Sha'ban, meaning that the month of Sha'ban is fulfilled for 30 days, because if there is a deficiency in the calculation then we have covered the deficiency, and if it is perfect then fasting is mandatory.<sup>17</sup>

This opinion was taken by three imams consisting of Imam Abu Hanifah, Malik, and Asy-Shafi'i. Meanwhile, the Hambali school of thought believes that if it is impossible or difficult to see the new moon because it is cloudy or cloudy or for other reasons on the 30th night of the month of Sha'ban, then the obligation to fast is based more on precautionary considerations, not on the basis of determinative beliefs. This

<sup>13</sup> Oleh Jaenal Arifin, "Fiqh Hisab Rukyah Di Indonesia ( Telaah Sistem Penetapan Awal Bulan Qamariyyah )," *Yudisia* Vol5,No2, no. Desember (2014): 402–22.

<sup>14</sup> dan Abdul Wahab Sayyed Hawwas Abdul Aziz Muhammad, *Fiqh Ibadah*, 2010. h. 440.

<sup>15</sup> Departemen Agama RI, *Al-Qur'an Dan Terjemahnya* (Surabaya: Halim' Publising distribusing, 2014). h.28.

<sup>16</sup> Abū Abdillāh bin Ismā'il bin al-Mugīrah bin Bardizbah al-Ju'fi al-Bukhārī, "Al-Jāmi' Al-Musnad Al-Sahīh Al-Mukhtasar Min Umūri Rasūl Allāh Sallā Allāh Alaihi Wa Sallam Wa Sunanihi Wa Ayyāihi Sahīh Al- Bukhārī," n.d. h.27.

<sup>17</sup> Abdul Aziz Muhammad dan Abdul Wahab Sayyed Hawwas, *Fiqh Ibadah*, 2010. h.440

opinion was also shared by Umar and his son (Ibnu Umar), Amru bin al-Ash, Abu Hurairah, Anas, Mu'awiyah, Aisyah, and Asma (both daughters of Abu Bakar Ash-Siddiq), and the *tabi'in* group.<sup>18</sup>

Shaykhul Islam Ibn Taymiyyah (one of the Hambali madzhab figures who is a supporter of this opinion) stated that if the rukyat of the new moon on the 30th night is obstructed by clouds or dark clouds, then fasting is permissible (*jà'iz*), neither obligatory nor haram. This is the opinion of the Salaf and Khalaf groups which is also the opinion of Imam Abu Hanifah. Various abundant and widely circulated quotations from Imam Ahmad also show this and there are no indications of obligation in his words or in the words of any of his companions that support this opinion. Furthermore, jurisprudence experts disagree about whose testimony regarding the rukyat hilal Ramadan is considered valid. Imam Abu Hanifah is of the opinion that the *rukkyat hilal* Ramadan is a rule that must be followed by the testimony of a large number of people who are known by their notification if the sky is clear, whereas if conditions are cloudy then the testimony of one person can be accepted, both men and women. In these (cloudy) conditions, the crescent moon does not have to be seen by a group of people given the difficulty, and there is no difference in this regard between uses. My words testify with words in the form of an *sich* notification (without accompanying testimony).<sup>19</sup>

Meanwhile, Imam Malik requires the testimony of two people to be fair, and *rukkyat* is not valid based on the testimony of one person except for himself or for the person he told if the person he told did not pay attention to the issue of the new moon. Meanwhile, Imam Asy-Shafi'i in this case has two versions opinion, as well as Imam Ahmad who has two versions of history. However, the most superior (*rajih*) between the two versions is the acceptance of one person's testimony.<sup>20</sup>

This difference only occurs in the case of determining the crescent moon for Ramadan, whereas in determining the beginning of the month of Shawwal, the majority of ulama are of the opinion that the testimony of just one fair person cannot be accepted, but they require the testimony of two just people, except for Abu Tsaur who does not differentiate between the crescent moon of Ramadan and new moon of Shawwal. He said that the testimony of one fair person could be accepted in determining the start of the month of Ramadan and Shawwal.<sup>21</sup>

