

# THE ROLE OF WOMEN IN THE RUKYAT HILAL ACCORDING TO THE NORTH ACEH ULEMA CONSULTATIVE ASSEMBLY

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**Abstract:** The Role of Women in Rukyat Hilal According to the North Aceh Ulama Consultative Assembly (MPU). Rukyat hilal is a method used to determine the beginning and end of the month of Kamariah. And along with the birth of the Falak Science study program in Indonesia, many also mastered falak science. One of the interesting things is the existence of female phallic experts and their role in determining the beginning of the Hijri month. This rukyat hilal activity is carried out collectively by the Ministry of Religious Affairs, the Ulama Consultative Assembly, BMKG and other community groups. From this background, the author is interested in studying the role of women in seeing hilal in North Aceh Regency based on the perspective of MPU. This research is a qualitative research, with a field approach (field research). The data collection method uses interview and documentation techniques. The results of this study show that the role of a woman in determining the beginning and end of the month in North Aceh according to the Majelis Permusyawaratan Ulama Aceh Utara there are two. First, if a woman is only a participant who participates in the Rukyat Hilal event, then this is allowed. Second, if a woman reports seeing hilal, then her testimony is not considered valid and rejected.

**Keywords:** Women, Rukyat Hilal, Majelis permusyawaratan Ulama (MPU).

**Abstrak:** *Peran Perempuan dalam Rukyat Hilal Menurut Majelis Pemusyawaratan Ulama (MPU) Aceh Utara.* Rukyat hilal merupakan suatu metode yang digunakan untuk menentukan awal dan akhir bulan Kamariah. Dan seiring lahirnya program studi Ilmu Falak di Indonesia, maka banyak pula yang menguasai ilmu falak. Salah satu hal yang menarik adalah keberadaan ahli falak perempuan dan perannya dalam penentuan awal bulan hijriyah. Kegiatan rukyat hilal ini dilakukan secara kolektif oleh Kementerian agama, Majelis Permusyawaratan Ulama, BMKG dan golongan masyarakat lainnya. Dari latar belakang tersebut, penulis tertarik mengkaji terkait peranan perempuan dalam melihat hilal di Kabupaten Aceh Utara berdasarkan perspektif MPU. Penelitian ini adalah penelitian kualitatif, dengan pendekatan lapangan (*field research*). Metode pengumpulan data menggunakan teknik wawancara dan dokumentasi. Hasil penelitian ini menunjukkan bahwa peran seorang perempuan dalam penentuan awal dan akhir bulan kamariah di Aceh Utara menurut Majelis Permusyawaratan Ulama Aceh Utara ada dua. Pertama, apabila seorang perempuan hanya sebagai peserta yang ikut dalam acara Rukyat Hilal, maka hal ini diperbolehkan. Kedua, jika seorang perempuan tersebut melapor melihat hilal, maka kesaksiannya tidak dianggap sah dan ditolak.

**Kata kunci:** Perempuan, Rukyat Hilal, Majelis Permusyawaratan Ulama (MPU).

## Introduction

The Ulama Consultative Council (MPU) is an assembly of scholars consisting of Muslim scholars and scholars in Aceh. This institution is a partner of the regional government in determining and deciding on religious fatwas. The Ulama Consultative Council is an institution that is like the provincial Indonesian Ulama Council. The MPU has the authority to provide considerations and input regarding the implementation of Islamic law in the province of Aceh. Organizationally, the Ulama Consultative Council consists of the Chairperson, Chairperson, Deputy Chairperson, Deputy Chairperson and Deputy Chairperson three. Not only that, the MPU also consists of secretarial staff, plenary councils and commissions. However, this institution is an independent institution, namely the MPU is not under the command line of the Governor, DPRA or other institutions, but as a partner through coordination channels.<sup>1</sup>

The Ulama Consultative Council together with the local Ministry of Religion conducts observations of the crescent moon at the beginning of each month of Ramadan, Syawal and Zulhijjah. Not only that, this activity is also attended by various other parties such as lecturers, students and the surrounding community. With the number of parties involved from various circles, whether men or women, there will also be various reports of the results of the appearance of the crescent moon. The testimony of seeing the crescent moon can only be reported by a woman, considering that many of the participants in the crescent moon observation came from female students and lecturers. This can be a

dilemma when the appearance of the crescent moon is only reported by a female participant.

