ISLAMIC RELIGIOUS EDUCATION TEACHER'S VIEW AND LEARNING ACTION ON PURITAN FIQH IN MADRASA

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Abstract: This research aims to analyze the views, attitudes and approaches of PAI teachers in teaching the materials of fiqh which are *puris* in madrasa. The research was carried out qualitatively based on phenomenological research design. Researchers withdrew the data by conducting in-depth interviews with Fiqh teachers at Madrasah Aliyah. Furthermore, researchers also utilized documentation of textbooks used by teachers. They also distribute questionnaires via *google form*. Consequently, it concluded that, Fiqh teachers generally in Mojokerto have moderate religious views and attitudes. There were three types of approaches used by teachers in teaching the materials of puritan fiqh. First, the contextual approach which was assumed to be able to form a moderate character and tends to be liberal for students. Second, the textual approach, the implications of it can lead students to have fundamentalist perspective. Third, the integration of textual and contextual can influence students' perspectives to be moderate based on *wasathiyah* principles. By having moderate views and attitudes and supported by the integration of contextual and textual approach, it can form a moderate perspective of students. Then, this research rejected the anxiety that Islamic Religious Education can create puritanical Islamic teaching. It also rejected the claim that the radicalization process was carried out through madrasa.

Keywords: Learning Action, Puritanical Fiqh, Views.

Introduction

The differences in attitudes and understanding of Islam and its teachings which are from the main sources, namely the Qur'an and as-Sunnah, make Muslims occupy a position among the positions of the Islamic movement, they are liberal, moderate or even puritan. Explicitly, Islamic movements, which are generally divided into 3 forms, have different

characteristics in thoughts, attitudes and actions in responding to the problems they face. However, for a nation that has established Pancasila as an ideology (the Indonesian Nation), Islam with a puritanical or liberal character is not the right choice. On the contrary, the right and best choice of views and attitudes is in moderate Islam, because the character of the Indonesian nation is multicultural and religious (Moh. Mahfudz MD 2018).[1]

However, considering moderate Islam is a product of ijtihad that does not yet have a standardized operational procedure (SOP) to guide its implementation in everyday life, then the teaching of moderate Islam through Islamic Religious Education (PAI) in schools or madrasa cannot run as expected. There are even anxiety that Islamic Religious Education carried out by PAI teachers in madrasas can create liberal and even puritanical Islamic teachings. Such anxiety are well-founded, because some of the textbooks used by PAI teachers in madrasa teach Islamic law puritanically. For example, textbooks on fiqh subjects that contain discussions about cutting hands, qishah, rajam, jihad and even the establishment of an Islamic State (caliphate). Ironically, the discussion of these problems is not followed by an explanation of how these laws are contextualized within the framework of Indonesian Islam which is modern and multicultural. Moreover, the discussion of this problem does not provide ideas about other laws that can be used as alternatives way for the effective implementation of law based on the principles of Islamic morality.

Another problem is the phenomenon of the infiltration of Wahabi-Salafi teachings into Islamic religious textbooks, including Fiqh (A. Jauhar Fuad 2015).[2] This is evidenced by the contents of Islamic religious education books that contain the words "kafir," "murtad," "dhalim" and "tâghut" which are addressed to other groups. These terms are often used by Wahhabi-Salafi groups to attack non-Muslims as well as other Muslim groups who have different views with them. This infiltration was exemplified by Fuad with the inclusion of the Wahhabi version of monotheism in the textbooks of Amanah, Aqidah Akhlak Madrasah Aliyah (MA) class X and the textbooks of al-Fattah Madrasah Tsanawiyah (MTs) class VII. The purpose of dividing monotheism into three is to classify a person's level of faith, which ends in blaming and even blaming. The conclusions from the division of monotheism are as follows: (1) The conclusion of monotheism rubûbîyah that Abû Jahal and Abû Lahab and other polytheists are monotheistic

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[1] Moh. Mahfudz MD, "Penguatan Moderasi Islam dalam Konteks Berbangsa dan Bernegara; Tinjauan Aspek Hukum Dan Konstitusi." *2nd Annual Conference For Muslim Scholerss (AnCoMS)* (Surabaya: Kopertais Wilayah 4, 2018).

[2] A. Jauhar Fuad, "Inflitrasi Salafi Wahabi Pada Buku Teks Di Madrasah Dan Respon Warga Nahdliyin." *Maraji: Jurnal Studi Keislaman* 1, no. 2 (2015): 361–392.

rubbîyah. Because according to them even unbelievers believe that Allah is the creator of the universe, (2) The conclusion of monotheism ulûhîyah is that people who rely on trust, have tabarruk, and practice istighâthah with prophets and saints are polytheists because they are considered to worship the Prophet or guardians, (3) The conclusion of Asmâ wa al-Sifât's monotheism is that people who interpret the verse of the mutasyabihat character means that they have done ta'twîl (denying the nature of Allah) and that is an infidel. The concept of monotheism will form students' understanding that is rigid, hard, easy to blame other people's understanding, and does not even rule out affirming and justifying the blood of others.

The existence of these textbooks is not in accordance with the Decree of the Minister of Religion of the Republic of Indonesia Number 183 of 2019 concerning the Islamic Education Curriculum and Arabic Language in Madrasa. In KMA RI 2019 number 183, it was stated that PAI learning must be able to equip students to have a religious perspective that is moderate, inclusive, tolerant, and religious-integrative, holistic, oriented towards world welfare as well as the happiness of ukhrawi in the context of national and state life based on Pancasila, UUD 1945 and Bhineka Tunggal Ika.

