



Differentiation of Methods for Determining the Beginning of the Month of Muharram 1446 H in the Perspective of Islamic Law

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Abstract: *The report of the Ministry of Religious Affairs of the Republic of Indonesia on the determination of the beginning of the month of Muharram 1446 H which falls on Sunday raises differences with perukyat and hisab from Nahdhatul Ulama' which makes disputes among Muslim communities. The purpose of this research, to complete a deficiency in existing studies by looking back at how the method of determining the beginning of the month of Muharram 1446 H has been implemented by the Ministry of Religion of the Republic of Indonesia and Nahdhatul Ulama' has been realized or not, has opened a place of difference. This writing uses a normative legal method, which uses an Islamic Law approach. And this research uses primary data which includes in-depth interviews with academics from lecturers, students, and Muslim communities. The results obtained show that there are factors of differentiation in the method of determining the beginning of the month of Muharram 1446 H due to the existence of different provisions. The Ministry of Religious Affairs of the Republic of Indonesia sets the beginning of the month of Muharram 1446 H or on July 07, 2024 because the hilal is above the MABIMS criteria. And Nahdhotul Ulama' set the date of July 8, 2024 based on the Hadith of the Prophet Muhammad SAW. It is Nahdhotul Ulama' to normalize the calculation of the moon to be even 30 days in determining the beginning of the month of Muharram 1446 H.*

Keywords: *Method, Muharram, Islamic Law.*

Abstrak: *Laporan Kementerian Agama Republik Indonesia tentang penetapan awal bulan Muharram 1446 H yang jatuh pada hari ahad menimbulkan perbedaan dengan perukyat dan hisab dari Nahdhatul Ulama' yang menjadikan perselisihan di kalangan masyarakat muslim. Tujuan adanya penelitian ini, untuk melengkapi suatu kekurangan dalam kajian yang ada dengan melihat kembali bagaimana metode penetapan awal bulan Muharram 1446 H telah dilaksanakan pihak Kementerian Agama Republik Indonesia serta Nahdhatul Ulama' telah disadari atau tidak, telah membuka suatu wadah perbedaan. Penulisan ini menggunakan metode hukum normatif, yang mana memakai pendekatan Hukum Islam. Serta penelitian ini menggunakan data primer yang meliputi wawancara secara dalam baik dengan akademisi dari Dosen, Mahasiswa, dan masyarakat Muslim. Hasil penelitian yang diperoleh menunjukkan bahwa adanya factor-faktor diferensiasi metode penetapan awal bulan Muharram 1446 H disebabkan oleh adanya ketetapan yang berbeda. Kementerian Agama Republik Indonesia menetapkan awal bulan Muharram 1446 H atau pada tanggal 07 Juli 2024 dikarenakan hilal sudah di atas ketetapan kriteria MABIMS. Serta Nahdhotul Ulama' menetapkan tanggal 8 juli 2024 berlandaskan pada Hadis Nabi Muhammad SAW. Hal tersebut Nahdhotul Ulama' mengisti'malkan perhitungan bulan menjadi genap 30 hari dalam penetapan awal bulan Muharram 1446 H.*

Kata Kunci: *Metode, Muharram, Hukum Islam.*

A. Introduction

The government has actually opened the space for debate of hisab and rukyat in determining the beginning of the month of Muharram 1446 H. The existence of the method of determining the beginning of the month of Muharram 1446 H in various kinds of hisab and rukyat calculations and the government's appeal about the importance of tolerance if you find differences of opinion shows evidence that there is room for debate. As reported by the Ministry of Religious Affairs of the Republic of Indonesia on the determination of the beginning of the month of Muharram 1446 AH which falls on Sunday. However, perukyat and hisab from Nahdhatul Ulama' who used a qualified telescope tool said that the report on the determination



of the beginning of the month of Muharram fell on Monday. The visibility theory used by the Ministry of Religious Affairs of the Republic of Indonesia and Nahdhatul Ulama is a middle way in the use of *hyaab* and *rukyat*. However, this creates a difference of thought among the Muslim community in determining the beginning of the month of Muharram 1446 AH.

This study examines the differentiation of the method of determining the beginning of the month of Muharram 1446 AH which has become a discussion among the Muslim community. And there are at least two studies in this study “ first, discussing the differentiation of the method of determining the beginning of the month of Muharram 1446 H.¹ Siti Muslifah said that the government in the Ministry of Religious Affairs of the Republic of Indonesia needs to determine acceptable criteria for Muslim organizations and must be implemented by the people under its auspices.² Secondly, this study looks at the differentiation of methods for determining the beginning of the month of Muharram 1446 AH in Islamic law. The existence of this paper shows that it is still rotating within the scope of a differentiation. There is no writing that examines the differentiation of the method of determining the beginning of the month of Muharram 1446 AH, which makes it counter-productive among the Indonesian Muslim community. So that the differentiation of the method of determining the beginning of the month of Muharram 1446 H in the perspective of Islamic Law needs to be studied together.