Regarding the issue of the position of men and women in matters of religion, scholars have different opinions. The majority of scholars state that the position of women is equal to one-half, that is, two women are equal to a man. This position applies in many matters of religious life, such as marriage, inheritance and even crime. Regarding the comparison between men and women, some groups consider it an injustice. Because it seems that this comparison places women in a lower position than men.<sup>2</sup>

Such an understanding is interesting to discuss because indirectly it is the same as positioning men above women or in other words the degree of women is below men. This interpretation contradicts the Islamic principle excavated from the Qur'an and hadith that all humans are equal before Allah, both men and women. The only difference is the level of piety. If there is a difference, it is only a result of the main functions and duties assigned by Islam to each sex, so that the differences do not cause one to feel that he has an advantage over the other, they complement and help each other.

Indeed there is a verse that confirms that "Men are the leaders of women wives" (QS. *an-Nisa* (3): 4. But actually this verse is just a suggestion for husbands to treat their wives with commendable qualities, so that they can get an ideal life in the family. This does not mean that this verse states that

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<sup>1</sup> Majelis Permusyawaratan Ulama, kumpulan UUD, Perda, Qanun dan Instruksi Gubernur Tentang keistimewaan Nanggro Aceh Darussalam, Banda Aceh, 2004, p. 65-78.

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<sup>2</sup> Faki, Mansour, *Analisis Gender dan Transformasi Sosial*, (Yogyakarta: Insist Press. 2008), p. 75.

men are always above women.<sup>3</sup>

Many Muslims are trapped with erroneous religious understandings so that the results of the ijtihad of the scholars which are then formulated in Islamic theology, fiqh, or other sciences, are considered as religious teachings that cannot be changed and contested. However, religion is not like that. Therefore, efforts need to be made to examine in more depth the fiqh products that have been produced by the scholars in ancient times to rectify the erroneous understanding of religion and to achieve gender equality relations between men and women.<sup>4</sup>

Departing from the problem above, the author is interested in comprehensively reviewing the views of the North Aceh Ulama Consultative Assembly regarding the role and testimony of a woman in seeing the new moon. This is because there are many female astronomy students and lecturers who participated in observing activities at the beginning of the Hijriyah month in North Aceh district.

## Literature Review

Research conducted by Khairunnisa'a Binti Abdul Raof (2018) entitled: "The Hilal Testimony according to the Perspective of Imam al-Syafi'i and Imam Ahmad Ibn Hanbal". This research uses deductive, inductive and comparative discussion methods. The results of this study indicate that Imam al-Shafi'i is of the opinion that the testimony of the new moon of Ramadan and Shawwal is accepted through the testimony of a just person. Further research conducted by Muh. Arif Royyani (2010) entitled: *Fiqh Imam Syafi'i in a gender perspective (Analytical Study of Women's Testimony in*

Marriage and Seeing the Hilal). This research is library research, which focuses on the study of Imam Syafi'i's thoughts in the book of fiqh al-Umm. The results of this study indicate that when looking at legal products from previous schools, such as Imam Syafi'i fiqh legal products regarding the issue of women's testimony in marriage and seeing the new moon, which states that women should not be witnesses in marriage and the new moon, they are required to be able to treat it. correctly.

## Research Method

This research is a field research<sup>5</sup> or Field Research with a qualitative approach to describe the perspective of the North Aceh Ulama Consultative Assembly (MPU) related to the role of women in rukyat hilal activities. The data collection methods that the authors use in this study, namely the method of interviews, observation and documentation. The respondents in this study were the chairman of the North Aceh Ulama Consultative Assembly (MPU) and members of the North Aceh Ulama Consultative Assembly (MPU). In addition, the author also examines documents related to the role of women in the rukyat hilal activity according to the North Aceh Ulama Consultative Assembly (MPU). Not only that, the author also observed directly at the Moon Observation Post (POB) as the location for the rukyat hilal activity.