In addition, the textbook is worrying to be taught to the students of Madrasah Aliyah as teenagers who are at risk to be involved in acts of radicalism and terrorism in the name of religion. This is because the abilities and challenges faced in adolescence increase rapidly to form a new personal and ethnic identity that will remain them into adulthood. Therefore, the consequence that arises is the development of various interests, including interest in religion. The peak period of youth interest in religion often makes teenagers involved in religious beliefs (Hurlock 2005).[3]

The groups that have a strong appeal to teenagers are groups of religious radicalism. Therefore, several teenagers from students of universities have been involved in terrorist networks (M. Redha Helmi, n.d.),[4] and blasting bombs in two places, they are at the JW Mariot and Ritz Charlton Hotel involving a teenager named Dani Dwi Permana who was 18 years old (Abdurrohman and Syamsiar 2017).[5] Ironically, teenagers can be involved in terrorism in the name of religion, even though they come from

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[3] Elizabeth B Hurlock, *Psikologi Perkembangan; Suatu Pendekatan Sepanjang Rentang Kehidupan* (Jakarta: Penerbit Airlangga, 2005), 59.

[4] M. Redha Helmi. n.d, "Antara Terorime Dan Dakwah Kampus." *http://www.blogger.com.*

[5] Abdurrohman, and Huldiya Syamsiar, "PEMBELAJARAN PENDIDIKAN AGAMA ISLAM (PAI) MODEL KEBERAGAMAAN INKLUSIF UNTUK MENCEGAH RADIKALISME BERAGAMA." *FENOMENA* 9, no. 2 (2017): 105–22.

families that teach Islamic values in educating their children (Mapparessa 2019).[6]

The radical understanding above enters the educational environment through 3 channels. First, the teacher with a model of understanding and attitude. Second, a dogmatic-doctrinal curriculum, without any dynamic discussion space. Third, extra-curricular activities that are often monopolized by certain ideologies (Nashudin 2020).[7] In the context of the curriculum as a core component of the process of providing education, ideological transformation can be inserted in the hidden curriculum. In general, hidden curriculum can be attached to almost all subjects. Hidden curriculum can also be transferred to various extracurricular routines and activities. In implementing the hidden curriculum, puritan groups apply an exclusive-protective learning approach. This approach can be seen in their efforts to internalize values that are considered in accordance with Islamic law in learning activities at school, both in formal learning activities and extracurricular activities. Therefore, learning activities can be identified as containing an understanding that tends to be fundamentalist (Mahmudah 2017).[8]

In addition, the pattern of educative interactions implemented by puritan groups usually tends to be exclusive. Even the puritan community is also very strict in regulating the behavior of its activities by limiting their external interactions, and demanding submission to a strict model of behavior. All of this aims to build the commitment of group members and community cohesion. One of the implications of an exclusive attitude that is instilled in students is the construction of thinking that creates distance from other people outside their community. This creates a rigid and suspicious attitude by making a distinction between who is friend and who is enemy, who is Muslim and who is non-Muslim. In other words, they make a subjective demarcation between "us" (minna) and "them" (minhum).

In the teaching process, the priority aspect is the teaching aspect of religious law and belief (aqidah) as teaching material. These two aspects are actually very vulnerable to exclusivism and fundamentalism. Therefore, with this orientation and supported by the various contexts stated above, the education carried out by teachers can become puritanical Islamic teaching,

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[6] Achmad Aflus Mapparessa, *Jalur Psikologis Teroris: Mengungkap Misteri Pelaku Bom Bunuh Diri di Indonesia.* (Jakarta: Pustaka Harakatuna, 2019), 84.

[7] Nashudin, "Aktualisasi Nilai-Nilai Pendidikan Islam Dalam Merevitalisasi Pemahaman Moderasi Pada Lembaga Pendidikan Di Indonesia; Analisis Praksis Dan Kebijakan." *Jurnal Schemata 9, no. 1* (2020): 126-147.

[8] Husnatul Mahmudah, "Transmisi Ideologi Fundamentalisme Dalam Pendidikan." *TAJDID: Jurnal Pemikiran KeIslaman Dan Kemanusiaan 1, no. 2* (2017): 200–216.

thus confirming the thesis that it is not uncommon for religious radicalization processes to be carried out through educational institutions (Aryanti 2014).[9]

In the context of the teacher's role which determines the success of educational goals (Qomar 2008),[10] then their efforts to radicalize students through the learning process will have a great chance of success, because they have the right means with the existence of puritan fiqh material. Furthermore, it can be assumed that radical PAI teachers will try to teach puritanical fiqh materials with an indoctrination approach, then that students can believe in it and try to practice it in life. They may also encourage students to join radical Islamic organizations, so that they will be involved in the ideological revolution movement for the establishment of the Khilafah Islamiyah which can accommodate the puritanical implementation of Islamic laws (Ansary 2010).[11] If this assumption is true, then the anxiety that the process of religious radicalization is carried out through educational institutions will become a reality (Aryanti 2014).[12]

However, if PAI teachers who teach at madrasa tend to have a moderate or liberal view, then the existence of puritan fiqh material will present a big dilemma. That's because the material is not in accordance with the truth they believe and they are forced to teach something they really don't want to do, the learning process will also lose meaning, because the knowledge taught will not be contextualized in life. Whereas, one of the problems in the learning process for a long time is learning that is not contextual and these problems need a solution (Nurhadi 2003).[13]

