Basis for Using the Rukyah Method for Determining the Arrival of Ramadan and Syawal in Brunei Darussalam

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Abstract

There are various methods used to determine the arrival of Ramadan (fasting) and Syawal in South East Asia. Malaysia and Indonesia use the rukyah (sighting of the moon) and hisab (mathematical calculations), Singapore uses the hisab while Brunei only uses the rukyah method. These differences are due to the different basis for using a certain method to determine the arrival of Ramadan and Syawal. The basis here refers to religious references and forms of istidlal (inferences). The question is, what religious references are used to substantiate the adoption of the rukyah method in Brunei? What is their form of istidlal based on the religious references? To answer all these questions this study has two objectives. Firstly, it intends to determine the religious references that act as the basis for using the rukyah method in Brunei. Secondly, to analyse the different forms of istidlal based on the religious references. In order to achieve these objectives, this qualitative study used library research and expert interview methods for collecting data. All the data were analysed using the content analysis method. Lastly, this study concluded that religious references from the al-Qur’an and Hadith used as a basis for applying the rukyah method in Brunei is similar to the religious references used as a basis for applying rukyah and hisab in other South East Asian countries. The only difference is the various forms of istidlal.

Keywords: method, determining, rukyah, hilal, Ramadan, Syawal

1. Introduction

In South East Asia, especially in Brunei, Indonesia, Malaysia and Singapore or better known as MABIMS³, there are different methods used to determine the starting of the holy months of Ramadan (fasting) and Syawal (Hari Raya). For example, Malaysia and Indonesia use the rukyah and hisab methods; Singapore uses the hisab method while Brunei only uses the rukyah method. The main reason for using different methods in determining the start of Ramadan and Syawal is due to the different basis for using a particular method, either rukyah only or hisab only or both rukyah and hisab among the MABIMS countries. The basis refers to the religious references and forms of istidlal (inferences). The use of different religious references and forms of istidlal leads to the use of different methods when determining the start of Ramadan and Syawal. The use of different methods would still exist if the consensus is only on the use of religious references but the forms of istidlal would still differ. The question is which of the religious references are referred to when using the rukyah method in Brunei.

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³ MABIMS is an acronym standing for Ministers of Religion for Brunei Darussalam, Indonesia, Malaysia and Singapura. This refers to the yearly unofficial meetings of the Ministers of Religion or ministers responsible for managing religious problems in the four countries. The form of consensus touches upon safeguarding the problems and interests of the people without interfering in political matters of member countries. MABIMS was first held in 1989 in Brunei Darussalam.
What forms of istidal are they using based on the religious references? Based on this issue, this study intends to achieve two objectives. Firstly, it intends to identify the religious references that are relied upon when using the rukyah method for determining the start of Ramadan and Syawal in Brunei. Secondly, to analyze the forms of istidal based on the religious references relied upon by it.

In order to achieve both these objectives, this qualitative study involves both, primary and secondary data. The primary data were obtained through interviews with two respondents, firstly from Awang Haji Hassan Haji Metali, Acting Chief Registrar, and Syariah Appeals Court, Brunei who was interviewed on 27 January 2015. The second respondent was Awang Haji Julaihi Haji Lamat, Acting Senior Surveyor, Head of the Geodetic Section, Survey Department, Ministry of Development Brunei, who was interviewed on 28 January 2015. Both these respondents were selected using the purposive sampling method. After the respondents were identified, they were interviewed using the semi-structured expert interview method in order to obtain data related to the use of the rukyah method in Brunei. Meanwhile, the secondary data were obtained through library research. All the data were analysed using the content analysis method.

The results of the analysis had three intended uses in this study. Firstly, to seek and assess the basis for using the rukyah method in Brunei using secondary materials that are in written or oral form, which would be difficult to achieve through normal observation. Secondly, to analyse the religious references that are the basis for using the rukyah method in Brunei. Thirdly, to assist the researcher to summarise the different forms of istidal based on the religious references. Generally, the discussion in this study is divided into five main sections. The first section discusses the meaning of the rukyah method, while the second discusses the religious references that are the basis for using the rukyah method. The third section discusses the rukyah hilal method based on the views of the fuqaha'; the fourth discusses the religious references that are the basis for using the rukyah method in Brunei and the various forms of istidal; and the fifth is the conclusion.