## Result and Analysis

Rukyat hilal literally means seeing the new moon where the origin of the word is an absorption from Arabic, namely, ru'yatun and al-hilālu which are better known in Indonesia as rukyat hilal. Regarding the understanding of rukyat hilal in terminology, experts have different definitions. First, according to Munawir, the

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<sup>3</sup> Nazaruddin" *Posisi Gender dalam Perspektif Hukum Islam*, dalam *Jurnal Al-Qadāu* Volume 2 Nomor 2/2015.

<sup>4</sup> Mochtar, Yati, *Islam dan Jender*, (Yogyakarta: Yayasan Kesejahteraan Fatayat, 2001), p. 6.

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<sup>5</sup> Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktik*, Edisi Revisi IV, cet, XIII, (Jakarta: Rineka Cipta, 2006), p. 231.

word rukyat means to see, think, and think. Apart from linguists, the definition of rukyat is also interpreted similarly by Indonesian astronomers such as according to Muhyiddin Khazin, rukyat means observing celestial bodies.<sup>6</sup> Meanwhile, Susiknan Azhari defines rukyat as a method of observing celestial bodies, namely observations using the eyes.<sup>7</sup>

Then Thomas Djamaluddin said that the rukyat hilal is a process of observing the crescent moon which can be observed for the first time on the western horizon after sunset. visible as streaks of light streaks of light, and if using a telescope with image processing can be seen as thin streaks of light on the edge of the Moon's sphere pointing towards the Sun. Based on long-term rukyatul hilal data, the presence of the new moon is limited by the criteria for calculating the height of the hilal at least a few degrees if the distance from the sun is a few degrees and the Moon-Sun setting time is a few minutes and the illumination fraction is a few percent.<sup>8</sup>

Regarding merukyat the new moon, there are three major groups, first, the group who think that rukyat means observing with the eyes without any tools. Second, the group that defines rukyat with the meaning of seeing. The difference is for today's era which has experienced very rapid technological development. So rukyat no longer means seeing with the eyes, but means making observations with science or tools. Third, the group that interprets rukyat as a threshold value that allows the new moon to be seen or observed. This value is better known as the Imkan rukyat criterion, which is a criteria for the new moon that can

be roughly observed, such as the height of the new moon, the age of the new moon and the elongation of the moon to the sun.<sup>9</sup>

Legal Basis Surat Al-Baqarah: 189.

﴿يَسْأَلُونَكَ عَنِ الْأَهِلَّةِ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ

“They ask you about the crescent moon. Say: "The crescent moon is a sign of the times for mankind and (for worship) pilgrimage”.<sup>10</sup>

In giving the meaning of ahillah, al-Aziz explained that it is the designation for the first, second and third nights at the beginning of each new month, while after that it is called qamar. A clear change from day to day, then the new moon is used as a determinant of the time of worship. In his commentary Ibn Kathir the meaning of ahillah shows guidelines in determining the time of fasting, Eid al-Fitr, the period of 'iddah and the time of debt repayment.<sup>11</sup> Abd al Razaq narrated from Ibn Umar that ahillah is a time marker in fasting and Eid al-Fitr by looking at the new moon.

Hadis Ibn Umar riwayat Muslim

عَنْ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَكَرَ رَمَضَانَ فَضَرَبَ يَدَيْهِ فَقَالَ الشَّهْرُ هَكَذَا وَهَكَذَا وَهَكَذَا ثُمَّ عَقَدَ إِنْهَامَهُ فِي الثَّالِثَةِ فَصُومُوا لِرُؤْيَيْهِ وَأَفْطِرُوا لِرُؤْيَيْهِ فَإِنْ أَعْصَى عَلَيْكُمْ فَأَقْدِرُوا لَهُ ثَلَاثِينَ

“From Ibn Umar ra, that Rasulullah saw spoke about the month of Ramadan, so he pointed with both hands and said: “one month is so, so and so. Then he folded his

<sup>6</sup> Ibid., p. 69)

<sup>7</sup> Susiknan azhari, *Hisab & Rukyat wacana untuk Membangun Kebersamaa di Tengah Perbedaan*, (Yogyakarta: Pustaka Pelajar, 2008), p. 183.