The purpose of this research is to find out the differentiation of the method of determining the beginning of the month of Muharram 1446 H has been implemented by the Ministry of Religion of the Republic of Indonesia and Nahdhatul Ulama' has been realized or not, has opened a place of difference. In addition to the aim of knowing the space of differentiation, this research analyzes the reasons for the differentiation of the methods of the Ministry of Religion of the Republic of Indonesia and Nahdhatul Ulama 'towards the determination of the beginning of the month of Muharram 1446 H in the perspective of Islamic Law. The answer to these two questions allows researchers to deeply understand the differentiation of methods perceived by the community regarding one Muharram 1446 AH.

Research on the differentiation of the method of determining the beginning of the month of Muharram 1446 H has been felt by the Indonesian Muslim community is a place of difference provided by the government of the Ministry of Religion of the Republic of Indonesia. As well as the differentiation of the method of determining the beginning of the month of Muharram in the Muslim community occurred when in 1446 H or 2024. The determination also resulted in differences among the Indonesian Muslim community in the implementation of the beginning of the month of Muharram 1446 H.

¹M Basthoni, “Diferensiasi Metode Penentuan Awal Bulan Hijriyah : Kajian Perspektif Teori Evolusi Sosial Herbert Spencer,” 2007, 166–76; Khoiru Rohmah and Ahmad Badi’, “P-ISSN 2615-4293 e-ISSN 2723-7567 [Http://Ejournal.iain-Tribakti.Ac.Id/Index.Php/Perbankan](http://Ejournal.iain-Tribakti.Ac.Id/Index.Php/Perbankan),” *At-Tamwil* 2, no. 2 (2020): 218–36; Dinamika Sosial et al., “Dinamika Sosial Penentuan Awal Bulan Hijriah Di Indonesia” 18, no. 2 (2019): 233–54.

²Siti Muslifah, “Upaya Menyikapi Perbedaan Penentuan Awal Bulan Qamariyah Di Indonesia,” *Azimuthh: Journal of Islamic Astronomy* 1, no. 1 (2020): 74–100, <http://jurnalfsh.uinsby.ac.id/index.php/azimuth/article/view/788>.



B. Methods

This study, using qualitative analysis of the differentiation of the method of determining the beginning of the month of Muharram 1446 H. This study collects data on the differentiation of the method of determining the beginning of the month of Muharram 1446 H. The method of determining the beginning of the month of Muharram 1446 H in a variety of hisab and rukyat calculations and the government's appeal about the importance of tolerance of differences of opinion which shows evidence that there is room for debate. As reported by the Ministry of Religious Affairs of the Republic of Indonesia on the determination of the beginning of the month of Muharram 1446 AH which falls on Sunday. However, perukyat and hisab from Nahdhatul Ulama' who use qualified telescope tools say that the report on the determination of the beginning of Muharram falls on Monday. Islamic law responds to the differentiation in the method of determining the beginning of the month of Muharram 1446 AH between the Ministry of Religious Affairs of the Republic of Indonesia and Nahdhatul Ulama; is a blessing for Muslims who want to think.

C. Results and Discussion

1. The Method of Determining The Beginning of The Hijri Month Applied in Indonesia

The discussion of the method of determining the beginning of the Hijri month applied in Indonesia, makes the emergence of several factors of different methods between the ministry of religion of the republic of Indonesia and Nahdhatul Ulama'. The differentiation of the method of determining the beginning of the month of Muharram 1446 AH between the Ministry of Religion of the Republic of Indonesia and Nahdhatul Ulama' is due to its own calculations. The following differentiation in the method of determining the beginning of the month of Muharram 1446 AH will be explained below;

a. The Method of Determining The Beginning of The Month of Muharram 1446 AH According to The Indonesian Ministry of Religious Affairs

The determination of the beginning of the month of Muharram 1446 H in Indonesia does not escape the calculation method. The implementation of the determination of the beginning of the month of Muharram 1446 H was carried out at the start of sunset, namely the 29th of Zulhijjah 1445 H. And the altitude required in determining the determination is 3 degrees and the elongation is 6.4 degrees.³ This is an update of the previous criteria of 2 degrees and 3 degrees elongation.