2. Definition of the Rukyah Method

There are innumerable writers who have discussed the meaning of rukyah (ru'yah al-hilal) in their writings, especially writings that discuss fiqh. For example, al-Khin, al-Bugha and al-Syarbajiy (1996:335) and al-Zuhayliy (2010:461-462) stated that the rukyah method is a process for sighting hilal (young crescent moon) 4 on the 30th night of Sya'ban and Ramadan (after the sun sets on the 29th of Sya'ban and Ramadan) by one or two impartial Muslim witnesses. The witnesses then report their findings to the qadi (judge). The meaning of rukyah adduced by al-Khin, al-Bugha and al-Syarbajiy (1996) and al-Zuhayliy (2010) explains three issues. The first issue relates to the crescent moon (hilal) that is sighted (ru'yah) after the sun sets on the 29th of Sya'ban in order to determine the start of Ramadan and on the 29th of Ramadan to determine the beginning of Syawal. The second issue states that one or two impartial Muslims must witness the hilal, while the third issue is the reporting of the findings to the authorities. To further specify the time for sighting the hilal, Baharrudin Zainal (2003:123) and the Pulau Pinang Mufti’s Department (t.t) mentioned that the process of sighting hilal was performed after the ijtimak was first sighted as soon as the sun sets on the 29th of Sya’ban and Ramadan. As for the number of witnesses, the Meeting of the Coordination Committee of the 4th Islamic Rukyah and Taqwim of MABIMS from 1 to 5 July 1992 in Jakarta, Indonesia had decided that the number of witnesses for rukyah hilal Ramadan was only one; whereas for hilal Syawal, two witnesses are needed (Directorate for Forming Islamic Judicial Bodies, 2001).

The definition of rukyah adduced by al-Khin, al-Bugha and al-Syarbajiy (1996) and al-Zuhayliyi (2010) previously did not mention whether the rukyah hilal was performed with the naked eye or by using an apparatus.

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4 Hilal or the crescent moon is defined as the crescent moon after ijtimak is seen for the first time as soon as the sun sets.
5 Ijtimak (qarunatan) means that the moon and sun are at a meeting point or the ecliptic longitude. During the ijtimak the bright side of the moon faces the sun while the dark side faces the earth. There are two methods of ijtimak. The first method refers to ijtimak that occurs on the 29th of Hijri. If ijtimak occurs before sunset, then the moment the sun sets is considered the beginning of a new Hijri. Conversely, if ijtimak occurs after the sunsets then the next day is rounded up to 30 days. The second ijtimak method consists of al-hilal, which refers to the ijtimak that occurs on the 29th of Hijri before sunset. The new moon begins when hilal is at ufuk for a short period after sunset without considering whether hilal is visible or not (Pulau Pinang Mufti’s Department, 2014)
In relation to this, Abdullah Ibrahim (2007:38) and the Pulau Pinang Mufti’s Department (t.t) mentioned that rukyah hilal can be performed by the naked eye or by using optical equipment such as binoculars, telescopes and theodolites operated by a skilled and trained individual at the official location for sighting the moon.

3. The Basis For Using the Rukyah Method

Those who practice the rukyah hilal base their practice on the religious references from the al-Qur’an and Hadith. There is only one verse from the al-Qur’an that has become the religious reference for using the rukyah method. This verse is shown in Table 1 below.

**Table 1: Religious References from the Al-Qur’an Related to the Rukyah Method**

<table>
<thead>
<tr>
<th>Num.</th>
<th>Surah</th>
<th>Surah Num.</th>
<th>Verse Num.</th>
<th>Meaning of the Verse</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Al-Baqarah</td>
<td>2</td>
<td>185</td>
<td>Allah SWT exhorted “The month of Ramadan [is that] in which was revealed the Qur’an, a guidance for the people and clear proof of guidance and criterion. So whoever sights [the new moon of] the month, let him fast it; and whoever is ill or on a journey - then an equal number of other days. Allah intends for you ease and does not intend for you hardship and [wants] for you to complete the period and to glorify Allah for that [to] which He has guided you; and perhaps you will be grateful”</td>
</tr>
</tbody>
</table>

According to verse 185 of Surah Al-Baqarah, as shown in Table 1, al-Tabariy (1992:152-153), Ibn Kathir (1992:222-223), and al-Zamakhsyariy (1995:226-227) stated that it is compulsory to start fasting based on rukyah hilal. Thus, the word syahida (to witness or see) in the verse brings forth the method of rukyah hilal.