<sup>8</sup> Djamaludin, Thomas, *Menggagas Fiqh Astronomi (Telaah Hisab-Rukyat dan Pencarian Solusi Perbedaan Hari Raya*, (Bandung: Kaki Langit, 2013), p. 142.

<sup>9</sup> Izzuddin, Ahmad, *Fiqih Hisab Rukyat Menyatukan NU dan Muhammadiyah dalam Penentuan Awal Ramadhan, Idul Fitri dan Idul Adha*, (Jakarta: Erlangga, 2007), p. 44.

<sup>10</sup> Departemen Agama RI, *Alquran dan Terjemahannya*, (Jakarta: Departemen Agama RI, 1996). P. 657.

<sup>11</sup> Ibnu Katsir, *Tafsir al-Qur'an al-'Adzim*, j.1, (Beirut: Dar al-iqr, 2005), Juz. 1, p. 210.

thumb on the third count. So fast all of you because you see the crescent moon and break your fast because you see it. If it is blocked by you, then destine it for thirty days.”<sup>12</sup>

The above hadith states that the purpose of the rukyat command in these hadiths is that it is enough for some Muslims to do it. As for the editorial regarding the problem of rukyat, it is ordered to complete the number of months to thirty days.

The subject of rukyatul hilal is a matter of great concern, both today and during the man qablana era. This can be seen from the discussion among fiqh scholars regarding the issue of using reckoning or rukyat, and regarding witnessing the new moon. There are several opinions of fuqaha regarding the testimony of rukyatul hilal regarding the use of reckoning or rukyat methods in determining the entry of the beginning of the month, or starting fasting.

The Imams of the four schools of thought agree that it is obligatory to fast in Ramadan by seeing the new moon or completing the 30 days of Shakban. However, they have different opinions if the moon cannot be seen because it is blocked by clouds or thick fog on 29 Shakban. Under these circumstances, Hanafi, Maliki, and Shafi'i agreed to complete the month of Shakban 30 days. In contrast to Hambali who argues that fasting is mandatory or must intend to start fasting.<sup>13</sup>

According to Hanafi, seeing the moon can be justified if the sky is bright witnessed by a number of people whose news contains sure knowledge. Meanwhile, if it is cloudy, then the testimony can be accepted if done by a just person, both men

and women. While wahbah Zuhaily states that the Hanafi school argues that if the sky is clear, then to set the beginning of the month of Kamariah with the testimony of the people (the number and technique is handed over to the imam). However, if the sky is not clear because it is shrouded in clouds or fog, in the determination of the beginning of Ramadan the imam simply holds the testimony of a man and a woman with the conditions of fairness, intellect and puberty, this is different from the determination of the beginning of the month of Syawal that is with two male witnesses or one male witnesses and two women.

Imam Malik has the opinion that it is not permissible to fast or celebrate Eid with the testimony of less than two just people. Based on rukyat like this, then fasting or breaking the fast has been valid either for the person who saw it or the person who conveyed the news, whether the sky is cloudy or clear. Imam Syafi'i and Hambali argue that it is permissible to start fasting based on the testimony of a man's rukyat, but it is not permissible to celebrate Eid al-Fitr based on the testimony of less than two men.

This is because in the month of Ramadan it is obligatory to fast for anyone who hears the testimony of seeing hilal, different from the month of Syawal who must be careful in breaking fast before entering the month of Syawal. The difference between Imam Shafi'i and Hambali in this case is the requirement to know the identity of the witness. Imam Shafi'i argues that the testimony of the witness is a just Muslim, balig, sane, independent and male, although his personal identity is not clearly acceptable, while Imam Hambali requires knowing the personal identity of the witness.<sup>14</sup>

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<sup>12</sup> Muslim, Abu al-Husain Muslim bin al-Hajjaj, *Shahih Muslim*, (Beirut: Dar al-Jim, t.t.), p. 379.

<sup>13</sup> Sabiq, as-Sayid, *Fiqh al-Sunnah*, (Beirut: 1365H), p. 148.

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<sup>14</sup> *Ibid.*, p.1701.



Regarding matlak, the imams of the four sects agree, when those who see the crescent moon in a district or state are many, then it is obligatory to fast for all Muslims in this world. However, according to the scholars of the Syafi'i sect, that the testimony applies only to the area or the region adjacent to it, does not apply to the remote area, meaning that those who are obliged to fast are those who are close to the location, and does not apply to the area which is far away.