In this regard, this research is intended to prove the assumptions about the views and attitudes of PAI teachers towards Puritan Fiqh teaching materials in madrasas and the approach they use to teach these teaching materials to students. This research was carried out qualitatively by using interviews and documentation studies as data collection techniques carried out by the researchers themselves to obtain the required data. Interviews were conducted in depth by asking research informants and always questioning the answers given. While the documentation technique is used to study the textbooks used by teachers. The informants of this study were teachers of the Fiqh Madrasah Aliyah subject in Mojokerto with an unlimited

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[9] Zuzy Aryanti, "Persepsi dan Ketahanan Aktivis Muslim Kampus Terhadap Paham dan Gerakan Islam Radikal: Studi Pada Perguruan Tinggi Di Propinsi Lampung." *Islam Realitas; Penjelajahan Paradigma Keumatan Dan Sosial* (Jakarta: Kementerian Agama RI, 2014): 53.

[10] Mujamil Qomar, *Manajemen Pendidikan Islam, Strategi Baru Pengelolaan Lembaga Pendidikan Islam*. (Jakarta: Erlangga, 2008), 62.

[11] Tamim Ansary, *Dari Puncak Bagdad; Sejarah Dunia Versi Islam* (Jakarta: Zaman, 2010), 89.

[12] Aryanti, Persepsi, 67.

[13] Nurhadi, *Pembelajaran Kontektual Dan Penerapannya Dalam KBK* (Malang: UM Press, 2003), 76.

number but the interaction of the research continued until the data collection needs were met and the data was considered saturated.

Teacher's View of Puritan Fiqh Materials

Some Islamic religious education books taught in madrasa contain some puritanical teaching materials, such as fiqh textbooks published by the Directorate of KSKK Madrasah, Directorate General of Islamic Education, Ministry of Religion of the Republic of Indonesia in 2020. The nature of puritanism in the fiqh textbook can be seen from the discussion of the book which contains the law of qishah, cutting hands, *rajam*, jihad and others, where these materials are not accompanied by a description of how these legal provisions can be contextualized in the framework of Islam in Indonesia which is modern and multicultural.

In addition, the discussion of those problems do not provide ideas about other laws that can be used as alternatives implementation of the law, and still based on the principles of Islamic morality, *rahmatan lil alamin*. Therefore, the textbook is considered puritanical based on the description of Khaled Abou El Fadl who stated that the puritan Islamic movement is an Islamic movement that has well-known characteristics in terms of belief . They adhere to the ideology of absolutism and they do not compromise, so that in many ways they have a purist orientation. This means that they are not tolerant of differences as a form of contamination of the true truth of Islam (Fadl 2006).[14]

This puritan view is identical to the group identified by Bassam Tibi as Islamists who want to purify Islam. According to Bassam Tibi, the idea of puritanical Islam and Islamic teachings that are not contaminated by culture is a thought that can be traced back to Sayyid Qutub's work and expressed in more straightforward language by his heir who became a leader of the Muslim Brotherhood, namely Yusuf Qardawi. Qardawi challenges any cultural borrowing from non-Muslims, especially Western culture, so that he accuses Muslim leaders who are considered liberal as westerners (mustaghribun) who are infected by foreign viruses so that they are no longer authentic Muslims (Tibi 2016).[15]

Puritanism in Islamic thought, which rejects other alternative thoughts in Islamic education textbooks because of the assumption that it can pollute the purity of Islam, is basically one of the problems of Islamic moderation education. Ideally, fiqh textbooks should contain various alternative thoughts on the implementation of Islamic laws proposed by

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[14] Khaled Abou El-Fadl, *Selamatakan Islam Dari Muslim Puritan* (Jakarta: PT. Serambi Ilmu Semesta, 2006), 39.

[15] Bassam Tibi, *Islamism and Islam*; trans. Alfathri Adlin (Bandung: Mizan Pustaka, 2016), 237.

moderate fiqh expert, both classical and contemporary expert. This is an important thing for the process of strengthening moderate character for Muslim students because the development of moderate Muslim character in students can also be carried out through curricular, co-curricular and extra-curricular activities, which are carried out both in classrooms and outside of the classroom (Mardliyah and Rozi 2019).[16]

Strengthening the character of moderate students through moderate fiqh textbooks will be in accordance with the mandate of the Minister of Religion of the Republic of Indonesia as stated in the Introduction Chapter of the Decree of the Minister of Religion of the Republic of Indonesia Number 183 of 2019 about the Islamic Education Curriculum and Arabic Language in Madrasa, which in principle must be able to educate students to have a religious perspective that is moderate, inclusive, tolerant and has an integrative religious-holistic attitude that is oriented towards worldly welfare as well as ukhrawi happiness in the context of national and state life based on Pancasila, UUD 1945 and Bhinneka Tunggal Eka.
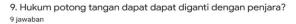
Thus, textbooks should not have a puritan character, because the textbooks with puritan characteristics can cause the process of indoctrination in the learning at madrasa. Learning with the indoctrination approach can occur when it is strengthened by the teacher who has fundamental attitudes and views. This is because teachers who think fundamentally will show their identity and symbols. In addition, they will also try to develop their thinking in which they work (Rozi 2018).[17] However, referring to the information given by the Research Subject, Mr. MS. He argued that PAI teachers in Mojokerto Regency have moderate religious attitudes, because they graduated from moderate universities.