Late in the afternoon of 29 Zulhijjah 1445 AH in Indonesia, the crescent moon was observed at an altitude of approximately 3.06 degrees. It is known that the hilal height reached 5.84 degrees from the eastern part of Indonesia (Merauke) to the westernmost part of Indonesia (Sabang). The elongation value ranges from 6.91 degrees in Merauke, South Papua, to 8.17 degrees in Sabang at the western tip of Indonesia.

However, the observations carried out in 19 regions in Indonesia seemed to be constrained by unfavorable weather. The unfavorable weather is caused by the presence of cloudy and in other areas foggy and partly cloudy. The existence of weather constraints in rukyatul hilal

³ "MABIMS NEW 1.Pdf," n.d.



makes it not get the results of determining the beginning of the month of Muharram 1446 H.⁴
As will be presented through the data recapitulation of the Rukayatul Hilal report below;

Recapitulation of Rukyatul Hilal Report to Determine 1 Muharram 1446 H

No.	Location	Organizer	Weather Description on the Western Horizon
1	Loang Baloq Beach	The falakiyah institute of PWNU NTB	Overcast (sky completely covered with gray/black clouds)
2	Darussalam Grand Mosque	Mojokerto PCNU falakiyah institute	Foggy (many clouds, horizon not visible)
3	IAIN Madura Jokotole Observatory	Falakiyah institute PCNU Kab. Pamekasan	Foggy (many clouds, horizon not visible)
4	Merchandise Stage	The falakiyah institute of PCNU Madiun Kab.	Foggy (many clouds, horizon not visible)
5.	Banjarsari Hill	The falakiyah institute of PCNU Blitar Kab.	Foggy (many clouds, horizon not visible)
6.	At Taqwa Grand Mosque	Falakiyah Institute of PCNU Bondowoso Kab.	Partly cloudy (Many clouds, horizon still visible)
7.	Semat Beach	The falakiyah institute of PCNU Jepara Kab. and UNISNU Jepara	Foggy (many clouds, horizon not visible)
8.	Rooflop of Rifaiyah Central Executive Board Building	Falakiyah Institute of PCNU Kab. Batang and Lajnah Falakiyah PP Rifaiyah	Foggy (many clouds, horizon not visible)
9.	RSI Siti Hajar Sidoarjo	Falakiyah Institute of PCNU Sidoarjo Regency	Partly cloudy (Many clouds, horizon still visible)
10.	Ma'had Aly TBS Kudus	Falakiyah Institute of PCNU Kab. Kudus and Ma'had Aly TBS	Foggy (many clouds, horizon not visible)
11.	AWR Jatimulyo Kunir	Falakiyah institute of PCNU Lumajang Kab.	Overcast (sky completely covered)

⁴Lembaga Falakiyah, Pengurus Besar, and Nahdlatul Ulama, "LEMBAGA FALAKIYAH PENGURUS BESAR NAHDLATUL ULAMA Nomor : 046 / LF – PBNU / VII / 2024 TENTANG AWAL BULAN MUHARRAM 1446 H ◌ 2024, 1–3.



			with gray/black clouds)
12.	POB Sunan Kaliwining	PPTQ Annuriyyah falakiyah institute	Overcast (sky completely covered with gray/black clouds)
13.	Observatory of Walisongo State Islamic University Semarang	Falakiyah Institute of PWNU Central Java	Rain
14.	Al-Falah Islamic Boarding School, West Jakarta	The falakiyah institute of PWNU DKI Jakarta	Overcast (sky completely covered with gray/black clouds)
15.	PPNP Pekalongan	Pekalongan PCNU falakiyah institute	Overcast (sky completely covered with gray/black clouds)
16.	Darul Muttaqien Mosque	Falakiyah Institute of PCNU Kab. Karawang	Rain
17.	Condrodipo Rukyat Center	Falakiyah Institute of PCNU Gresik Kab.	Rain
18.	Belabelu Beach	The falakiyah institute of PWNU Yogyakarta	Overcast (sky completely covered with gray/black clouds)
19.	Lamno Aceh Jaya	The falakiyah institute of PWNU Aceh	Cloudy (sky covered with gray/black clouds) sepenuhnya

In connection with the data of the recapitulation of the rukyatul hilal report for the determination of 1 Muharram 1446 H, it shows that there are obstacles in unfavorable weather.⁵ The data shows that the conditions of the hilal rukyatul area are mostly cloudy which makes the sky covered with clouds and some areas are cloudy. The existence of these weather constraints makes rukyatul hilal activities in 19 regions in Indonesia not get the desired results.

