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## A Juridical Analysis of the Rejection of Rukyatul Hilal Testimony in the Determination of 1 Ramadan 1446 H by the Sharia Court of Jantho City

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**Abstract:** This research is motivated by the rejection of rukyatul hilal testimony by the Mahkamah Syar'iyyah of Jantho City in determining 1 Ramadan 1446 H, which raises questions regarding the conformity of religious court procedures with the Supreme Court's Technical Guidelines. The study aims to analyze the legal basis of the rejection and its alignment with the normative provisions stipulated in the laws and regulations, as well as the Supreme Court Technical Guidelines Number 1711/DjA/SK.HK.00/IXL2024 on the Procedures for the Implementation of Rukyatul Hilal. This research employs a normative juridical method using statutory and conceptual approaches. The findings indicate that the court's rejection was based on technical considerations related to the qualifications of the witnesses and the validity of the hilal observation process; however, it does not fully conform to the procedural standards outlined in the technical guidelines. Therefore, the study concludes that there is a disharmony between judicial practice and normative ideals, highlighting the need to strengthen guidelines for religious courts in handling the determination of the beginning of the lunar month.

**Keywords:** Rukyatul Hilal, Mahkamah Syar'iyyah, Testimony Rejection, Normative Legal Analysis

**Abstrak:** Penelitian ini dilatarbelakangi oleh adanya penolakan kesaksian rukyatul hilal oleh Mahkamah Syar'iyyah Kota Jantho pada penetapan 1 Ramadhan 1446 H, yang memunculkan persoalan kesesuaian prosedur peradilan agama dengan Petunjuk Teknis Mahkamah Agung. Penelitian ini bertujuan untuk menganalisis dasar yuridis penolakan tersebut serta kesesuaian dengan ketentuan normatif yang diatur dalam peraturan perundang-undangan dan Petunjuk Teknis Mahkamah Agung Nomor 1711/DjA/SK.HK.00/IXL2024 tentang Tata Cara Pelaksanaan Rukyatul Hilal. Metode yang digunakan adalah penelitian yuridis normatif dengan pendekatan peraturan perundang-undangan dan pendekatan konseptual. Hasil penelitian menunjukkan bahwa penolakan kesaksian oleh Mahkamah Syar'iyyah Kota Jantho didasarkan pada pertimbangan teknis terkait kualifikasi saksi dan keabsahan proses pengamatan hilal, namun tidak sepenuhnya selaras dengan standar prosedural yang ditetapkan dalam petunjuk teknis. Dengan demikian, penelitian ini menyimpulkan bahwa terdapat ketidakharmonisan antara praktik peradilan dan idealitas norma, sehingga diperlukan penguatan pedoman bagi peradilan agama dalam menangani penetapan awal bulan kamariah

**Kata kunci:** Rukyatul Hilal, Mahkamah Syar'iyyah, Penolakan Kesaksian, Analisis Hukum Normatif.

### A. Introduction

The determination of the beginning of the lunar month holds a very important position for Muslims, as it is directly related to the observance of religious duties such as the Ramadan fast, the celebration of Eid al-Fitr, and the performance of the Hajj. In Indonesia, the determination of the beginning of the Hijri month is carried out through an isbat session organized by the Ministry of Religious Affairs,



employing a combination of astronomical calculation (hisab) and lunar observation (rukyat). Although, in theory, the integration of these two methods is expected to harmonize religious perspectives, in practice differences in determination continue to occur, including in Aceh, which has special autonomy in the implementation of Islamic law. Previous studies indicate that such differences generally stem from variations in hisab and rukyat methodologies, differing religious authorities, and technical standards for hilal observation. Nevertheless, there remains a limited body of research that specifically examines how the Sharia judiciary applies the Supreme Court's Technical Guidelines in the process of accepting or rejecting rukyatul hilal testimony.<sup>1</sup>