The moderate views of Fiqh teachers at Madrasah Aliyah can also be proven by their thoughts on the issue about the implementation of Islamic Law in Indonesia. According to the Fiqh teacher on behalf of SB, he/she stated that in general teachers would not make an objection if the Indonesian state applied Islamic law with a note that these laws could bring benefits to mankind and had indeed been agreed upon by all the Indonesian people. The moderate views of Fiqh teachers in Mojokerto district can also be seen from their views on the law of cutting hands which can be replaced by imprisonment. The views on the law are as the answers from 19 informants

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[16] Mardliyah, Asih Andriyati, and Syaikhu Rozi, "Karakter Anak Muslim Moderat; Deskripsi, Ciri-Ciri Dan Pengembangannya Di Lembaga Pendidikan Anak Usia Dini." *TARBIYA ISLAMIA: Jurnal Pendidikan Dan Keislaman* 8, *no. 2* (.2019): 231–246.

[17] Syaikhu Rozi, "Resolusi Konflik Ideologis Dan Upaya Mendorong Konversi Keberagaman Islam Fundamental Melalui Kepemimpinan Dan Manajemen Pendidikan." *2nd Annual Conference For Muslim Scholars* (Surabaya: Kopertais Wilayah IV, 2018).

to the questionnaires distributed via google form, where the results of these answers can be illustrated in the following graph:

9. Hukum potong tangan dapat dapat diganti dengan penjara?
9 jawaban

- a. Menjelaskan apa adanya sesuai hukum tersebut.
- b. Menjelaskan bahwa konteksnya saat sekarang sudah berubah, tidak harus dipraktikkan.
- Perlu ada penjelasan tinjauan dari berbagai sudut pandang pendapat ulama
- Hukum yang berlaku di negara kita bukan "hukum Islam", jadi lain denga…

Based on the diagram above, it can be stated that the views of the Fiqh Madrasah Aliyah teacher in Mojokerto district on the question of whether the law of cutting hands can be replaced with imprisonment are as follows:

1. 77, 8% thought they would explain that the legal context has changed, so it should not be practiced.
2. 11.1% hase the view that it is necessary to explain the review from various argument of the scholars' opinions.
3. 11.1% have the view that the appropriate law in Indonesia is not Islamic law, so there is no need to apply Islamic law.

Likewise with teachers' views on the establishment of an Islamic State, in general the views of Fiqh Madrasah Aliyah teachers in Mojokerto district on this issue can be described as follows:

10. Bagaimana jika siswa bertanya, apakah wajib hukumnya mendirikan Negara Islam?
9 jawaban

- a. Saudara mengajak peserta didik berjihad mendirikan Negara Islam!
- b. Saudara mengajak peserta didik mempelajari perbedaan dalam hukum tersebut
- Di Indonesia tidak boleh berdiri NII karena di Indonesia menerapkan NKRI yg terdiri dari berbagai suku bangsa…
- Perlu ada penjelasan tentang esensi dari khilah yg diajarkan oleh Rasulullah

Based on the diagram, it can be stated that the teacher's views on the issue of establishing an Islamic State are as follows:

1. 66.7% of teachers will invite students to study different opinions in the law.
2. 11.1% of teachers have the view that Indonesia should not apply Islamic law because Indonesia is the Unitary State of the Republic of Indonesia.
3. 11.1% of teachers have the view that there is a need for an explanation to students about the essence of the caliphate at the time of the Prophet.
4. 11.1% of teachers have the view that they must invite students to jihad in establishing an Islamic State.

Based on the data presented, it can be concluded that in general the Fiqh teachers of Madrasah Aliyah in Mojokerto Regency are moderate. The results of this study are in line with Zada's findings, that the understanding of MA teachers who do not impose the implementation of *qisas* and *hudud* in Indonesia shows that MA teachers are tolerant. That is, MA teachers do not force themselves and force students to immediately apply qiṣaṣ and udūd by means of violence. Precisely MA teachers teach students to understand this situation (ZADA 2015).[18]

This study rejects the anxiety that Islamic Religious Education carried out by PAI teachers becomes puritanical Islamic teaching (Rozi 2019).[19] In addition, it can also reject the claim that the process of religious radicalization is carried out through educational institutions, including one of them is through schools or madrasa (Aryanti 2014).[20] Regarding fiqh textbooks, which tend to be puritanical, according to Mr. MS, these materials are problems, because they have potential to encourage students to become radical groups, which requires them to establish an Islamic State and enforce the implementation of Islamic law based on their version. In addition, they will also try to develop a scheme about the world which is divided into two parts, between dar al-islam and dar al-harb (Rozi 2018).[21] Dar al-islam refers to a country ruled by Muslims and governed according to the shari'ah. Meanwhile, dar al-harb is a part of the world which is different from dar al-islam and it will be an enemy countries (dar al-harb) and war areas, because dar al-harb is controlled by non-Muslims (Akyol 2014).[22]

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[18] Khamami Zada, "RADIKALISME DALAM PAHAM KEAGAMAAN GURU DAN MATA PELAJARAN FIKIH DI MADRASAH ALIYAH." *PENAMAS: Jurnal Penelitian Keagamaan Dan Kemasyarakatan* 28, no. 1 (2015): 75–90.
[19] Syaikhu Rozi, "PENDIDIKAN MODERASI ISLAM KH. ASEP SAIFUDDIN CHALIM; MENCEGAH RADIKALISME AGAMA DAN MEWUJUDKAN MASYARAKAT MADANI INDONESIA." *TARBIYA ISLAMIA: Jurnal Pendidikan Dan Keislaman* 8, no. 1 (2019): 26–43.
[20] Aryanti, Persepsi, 71.
[21] Rozi, Resolusi Konflik.
[22] Mustafa Akyol, *Islam Tanpa Ekstremisme: Potret Seorang Muslim Untuk Kebebasan* (Jakarta: PT. Elex Media Komputindo, 2014), 89.