If the area is found to be cloudy, foggy, or overcast, where the hilal is not visible and the height of the hilal is known to be between 3.06° in Merauke and 5.84° in Sabang with an elongation of 6.91° . The Ministry of Religious Affairs of the Republic of Indonesia will uphold the decision that 1 Muharram 1446 AH falls on Saturday. The calculation of rukyatul hilal

⁵A L Afaq et al., "Scientific Analysis of Evaluating the Methodology of Confirming Hilal Observing Reports in Determining the Beginning of the Hijri Month" 6, no. 1 (2024): 1–13.



conducted by the Ministry of Religious Affairs of the Republic of Indonesia is a joint agreement of four countries: Malaysia, Brunei Darussalam, Indonesia, and the Republic of Singapore. This has resulted in the new MABIMS criteria in facilitating rukyatul hilal for the Islamic calendar.

According to Ahmad Adib Rofiudin, a lecturer in Astronomy at UIN Walisongo Semarang: *“the agreement made by MABIMS regarding the observation of the new moon at the beginning of the Islamic month must be understood. The determination involves an altitude of 3 degrees and an elongation of 6.4 degrees. The Ministry of Religious Affairs of the Republic of Indonesia, in conducting hilal observations of the beginning of Muharram 1446 H, found the hilal at an altitude of 3.06 degrees in Merauke and 5.84 degrees in Sabang with an elongation of 6.91 degrees. As evidence of the application of these criteria, the Government through the Ministry of Religious Affairs of the Republic of Indonesia still determines the beginning of the month of Muharram 1446 H to fall on July 7, 2024, even though the hilal is not visible due to unfavorable weather conditions such as cloudy skies in various regions.”*⁶

Based on the discussion above, it can be understood that the method of determining the beginning of the month of Muharram 1446 AH according to the Ministry of Religious Affairs of the Republic of Indonesia is one way to reach an agreement in determining the hilal criteria. Although the hilal height was found between 3.06° in Merauke and 5.84° in Sabang at the beginning of Muharram 1446 AH, with an elongation of 6.91° above the MABIMS criteria. This was also found in various regions in Indonesia, which was hampered by unfavorable climatic conditions in the form of cloudy. As evidence of the implementation of the MABIMS agreement, the Government of the Republic of Indonesia has officially set the beginning of the month of Muharram 1446 H to fall on July 7, 2024, because the hilal has met the criteria of hilal height of 3 degrees and elongation of 6.4 degrees.

b. The Method of Determining The Beginning of The Month of Muharram 1446 ah According to Nahdhotul Ulama'

The determination of the beginning of the month of Muharram 1446 H conducted by the Nahdatul Ulama Falakiyah Institute (LFNU) always uses hisab. The calculation used on Saturday, Wage, 29 Dhulhijjah 1445 H or July 6, 2024 AD, the hilal height reached 3.06° in Merauke to 5.84° in Sabang with an elongation of 6.91° . This indicates that the altitude has exceeded the MABIMS criteria of 3 degrees and elongation of 6.4 degrees.

As well as the determination of the beginning of the month of Muharram 1446 H in 19 areas used observation found natural obstacles that do not support either; the presence of cloudy and in other areas foggy and partly cloudy. The existence of unsupportive natural factors makes the hilal not clearly visible to the eye or sophisticated tools in the form of telescopes. This is what makes the need for istimal to refine the date to 30 days in determining the beginning of Muharram 1446 H.

⁶Muhammad Abdul Aziz, “Wawancara Ahmad Adib Rofiudin Selaku Dosen Ilmu Falak UIN Walisongo Semarang” (semarang, 2024).



As stated by Imam Tirmidhi: 1776 which reads:

صحيح البخاري ١٧٧٦: حدثنا آدم حدثنا شعبة حدثنا محمد بن زياد قال سمعت أبا هريرة رضي الله عنه يقول قال النبي صلى الله عليه وسلم أو قال قال أبو القاسم صلى الله عليه وسلم صوموا لرؤيته وأفطروا لرؤيته فإن غبي عليكم فأكملوا عدة شعبان ثلاثين

Meaning: "Sahih Bukhari 1776: Adam told us Shu'bah told us Muhammad ibn Ziyad said: I heard Abu Hurairah (may Allah be pleased with him) say: The Prophet (peace and blessings of Allaah be upon him) said, or Abu Al Qasim (peace and blessings of Allaah be upon him) said: "You should fast on the sighting of the moon and break the fast on the sighting of the moon. If you are obstructed by a cloud, then complete the number of days of Sha'ban to thirty." (Imam Tirmidhi:1776)