Besides the religious references from the al-Qur’an, there are also Hadith that have become religious references for using the rukyah method. Some of these Hadith are shown in Table 2 below.
Table 2: Religious References from the Hadith Related to the Rukyah Method

<table>
<thead>
<tr>
<th>Num.</th>
<th>Narrators</th>
<th>Num. Hadith</th>
<th>Scripture</th>
<th>Chapter</th>
<th>Meaning of the Hadith</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Al-Bukhariy</td>
<td>1907</td>
<td>Al-Sawm</td>
<td>11</td>
<td>Narrated by Abdullah bin Dinar r.a that the Prophet SAW exhorted “The month (can be) 29 nights (i.e. days, and do not fast till you see the moon, and if the sky is overcast, then complete Sya’ban as thirty days”</td>
</tr>
<tr>
<td>2.</td>
<td>Al-Bukhariy</td>
<td>1909</td>
<td>Al-Sawm</td>
<td>11</td>
<td>It was told to us by Muhammad bin Ziyad: I heard Abu Hurairah r.a. saying that the Prophet SAW exhorted “Start fasting on seeing the crescent (of Ramadan), and give up fasting on seeing the crescent (of Shawwal), and if the sky is overcast (and you cannot see it), complete thirty days of Sya’ban”</td>
</tr>
<tr>
<td>3.</td>
<td>Muslim</td>
<td>1081</td>
<td>Al-Siyam</td>
<td>2</td>
<td>Narrated by Abu Hurairah r.a. that the Prophet SAW exhorted “Observe fast when you see it (the new moon) and break fast when you see it (the new moon of Shawwal), but when (the actual position of the month is) concealed from you (on account of cloudy sky), then count thirty days”</td>
</tr>
<tr>
<td>4.</td>
<td>Al-Bukhariy</td>
<td>1906</td>
<td>Al-Sawm</td>
<td>11</td>
<td>Narrated by Abdullah bin Umar r.a. that the Prophet SAW exhorted “Do not fast unless you see the crescent (of Ramadan), and do not give up fasting till you see the crescent (of Shawwal), but if the sky is overcast (if you cannot see it), then act on estimation (i.e. count Sya’ban as 30 days or fa ‘uqduru)”</td>
</tr>
</tbody>
</table>

Note: The numbering system in this Hadith is based on the Hadith numbering system arranged by Ibn Hajar (1989:150) and al-Nawawi (1996:158-159)

All the four Hadith in Table 2 had determined the start of the holy months of *Ramadan* and *Syawal* by performing the *rukyah hilal*. This is based on the words *taraw* (you see it) (Narrated by al-Bukhariy, Hadith Number: 1907), *li ru’yatih* (because you saw it) (Narrated by al-Bukhariy, Hadith Number: 1909), *ra’aytum* (you saw it) (Narrated by al-Muslim, Hadith Number: 1080), and *taraw*(you saw) (Narrated by al-Bukhariy, Hadith Number: 1906) found in the Hadith. If the *hilal* is not sighted because it is blocked by clouds (*fa ‘in ghamma ‘alaykum*), then it is compulsory to round-up the number of days for the preceding months (for *Sya’ban* before *Ramadan* and *Ramadan* before *Syawal*) to 30 days. This is based on expressions such as *fa akmilu al-’Iddah thalathin* (then you must round-up the number of days in the month to 30 days) (Narrated by al-Bukhariy, Hadith Number: 1907), *fa akmilu ‘iddah Sya’ban thalathin* (then you must round-up the number of days for *Sya’ban* to 30 days) (Narrated by al-Bukhariy, Hadith Number: 1909), *fa sumu thalathin yawman* (fulfil your fasting to 30 days) (Narrated by Muslim, Hadith Number: 1081), and the expression *fa ‘uqduru lah* (then you must calibrate it) (Narrated by al-Bukhariy, Hadith Number: 1906). This matter was further substantiated by the views of al-Sya’fi’i (2001:232) who stated that determining the start of *Ramadan* and *Syawal* must be by way of *rukyah hilal* or rounding-up the number of days for the months preceding it (*Sya’ban* and *Ramadan*) to 30 days. Syatta (1938:215) also stated that it is compulsory to fast during *Ramadan* by rounding-up the month of *Sya’ban* to 30 days or performing the *rukyah hilal* by an impartial Muslim witness..