In the context of the learning system, puritanical textbooks are also a problem for the contextualization of learning in madrasa, because with the purist nature of textbooks, many students will ask the relevance of teaching materials to their real-life implementation. This problem can be seen as a paradox of fiqh learning, because it was also pointed out by Ainul Yaqin, who stated that textual learning is only based on teaching the contents of classical books (Kitab kuning) with the aim that students and Muslims can implement these contents in their everyday life, it will create to paradoxical problems faced by students and Muslims. The paradox is related to differences in the contents of the book and its implementation, which makes it impossible to implement it in daily activity (Yaqin, Rozi, and Sham 2020).[23]

Therefore, one of solutions that can be done to avoid the paradoxical problems in learning fiqh is by teaching creative traditions in the development of Islamic disciplines. The strategy that can be implemented is to combie classical fiqh material which is widely studied in Islamic universities, madrasa, pesantren and also in ma'had aly with contemporary fiqh material. Are there not many references in Islamic treasures provide a basis for the development of moderate Islamic thought (wasatiyah) in textbooks? As stated in *Tafsir Munir* book which provides a basis for tolerance in religious attitudes, so that it can foster harmony in society (Khilmiyah and Wahyudi 2021).[24] Of course, there are still many other references that can be used to compile textbooks with wasathiyah orientation.

This development is important in order that students can enrich the fiqh knowledge and deepen their insights. As for technically, the discussion of the material in the textbook can follow the framework of the Irfan and Musyarofah, which is to discuss about conventional jurisprudence such as qishash, *jarimah* adultery, jarimahqadzaf (accusing good Muslimsto do adultery), *jarimah syurb al-khamar* (drinking *khamr*) , *Jarimah al-baghyu* (rebellion), *Jarimah al-riddah* (apostasy), *Jarimah shariqah* (theft), *Jarimah harabah* (robbery), and *ta'zir* sanctions. Then it can proceeded with contemporary problems in Islamic criminal law, namely: commercial sex workers (PSK), separatist movements in the Republic of Indonesia, money laundering, drugs, illegal logging (illegal logging of forests), and cyber crime (Qomar 2019).[25]

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[23] Ainul Yaqin, Syaikhu Rozi, and Fariza Md Sham, "The Paradox of Pesantren Education in the Implementation of Islamic Law: Study of Pesantren Kyai Notion in Mojokerto." *Jurnal Pendidikan Islam* 9 (June, 2020): 129–48. https://doi.org/10.14421/jpi.2020.91.129-148.

[24] Akif Khilmiyah, and Ahmat Wahyudi, "STRENGTHENING THE ATTITUDE OF RELIGIOUS MODERATION THROUGH THE STUDY OF TOLERANCE VALUES IN AL- MUNIR' S TAFSIR." *Didaktika Religia* 9, *no.2* (2021): 295–316.

[25] Mujamil Qomar, *Pemikiran Islam Indonesia: Tradisi-Tradisi Kreatif Dan Metodologis Intelektual Muslim Di Indonesia* (Malang: Madani Media, 2019).

In addition, textbooks can also be developed on the basis of Indonesian fikh, namely as an accumulation (association) of intensive dialogues that influence each other (interactively) between contextual understanding of Islamic law (fiqh) and the wisdom of society and its entire culture in Indonesia, which is based on Pancasila and UUD 1945. This is also in line with the opinion of Marzuki Wahid (Qomar 2019).[26] To strengthen that point, it can be done by implementation of teaching and learning processes that are relevant to the principles and values of Islamic moderation education. The starting point that can be the focus of Islamic moderation education are the implementation of an education system based on cultural wisdom and respect for ethics, aesthetics and religious-spirituality as recommended by Rozi (Rozi 2019).[27] This recommendation is important to be implemented and it is in line with the thoughts of Khaled Abou Al-Fadl who stated the importance of Islamic religious-humanism thinking as the basis for developing Islamic moderation education. It means that an education has a spiritual-religious orientation, love, beauty, prosperity and progress as a divine responsibility to accept, maintain and protect the earth as a divine inheritance (Fadl 2005).[28]

The Teacher's Approach to Teaching Puritan Fiqh Materials

Basically, learning of Fiqh hopes the students can have a strong commitment to implement the fiqh provisions in everyday life. According to KMA RI Number 183 which was published in 2019 about the Islamic Education Curriculum and Arabic in Madrasah and KMA with number 184 published in 2019 which regulates the guidelines for implementing Madrasah curriculum, it is stated that the objectives of teaching Fiqh in Madrasah Aliyah (MA) are: 1) Understanding the ways of implementing Islamic law, both aspects of worship and muamalah to be used as a way of life in personal and social life; 2) Implementing the provisions of Islamic law correctly and properly, as a manifestation of obedience in carrying out Islamic religious teachings, whether it relates to human relations with Allah SWT (hablum minalloh), with humans themselves and fellow humans (hablum minannas), and other creatures as well as relationship with the environment (hablum minal 'alam).