The Sharia Court (*Mahkamah Syar'iyah*) forms part of the Religious Court system and is vested with the authority to examine, consider, and determine certain cases related to the determination of the beginning of the Hijri month. In exercising this authority, the Sharia Court is empowered to assess the validity of *rukyatul hilal* testimony presented during judicial proceedings. The legal basis for this authority derives from Law Number 7 of 1989 on the Religious Courts, as amended by Law Number 3 of 2006 and Law Number 50 of 2009. Article 54 of these laws stipulates that procedural law applied in the Religious Courts follows the civil procedural law applicable within the General Court system, thereby granting judges the authority to evaluate evidentiary instruments,<sup>2</sup> including witness testimony, as regulated under Article 171 of the *Herzien Inlandsch Reglement* (HIR).<sup>3</sup> Furthermore, the authority of judges to examine *rukyat* testimony is expressly reinforced by Supreme Court Circular Letter Number 2 of 2004, which provides guidelines for judges to conduct a rigorous examination of both the formal and material requirements of *rukyatul hilal* testimony.

The absence of juridical studies that specifically examine the exercise of such authority can be observed in judicial practice at the Sharia Court of Jantho. This is reflected in the Decision of the Sharia Court of Jantho Number 63/Pdt.P/2025/MS.Jth dated 28 February 2025 concerning the application for *isbat* of *rukyatul hilal*

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<sup>1</sup> Mahkamah Agung Republik Indonesia, “Keputusan Direktur Jenderal Badan Peradilan Agama Mahkamah Agung Republik Indonesia Nomor 531/DjA/OT.00/SK/II/2023 Tentang Pedoman Tata Cara Sidang Itsbat Kesaksian Rukyat Hilal” yang menjelaskan ketentuan teknis sidang isbat rukyatul hilal sebagai pedoman hakim dalam menerima atau menolak Kesaksian.

<sup>2</sup> Republik Indonesia, “Undang-Undang Nomor 7 Tahun 1989 Tentang Peradilan Agama” sebagaimana telah diubah dengan Undang-Undang Nomor 3 Tahun 2006 dan Undang-Undang Nomor 50 Tahun 2009, Pasal 54.

<sup>3</sup> Mahkamah Agung Republik Indonesia, “Surat Edaran Mahkamah Agung Nomor 2 Tahun 2004 Tentang Pemeriksaan Saksi Rukyat”.



testimony in the determination of the commencement of Ramadan 1446 H.<sup>4</sup> In this decision, the panel of judges declared that the application submitted by the petitioner was inadmissible (*niet ontvankelijke verklaring*) after conducting an examination of the witnesses (*perukyat*) who were present in a public court hearing.

Furthermore, based on the legal considerations set forth in the decision, the panel of judges held that the submitted *rukyatul hilal* testimony did not meet the required evidentiary standards, as the observers stated that they were unable to sight the hilal. The rejection of such testimony subsequently raises juridical issues concerning the consistency of the application of Islamic civil procedural law and the conformity between judicial practice and the technical guidelines issued by the Supreme Court, particularly with regard to the limits of judicial authority in assessing and admitting *rukyatul hilal* testimony. Therefore, this study is directed at examining the conformity of the rejection of *rukyatul hilal* testimony by the Sharia Court of Jantho with the normative provisions of the prevailing laws and regulations as well as the Supreme Court's Technical Guidelines.

The initial hypothesis of this study posits that there is a discrepancy between judicial practice and the normative provisions that should serve as guiding principles, particularly with regard to the interpretation of the requirements for witness testimony in *rukyat hilal* cases. This research aims to examine the juridical basis for the rejection of such testimony and to evaluate its conformity with the Supreme Court's Technical Guidelines as the operational standard for the religious judiciary. It is expected that this study will clarify the parameters for the acceptance of testimony, enhance the consistency of the application of Islamic civil procedural law, and contribute to efforts to harmonize normative regulations with judicial practice in the field.