Abu Bakr bin Al-Mundzir agrees with Abu Tsaur, and the author thinks this is also the opinion of the Zhahiri school of thought (*ahl azh-zhâhir*). To strengthen his opinion, Abu Bakr bin Al-Mundzir argued with an *ijma'* agreed upon by all scholars regarding the obligation to observe holidays and refrain from eating (fasting) for the testimony of one person, and this applies to the determination of entering the month and leaving the month, because both are signs that separate the time when you are not allowed to fast and when you are fasting.<sup>22</sup>

Imam Asy-Syaukani clarified this opinion with his statement: If there are no good arguments indicating the necessity of having the testimony of two people in determining the holiday (*ifthâr*), then the testimony of one fair person is sufficient by confirming the adequacy of the testimony of one fair person in determining the start of fasting. This is

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<sup>18</sup> Ibnu Al-Hajj, *Al-Madkhal*, 2010.

<sup>19</sup> Ibnu Taimiyah, *Al Ikhtiyaratul Fiqhiyyah Min Fatawa Syeikh Al Islam Ibn Taimiyyah* (Bairut: Darul Fikri, n.d.). h.207.

<sup>20</sup> Ibid.

<sup>21</sup> Ibrahim Asy-Syarif, *Al-Irsyâdât Fî Al-'Aqâ'id Wa Al-'Ibâdât*, n.d. h.111.

<sup>22</sup> Ibrahim Asy-Syarif, *Al-Irsyâdât Fî Al-'Aqâ'id Wa Al-'Ibâdât*, n.d. h.110

appropriate, because ta'abbud (implementation of worship) with (the basis of) one person's news indicates acceptance of similar news under all conditions, unless there is a special argument for not worshipping with one person's message, for example testimony regarding property. and its kind. So what is superior (rajih) is the opinion expressed by Abu Tsaur.<sup>23</sup>

#### 1. Hilal Rukyat Time

According to the authoritative opinion (al-mu'tamat), valid rukyat hilal is done after sunset. However, if it is done before, either before the sun sets or after, then it is not considered, either for the previous (month) or for the (month) to come. Because Ash-Shari' has hung the law with rukyat after sunset, so that it becomes the main axis. There are also those who say, if the crescent moon is seen during the day before the sun sets or after, then it is for the following night. Meanwhile, Rahmat believes that the crescent moon that is visible before the sun goes down belongs to the previous night.<sup>24</sup>

#### 2. Punish people who see the crescent moon

Whoever sees the new moon during Ramadan must fast, even if his testimony is not accepted. And whoever sees the new moon of Shawwal and his testimony is not accepted, then he is not allowed to celebrate the holiday,<sup>25</sup> remembering the Messenger of Allah. once said:

عن أبي هريرة أن النبي صلى الله عليه وسلم قال الصوم يوم تصومون والفطر يوم تفطرون والأضحى يوم تضحون (رواه الترمذي)<sup>26</sup>

It means:

From Abu Hurairah, Rasulullah SAW actually said Fasting is the day when you fast, Eid al-Fitr is when you make sacrifices, and Eid al-Adha is when you slaughter sacrifices.

Those who differentiate the provisions for determining the hilal between the fasting hilal and the syawal hilal actually take such differentiation actions with preventive considerations to prevent undesirable things (sadd adz-dzari'ah), namely so that wicked people do not just pretend that they have seen the new moon, then break the fast (eid holiday) as their stomach allows even though they have not seen it.<sup>27</sup>

Therefore, Imam Asy-Shafi'i said: "If indeed (a person who sees the new moon) is afraid of being accused (of his testimony being false) then he should still refrain from eating and drinking, while believing (that this day is) a holiday "Meanwhile, Imam Malik is of the opinion that whoever celebrates *Eid al-Fitr* while he is only looking at the new moon alone, he is obliged to make up for his fast and pay kafarat. Imam Abu Hanifah only required him to make up for fasting.<sup>28</sup>

### 2.1. Geneal Arguments Regarding Determining the Start of the Ramadhan Month

The general arguments related to determining the start of the month of Ramadan include:

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<sup>23</sup> Ibid.