This is a challenge for Fiqh teachers to encourage their students to apply these laws. Another problem is that the description of Fiqh material does not provide many choices of Islamic legal views from Fiqh scholars, so

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[26] Qomar, Pemikiran Islam Indonesia.

[27] Rozi, Pendidikan Moderasi, 26–43.

[28] Khaled Abou El-Fadl, *The Greattheft: Wrestling Islam From The Extremist* (San Francisco: Harper san Francisco, a Division of Harper Collins publhiser, 2005).

that Fiqh teachers, as if, are required to teach the material without providing alternatives. Islamic law from various schools of thought. The material of fiqh that is intolerant of different views can be called as puritan fiqh. Some Fiqh materials that tend to be understood from a puritan perspective include qisas, hudud, and inheritance. Based on document data in the form of Textbook for XI grade at Madrasah Aliyah published by KKSK Directorate General of Islamic Education in 2020, it is known that qisas Islamic law material, for example, only offers one legal view without presenting various views of scholars on the issue. The qisas material in the book does not offer different laws from scholars of Madhzab. This condition can create the teacher's perception the material that must be taught by teachers and implemented by the students.

In fact, if qisas must be implemented, it will be contradiction with positive law that implemented in Indonesia which is not the same as the qisas law. If students have already had the awareness to implement Islamic law fully, it will encourage them to insist for the establishment of an Islamic state that guarantees the full implementation of Islamic law. One of the fiqh teachers at MAN 2 Mojokerto realized this problem. In the view of the Fiqh teacher, Mr. MS, learning of Fiqh needs to convey several different opinions about Islamic law from various schools of thought. One of them is by introducing the views of scholars who carry the contextualization of Islamic law. The substance of the Qur'anic text that cannot be implemented in Indonesia is explored so that it will find alternative way in implementing fiqh that is still inline with the Qur'an even though it is not textually.

Mr. MS gave an example of the contextualization model used by Umar bin Khattab. In some fiqh literature, it is explained that Umar bin Khattab changed to Islamic law, where some verses of the Qur'an and the Sunnah of the Prophet which were textually unsuitable to be implemented at that time, it was replaced with other laws. Umar is considered as scholars who opened up freedom of thought, in order that Muslims was fascinated in the orthodoxy of the texts (Rachman 2021).[29] Some the implementation of law at Umar bin Khattab era was different from the verses of the Qur'an and Sunnah, such as about ghanimah (spoils of war), punishment for cutting off hands for thieves, giving zakat to *muallaf*, divorce and punishment for adultery.

It is in line with Mr. MS, FM as Fiqh teacher also teaches Fiqh material contextually, not by absoluteizing the text. Mr. FM stated that the current context has changed, so that the text does not have to be put into

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[29] Auliya Rachman, "Pemikiran Fikih Umar Dalam Perspektif Humanisme Modern." *Borneo Journal of Islamic Education* 1, *no. 1* (2021): 92–102.

practice. Then FM explained that the implementation of fiqh law should not contradicted with maqasid (protecting the soul, safeguarding property, etc.) so that fiqh, including qisas law, which is no longer compatible with maqasid can be changed. Consequently, the method used by FM as Fiqh teachers in explaining the verse about qisas is by explaining the context in which the verse was revealed or based on *asbabun nuzul*.

The argument for maslahah as the basis of Islamic law can change the texts, including in terms of inheritance, it does not have to be practiced, such as the verse of Qur'an which states that the share of women is half of men. Maslahat is an Islamic teaching that brings benefits as a guide to life for mankind. In that connection came the fikh method which states that the application of the law must be based on maslahat (taṣarruf al-ahkâm manuṭun bi al maṣlahat). According to Purba and Afandi, the description of maslahat is certainly not simple because it is closely related to culture, geographical conditions, social configuration and others.[30]

According to this term, MT as fiqh teacher had conveyed implications for the contextual teaching approach. Therefore, in teaching fiqh material, especially the inheritance chapter, MT presents legal alternatives that can be chosen, namely local community wisdom that can be adopted based on the advantage. Local wisdom that the teacher means that the distribution of *waris* is carried out evenly among the heirs. The data from interviews regarding the views, attitudes and actions of teachers on the Islamic law in Mojokerto Regency in teaching Fiqh material about inheritance distribution can be illustrated in the following diagram:

8. Bagaimana jika peserta didik menganggap bahwa hukum waris laki-laki mendapat 2 bagian, perempuan 1 bagian sebagai ketidakadilan?

9 jawaban

- a. Saudara menjawab hukum tersebut wajib dilaksanakan.
- b. Saudara menjawab tidak harus diterapkan hukum tersebut.
- Wajib dilaksanakan, justru sebagai bentuk keadilan, dst.
- Dijelaskan sesuai dan diberi tambahan pemahaman
- Hukum tersebut wajib dilaksanakan t…
- Itu sudah ketentuan Allah, tapi jika si…

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[30] Asnan Purba and Akhmad Jazuli Afandi. "RETHINKING ISLAM THROUGH INTERNALIZATION OF INSIGHTS INTO ISLAMIC UNIVERSALITY IN ISLAMIC THEOLOGY." *EMPIRISMA: JURNAL PEMIKIRAN DAN KEBUDAYAAN ISLAM* 31, no.1 (2022): 30-48.