## B. Methodology

This study employs a normative juridical research method by examining statutory regulations, the Supreme Court's Technical Guidelines, and the determination documents of the Sharia Court of Jantho City concerning the rejection of *rukyatul hilal* testimony.<sup>5</sup> The approaches applied include the statutory approach and the conceptual approach, aimed at understanding the provisions governing witness testimony within the framework of Islamic civil procedural law.<sup>6</sup>

<sup>4</sup> Mahkamah Syar'iyah Jantho, "Penetapan Nomor 63/Pdt.P/2025/MS.Jth Tentang Permohonan Istbat Kesaksian Rukyatul Hilal Penetapan Awal Ramadan 1446 H" (2025).

<sup>5</sup> Muhammin, *Metode Penelitian Hukum*. Cetakan Pertama (Mataram: Mataram University Press, 2020).

<sup>6</sup> Wiwik Sri Widiarty, *Metode Penelitian Hukum* (Yogyakarta: Publika Global Media, 2024).



The data sources consist of primary legal materials and secondary legal materials. Primary legal materials are obtained from statutes, technical guidelines, and official judicial documents, while secondary legal materials are derived from books, scholarly journals, and relevant literature concerning *rukyatul hilal* and Islamic procedural law. Data analysis is conducted using a qualitative descriptive approach by comparing the applicable legal norms with judicial practice. This method aims to assess the juridical basis for the rejection of *rukyatul hilal* testimony and to examine its conformity with the Supreme Court's Technical Guidelines.

### C. Results and Discussion

#### 1. The Determination of Rukyatul Hilal by the Mahkamah Syar'iyah

The Mahkamah Syar'iyah is a judicial institution within the Religious Court system that is vested with the authority to examine and adjudicate certain cases related to the application of Islamic law. In the context of determining the beginning of the Hijri month, the Mahkamah Syar'iyah plays a role in examining and assessing *rukyatul hilal* testimony submitted as the basis for such determination. This authority is grounded in the provisions of Law Number 7 of 1989 on Religious Courts, as amended by Law Number 3 of 2006 and Law Number 50 of 2009.<sup>7</sup>

Normatively, Article 54 of the Law stipulates that the procedural law applied in the Religious Courts follows the civil procedural law in force in the General Courts, insofar as no specific regulation provides otherwise. Consequently, judges of the Sharia Court are vested with the authority to assess the evidentiary tools presented during the proceedings, including witness testimony. Such assessment of testimony is conducted in accordance with the principles of evidence under civil procedural law, as reflected in Article 171 of the *Herzien Inlandsch Reglement* (HIR), which grants judges discretion to evaluate the quality and relevance of witness statements.<sup>8</sup>

In addition to exercising its adjudicative authority, the Sharia Court also bears the responsibility of ensuring that the examination of *rukyatul hilal* testimony is conducted carefully and in accordance with the established technical provisions. In this regard, the Supreme Court of the Republic of Indonesia, through Supreme Court Circular Letter Number 2 of 2004, has provided guidelines for judges in examining *rukyat* witnesses. These guidelines direct judges not only to review the administrative aspects of the witnesses, but also to substantively assess the testimony presented in

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<sup>7</sup> Republik Indonesia, Undang-Undang Nomor 7 Tahun 1989 tentang Peradilan Agama, sebagaimana diubah dengan Undang-Undang Nomor 3 Tahun 2006 dan Undang-Undang Nomor 50 Tahun 2009, Pasal 54.

<sup>8</sup> Republik Indonesia, "Herzien Inlandsch Reglement (HIR), Pasal 171".



order to ensure the validity of the evidence used as the basis for determining the beginning of the Hijri month.<sup>9</sup>

Thus, from a normative perspective, the determination of *rukyatul hilal* by the Sharia Court constitutes a manifestation of the exercise of judicial authority in upholding law and justice in accordance with statutory provisions and the principles of Islamic law. In carrying out this role, the Sharia Court does not merely function as an administrative body, but rather as a judicial institution that conducts a comprehensive legal assessment of the facts and evidence presented during the proceedings. Accordingly, the determination of *rukyatul hilal* by the Sharia Court holds a strategic position in ensuring legal certainty and maintaining consistency in the practice of determining the beginning of the Hijri month.