<sup>24</sup> Abu Malik bin Sayyid Salim, *Shahih Fiqh Al Sunnah*, 2nd ed. (Mesir: Maktabah Taufiqiyah, 2003). h.90

<sup>25</sup> Shalih ibn Fauzan bin Abdullah Al Fauzan, *Al Mulakhasu Al Fiqhiyyah* (Mesir: Al Maktabah Al Tauqifiyyah, 2003). h.240-241

<sup>26</sup> Muhammad Nasruddin Al-Bani, *Shahih Sunan Al-Tirmizī*, 2007. h.923

<sup>27</sup> Ibnu Rusyd, *Bidayatul Mujtahid Wa Nihayatul Muqtashid* (Dar al-Kitāb al-'Ulumiyah, 1990). h.306

<sup>28</sup> Ibid. h.307.

### 1. First Dalil

الشهر هكذا وهكذا ثم عقد إبهامه في الثالثة فصوموا لرؤيته وأفطروا لرؤيته فإن أغمي عليكم فاقدروا له ثلاثين  
(رواه البخاري و مسلم)<sup>29</sup>

It means:

(That) month is like this and like this, then he folds his thumb on the third (i.e. ten plus ten plus nine, pent.) then fast because you see it (hilal), and break your fast because you see it, then when the moon is covered above you, make the month complete by thirty.

From the hadith above, it is stated that determining the entry of the moon is by looking at the Hilal. Hilal is a small crescent moon that appears at the beginning of the month.<sup>30</sup>

### 2. Second Dalil

لا تقدموا رمضان بصوم يوم أو يومين إلا رجلا كان يصوم صوما فليصمه (رواه البخاري و مسلم)<sup>31</sup>

It means:

Do not precede Ramadan by fasting for one or two days, unless someone is used to fasting with a certain fast, then (still) fasts. (HR.Bukhari dan Muslim).

It is not permissible to fast a day or two before Ramadan in case Ramadan enters one or two days before they know it. Meanwhile, if you fast a day or two before Ramadan because it coincides with customs such as Monday-Thursday fasting, David's fast and so on, then this is permissible.<sup>32</sup>

### 3. Third Dalil

Allah SWT. Word in Q.S. al-Baqarah /2:185.

فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ ﴿١٨٥﴾

Translation:

Therefore, whoever among you is present (in his country of residence) in that month, let him fast in that month.<sup>33</sup>

### 4. Fourth Dalil

صوموا لرأيته وأفطروا لرأيته وانكسوا لها فإن غم عليكم فأكملوا ثلاثين (رواه البخاري و مسلم)<sup>34</sup>

It means:

Fast when you see the new moon, and break your fast when you see it, and when the moon closes over you, complete the number to 30 days.

## 2.2. Ulama's Opinion Regarding Determining the Beginning of the Month of Ramadan

Every time the month of Ramadan approaches, we are always presented with the phenomenon of differences of opinion regarding the determination of the start of fasting.

<sup>29</sup> Imam An Nawawi, *Syarah An-Nawawi* (Al-Misriyah Al-Azhar, n.d.). h.192.

<sup>30</sup> Shalih ibn Fauzan bin Abdullah Al Fauzan, *Al Mulakhasu Al Fiqhiyyah*. h.341

<sup>31</sup> Imam An Nawawi, *Syarah An-Nawawi*. h.195.

<sup>32</sup> Abu Malik bin Sayyid Salim, *Shahih Fiqh Al Sunnah*.h.93

<sup>33</sup> Departemen Agama RI, *Al-Qur'an Dan Terjemahnya*. h.28.

<sup>34</sup> Muhammad Nasruddin Al-Bani, *Shahih Sunan An-Nasa'I* (Riyadh: Al-Ma'arif, 1998). h.95.

Ironically, these differences often lead to conflict in society in the form of ridiculing each other and claiming that one group is right, while the other group is wrong. The month that should be used as a moment of increased worship and good deeds is actually marred by mutual ridicule between social groups.<sup>35</sup>

The Ministry of Religion, as the institution that has the authority to determine the start of fasting, has tried to reconcile these differences by holding an isbat session attended by ualam, scientists, hisab-rukyat experts, and representatives from various mass organizations in Indonesia. However, sometimes there are groups who do not follow the results of the isbat session because they have their own method of determining it. Therefore, it is very important for the public to know the methods used by scholars in determining the start of the month of Ramadan.<sup>36</sup>

In determining the start of the month of Ramadan, scholars differ in opinion.