According to Imam Hanafi in the book Fathul Qodir fiqh argues that in areas where the population inhabits the Eastern hemisphere, it is obligatory for Muslims to follow the decision of rukyatul hilal moon made by Muslims in the Western hemisphere.⁷ Also according to the book Mawahib Jalil fi Sharh Mukhtashor Shaykh Kholil Volume: 6 p. 396⁸ explains that the hilal can be justified when the news is widespread. According to the book Bughyatul Mustarsyidin, the determination of the beginning of the month of Muharram as well as the month of Ramadan, namely the Islamic Calendar is not fixed and is based on the sighting of the moon, or completing the month to thirty days.⁹

The explanation of the hadith above, it can be understood that; Rosullah SAW ordered to fast and break the fast for those who saw the new moon. As well as the hadith suggests for areas that do not see the moon or because it is covered by clouds to eat the full number of months to 30 days. As well as the existence of the hadith as a reference for hilal observers in determining the determination of the beginning of the Hijryah month.

According to Mahmud Syaltout, Islamic legal theory is a set of rules created by Allah to be enforced by humans in their relationships with Allah, fellow Muslims, and the rest of the world.¹⁰ And Al-Syatibi put forward a unique legal theory, focusing on the flexibility and adaptability of positive law. Positive law seeks to meet the needs of society by adapting the law to the social changes of its time.¹¹

Based on the discussion above, it can be understood that the method of determining the beginning of the month of Muharram according to Nahdhotul Ulama' is based on the Hadith of the Prophet Muhammad SAW. And when determining the beginning of the month of Muharram

⁷Fiqh Hanafi, *Fathul Qodir* (Syamelaa, n.d.).

⁸Syeikhul Islam Ibnu Taimiyah, *Mawahib Jalil Fi Syarh Mukhtashor Syaikh Kholil* (Bairut: Daar Ibnu Hazm, n.d.).

⁹Abdurahman bin Muhammad bin Husain bin Umar al Masyhur Ba'alawi, *Bughyatul Mustarsyidin* (Bairut Libanon: Darul Kitab, n.d.).

¹⁰Zamakhshari, *Teori-Teori Hukum Islam Dalam Fiqih Dan Ushul Fiqih, Teori-Teori Hukum Islam Dalam Fiqih Dan Ushul Fiqih*, 2017.

¹¹Muhammad Nur Iqbal, Faisar Ananda Arfa, and Abi Waqqosh, "Tujuan Hukum Islam Dalam Perspektif Maqashid Syariah," *Jurnal Pendidikan Dan Konseling (JPDK)* 5, no. 1 (2023): 4887–95.



1446 H, it is known that the hilal height is from 3.06° in Merauke to 5.84° in Sabang. and its elongation is 6.91 degrees and in fact 19 places find natural obstacles that are not supportive which makes the moon invisible. Therefore, Nahdhotul Ulama' normalized the calculation of the moon to be even 30 days in determining the beginning of the month of Muharram 1446 AH.

2. The Differentiation of The Method of Determining The Beginning of The Month of Muharram 1446 AH

Discussing the determination of the beginning of the month of Muharram 1446 AH, there are several factors of differences in methods between the Ministry of Religious Affairs of the Republic of Indonesia and Nahdlatul Ulama. The difference in the determination of the beginning of the month of Muharram 1446 AH between the Ministry of Religious Affairs of the Republic of Indonesia and Nahdhatul Ulama is caused by different calculations and agreements.

The determination of the beginning of the month of Muharram 1446 AH in Indonesia does not escape the calculation method. The implementation of the determination of the beginning of the month of Muharram 1446 AH was carried out at the beginning of sunset on 29 Zulhijjah 1445 AH. The height of the new moon in Indonesia generally ranges from 3.06° degrees. As is known, in the easternmost region of Indonesia, Merauke, the hilal height reached 5.84° degrees to the westernmost region of Indonesia (Sabang). The elongation obtained ranged from 6.91 degrees in Merauke, South Papua to 8.17 degrees in Sabang at the western tip of Indonesia.