a. The Sharia Foundations of Crescent Moon (Hilal) Testimony

The fundamental basis for *rukyatul hilal* is found in several hadiths of the Prophet Muhammad (peace be upon him), one of which instructs Muslims to begin and end fasting based on the sighting of the new moon.<sup>10</sup> This hadith indicates that testimony derived from lunar observation constitutes valid sharia evidence, provided that the observation is conducted in accordance with established observational principles and conveyed by witnesses who are just and trustworthy. There is no indication within Islamic law that restricts the admissibility of such witnesses based on their place of residence or regional origin.

b. Technical Guidelines of the Supreme Court Decree No. 1711/DjA/SK.HK.00/IX/2024

These Technical Guidelines serve as the official operational standard for judges in examining *rukyatul hilal* testimony. The document outlines the requirements for witnesses, the stages of examination, verification methods, and the technical standards for hilal observation.<sup>11</sup> The witness criteria stipulated in the guidelines emphasize only aspects of competence, credibility, and the validity of the observation, without requiring that the witness originate from the location where the *rukyat* is conducted. Therefore, domicile cannot be considered a legitimate requirement for rejecting such testimony.

<sup>9</sup> Mahkamah Agung Republik Indonesia, Surat Edaran Mahkamah Agung Nomor 2 Tahun 2004 tentang Pemeriksaan Saksi Rukyat.

<sup>10</sup> Sahih al-Bukhari, “Kitab Al-Ṣawm (Book of Fasting), Hadith No. 1900, in Sahih Al-Bukhari (Transl. English),” accessed via Sunnah.com, <https://sunnah.com/bukhari:1900>.

<sup>11</sup> Mahkamah Agung Republik Indonesia, “Petunjuk Teknis Tata Cara Pelaksanaan Rukyatul Hilal, NO. 1711/DjA/SK.HK.00/IXL2024”.



c. The Process and Procedures for the Determination of Rukyatul Hilal at the Mahkamah Syar’iyah Jantho

In the practice of determining rukyatul hilal, the Sharia Court of Jantho exercises its authority through judicial proceedings that are conducted in accordance with the provisions of civil procedural law as well as the technical guidelines stipulated by the Supreme Court. The process begins with the submission of an application for the determination of rukyatul hilal, which is subsequently registered as a petition case with the clerk’s office of the Sharia Court. Once the case has been duly registered, the Chief Judge of the Sharia Court appoints a panel of judges authorized to examine and decide upon the application.<sup>12</sup>

The panel of judges subsequently exercised an active role in the evidentiary process by summoning the *rukyat* witnesses who had conducted the hilal observation. The summoning of witnesses was carried out in a formal and lawful manner in accordance with procedural law mechanisms, in order to ensure the legal validity of their presence in court. During the examination proceedings, the judges not only assessed the administrative aspects of the witnesses, such as identity verification and eligibility to testify, but also thoroughly examined the substance of the testimony presented, including the consistency of statements, the timing and location of the *rukyat*, and the relevance of the observational results to the prevailing astronomical conditions.<sup>13</sup>

The instruments used by judges in the process of determining *rukyatul hilal* include the testimony of *rukyat* witnesses as the primary means of evidence, official records of court proceedings, as well as supporting data or information of a technical–astronomical nature. The assessment of these instruments is carried out in accordance with the principles of evidence in civil procedural law, which grant judges the authority to evaluate the probative value of evidence freely, yet in a responsible and accountable manner. In the context of examining *rukyat* witnesses, the Supreme Court of the Republic of Indonesia has also provided guidance through Supreme Court Circular Letter Number 2 of 2004, which emphasizes the importance of judicial prudence in assessing the truthfulness and legal validity of *rukyatul hilal* testimony.<sup>14</sup>

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<sup>12</sup> Republik Indonesia, Undang-Undang Nomor 7 Tahun 1989 tentang Peradilan Agama, sebagaimana diubah dengan Undang-Undang Nomor 3 Tahun 2006 dan Undang-Undang Nomor 50 Tahun 2009.

<sup>13</sup> Pasal 54 Undang-Undang Nomor 7 Tahun 1989 Tentang Peradilan Agama, Pasal 171 *Herzien Inlandsch Reglement* (HIR).