1. Mazhab Hanafi, Maliki, Syafi'I dan Hambali

States that the start of the month of Ramadan can only be determined by using the rukyat (observation/observing the new moon) or *istikmal* method, namely completing the month of Sha'ban to 30 days. <sup>37</sup>The Word of Allah SWT. in Q.S. al-Baqarah/2:185

﴿۱۸۵﴾ فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ

Translation:

So whoever among you witnesses the moon, let him fast (on) it.<sup>38</sup>

2. Ibnu Suraij Taqiyyuddin al-Subki, Mutharrif bin Abdullah dan Muhammad bin Muqatil

States that the start of fasting can be determined using the reckoning method (calculation to determine the position of the new moon).<sup>39</sup> They are guided by the word of Allah Swt. in Q.S. Yunus/11:5 .

﴿۵﴾ هُوَ الَّذِي جَعَلَ الشَّمْسُ ضِيَاءً وَالْقَمَرَ نُورًا وَقَدَرَهُ مَنَازِلَ لِتَعْلَمُوا عَدَدَ السِّنِّينَ وَالْحِسَابَ

Translation:

It is He who makes the sun shine and the moon shine, and it is He who determines the places in their orbits, so that you may know the number of years, and calculation (time).<sup>40</sup>

The verse above explains that the purpose of creating sunlight and moonlight and determining the orbital location of both is so that humans know the number of years and the calculation of time. This means Allah SWT. mandates humans to use reckoning to determine the beginning and end of the Hijriyah month.<sup>41</sup>

From the two opinions above, it seems that the opinion of the first group which states that the start of Ramadan can only be determined by *rukyat* and *istikmal* is a very

<sup>35</sup> Abdul Aziz Muhammad dan Abdul Wahab Sayyed Hawwas, *Fiqh Ibadah*. h.447.

<sup>36</sup> Lajnah Falakiyah, *Pedoman Raukyat Dan Hisab Nahdlatul Ulama*.

<sup>37</sup> Abdurrahman bin Muhammad Iwad al-Jaziri, *Al-Fiqh 'Ala Mazahib Al-Arba'Ah Al-Mu'alif* (Bairut: Dār al-Kutub al-'Ilmiyah, 2003). h.500.

<sup>38</sup> Departemen Agama RI, *Al-Qur'an Dan Terjemahnya*. h.28

<sup>39</sup> Husnul Haq, "Beda Pendapat Ulama Soal Penentuan Awal Ramadhan," n.d., <https://islam.nu.or.id/ramadhan/beda-pendapat-ulama-soal-penetapan-awal-ramadhan-3zglA>. (23 Agustus 2022)

<sup>40</sup> Departemen Agama RI, *Al-Qur'an Dan Terjemahnya*. h.208

<sup>41</sup> Abu Malik bin Sayyid Salim, *Shahih Fiqh Al Sunnah*. h.92



strong opinion, because the arguments they put forward very clearly and firmly state this.<sup>42</sup>

Along with advances in science and technology, especially in the field of astronomy, the role of reckoning is very urgent in supporting rukyat results. Moreover, calculations supported by modern tools have very high accuracy<sup>43</sup>

In the context of Indonesia, there are criteria for determining the start of Ramadan, including:

1. *Imkanur Rukyat* (visibility of the new moon).

*Imkanur rukyat* is considering the possibility of seeing the crescent moon. This criterion requires the crescent moon to be at least 2 degrees above the horizon, making it possible to see it. However, the existence of the new moon is not yet realized until the new moon can be seen with the eye. This criterion is used by NU to support the process of implementing quality rukyat.<sup>44</sup>

2. *Wujudul Hilal* (The form of the Hilal)

*Wujudul Hilal* is the criterion for determining the start of the month of Ramadan using two principles: *Ijtimak* (Conjunction) occurs before sunset, and the moon sets after sunset. If these two criteria are met then the evening can be declared the beginning of the month. This criterion is used by Muhammadiyah.<sup>45</sup>

3. *Imkanur Rukyat MABIMS*

Namely the determination of the start of the month of Ramadan which is determined based on deliberations by the Ministers of Religion of Brunei Darussalam, Indonesia, Malaysia and Singapore (MABIMS). According to these criteria, the beginning of the Hijri month occurs when the sun sets, the height of the Moon above the horizon is not less than 2 degrees and the curvature distance of the Moon to the Sun (elongation angle) is not less than 3 degrees, when it sets, the age of the moon is not less than 8 hours after *ijtima*/conjunction.<sup>46</sup>