When examining the discussions in most of the *fiqh* scriptures belonging to the al-Sya’fi’i sect, it was found that all of them shared the view that determining the start of *Ramadan* and *Syawal* is only through *rukyah hilal*. If the *hilal* is not sighted due to cloudy weather (*fa ‘in ghamma ‘alaykum*), then the number of days for the preceding months (which is the month of *Sya’ban* before *Ramadan* and the month of *Ramadan* before *Syawal*) must be rounded-up to 30 days.
Hence, it is clear here that none of the fiqh scholars from the al-Syafi’i sect had mentioned that the start of Ramadan and Syawal be determined based on calibrations by scholars of hisab or falaq. For those who only use the rukyah method in determining the start of Ramadan and Syawal, they emphasised that calculations by scholars of hisab and falaq for determining the start of Ramadan and Syawal was one practice never carried out by the Prophet SAW. The practice of the Prophet SAW, His companions and salaf scholars was that they would gather at a particular place on the evening of the 29th day to perform the rukyah hilal. And if the hilal were sighted, then they would fast or celebrate Eidul Eid the following day; and if nothing was sighted then they would calculate the month of Syaban and Ramadan by rounding it up to 30 days.

According to S. Farid Ruskanda (1994:24), the group that steadfastly adheres to the rukyah method for determining the start of Ramadan and Syawal reject the hisab method because they believe in a Prophet’s SAW Hadith, which states that Muslims during that time (the time of the Prophet SAW) were Muslims who were ummi and not capable of carrying out the hisab. This differs with the group that adheres to the rukyah and hisab methods (complimenting each other) such as Rasyid Rida, Mustafa al-Zarq’a, Yusuf al-Qaradawiy and Muhammad Syakir because they believe that contemporary Muslims are not ummi anymore as they are well taught in astronomy. Hence, they are capable of calculating and forecasting not only normal phenomena such as the sighting of the moon but also more complicated issues such as the eclipse. According to the group that uses the rukyah and hisab method (mutually complimenting each other), it emphasised that the hisab method is compulsory when determining all the lunar (qamariah) months in any condition except in places where there are no individuals skilled in the field of astronomy.

In the fiqhiyyah method, the decision is based on whether there is illah (reason). If there is illah (reason), whereby the people are ummi and there is no one capable of performing the hisab then only the rukyah is sufficient. Hence, when there is no illah (reason), as when there is someone to perform the hisab then the rukyah must be complimented by the hisab. The two methods must be combined based on the criteria of imkan al-ruyah (visibility of the moon).

4. The Rukyah Method For Hilal Ramadan and Syawal

There are numerous rukyah methods for hilal Ramadan and Syawal, which defer according to the fiqh sects. When discussing the views of the fiqh sects in relation to the rukyah method for hilal Ramadan and Syawal, al-Zuhayliy (1989:598-604) and al-Jaziny (1990:498-500) had divided their discussions into four groups, which are elaborated on below.

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6 Narrated by Ibn ‘Umar r.a. that the Prophet SAW exhorted: “We are an illiterate nation; we neither write, nor know accounts. The month is like this and this, i.e. sometimes of 29 days and sometimes of thirty days” (Narrated by al-Bukhariy, Hadith no. 1913, Ibn Hajar, 1989:159).

7 According to the Pulau Pinang Mufti’s Department (t.t), this method refers to the use of rukyah and hisab to determine the position and condition of hilal on the 29 day of Hijri when the sun sets and the fulfillment of sighting the moon. The conditions for sighting the moon in Malaysia (1991) are as follows:
   a) The altitude of hilal must be at 2°; and
   b) The length of the arch (elongation) from the sun to the moon must be 3°; or
   c) The ‘age’ of hilal from ijtimak until the moon sets should be 8 hours.
Table 3: Views of the Fiqh Sects on the Rukyah Method for Hilal Ramadan and Syawal