### **Women as Hilal Observation Participants**

The hilal observation activity is an activity that is always followed by the North Aceh Ulama Consultative Assembly at each determination of the beginning of the lunar month, especially the beginning of the months of Ramadan, Shawwal and Zulhijjah. This activity is actually a routine agenda of the local Ministry of Religion Office, namely the Ministry of Religion of North Aceh. However, in its implementation, many parties were involved, such as the North Aceh Ulama Consultative Assembly, astronomy lecturers at the Lhokseumawe State Islamic Institute, both male and female lecturers, students and students of the Lhokseumawe State Islamic Institute. Not only that, this activity was also attended by dayah students<sup>15</sup> around Lhokseumawe and North Aceh. There are even some people who also participate in observing the new moon to determine the beginning of the entry of the following month.

This activity certainly cannot be separated from the presence of women, be it from the lecturers, students, students and even the local community. As for the

presence of women in this activity observing the new moon or being participants, the North Aceh Ulama Consultative Assembly did not make a problem. This means that a woman from any circle can still participate in the event. The involvement of women, especially astronomy students at IAIN Lhokseumawe, is considered only as an educational medium as a continuation of the theory gained in lectures. As for the matter of giving witness to the sight of the new moon, this is considered invalid to be used as a proof.

### **Women as Witnesses**

The hilal observation activity carried out by the Ministry of Religion and the North Aceh Ulama Consultative Assembly, the existence of women was felt to be more real. This can be seen by the increasing number of participants in the rukyat hilal activity in North Aceh. The participants increased along with the increasing number of astronomy students at the Lhokseumawe State Islamic Institute. This of course does not rule out the possibility of testimonies given by female participants. And it will be a problem if the new moon can only be successfully seen by a woman, be it astronomers who come from lecturers or students.

As in this case, namely the role of women in rukyat hilal activities in North Aceh Regency, the chairman of the North Aceh Ulama Consultative Assembly stated that: "A woman is allowed to be involved or present in rukyat hilal activities, but does not act as a witness in seeing the new moon". This means that if a woman claims to have seen the new moon, her testimony will not be accepted. Even if only a woman claimed to have succeeded in observing the new moon, her testimony would still be unacceptable. Therefore, so far in the rukyat hilal activity conducted by the North Aceh Ulama Consultative Assembly, women have never been included, either as participants,

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<sup>15</sup> Dayah adalah sebuah lembaga pendidikan Islam klasik yang ada di Aceh. A. Samad Usman dan Abdul Hadi, Peran Dinas Pendidikan Dayah dalam Meningkatkan Mutu Pendidikan Dayah di Aceh. *Jurnal Intelektualita jurusan MPI FTK UIN Arraniry*. Vol.10. No.1. Januari-Juni 2021.

committees or as witnesses. However, if there are participants, both students and lecturers of astronomy at IAIN Lhokseumawe, who are involved, there is no problem. It's just that being a witness who claims to have seen the new moon is unacceptable. This is because the North Aceh MPU views it as an activity that has no meaning and benefits.

The chairman of the MPU is of the opinion that the testimony of women alone without a man will not be accepted and declared invalid, both in marriage and in determining the beginning of the lunar month. The chairman of the MPU explained "In the testimony of seeing the new moon, two men must be fair". Regarding the number of women's testimonies whose testimonies were accepted or could be used as evidence, the chairman of the MPU of North Aceh Regency stated that the testimony of a man was comparable to that of two women.

The involvement of astronomers in seeing the new moon at the Month Observation Post (POB) of North Aceh Regency does not yet have the same rights and positions as men. The testimony of a woman in seeing the hilal is classified as useless and the MPU in North Aceh Regency has never formed a testimony team to see the hilal consists of women. From this, the North Aceh MPU did not state the requirements for a woman to testify to see the new moon. Women can only see the new moon and are not allowed as witnesses to see the new moon.