4. Global Rukyat

This is the criterion for determining the start of the month of Ramadan which adheres to the principle that if one resident of the country sees the new moon, then the entire country will fast. This criterion is used by Indonesian Muslims by referring directly to Saudi Arabia or using the appearance of the hilal from other countries.<sup>47</sup>

With the very varied methods and criteria for determining the start of Ramadan, it is not surprising that there are differences in starting the Ramadan fast. However, it is important to try to reconcile these differences, remembering that charity in the month of Ramadan and Eid in the month of Shawwal are symbols of Islam and moments of happiness that should be carried out and enjoyed together.<sup>48</sup>

The government through the Ministry of Religion has a central role in reconciling differences in matters, namely by holding the *Isbat* session at the start of Ramadan which

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<sup>42</sup> Mahmud Ahmad Abu Samrah dkk, "Al-Ahillah Baina Al-Falaq Wa Al-Fiqh," *Al-Jami'ah Al-Islamiyyah* 12, no. 2 (2018). h.241.

<sup>43</sup> Ilham Nakhirin, "Penentuan Awal Bulan Islam Dalam Pandangan Mursyid Thariqah Syattariyyah Desa Setono Kecamatan Ngerambe Kabupaten Ngawi Provinsi Jawa Timur."

<sup>44</sup> Husnul Haq, "Beda Pendapat Ulama Soal Penentuan Awal Ramadhan," *NU Online*, accessed August 23, 2022, <https://islam.nu.or.id/ramadhan/beda-pendapat-ulama-soal-penetapan-awal-ramadhan-3zglA>.

<sup>45</sup> Mahmud Ahmad Abu Samrah dkk, "Al-Ahillah Baina Al-Falaq Wa Al-Fiqh." h.244.

<sup>46</sup> Husnul Haq, "Beda Pendapat Ulama Soal Penentuan Awal Ramadhan."

<sup>47</sup> Husnul Haq, "Beda Pendapat Ulama Soal Penentuan Awal Ramadhan," n.d.

<sup>48</sup> Husnul Haq, "Beda Pendapat Ulama Soal Penentuan Awal Ramadhan."

is based on rukyat, and hisab as a supporter. Isbat decisions are binding and apply to Muslims nationally, according to the rules of fiqh:<sup>49</sup>

It's just that if differences in the determination of the start of Ramadan still occur then the principle of tolerance should still be put forward. Because, maintaining the unity and harmony of the people is the command of Allah SWT. which must be implemented.<sup>50</sup>

### ***An overview of the tradition of saying mule in determining the start of the month of Ramadan***

Tengku Samin explained that in the hadith if we believe in the month's calculations, if he is wrong in his calculations our prayers will not be accepted for 40 days.<sup>51</sup> Therefore, determining the 1st date of the month of Ramadan is based on the Word of Allah SWT. in Q.S al-Baqarah /2 :183.

يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ (١٨٣).

Translation:

O you who have believed, it is forbidden for you to fast, and for those who were before you, so that you may be fearful.<sup>52</sup>



**Figure 1.** Tengku Samin (Mr Saddam) Chief Imam in Badak Village, Blangkejeren

Tengku Samin said that it was because of this verse that he fasted. Based on faith and belief. So, if he is sure that tomorrow is the 1st day of the month of Ramadan and he immediately fasts the next day. He also explained that we should not let our basic intentions be hindered by calculations (reckoning). However, in determining the beginning of the month the intention is based on belief. The context of fasting is that the intention is not to fast because of calculation or not to fast because of *rukya* and reckoning. The intention is more to be sure.<sup>53</sup>

In five years, he will be sure that today is the 1st day of Ramadan. He expressed this expression if we use the count of five. He explained that here there is a famous method called the "count of five". This method of counting five is a lesson from our predecessors.

<sup>49</sup> Ilham Nakhirin, "Penentuan Awal Bulan Islam Dalam Pandangan Mursyid Thariqah Syattariyyah Desa Setono Kecamatan Ngerambe Kabupaten Ngawi Provinsi Jawa Timur."

<sup>50</sup> Husnul Haq, "Beda Pendapat Ulama Soal Penentuan Awal Ramadhan," n.d.

<sup>51</sup> tengku samin, Interview (2022).