The height of the hilal obtained, the Ministry of Religious Affairs of the Republic of Indonesia¹² MABIMS also found 19 rukyat sites that encountered obstacles in the form of not seeing the hilal due to unfavorable weather. The agreement reached by MABIMS of the Ministry of Religious Affairs of the Republic of Indonesia identified 19 rukyat points. The beginning of the month of Muharram 1446 AH is set to fall on Sunday, July 7, 2024. The Ministry of Religious Affairs of the Republic of Indonesia relies on the criteria of 3 degrees for moon height and 6.4 degrees for elongation in determining hilal sighting. The above criteria are updated criteria from the previous criteria, which were 2 degrees and 3 degrees of elongation. As the circular letter of the Ministry of Religious Affairs of the Republic of Indonesia reads as follows:¹³

“In order to follow up on the agreement of the MABIMS member countries (Ministers of Religious Affairs of Brunei Darussalam, Malaysia, Indonesia and Singapore) regarding the application of the new MABIMS Criteria in determining the beginning of the Hijri month on the Hijri calendar, namely the appearance of a crescent moon with an altitude of 3 degrees and an elongation angle of 6.4 degrees in Indonesia in 2022, based on the results of an agreement that has been signed by all Ministers of Religious Affairs of MABIMS member countries..”

Based on the explanation above, it can be understood that the determination of the beginning of Muharram 1446 H by the Ministry of Religious Affairs of the Republic of

¹²A L Afaq et al., “Astronomical Analysis of Hilal Testimony Data : A Comprehensive Study of the Ministry of Religious Affairs of the Republic of Indonesia from 1962 – 2021” 6, no. 1 (2024): 64–81.

¹³“KEMENAG RI MABIMS .Pdf,” n.d.



Indonesia is based on the MABIMS agreement. The 19 observation points in Indonesia showed unfavorable weather conditions, so the hilal could not be observed. The height of the moon was measured at 3.6° in Merauke and 5.84° in Sabang, with an elongation of 6.91° . In the MABIMS agreement, the Ministry of Religious Affairs of the Republic of Indonesia has determined that the beginning of Muharram 1446 H falls on July 2024.

As well as the calculation of Nahdhatul Ulama' in determining the beginning of the month of Muharram 1446 H was held in the afternoon before sunset on 29 Zulhijjah 1445 H. and in conducting rukyatul hilal determination of the beginning of the month of Muharram 1446 H by calculation hilal known to have reached 3.6° in Merauke to 5.84° degrees in Sabang and elongation reached 6.91 degrees. But in reality, 19 places in Indonesia encountered unfavorable weather both cloudy and cloudy.

The implementation of rukyatul hilal in determining the beginning of the month of Muharram 1446 H caused the hilal not visible either by sight or using a telescope. This makes Nahdhatul Ulama' unable to determine the beginning of Muharram 1446 H on July 7, 2024 due to not seeing the hilal. The existence of this incident, will be explained by the hadith narrated by Imam Bukhori: 1776 which reads:

صحيح البخاري ١٧٧٦: حدثنا آدم حدثنا شعبة حدثنا محمد بن زياد قال سمعت أبا هريرة رضي الله عنه يقول قال النبي صلى الله عليه وسلم أو قال قال أبو القاسم صلى الله عليه وسلم صوموا لرؤيته وأفطروا لرؤيته فإن غيبي عليكم فأكملوا عدة شعبان ثلاثين

Meaning: "Saheeh Bukhari 1776: Adam reported to us that Shu'bah reported to us that Muhammad ibn Ziyad said: I heard Abu Hurayrah (may Allah be pleased with him) say: The Prophet (peace be upon him) said, or Abu Al Qasim (may Allah be pleased with him) said: "Start fasting when you see the crescent moon and break the fast when you see it." If it is obscured by a cloud, then complete the number of Sha'baan to 30 days." ¹⁴ (HR. Imam Bukhori: 1776)

Based on the discussion above, it can be understood that the determination of the beginning of the month of Muharram 1446 H conducted by Nahdhatul Ulama' has been known hilal height reached 3.06 3.6° in Merauke to 5.84° degrees in Sabang and elongation reached 6.91 degrees with unfavorable weather conditions. As well as 19 rukyat places also reported no one saw the hilal which makes it unable to determine the beginning of the month of Muharram 1446 H. The existence of rukayatul Hilal in determining the beginning of the month of Muharram 1446 H, Nahdhatul Ulama' mengisti'malkan Hijriyyah month count makes even 30 days as narrated by Imam Bukhori 1776.

Based on the discussion of the differentiation of the method of determining the beginning of the month of Muharram 1446 H between the Ministry of Religion of the Republic of Indonesia and Nahdhatul Ulama' have different methods. The Ministry of Religious Affairs of

¹⁴Coadmin, "Hadis Imam Bukhari No. 1776 : Sabda Nabi Shallallahu 'alaihi Wa Sallam 'Jika Kalian Melihat Hilal...',", Laduni.ID, 2022, <https://www.laduni.id/post/read/511776/hadis-imam-bukhari-no-1776-sabda-nabi-shallallahu-alaihi-wa-sallam-jika-kalian-melihat-hilal>.



the Republic of Indonesia in conducting rukyatul Hilal in determining the beginning of the month using the MABIMS agreement method in which the hilal height is 3 degrees and elongation of 6.4 degrees. As well as Nahdhatul Ulama' in conducting rukyatul Hilal in determining the beginning of the month of Muharram 1446 H using the MABIMS agreement and also using the argument of the hadith of Bukhori verse 1776 when the hilal is not visible through eye sight or sophisticated telescope aids.