<table>
<thead>
<tr>
<th>Num.</th>
<th>Sect</th>
<th>Discussion</th>
</tr>
</thead>
</table>
| 1    | Al-Hanafiyyah   | The beginning of Ramadan is determined by the rukyah hilal method or by ensuring that Sya’ban consists of 30 days. Actually, the rukyah hilal Ramadan and Syawal process is influenced by the weather, if it is clear or cloudy. Following is the rukyah method for hilal Ramadan dan Syawal according to the weather:  
For rukyah hilal Ramadan during cloudy weather, it is sufficient for the rukyah to be performed by one impartial Muslim (without considering his impiousness);  
For rukyah hilal Syawal during cloudy weather there must be two impartial Muslim witnesses  
For rukyah hilal Ramadan and Syawal during good weather, the condition requires the rukyah to be performed by several Muslim witnesses. The witnesses should possess good morals and be convincing (zann or al-zann al-ghalib). |
| 2    | Al-Malikiyyah   | The Hilal is only decided by rukyah, which involves two impartial Muslims, irrespective of whether the rukyah is for hilal Ramadan or Syawal. If the rukyah hilal is not conclusive on the 29th day then the month must be rounded-up to 30 days.                                                                                               |
| 3    | Al-Syafi’iyah   | The rukyah Hilal must be by a witness who is a Muslim, of sound mind, of age, independent, of male gender and impartial. After the rukyah hilal the witness must report to a qadi that he has/ has not sighted the hilal. This is irrespective of whether the hilal is hilal Ramadan or Syawal. If the hilal is not sighted on the 29th day then the days in the month are rounded-up to 30 days. However, some do differentiate between the rukyah hilal Ramadan and rukyah hilal Syawal. For the rukyah hilal Ramadan, it would be sufficient to have one witness, whereas for the rukyah hilal Syawal there should be two witnesses. |
| 4    | Al-Hanabilah    | Hilal Ramadan and Syawal could be decided through rukyah with a witness who is impartial, of male gender, independent, of age and has not committed any big sins. If during the rukyah the weather is clear and the hilal is not visible, the number of days for Sya’ban is rounded-up to 30 days. However, if the weather is cloudy and the hilal is not visible, then fasting or Eidul Eid occurs the next day. It rests upon the decision of the authority (if the weather is cloudy) and the public are required to adhere to the decision on either to fast or to celebrate Eidul Eid. According to another narration by Imam Ahmad bin Hanbal r.a: If the weather is cloudy then it is not compulsory to fast the next day and if one insists on fasting then it is not considered as fasting during Ramadan. |

According to Table 3, although the fuqaha’ from the various sects do differ in opinion on the rukyah hilal method for determining Ramadan and Syawal, hence, they are at a consensus that only the rukyah method be used when determining hilal Ramadan and Syawal. However, only the manner in which the rukyah is performed differs. In reference to this, the researcher is of the opinion that the fuqaha’ from the various sects still use the hisab method but its use is strictly a calculation guide only. In other words, if the hilal Ramadan and Syawal were not sighted using the rukyah method, the hisab method would still not be used to lay claim to indicate the early holy months although the position of the moon has fulfilled the criteria of imkan al-rukyah. Actually, this is the method used in Brunei. Hence, Brunei is more inclined to steadfastly follow the al-Syafi’iyy sect (Interview with Awang Haji Hassan Haji Metali on 27 January 2015).
5. Data Analysis and Findings

Brunei's standing and basis in determining the sighting of the moon for the holy months of Ramadan and Syawal are by using the rukyah method. The rukyah method (sighting of the crescent) is carried out after sunset on the 29th day. If sighting of hilal fails then the fasting month is rounded up to 30 days. In matters like this, the hisab method is only used as a calculation guide and is not used to determine the sighting of the moon although the position of the moon satisfies the criteria of inkarn-rukyah (Interview with Awang Haji Hassan Haji Metali on 27 January 2015).

5.1 Religious References Applied in the Rukyah Method in Brunei

According to Awang Haji Hassan Haji Metali (interview on 27 January 2015) and Awang Haji Julaihi Haji Lamat (interview on 28 January 2015), among the religious references relied upon when using the rukyah in Brunei are as follows:

Table 4: List of Religious References Related to the Use of the Rukyah Method in Negara Brunei Darussalam