Statement from Mr. Mustafa M. Isa when interviewed about whether the commission actually has the authority to see the new moon, he explained "Seeing the new moon is not the job of the MPU, the secretariat or the Ministry of Religion. Seeing the new moon is the duty of a just Muslim"<sup>80</sup>. After the establishment of the

Ministry of Religion, issues related to the Islamic Holiday Commemoration (PHBI) and the determination of the beginning of Ramadan, Shawwal, and Zulhijah were handed over and became his authority. This is based on a Government Decree of 1946 No.2/ Um, 7/Um, 9/Um jo Presidential decree No. 251 tahun 1967, No. 148 tahun 1968 dan No.10 tahun 1971. Currently, the implementation of these activities is carried out by the regional Ministry of Religion which is used as a place for the implementation of the rukyatul hilal.

To see the new moon is enough testimony from a just person. Determination of testimony on the basis of justice, a man is generally more careful in starting worship. As for the testimony of a woman, there are two opinions. First, a woman's testimony can be accepted if there is a man because it is a religious message. Second, the testimony of one woman in seeing the new moon cannot be accepted if there is a man. Because it is a far'u witness and the origin of the testimony is an asl witness. Fasting is obligatory on those who hear a fair person informing him of the sighting of the new moon, even though the judge refuses to report it because he does not know the news.

The view of the MPU of North Aceh Regency in the testimony of women in seeing the new moon looks odd. Because, in general, the team for witnessing the hilal only consisted of men. However, if women are only limited to seeing without being charged with testimony that requires taking an oath to the judge, it is permissible. It is the same as the information that has been conveyed by Tgk. Mustafa M. Isa when interviewed at his residence, he stated:<sup>16</sup>.

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<sup>16</sup> Hasil Wawancara dengan Tgk. Mustafa M. Isa, S. Pd selaku Anggota MPU Kabupaten Aceh Utara, pada Tanggal 15 April 2022, jam 16:00 wib.

"The testimony of women in seeing the crescent moon in general is not valid. Provided that the involvement of women as witnesses in seeing the crescent moon is not valid. However, in practice there are women who are involved in the team to see the crescent moon but not from a woman whose testimony is taken. They are only limited to looking for their own benefit because considering that astronomy is now in demand by women as well".

From the above interview it is clear that women should only be involved in seeing the crescent moon instead of witnessing the crescent moon. The testimony of women in seeing the crescent moon is not accepted as long as there are still just men in this world.

The testimony of two women in seeing the crescent moon can be accepted if there is one man. Based on the narration of Dai Rabi 'that this verse was revealed when a man was looking for a witness among the crowd, to ask for their testimony, but no one was willing, so the word of Allah SWT came down in QS. Al-Baqarah ayat 282:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِذَا تَدَانَيْتُمْ بِذَيْنِ إِلَى أَجَلٍ مُّسَمًّى فَاكْتُبُوهُ وَلْيَكُتُبْ بَيْنَكُم كَاتِبٌ بِالْعَدْلِ وَلَا يَأْب كَاتِبٌ أَنْ يَكْتُبَ كَمَا عَلَّمَهُ اللَّهُ فَلْيَكُتُبْ وَلْيَمْلِكِ الَّذِي عَلَيْهِ الْحَقُّ وَلْيَتَّقِ اللَّهَ رَبَّهُ وَلَا يَبْخَسَ مِنْهُ شَيْءٌ فَإِنْ كَانَ الَّذِي عَلَيْهِ الْحَقُّ سَفِيهًا أَوْ ضَعِيفًا أَوْ لَا يَسْتَطِيعُ أَنْ يُمِلَّ هُوَ فَلْيَمْلِكْ وَلِيُّهُ بِالْعَدْلِ وَاسْتَشْهِدُوا شَهِيدَيْنِ مِنْ رِجَالِكُمْ فَإِنْ لَمْ يَكُونَا رَجُلَيْنِ فَرَجُلٌ وَامْرَأَتَانِ مِمَّن تَرْضَوْنَ مِنَ الشُّهَدَاءِ أَنْ تَضِلَّ إِحْدَاهُمَا فَتُذَكِّرَ إِحْدَاهُمَا الْأُخْرَىٰ

O you who believe, when you do business not in cash for a specified time, you should write it down. and let a scribe among you write it down correctly. and let not the scribe refuse to write it as Allah has taught it, let him write, and let the debtor dictate (what will be written it), and let him fear

Allah his Lord, and let him not reduce the least of his debt. if the debtor is a person who is weak in mind or weak (condition) or he himself is not able to dictate, then let his guardian dictate honestly. and bear witness with two witnesses from among the men (among you). if there are not two men, then (may be) a man and two women from the witnesses that you are pleased, so that if one forgets Then one reminds him.