3. Differentiation of methods for determining the beginning of the month of Muharram 1446 H from the perspective of Islamic Law

The difference in determining the beginning of Muharram 1446 H that occurred between the Ministry of Religious Affairs of the Republic of Indonesia and Nahdhotul Ulama' is only about the method. The difference that occurs at this time, between the Ministry of Religious Affairs of the Republic of Indonesia and Nahdhotul Ulama' is one that cannot be avoided. Islamic law sees the occurrence of differences in the method of determining the beginning of the month of Muharram 1446 H as something that needs to be studied both from the understanding, the evidence of the Qur'an, and the Hadith as follows:

Differences of opinion in Islam are interpreted as Ikhtilaf. Linguistically, the word ikhtilaf (إختلاف) comes from the root words of the verbs madhi, mudhari' and mashdar: (يختلف - يختلف - إختالفا) ikhtilafan - yakhtalifu - ikhtalafa which is naqidhu al-ittifaq (نقيض الإتفاق) or the opposite of agreement.¹⁵ The Arabic Dictionary Lisanul includes the expression: "Two things that need to be interpreted: disagreeing, in things that are not the same requires effort".¹⁶ The emergence of differences in methods is closely related to joint determination (Ijtihad) in seeking laws that have not been determined in the text.

Regarding the meaning of differences of opinion, it can be understood that, in Islam, it is interpreted as the word ikhtilaf. This means everything that does not agree on the same things in achieving the resulting goals. And the emergence of differences in methods is caused by the existence of a joint determination in seeking laws that have not been determined by the text.

The problem regarding the differentiation of the method of determining the beginning of the month of Muharram 1446 H is nothing more than discussing the calculation, namely the way to find out the actual height of the crescent. The differentiation of the method of determining the beginning of the month of Muharram 1446 H between the Ministry of Religion of the Republic of Indonesia and Nahdhatul Ulama' is one of the things that cannot be avoided. Islamic law in viewing a Differentiation of the Method of Determining the Beginning of the Month of Muharram 1446 H as one of the common things as long as there is no evidence that forbids it. As explained in the Qur'an, Surah Al-Jaatsiyah 45:13, it says:

¹⁵Louis Ma'luf, *Al-Munjid Fi Al-Lughah Wa Al-A'lam* (Bairut: Dar al-Masyiq, 2003).

¹⁶Ahmad Sarwat, "Fiqh Dan Khilafiyah," 2017, 1–48.



وَسَخَّرَ لَكُم مَّا فِي السَّمَوَاتِ وَمَا فِي الْأَرْضِ جَمِيعًا مِّنْهُ إِنَّ فِي ذَلِكَ لَآيَاتٍ لِّقَوْمٍ يَتَفَكَّرُونَ

Meaning: “He has subjected to you what is in the heavens and what is on the earth, all (as a mercy) from Him. Indeed, in that there are truly signs (of Allah's power) for those who think.”¹⁷ (QS. Al-Jaatsiyah 45:13)

From the above Qur'anic evidence, regarding the differentiation of methods for determining the beginning of the month of Muharram 1446 H, it can be understood that the difference is permissible. And the differentiation of methods for determining the beginning of the month of Muharram 1446 H is a sign that Allah gives to people who think. The differentiation of methods between the Ministry of Religion of the Republic of Indonesia and Nahdhatul Ulama' is one of the blessings that Allah gives to his people.

From the evidence of the Qur'an above regarding the differentiation of methods, it is also strengthened by the hadith of Imam Bukhari which says:

لَا يُصَلِّيَنَّ أَحَدُ الْعَصْرِ إِلَّا فِي بَنِي قُرَيْظَةَ

Meaning: “No one performs Asr prayers except in the village of Bani Quraizhah.”¹⁸ (Hadith History Bukhari). ”

The existence of the above hadith shows that differences of opinion already existed during the time of the Prophet Muhammad SAW regarding the order to pray Asr in the village of Bani Quraizhah. With this order, some of the Prophet's companions performed the Asr prayer in the middle of the journey, and some performed it when they arrived in the village of Bani Quraizhah. However, from the occurrence of the difference of opinion, the Prophet Muhammad SAW did not immediately scold or reprimand them. This study is the basis for the argument for the current difference regarding the Differentiation of the method of determining the beginning of the month of Muharram 1446 H between the Ministry of Religion of the Republic of Indonesia and Nahdhatul Ulama'.