<table>
<thead>
<tr>
<th>Num.</th>
<th>Source</th>
<th>Religious References Related to the Rukyah Method</th>
<th>Profile</th>
<th>Keyword</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Al-Qur'an</td>
<td>Allah SWT exhorted &quot;The month of Ramadhan [is that] in which was revealed the Qur'an, a guidance for the people and clear proofs of guidance and criterion. So whoever sights [the new moon of] the month, let him fast it; and whoever is ill or on a journey - then an equal number of other days. Allah intends for you ease and does not intend for you hardship and [wants] for you to complete the period and to glorify Allah for that [to] which He has guided you; and perhaps you will be grateful&quot;</td>
<td>Al-Baqarah, 2:185</td>
<td>syahida (to witness)</td>
</tr>
<tr>
<td>2</td>
<td>Hadith</td>
<td>Narrated by Abdullah bin Dinar r.a that the Prophet SAW exhorted: “Start fasting on seeing the crescent (of Ramadan), and give up fasting on seeing the crescent (of Shawwal), and if the sky is overcast (and you cannot see it), complete thirty days of Sha'ban”</td>
<td>Narrated by al-Bukhari, Hadith. no. 1909, Ibn Hajar, 1989:150</td>
<td>taraw (you see it)</td>
</tr>
<tr>
<td>3</td>
<td>Hadith</td>
<td>Narrated by Abu Hurairah r.a. that the Prophet SAW exhorted: “Observe fast when you see it (the new moon) and break fast when you see it (the new moon of Shawwal), but when (the actual position of the month is) concealed from you (on account of cloudy sky), then count thirty days”</td>
<td>Narrated by Muslim, Hadith no. 1081, al-Nawawi, 1996:158-159</td>
<td>ra'aytum (you see) dan ra'aytumuh (you see it)</td>
</tr>
<tr>
<td>4</td>
<td>Hadith</td>
<td>Narrated by Abdullah bin Umar r.a. that the Prophet SAW exhorted: “Do not fast unless you see the crescent (of Ramadan), and do not give up fasting till you see the crescent (of Shawwal), but if the sky is overcast (if you cannot see it), then act on estimation (i.e. count Sya'ban as 30 days or fa 'uqduru)”</td>
<td>Narrated al-Bukhari, Hadith no. 1906, Ibn Hajar, 1989:150</td>
<td>taraw (you see)</td>
</tr>
</tbody>
</table>
According to Awang Haji Hassan Haji Metali (interview on 27 January 2015), based on the religious references found in the Hadith and indicated in Table 4 above, YDP Dato Seri Maharaja Dato Seri Utama Haji Awang Ismail bin Omar Abd, the Mufti of Brunei delivered a fatwa as follows:

“There are too many Hadith related to the beginning of fasting and the end of the fasting period (Eid al Fitr). These Hadith explain, among others, the compulsory nature of fasting and the end of the fasting period by sighting of the moon (as commanded by Allah SWT) and not due to the mere knowledge of the moon’s physical existence or by hisab or fa'ilak. It is prohibited to assume the sighting of the moon, to fast before the moon has been sighted, to recklessly assume it’s the fasting month when the hilal has not been sighted or the 30 day period has not been fulfilled, and to assume that fasting can be broken before sighting the hilal Syawal or if the 30 day period for Ramadan has not been fulfilled. And this has been the correct galo (view) until al-Imam Ibn Hajar r.a. stated: “Since these Hadith are true and authentic and many of the narrators agree that fasting and end of fasting should be based on sighting of the moon or rounding up the number of days in a month to 30 days, hence, there is no need to follow al-Imam Ahmad” (Interview with Awang Haji Hassan Haji Metali on 27 January 2015)

In relation to this fatwa and Chapter 29 of the Syariah Courts Act, Brunei has proclaimed as follows:

“It is the responsibility of the Syar’ie Chief Justice to initiate investigations at or nearly the beginning or end of each month to ascertain the date for the subsequent month using the nukayh and determine on which day the moon could be sighted and then to certify the findings of the nukayh with his signature” (Interview with Awang Haji Hassan Haji Metali on 27 January 2015)

According to Awang Haji Hassan Haji Metali (interview on 27 January 2015), the nukayh method practiced in Brunei uses the naked eye. In relation to sighting the hilal with the naked eye without using optical equipment such as binoculars or telescopes, Awang Haji Julaihi Haji Lamat (interview on 28 January 2015) suggested that this matter be referred to the Mufti of Brunei. Actually, during the 9th Coordinating Committee Meeting on Rukyah and the Islamic Calender on 19-20 May 1998 in Singapore, the Brunei Delegation6 had reported that Brunei at that moment (i.e in 1998) had employed the nukayh method by using telescopes during every month of Hijriyyah. However, the endeavour proved unsatisfactory. Nevertheless, nukayh was performed on every 29th and 30th Hijriyyah in order to test its accuracy and deliberations. Moreover, the delegation from Brunei decided to obtain digital telescopes such as the ones used in Malaysia in an effort to enhance its efforts on nukayh by using telescopes (Directorate for Forming Islamic Judicial Bodies 2001:58)