<sup>52</sup> Departemen Agama RI, *Al-Qur'an Dan Terjemahnya*. h.28.

<sup>53</sup> tengku samin, Interview, 31.

Let's assume it's fasting on Tuesday. Before explaining further he said that the five counting method must be studied for 1 year and after that we can master the five counting method. He also gave an easy description of this method. If previously he fasted on Tuesday, it means that by a count of five he fasted on Saturday. The way to calculate it is to count days 1 to day 5. Day 1 is the first day of fasting last year. So if we fast on Tuesday, then just count, namely Tuesday, Wednesday, Thursday, Friday and Saturday. Saturday means the 1st day of the month of Ramadan this year. For example, he fasts on Saturday. So next year the fast will be on Wednesday. Calculated from Saturday, Sunday, Monday, Tuesday, Wednesday. So the 1st day of the month of Ramadan next year will be Wednesday. This is the count of five. If again when he fasts on Tuesday. So next year, the day he fasted was Saturday. Then he returned to normal.



**Figure 2.** Guidebook Used in Determining *Bilang Mule*

As for Tengku Samin's opinion regarding the beginning of the month, when one of his congregation asked him about the beginning of the month, he said:

I never forced the congregation to participate. The congregation should not fast because they are following their teacher. Since there aren't any here, tomorrow you have to follow me. All congregation members are free to join the government, please, if you want to follow me, please. But the *nawaitu* remains. Not fasting because of the teacher, the government or anyone else. But back to each other's faith and beliefs.<sup>54</sup>

What this means is when the congregation asked him about the start of the month of Ramadan. He explained that today he was fasting and after that it was up to you whether you wanted to fast following me or someone else. Let us return to the belief of doing good deeds based on our faith and devotion to Allah SWT. he returned the determination of the start of the month of Ramadan to the faith and beliefs of each person. He was very worried about forcing his congregation to follow him. Because if the determination is wrong, then he will be sued in the future. He did not dare to blame other people or his congregation who followed him. For him, the wrong person is someone who does not fast.<sup>55</sup>

He explained that in 1 year there are 12 months and in those 12 months, according to the Islamic calendar, 1 month has a date of 30 days and the next month has 29 days starting from the month of Muharram and the month after that is in criss-cross days (30

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<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

days 29 days). Finally, the total number of days in 1 year is 354 days according to the Qamariyah month calculations.<sup>56</sup>

He also explained that when determining the start of fasting he uses the five-count method. Now in 2022 he is fasting on Saturday and next year he will fast on Wednesday. However, because the calculation could be wrong and could be right. So to determine exactly what he is using faith and belief.<sup>57</sup>

After interviewing Tengku Samin. The research conducted interviews with several congregation members who were interviewed, namely Mahdi Syarifuddin. Researchers here want to see the views of the congregation regarding the determination of the beginning and end of the month of Ramadan carried out by Tengku Samin.

Mahdi Syarifuddin explained that we must respond wisely to differences. One example of this is Tengku Samin, who never forced his congregation or students to follow the determination of the beginning of the month of Ramadan which was believed by Tengku Samin. However, because we (the congregation) in Badak Village are the *Bilang Mule* congregation and in this case he explained that there is an etiquette between a student and his teacher. This is Mahdi Syarifuddin's *ijtihad* in following Tengku Samin's *ittiba'*. Almost the entire congregation follows Tengku Samin based on his knowledge.<sup>58</sup>

He explained that the month of Ramadan is 30 days based on Tengku Samin's Tajul Muluk book. Sometimes he explained that the government often only has 29 days of fasting in a month. Tengku Jadim explained that usually he always fasts on the day the fast falls and the government sometimes delays it by 1 day which results in fasting days being 29 days. Meanwhile, in the Qur'an, it is explained that we are told to fast for 30 full days, which is called 1 month. So, make those differences a blessing and we must respect each other. Just like people who don't fast should fast. Sometimes people who fast first are usually associated with muhamadiyah circles and according to him, this is something that divides the ummah.<sup>59</sup>

Tengku Muhammad Nawi explained that they fasted looking at the number of days in Mecca on the 9th day of wuquf, in fact he said that the month of Rajab had 29 or 30. So they preceded the fast because they were afraid that when the fasting month had entered they would not fast, it would be a sin. And if not the fast is over and they are still fasting they are afraid of sinning too. So Tengku Muhammad Nawi has the same opinion as Tengku Samin and Tengku Jadim.<sup>60</sup>