<sup>14</sup> Mahkamah Agung Republik Indonesia, Surat Edaran Mahkamah Agung Nomor 2 Tahun 2004 tentang Pemeriksaan Saksi Rukyat.



The results of the entire examination process are subsequently deliberated upon in a judicial conference of the panel of judges as the basis for decision-making. The legal product issued takes the form of a determination of the Sharia Court, which includes the identity of the case, the legal basis of the court's authority, a concise description of the examination process, the panel's legal considerations, and the operative ruling concerning the acceptance or rejection of the *rukyatul hilal* testimony. Accordingly, the determination of *rukyatul hilal* by the Sharia Court of Jantho is the outcome of a judicial process that is not merely administrative in nature, but also reflects a comprehensive legal assessment of the facts and evidence revealed during the proceedings.

## 2. Testimony Concerning the Rejection of Rukyatul Hilal

Conceptually, testimony in Islamic law must meet certain requirements in order to possess evidentiary value. These requirements consist of formal requirements and substantive requirements. The formal requirements relate to the personal eligibility of the witness, including legal capacity, moral integrity, and the ability to provide testimony consciously and responsibly. Meanwhile, the substantive requirements relate to the quality of the testimony given, namely that the testimony must be based on direct observation or firsthand knowledge, be presented clearly, and not contain contradictions with other facts revealed during the proceedings. If any of these requirements are not fulfilled, the testimony may be deemed to lack sufficient evidentiary strength.<sup>15</sup>

The testimony in *rukyatul hilal* possesses characteristics that differ from testimony in general, as it relates to the observation of natural phenomena that are factual and technical in nature. Under civil procedural law, testimony constitutes one of the legally recognized forms of evidence, as stipulated in Article 164 of the HIR and Article 284 of the RBg, with its evaluation emphasizing the qualifications and credibility of the witness.<sup>16</sup> However, in the context of *rukyatul hilal*, such evaluation cannot rely solely on the formal requirements of witnesses as provided under general legal provisions. It must also take into account the conformity of the witness's statement with objective conditions in the field, including the time and location of the observation, as well as the astronomical possibility of the visibility of the hilal. Therefore, judges are required to apply the principle of prudence more carefully to

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<sup>15</sup> Wiratmanto, *Buku Ajar: Mata Kuliah Hukum Acara Peradilan Agama* (Fakultas Hukum Universitas Muhammadiyah Yogyakarta, 2017).

<sup>16</sup> Republik Indonesia, *Herzien Inlandsch Reglement (HIR)* Pasal 164; *Reglement op de Burgerlijke Rechtsvordering (RBg)* Pasal 284.



ensure that the assessment of *rukyatul hilal* testimony remains consistent with the rules of evidence and the existing objective facts.<sup>17</sup>

The rejection of rukyatul hilal testimony constitutes a legal consequence arising from the judge's assessment of whether the required conditions for valid testimony have been fulfilled. Such rejection should not be interpreted as a denial of the witness's honesty, but rather as a form of juridical evaluation of the quality and relevance of the testimony presented. Within the framework of Islamic civil procedural law, judges are vested with the authority to determine whether a particular testimony is appropriate to serve as the basis for a legal determination, including the determination of the commencement of the Hijri month.<sup>18</sup>

Thus, the rejection of rukyatul hilal testimony should be understood as part of a legal mechanism aimed at ensuring legal certainty and order in the determination of the beginning of the Hijri month. The process of evaluating and rejecting testimony by judges represents the exercise of judicial functions that seek to balance legal norms, principles of justice, and the facts revealed during court proceedings.

### **3. Juridical Analysis of the Rejection of Testimony by the Mahkamah Syar'iyah of Jantho City**

An analysis of the decision of the Mahkamah Syar'iyah of Jantho City that rejected rukyatul hilal testimony in the determination of 1 Ramadan 1446 H must be conducted by examining the provisions of Islamic procedural law, the statutory regulatory framework, and the technical guidelines of the Supreme Court. Within the framework of Islamic law, the eligibility of witnesses in rukyat cases is assessed based on their technical observational capability, the accuracy of their assessment, and the consistency of the information provided with astronomical data.<sup>19</sup> Accordingly, the domicile of the witness does not constitute a legal ground for rejecting the testimony.