The occurrence of differentiation in the method of determining the beginning of the month of Muharram 1446 H can take wisdom from, among others:

- Cultivating the nature of helping each other in goodness and piety among Muslims.
- Cultivating an attitude of competition in goodness and in good deeds.
- Cultivating the nature of mutual respect for differences in life.
- Cultivating an attitude of ease and success in goodness.

The explanation above, regarding the differentiation of the method of determining the beginning of the month of Muharram 1446 H in the perspective of Islamic Law is one of the

¹⁷Shihab. M. Qurais, *Tafsir Al-Misbah*, 6th ed. (Jakarta: Lentera Hati, 2009).

¹⁸Sunnatullah, “Perang Bani Quraizhah Di Bulan Dzulqa’dah: Sejarah Pengkhianatan,” nuonline, 2022, <https://www.nu.or.id/sirah-nabawiyah/perang-bani-quraizhah-di-bulan-dzulqa-dah-sejarah-pengkhianatan-60PpS>.



common differences of opinion. Islamic Law responds to the Differentiation of the method of determining the beginning of the month of Muharram 1446 H between the Ministry of Religion of the Republic of Indonesia and Nahdhatul Ulama; is a blessing for Muslims who want to think. The perspective of Islamic Law aims to change the thinking of the awwam community so that they are not easily provoked by circumstances. And the occurrence of this differentiation of methods makes Muslims positive and believe that all differences in methods in Islam are (Blessings).

D. Conclusion

Based on the writing above, it can be concluded that the emergence of differentiation of the initial method of the month of Muharram 1446 H is caused by the difference in determination. The method of determining the beginning of the month of Muharram 1446 H according to the Indonesian Ministry of Religion is one way to find a mutual agreement with the MABIMS State in determining the criteria for the crescent moon, namely the criteria of 3 degrees and an elongation of 6.4 degrees. As well as evidence of following the MABIMS agreement, although constrained by unfavorable climate conditions in the form of cloudy skies, the Government of Religion of the Republic of Indonesia still determines the beginning of the month of Muharram 1446 H to fall on July 7 because the crescent moon reaches 3.06° in Merauke to 5.84° degrees in Sabang and its elongation is 6.91 degrees above the criteria. Next, the method of determining the beginning of the month of Muharram 1446 H according to Nahdhotul Ulama' is based on the Hadith of the Prophet Muhammad SAW. And when the determination of the beginning of the month of Muharram 1446 H was known the height of the crescent moon was 3.06° in Merauke to 5.84° degrees in Sabang and its elongation was 6.91 degrees and in reality 19 places found natural obstacles that did not support which made the crescent moon invisible. This Nahdhotul Ulama' has decided to calculate the month to be an even 30 days in determining the beginning of the month of Muharram 1446 H.

And regarding the differentiation of the method of determining the beginning of the month of Muharram 1446 H in the perspective of Islamic Law is one of the common differences of opinion. Islamic Law responds to the Differentiation of the method of determining the beginning of the month of Muharram 1446 H between the Ministry of Religion of the Republic of Indonesia and Nahdhatul Ulama; is a blessing for Muslims who want to think. The perspective of Islamic Law aims to change the thinking of the awwam community so that they are not easily provoked by circumstances. And the occurrence of this differentiation of methods makes Muslims positive and believe that all differences in methods in Islam are (Blessings).

The results of this study aim to foster public understanding of the existence of differentiation methods for determining the beginning of the month of Muharram 1446 H, which is one of the blessings given by Allah SWT. And to decide the same case, especially in conditions of differentiation methods for determining the beginning of the month of Muharram or other Hijriyyah. In addition, it is hoped that for further researchers in researching the differentiation of methods for determining the beginning of the month of Muharram or other



2022. <https://www.nu.or.id/sirah-nabawiyah/perang-bani-quraizhah-di-bulan-dzulqadah-sejarah-pengkhianatan-6oPpS>.

Syeikhul Islam Ibnu Taimiyah. *Mawahib Jalil Fi Syarh Mukhtashor Syaikh Kholil*. Bairut: Daar Ibnu Hazm, n.d.

Zamakhshari. *Teori-Teori Hukum Islam Dalam Fiqih Dan Ushul Fiqih. Teori-Teori Hukum Islam Dalam Fiqih Dan Ushul Fiqih*, 2017.