### 2.3. Islamic Law Review of the *Bilang Mule* Tradition in Determining the Beginning of the Month of Ramadan

There are 2 methods or ways to determine the beginning of the month of Qamariyah which are often used in Indonesia. First, *Rukyat Al-hilal* is observing with your own eyes the appearance of the crescent moon shortly after sunset on the day that *ijtima'* (conjunction) occurs. Second, *Hisab* is calculating the movements of celestial bodies to determine the conditions at a certain time which is pioneered by Islamic social organizations. namely Muhammadiyah, and *Imkanu Rukyat* are the criteria for determining the beginning of the month which are determined based on the Deliberation

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<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

<sup>58</sup> Mahdi Syarifuddin, Interview (2022).

<sup>59</sup> Tengku Jadim, Interview (2022).

<sup>60</sup> Tengku Muhammad Nawi, Interview (2022).

of the Ministers of Religion of Brunei Darussalam, Indonesia, Malaysia and Singapore (MABIMS) which is used by the government.<sup>61</sup>

The discussion regarding the beginning of the lunar month in astronomy is calculating the time when the *ijtima'* (conjunction) occurs, namely the position of the Sun and the Moon when they have the same astronomical longitude value, as well as calculating the position of the Moon (hilal) when the Sun sets on the day of the conjunction. Until now, Muslims still have different opinions in determining the start of the lunar month. These differences in methods ultimately result in differences in starting certain religious services, the most prominent of which is the difference in starting Ramadan fasting, Eid al-Fitr prayers and Eid al-Adha prayers. and commemoration of nuzul al-Quran. If more in-depth research is conducted, the differences in determining the beginning of the lunar month appear to be caused by two main things, namely first, in terms of legal determination, and second, in terms of systems and calculation methods.<sup>62</sup>

Ibn Mulaqin said: The word *faqdurullah*, if interpreted by calculating it using the *manaajil* (falak) hisab used by astronomers, then this is a very weak opinion. Because if humans were caused like that, it would be troublesome for them, because they don't know except a few people. Even though the Shari'a introduces them to something that most of them know. Also because the climate according to their opinion (Falak experts) is different, it is justified for one climate to see (and) another not, thus making differences in fasting among Muslims. Likewise, if the reckoning is recognized as true (in determining the beginning of the month of Ramadan), of course Allah swt. will explain it to people, as has explained the times of prayer and so on.<sup>63</sup>

From a historical perspective, we can study the description of the *Bidayatul Mijtahid* book. It is stated that the use of reckoning by ulama has been around since the time of the companions or *tabi'in*. If determining the start of the month of Ramadan with *rukyat* does not work because it is cloudy, then reckoning is used. This was done by some Salaf ulama and was pioneered by a senior *tabi'in* named Mutharif bin Asy Syahr.<sup>64</sup> Ibn Rushd answered in his book *Bidayatul Mujtahid* stating: 'And the hadith was narrated:

صوموا لرأيتيه وأفطروا لرأيتيه وانكسوا لها فإن غم عليكم فاقدروا له ثلاثين (رواه البخاري و مسلم)<sup>65</sup>

It means:

Fast when you see the new moon, and break your fast when you see it, and when the moon closes over you, complete the number to 30 days.

If the crescent moon is not visible because it is cloudy, then it refers to the reckoning of the circulation of the moon and sun and this is the school of Mutharif bin Asy Syikhir, a senior *tabi'in*. So Mutharif bin Abdillah Asy Syikhir is not Asy-Syahr. And he wasn't the pioneer. His statement needs to be looked at again, because the attitude of this opinion to Mutharif bin Abdillah Al Shikhier is not true, as stated by Imam Ibnu Abdil Barr.<sup>66</sup> Then also the statement of the companions who used reckoning was refuted by the hadith of the Prophet SAW. which reads:

<sup>61</sup> Lajnah Falakiah, *Pedoman Raukyat Dan Hisab Nahdlatul Ulama*. h.39.

<sup>62</sup> Badan Hisab Rukyat Depag RI, *Almanak Hisab Rukyat* (Jakarta: Proyek Pembinaan Badan Peradilan Agama Islam, n.d.). h.90.