5.2 The Different Forms of Istidlal (Inferences)

Based on verse 185 of Surah al-Baqarah, which was mentioned earlier in Table 4, the word shahid was stated, which carried the meaning of sighting (nukayh) the hilal. Hence, mandatory fasting is based on the sighting of hilal. It is clear that based on the word shahid, Brunei had used the nukayh method to determine the start of the holy months (interview with Awang Haji Hassan Haji Metali on 27 January 2015).

Besides the verses of the al-Qur’an, the nukayh method also relies on Hadith to establish the start of Ramadan and Syawal by nukayh hilal. This is based on the word tanawwur (Narrated by al-Bukhari, Hadith Number: 1907), ra’ayat al-hay’ (Narrated by al-Mujaddid, Hadith Number 1080), and tanawwur (Narrated by al-Bukhari, Hadith no. 1906). However, if the hilal is not sighted because of bad weather (fa’imr al-ghamr al-dakuni), then it is compulsory to round-off the months preceding it to 30 days (interview with Awang Haji Hassan Haji Metali on 27 January 2015). This is based on the expression fa’akmuru al-ta’i fi al-thilathin (hence one must round-off the month to 30 days) (Narrated by al-Bukhari, Hadith no. 1907), fa’an thalathin wakmar (hence fulfill your fasting to 30 days) (Narrated by Muslim, Hadith no. 1081) and the expression fa’dalulah (hence you must calculate) (Narrated by al-Bukhari, Hadith no. 1906).

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6 The Delegation from Brunei Darussalam that attended the 9th Coordinating Committee Meeting on Rukyah and the Islamic Calender on 19-20 May 1998 in Singapore comprised three representatives, namely Pengiran Dato’ Haji Jaberuddin Haji Mohd Saleh (Head of the Delegation), Assistant Director for Hajj Affairs, Department of Hajj Affairs, Ministry of Islamic Affairs Brunei Darussalam; Awang Haji Lazim bin Haji Metali, Acting Deputy Chief Kadhi of Brunei Darussalam; and Awang Haji Mahadi bin Haji Md. Tahir, Land Surveyor, Survey Department, Brunei Darussalam.
Although there are some quarters who have stated that there exist the hisab and rukyah methods based on the word fa 'uqduru lah (to calculate) found in the Hadith narrated by Abdullah bin Umar r.a earlier, hence, it has been refuted by Ibn Hajar (1989:152) based on this argument: “Look at the moon and make your deliberations (on the month of Syaban) until it fulfills 30 days. Actually, what influences us to define the word fa 'uqduru lah this way are the other Hadith that ask us to round-up the month of Syaban to 30 days. In the scripture Sahih al-Bukhariy, there are Hadith that clearly state “Complete your deliberations or calculations of Syaban to 30 days.”

Hence, that is definition of fa ‘uqduru lah being held by practitioners of the rukyah method in Brunei, which is in accordance with other Hadith stated earlier. Parties that define fa ‘uqduru lah with the meaning ‘to calculate’ according to the ways of the scholars of calculation (hisab) or falaq are not doing so according to the al-Qur'an or Hadith. Hence, these are the religious references that show that the Prophet SAW and His companions determined Ramadan and Syawal by using the rukyah hila method.

6. Conclusion

Based on the earlier discussions, it could be concluded that the religious references from the al-Qur'an and Hadith that have become the basis for using the rukyah method in Brunei are similar to the religious references that have become the basis for using the rukyah method in other MABIMS countries. The only difference lies in the various forms of istidal. The practitioners of the rukyah method in Brunei only belief in the rukyah method permitted by sara when determining the arrival of Ramadan and Syawal. Their belief is based on three main reasons. The first is the word sahich, which is found in verse 185 of Surah al-Baqarah and refers to the rukyah method. Secondly, the word tarawh, ra'aytum and ra'aytumuh found in Hadith 1907 narrated by al-Bukhariy and Hadith 1801 narrated by Muslim and thirdly, the word fa'uqduru lah found in Hadith al-Bukhariy Number: 1906 is defined as following the moon’s orbit or in other words using hisab.

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