Islamic procedural law holds that valid testimony must reflect honesty, carefulness, and accuracy of information. A number of contemporary studies also emphasize that the rejection of witnesses is only justifiable when there are technical inconsistencies or substantive contradictions in their statements, not for

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<sup>17</sup> Muh Sutri Mansyah et al., "Ensuring Justice: An In-Depth Analysis of Witness Protection in Divorce Cases within the Religious Court in Indonesia," *Al-Ahkam: Jurnal Ilmu Syari'ah Dan Hukum* 8, no. 2 (December 31, 2023): 121-, <https://doi.org/10.22515/alahkam.v8i2.8066>.

<sup>18</sup> Republik Indonesia, *Herzien Inlandsch Reglement* (HIR), Pasal 171.

<sup>19</sup> Sugeng Aristya Rohmad, "Analisis Penolakan Laporan Isbat Kesaksian Rukyatul Hilal Oleh Kementerian Agama (Studi Kasus Penolakan Laporan Isbat Kesaksian Jepara Dalam Penetapan 1 Syawal 1432 H/2011 M)" (Universitas Islam Negeri Walisongo Semarang, 2020), 54.



administrative reasons such as residency status.<sup>20</sup> Therefore, a judge's decision to reject witnesses solely on the grounds that they are not residents of Aceh constitutes a deviation from the principles of evidence in Islamic law

From a legislative perspective, Law No. 3 of 2006 explicitly grants the Religious Courts the authority to examine and assess evidence in cases concerning the determination of the beginning of the Hijri month.<sup>21</sup> Such authority must be exercised in accordance with the regulations issued by the Supreme Court as the highest judicial body. Contemporary legal literature indicates that judges may not add to or restrict the requirements for testimony without a normative legal basis, as doing so may lead to legal uncertainty and contravene the principle of legality.

In the context of Aceh's special autonomy, although the implementation of Islamic law has its own particularities, the Mahkamah Syar'iyah remains an integral part of the national judicial system and is therefore obliged to comply with the standards set by the Supreme Court.<sup>22</sup> Accordingly, any deviation from national technical guidelines may be regarded as a lack of alignment between local regulations and national judicial standards.

Furthermore, the Supreme Court's Technical Guidelines of 2019 stipulate the stages for examining rukyat witnesses, including the verification of astronomical calculation (hisab) data, inspection of observational instruments, assessment of atmospheric conditions, and evaluation of observation methods. However, based on the facts revealed during the court proceedings, these procedures were not fully implemented, resulting in the testimony not being substantively examined. Contemporary falak (Islamic astronomy) studies also emphasize that technical evaluation is a fundamental element in ensuring the objectivity of rukyat testimony.<sup>23</sup>

Therefore, based on a comprehensive normative and empirical analysis, the rejection of rukyatul hilal testimony by the Mahkamah Syar'iyah of Jantho City lacks an adequate legal basis, whether viewed from the perspective of Islamic procedural

<sup>20</sup> Arbanur Rasyid, "Kesaksian Dalam Perspektif Hukum Islam," *Jurnal El-Qanuniy: Jurnal Ilmu-Ilmu Kesyariahan Dan Pranata Sosial* 6, no. 1 (July 8, 2020): 31, <https://doi.org/10.24952/el-qanuniy.v6i1.2442>.

<sup>21</sup> Republik Indonesia, Undang-Undang Nomor 7 Tahun 1989 tentang Peradilan Agama, sebagaimana diubah dengan *Undang-Undang Nomor 3 Tahun 2006 dan Undang-Undang Nomor 50 Tahun 2009*.

<sup>22</sup> Muhammad Rayhan Putera and M. Junaidi, "Kedudukan Mahkamah Syariah Aceh Untuk Menggantikan Peran Peradilan Agama Dalam Menjalankan Kekuasaan Kehakiman," *Mahkamah: Jurnal Riset Ilmu Hukum* 3, no. 1 (January 9, 2026): 31–46, <https://doi.org/10.62383/mahkamah.v3i1.1414>.