In contrast to MS, FM, and MT, fiqh teachers, DM, uses a textual approach when teaching material about qisas or other fiqh laws. In the problem of thieves whose punishment is cutting off their hands, DM said that the learning delivered to students was done textually, namely conveying what the text was, because qisas or hudud laws were based on qath'i verses that did not require interpretation. In DM's view, the implementation of qisas or hudud law is not something that is inhuman or cruel, because it can prevent humans from even more serious problems. DM gave some example of the problems such as high crime rates or even reprisal and vigilantism. If that happens, it is possible that it will create violence. The law with vigilantism and the occurrence of violence, according to DM, will be avoided if Islamic laws can be implemented properly and correctly.

In addition to DM as Fiqh teachers, the practice of textual learning for Fiqh is also carried out by MW teachers. In explaining inheritance as a text that gives a larger portion to men, the law in MW's view does not deviate from justice. According to MW, justice does not have to be the same, but justice is proportional, for example, parents give different allowances between their children, it is not injustice because the differences are according to the needs of each child. In fact, if the same allowance is given, it reflects injustice, because older children cannot fulfill their needs while younger children are more than needed.

The attitude of teachers who view that the laws contained in the *qath'i* texts cannot be changed, he/she does not mean that they agree to implement them under current conditions. They generally hold the view that Muslims are unable or in an emergency condition, so that they do not have sin or receive forgiveness for not implementing it. This view has similarities with the moderate attitude of most pesantren kyai who do not force themselves to ask the government to implement the law, because of the difficulties to implement it (Yaqin, Rozi, and Sham 2020).[31]

However, this teacher's view can be grouped into exclusive religious understanding which is feared will tend to form an intolerant attitude towards students. This is in line with Zada's research, that in the topic of interfaith marriage, different inheritance, non-Muslim rights in the state, and the implementation of *hudūd*, if the teacher explains with an exclusive religious understanding, then there is a potential for the MA Fiqh book to be directed at religious understanding that intolerant (ZADA 2015).[32]

By the condition of the Indonesian nation which has various islands, various tribes, cultures and religions (multicultural), finally the teachers try to

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[31] Yaqin, The Paradox of Pesantren Education, 129–148.
[32] ZADA, Radikalisme, 75–90.

drill students to accept state law that is not the same as Islamic law, without interpreting the islamic law differently from the texts. This is no different from the practice of moderation teaching and learning carried out by teachers in Sidoarjo who try to present moderation by presenting nuances of ethnic, racial and religious diversity (Huda 2020).[33] Fiqh teachers at Madrasah Aliyah in Mojokerto Regency maintain a textual view, but they do not impose to implement it. However, the teachers who deliver the textual lessons of Fiqh have the desire that one day Indonesia can be transformed into an Islamic State, so that it can fully implement Islamic law. Therefore, it can also be assumed that the learning of Fiqh delivered will also try to encourage students to fight for the Islamic State.

Teaching approach of fiqh chosen by SB is the collaborative presentation of fiqh material, not only explaining the text, but also the context. According to SB, not all texts must be implemented, because the context has changed. However, texts that are appropriate to the current context, it can be implemented, such as inheritance laws that reflect justice, it must be enforced. This approach is also implemented by Syarif et al, who seek to establish an attitude of moderation through Islamic teachings based on texts (Al-Qur-an-Hadith), but by looking at asbabun-nuzul and asbabul-wurud (Syarif et al. 2019).[34] Like SB, AJ also has the same view. AB explained that when he/she is teaching Fiqh, teacher should invite students to understand the meaning of the verse, both literally and contextually, by providing appropriate illustrations and providing additional explanations from the understanding of various scholars.

EH rejects learning that supports radicalism. According to EH, it is very necessary to enrich knowledge in order not stuck in thought on radicalism. However, EH also tries to keep teaching Fiqh material as what they are, as he/she has view that inheritance distribution should be divided based on the text, namely that men get more shares than women, but if men would like to give part of their share to women, it can be done.

From the explanation of the data above, it can be revealed that there are at least three approaches used by fiqh teachers in teaching puritan fiqh. The first is a contextual approach, which is trying to give an understanding to students that Islamic law derived from the verses of the Qur'an must be understood contextually. As a result, the substance or purpose of the verse

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[33] Bakhrul Huda, "EDUCATION AND PRACTICE OF MODERATE ISLAM IN THE PESANTREN PROGRESSIVE BUMI SHALAWAT SIDOARJO." *Didaktika Religia* 8, *no. 1* (2020): 97–116.

[34] M. Syarif, Ainul Yaqin, Syaikhu Rozi, and Moh Misbakhul Khoir, "PENGEMBANGAN KETERAMPILAN KELOMPOK IBU-IBU PKK DALAM PENCEGAHAN RADIKALISME REMAJA DI KECAMATAN PUNGGING MOJOKERTO." *Seminar Nasional Penelitian Dan Pengabdian Masyarakat*, (Mojokerto: LP4MP Universitas Islam Majapahit, 2019): 49–55.

can be obtained. Then it can provide legal choices which are different from the text, but have the same intent or substance. This choice of approach can be considered to be able to create moderate character of students and tends to liberal. This is in line with the liberal characteristics conveyed by Jalaluddin Rahmat, that liberals are people who understand Islamic teachings by leaving a literal understanding of the Qur'an and replacing it with an understanding based on al Quran contextually. In other terms, the approach in understanding Islamic teachings is directed to ta'aquli, not ta'abbudi solely by looking at illat or the context of the problem (Rahmat 1994).[35]

The second is the textual approach. Fiqh teachers teach puritan fiqh material by prioritizing understanding the text without looking at the context. The choice of textual approach was chosen by the fiqh teacher because the laws in the fiqh material came from qath'i text sources. It is different with fiqh material that comes from dhanni texts, the fiqh teacher in this second group can accept different views. The implication of the textualist approach in learning fiqh is that students are more directed to a fundamentalist perspective. This is possible because textualist learning has a common view with fundamentalist groups, namely the view that the text of the scriptures is final product and must be implemented rigidly (Badarussyamsi 2014).[36] There is no interpretation other than the literal meaning of the text itself.