The interpretation of Surat al-Baqarah verse 282 is as follows: Al- Qurthubi in tafsir al-Jami' li Ahkam al-Qur'an said that women's testimonies were half as much as men's testimony, even al-Qurtubi quoted an opinion that did not allow women's testimony if there were still men who could be witnesses, even he chose the opinion of Jumhur ulama who said that women can be witnesses and his testimony is worth half if a woman's testimony is accompanied by a man's testimony.<sup>17</sup>

Al-Syaukani in his commentary Fath al-Qadir argues that the testimony of women is half that of men. And even then with the condition that the litigation is willing to the religion and justice of the woman. Another condition is that women may be witnesses as long as they are accompanied by men. If it is only a woman, then her testimony is rejected except in matters of a woman's privacy which cannot be known by men for emergency reasons.<sup>18</sup>

Al-Alusi in his commentary Ruh al-Ma'ani describes that women's testimonies are half as men's testimonies, and even then applies to cases other than local law and qishash. As for matters of birth, virginity, the onset of menstruation, and the like, women may be witnesses without being

<sup>17</sup> Muhammad bin Ahmad bin Abi Bakar Abu 'Abdillah al-Qurthubi, *al-Jami' li al-Ahkam al-Qur'an*, Juz. III ( al-Qahirah: Dar al-Kutub al-Mishriyah, 1964 ), p. 391.

<sup>18</sup> al-Syaukani, Muhammad bin Ali, *Fathu al-Qadir*, Juz I (t.d.), p. 452.



accompanied by a male witness.<sup>19</sup> In the verse above, it has been explained that the testimony of a man and two women can be accepted because the testimony of two women is equivalent to the testimony of a man. The scholars agreed to accept women's testimonies separately (i.e. not accompanied by men) that is only in matters that cannot be known by men, such as menstruation, birth, signs of life in a newborn baby and a woman's physical disability.

According to Ibn Abbas, this verse contains more than 50 legal contents. This verse was revealed regarding non-cash transactions carried out by the citizens of Medina, namely salam transactions. Among the contents of this verse is the argument for the necessity of orderly administration and testimony, something that is considered important in modern management. This paragraph explains in detail the importance of recording in non-cash transactions and the necessity for administrative records and witnesses in such events. So that if problems arise in the future related to the muamalat, they can be resolved immediately with clear and accountable evidence and testimony. In this verse, Allah commands believers to carry out Allah's stipulations every time they make a non-cash agreement, namely to complete it with evidence so that it can be used as a basis for resolving disputes that may arise in the future. The proof is written evidence and witnesses.<sup>20</sup>

## Conclusion

As for the presence of women in this activity observing the new moon or being participants, the North Aceh Ulama

Consultative Assembly did not make a problem. This means that a woman from any circle can still participate in the event. The involvement of women, especially astronomy students at IAIN Lhokseumawe, is considered only as an educational medium. Whereas in this case the testimony of seeing the new moon, the North Aceh Ulama Consultative Assembly stated that: "A woman is allowed to be involved or present in rukyat hilal activities, but does not act as a witness in seeing the new moon". This means that if a woman admits to seeing the new moon, her testimony will not be accepted. Even if only a woman claimed to have succeeded in observing the new moon, her testimony would still be unacceptable.

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<sup>19</sup> al-Alusi, Abu al-Fadhal Mahmud, *Ruhu al-Ma'ani fi al-Tafsiri al-Qur'an al-'Azhim wa al-Sab'i al-Matsani*, (Beirut: Dar al-Ihya' al-Turats al-'Arabi, t.th.), p. 58.

<sup>20</sup> al-Asfahani, Al-Raqib, *al-Mufradat fi Gharib al-Qur'an*, (Kairo: Dar al Tahrir, 1991), p. 78.

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