<sup>63</sup> Abdul 'Aziz al-Musyaiqi, *Al I'lam Bifawaid Umdatul Ahkam*, 1997. h.176 – 177.

<sup>64</sup> Ibnu Rusyd, *Bidayatul Mujtahid Wa Nihayatul Muqtashid*.

<sup>65</sup> Imam An Nawawi, *Syarah An-Nawawi*. h.192

<sup>66</sup> Tahqiq Muhammad Saalim Hasyim, *Fathul Bari*, 1st ed. (Dar Al Kutub Al 'Ilmiyah, Bairut, n.d.). h.284.

إنا أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا ثلاثا حتى ذكر تسعا و عشرين  
(رواه البخاري)<sup>67</sup>

It means:

We are a people whose ummiy does not write and do not calculate, the month is like that, so and so three times says twenty-nine.

The hisab method is a method that provides knowledge in the form of the position of the hilal and rukyatul hilal as an implementation step related to hilal data obtained through the hisab method.<sup>68</sup> However, in determining the beginning of the month of Ramadan, which was carried out by Tengku Samin as Chief Imam in Badak village, Blangkejeren sub-district, Central Aceh district, he did not use the rukyatul hilal and this was because the hilal could not always be seen. And likewise with reckoning, Tengku Samin did not follow the method of calculating the movements of celestial bodies to determine the conditions at any given moment which was pioneered by Islamic social organizations. However, Tengku Samin has his own guidebook for knowing the calculations for determining the start of the month of Ramadan.<sup>69</sup>

The connection between the reckoning method and the method of *bilang mule* is that they both calculate, but in this calculation there is a difference in that the reckoning method calculates the movement of celestial bodies to determine the circulation of the moon around the earth. The *bilang mule* method only counts the days to determine when the start of the month of Ramadan falls. So the researchers here did not find similarities between the calculation method of reckoning and the calculation method of *bilang mule* in determining the start of the month of Ramadan. So we can conclude that the *bilang mule* method of determining the start of the month of Ramadan cannot and is not permitted. Because there is no similarity in the reckoning method, let alone the rukyat method in determining the start of the month of Ramadan.



**Figure 3.** Badak Village, Blangkejeren District, Central Aceh Regency

Based on the results of existing interviews, we can understand that Kampung Badak Village in determining the start of the month of Ramadan uses the reckoning method (counting five). However, it doesn't just stop there. The next step is to establish faith and be sure regarding the results of the five count method. So, there are not always

<sup>67</sup> Bukhari, *Shahih Bukhari Kitab Al Shaum*, 1st ed. (Fathul Bari, n.d.). h.26.

<sup>68</sup> Abu Malik bin Sayyid Salim, *Shahih Fiqh Al Sunnah*.

<sup>69</sup> tengku samin, Interview, 31.

days that have been determined by the method of counting the five starting points for Ramadan. If you are not sure about the start of the month of Ramadan on that day, it could be that the day has changed (behind).

According to the relevant researchers *bilang mule*, starting to determine the start of the month of Ramadan is not permitted, because Tengku Samin did not follow the review of Islamic law which has been established in Islam 2 methods for determining the start of the month of Ramadan. Tengku Samin does not refer to the rukyatul hilal method or the reckoning method at all, but Tengku Samin has its own guidebook for knowing the start of the month of Ramadan.

### 3. CONCLUSION

Based on the problems that have been explained in the discussion of this research, it can be concluded that there are 2 methods or ways to determine the beginning of the month of Qamariyah which are often used in Islam. First, *Rukyat Al-hilal* is observing with your own eyes the appearance of the crescent moon shortly after sunset on the day that *ijtima'* (conjunction) occurs. Second, *Hisab* is calculating the movements of celestial bodies to determine the conditions at a certain time which is pioneered by Islamic social organizations. namely Muhammadiyah, and *Imkanu Rukyat* are the criteria for determining the beginning of the month which are determined based on the Deliberation of the Ministers of Religion of Brunei Darussalam, Indonesia, Malaysia and Singapore (MABIMS) used by the government. The related Islamic view says that starting the month of Ramadan is not permitted. Because it does not correspond to one of the two early Ramadan research methods known in Islam.

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