Textual and contextual collaboration is the third approach that can be found in the explanation above. In explaining the legal issues of qisas, hudud, and inheritance, Fiqh teacher explains based on the text and context. In the practice of inheritance, the teacher recommends to divide based on the text, and after that it is collected again to be divided equally or the one who gets more can gives his part for others. The results of fiqh learning with collaborative approach have an impact on the perspective of students to have a moderate or wasathiyah view. This is because this approach does not make an absolute of the text, but it also does not deny the context. In learning with the text-context approach, it gives the opportunity for the text to be implemented whenever the context is appropriate. It is different if the situation and conditions do not support the text, on the contrary it supports the substance or of the text. Then text is not forced to be implemented.

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[35] Jalaludin Rahmat, "Tinjauan Kritis Atas Sejarah Fikih: Dari Al-Khulafa' Al-Rasshidin Hingga Madzhab Liberalisme." *Kontekstualisasi Doktrin Islam Dalam Sejarah*, (Jakarta: Paramadina, 1994).
[36] Badarussyamsi, "Perbedaan Corak Pemahaman Agama Antara Fundamentalisme Dan Liberalisme Serta Dampaknya Bagi Timbulnya Konflik Keagamaan." *Al-Tahrir* 14, *no. 1* (2014).

Conclusion

Based on the research objectives that have been stated in the introduction, that is to analyze the views and attitudes of PAI teachers towards puritanical fiqh materials in madrasa, as well as to analyze the approach used by PAI teachers in teaching puritan fiqh materials in madrasa. The results of this study can be concluded that in general the views of fiqh teachers at Madrasah Aliyah in Mojokerto Regency are moderate. The results of this study reject anxiety about the learning carried out by the teacher to be puritanical Islamic teaching. In addition, it also rejects the claim that the process of religious radicalization is carried out through educational institutions, including one of them is through schools or madrasa.

In teaching puritan fiqh materials, Fiqh teachers at Madrasah Aliyah in Mojokerto Regency have at least three approaches. The first is the contextual approach. It is an approach that try to provide understanding for students that Islamic law derived from the verses of the Qur'an must be understood based on the context. Therefore, it can be understood the substance or intent of the verse. As a result, it can provide legal choices that are different from the text, but it has the same intent or substance. The choice of this approach can be considered to be able to form a moderate character who tends to be liberal for students as stated by Jalaluddin Rahmat. The liberal characteristics of the approach is to understand Islamic teachings which are directed at ta'aquli, not ta'abbudi by looking at the context of the problem.

The second is the textual approach. It is an approach of fiqh teachers in teaching puritan fiqh material by prioritizing understanding the text without looking at the context. The implication of the textual approach in learning fiqh is that students are more directed to a fundamentalist perspective, because they have the same views with fundamentalist groups who consider that the text of the scriptures is final product and must be implemented rigidly.

The third is textual and contextual collaboration. namely by explaining what is in accordance with the text and context. The results of fiqh learning with this collaborative approach have an impact on the perspective of students to have a moderate or wasathiyah view. This is because this approach does not make an absolute of the text, but it also does not deny the context. In learning with the text-context approach, it gives the opportunity for the text to be implemented whenever the context is appropriate. It is different if the situation and conditions do not support the text, on the contrary it supports the substance or of the text. Then text is not forced to be implemented.

Thus, the results of this study prove that the existence of puritan teaching materials in madrasa which makes teachers in a dilemmatic situation. It makes teachers teach them by carrying out various innovations and developments, especially in their learning approach. Furthermore, it is recommended to the government through the Ministry of Religion in order to encourage teachers to be able to carry out various developments, not only in the learning approach, but also in the development of learning materials.

One of the efforts to develop Fiqh learning materials that can be pursued is to implement a model for developing Fiqh Subjects with two choices of approaches, including: 1) the existing teaching materials are not changed in content, the content remains the same as classical Islamic books, but given an additional explanation in the form of contextualization in accordance with Islamic moderation thinking, or 2) the content of teaching materials is changed based on the results of the latest ijtihad of contemporary scholars who present Islamic laws that are in harmony with the situations and conditions of contemporary Muslim society.

In addition, it is also necessary to internalize Indonesian fiqh thinking into fiqh teaching materials as an accumulation of intensive crosses and interactive dialogue between contextual understanding of Islamic law and local wisdom of the Indonesian people and their entire culture in the Indonesian constitutional system based on Pancasila and the 1945 Constitution. In this regard, the concept of Islamic indigenization as an effort to reconcile Islam with local culture, which seeks Islamic norms to accommodate cultural wisdom, needs to be considered as Gus Dur's thoughts were institutionalized by NU. Because this opportunity is also provided by variations in understanding of the Qur'an and Hadith.

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