<sup>23</sup> Muhammad Syamsuddin, "Penguatan Standar Observasi Hilal Di Indonesia: Perspektif Akademik Dan Yuridis," *Jurnal Ilmu Falak Dan Astronomi Islam* 6, no. 1 (2023): 45–62.



law, statutory regulations, or the technical guidelines of the Supreme Court. Furthermore, the decision is not in line with developments in the field of Islamic astronomy studies and the crescent moon observation methodologies applied in modern practice.

a. Analysis of Judicial Principles in the Rejection of Rukyatul Hilal Testimony

The rejection of rukyatul hilal testimony by the Mahkamah Syar'iyah of Jantho City must be examined through the general principles of judicial proceedings that govern how judges conduct themselves and assess evidence. From the perspective of the principle of legal certainty, judges are not permitted to create or impose additional requirements that are not stipulated in statutory regulations or in the Technical Guidelines of the Supreme Court. The rejection of witnesses based on domicile indicates a deviation from this principle, as it lacks a clear legal basis.<sup>24</sup>

From the standpoint of the principle of justice, every witness who meets the required standards of competence should be afforded an equal opportunity to provide testimony. Rejection on the basis of administrative domicile results in unequal treatment and has the potential to lead to discrimination against parties who are, in fact, entitled to testify.<sup>25</sup>

When viewed from the principle of utility, decisions based on non-substantive considerations may lead to inaccuracies in determining the beginning of the lunar month. This condition is highly sensitive in religious practice and may cause harm to the wider community if relevant testimony is disregarded.<sup>26</sup> Furthermore, the principle of judicial prudence requires judges to conduct a careful examination of every piece of evidence. However, in the Jantho case, the technical verification that should have been carried out in accordance with the Supreme Court's Technical Guidelines was not implemented, resulting in the failure to fulfill this principle.

Thus, the actions of the panel of judges in this case appear to be inconsistent with the fundamental principles of judicial proceedings that form the basis of the legality of a court decision.

<sup>24</sup> Nur Faizaha and Ahmad Syifaul Anam, "Scientific Analysis of Evaluating the Methodology of Confirming Hilal Observing Reports in Determining the Beginning of the Hijri Month," *AL-AFAQ: Jurnal Ilmu Falak Dan Astronomi* 6, no. 1 (2024).

<sup>25</sup> Saffa Ega Arfika and Ida Musofiana, "Ketidakadilan Dalam Sistem Peradilan Menjadi Bukti Bahwa Hukum Hanya Untuk Kaum Elite," *Jurnal Hukum Dan Kewarganegaraan* 6, no. 11 (2024).

<sup>26</sup> Holis, Ahmad Musadad, and Tri Pujiati, "The Role of Public Law in Determining the Islamic Calendar in Indonesia," *Al-Hilal: Journal of Islamic Astronomy* 7, no. 1 (April 21, 2025): 1–18, <https://doi.org/10.21580/al-hilal.2025.7.1.25485>.



### b. Juridical and Practical Implications of the Rejection of Testimony

The rejection of rukyat witnesses based on domicile has broad legal and social implications. From a juridical perspective, such an action may create an erroneous precedent, particularly if it is later used as a reference by other courts. The imposition of new requirements that lack a clear legal basis has the potential to result in inconsistencies in standards of proof within the religious court system.

From a practical standpoint, such decisions may lead to differing determinations of the beginning of the lunar (Hijri) month, especially when local observations conflict with national decisions. This situation can cause confusion in the performance of religious worship within the community.<sup>27</sup> Furthermore, the rejection of testimony on administrative grounds may reduce public trust in the hisab rukyat process as well as in the Sharia judiciary. The public may perceive that judges are not applying established guidelines in an objective manner.

Another implication is the obstruction of coordination between astronomical (falak) institutions and judicial bodies, as technically valid expert testimony may be disregarded solely due to administrative considerations.

### c. Comparison with Previous Studies

Previous studies on the determination of the beginning of the lunar (Hijri) month have generally focused on differences between hisab and rukyat methods among Islamic organizations, debates surrounding the imkanur rukyat criteria, and the mechanisms of national isbat sessions. Other studies have highlighted differences in authoritative bodies responsible for determining the beginning of the month or have emphasized the astronomical aspects of hilal observation.<sup>28</sup> However, the majority of these studies have not specifically examined how judges of religious courts interpret and apply procedural law provisions when assessing rukyat testimony.

This is where the present study offers a distinct scholarly contribution. It integrates aspects of Islamic astronomy (falak), procedural law, and judicial reasoning, thereby providing a more comprehensive analysis compared to previous research.<sup>29</sup> Accordingly, this study opens new perspectives in hisab rukyat scholarship, particularly from the standpoint of judicial practice.

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<sup>27</sup> Novi Sopwana 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," *AL-AFAQ: Jurnal Ilmu Falak Dan Astronomi* 6, no. 1 (2024).

<sup>28</sup> Ahmad Izzuddin, "Dinamika Hisab Rukyat Dan Otoritas Keagamaan," *Al-Ahkam* 28, no. 1 (2020): 65–88.

<sup>29</sup> Rahmat Hidayat, "Penilaian Hakim Teradap Kesaksian Rukyat: Analisis Hukum Acara," *Jurnal Hukum Dan Peradilan Islam* 11, no. 1 (2021): 56–74.



d. Normative Recommendations

Based on the results of normative analysis and the facts revealed during court proceedings, several recommendations can be put forward as follows:

1. The Supreme Court should enhance the dissemination of information and provide training related to the 2019 Rukyat Technical Guidelines (Juknis Rukyat) for judges of the Mahkamah Syar'iyah and the Religious Courts.
2. Modern astronomical (falak) training is required for judges so that the technical verification of testimony can be conducted in accordance with appropriate standards.
3. The Mahkamah Syar'iyah of Aceh needs to establish internal Standard Operating Procedures (SOPs) that are consistent with the Supreme Court's guidelines for the examination of rukyat witnesses.
4. The assessment of witnesses should not be based on administrative factors, such as domicile, unless there is a clear legal basis.
5. Cooperation between religious judicial institutions and astronomical (falak) institutions should be strengthened to ensure that the assessment of testimony is conducted from both shari'ah and scientific perspectives.

The proposed recommendations are expected to serve as references for the Supreme Court, the Mahkamah Syar'iyah, and other relevant institutions in improving policies and practices related to the examination of rukyat testimony. Through concrete follow-up measures, the process of assessing rukyat testimony is expected to be conducted in a more consistent and objective manner, in line with applicable legal provisions and developments in astronomical science, thereby ultimately realizing legal certainty and justice within the religious judicial system.

**D. Conclusion**

Based on the results of the study conducted, it can be concluded that the rejection of rukyatul hilal testimony in the determination of 1 Ramadan 1446 AH by the Mahkamah Syar'iyah of Jantho City was based on the judges' consideration of the quality and completeness of the evidence presented during the court proceedings. The judges assessed that the rukyat testimony submitted did not meet the formal and substantive requirements as stipulated in procedural law and the technical guidelines for examining rukyat witnesses; therefore, it could not serve as a valid legal basis for determining the beginning of the month of Ramadan. This consideration reflects the exercise of judicial authority in carefully and responsibly assessing the evidentiary value of proof.

Furthermore, from a juridical perspective, the rejection of rukyatul hilal testimony by the Mahkamah Syar'iyah of Jantho City constitutes part of the implementation of judicial power as regulated by statutory provisions. The judges' action represents a consequence of applying the principle of prudence in the evidentiary process, as well as an effort to maintain consistency and legal certainty in determining the beginning of the Hijri month. Thus, the rejection of rukyatul hilal testimony should not be understood as a denial of the rukyat mechanism itself, but rather as a form of law enforcement oriented toward the validity of evidence and the maintenance of legal order.

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