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# PROBLEM-BASED LEARNING USUL FIQH IN THE ESTABLISHMENT OF STUDENT MODERATION ATTITUDE IN MADRASAH

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**Abstract**

*The study of Ushul Fiqh, in general, is still conventional-doctrinal. On the other hand, there are still attitudes of madrasa students that are indicated to be intolerant. This study aims to analyze the moderation attitude of students from the application of problem-based learning of Ushul Fiqh. This research uses a qualitative approach with a field research model through observation, interviews, and documentation. The results showed that the problem-based learning model of Ushul Fiqh from the material aspect was based on Arabic books (Kitab Kuning); the method used consisted of tatbiq, musykilat, and bahtsul masail. The evaluation used measured attitudes and skills. The application of Ushul Fiqh learning has been able to build student moderation attitudes based on tolerance (tasamuh), consultation (syuro), and exemplary (al-qudwah). This finding can be an alternative model for building student moderation attitudes.*

**Keywords:** Ushul Fiqh, problem-based learning, and moderation

**Abstrak**

Pembelajaran Ushul Fiqh pada umumnya masih bersifat konvensional-doktrinitas. Di sisi lain masih ditemukan sikap siswa madrasah yang terindikasi intoleran. Penelitian ini bertujuan menganalisis sikap moderasi siswa dari penerapan pembelajaran Ushul Fiqh berbasis masalah. Penelitian ini menggunakan pendekatan kualitatif dengan model field research melalui observasi, pengamatan, wawancara dan dokumentasi. Hasil penelitian menunjukkan bahwa model pembelajaran Ushul Fiqh berbasis masalah dari aspek materi itu berbasis kitab berbahasa arab (kitab kuning), metode yang digunakan terdiri dari tatbiq, muskilat dan dan bahtsu al-masail dan evaluasi yang digunakan mengukur sikap dan keterampilan. Penerapan pembelajaran Ushul Fiqh telah mampu membangun sikap moderasi siswa dalam hal toleransi (tasamuh), musyawarah (syuro) dan keteladanan (al-qudwah). Temuan ini dapat dijadikan model alternatif dalam membangun sikap moderasi siswa di Madrasah.

**Kata kunci:** Ushul Fiqh, pembelajaran berbasis masalah dan sikap moderasi

## INTRODUCTION

The application of religious moderation in Indonesia is based on Presidential Decree no. 18 in 2020 concerning the National Medium-Term Development Plan (RPJMN) for 2020-2024. The program is one of the strategic agendas prioritized by the government to build a harmonious religious life within the framework of the life of the nation and state (Kementerian Agama, 2019, p. 27). Harmonious life together through a moderate perspective, attitude, and practice of religion. With Islamic teachings on moderation, truth and justice, the consequences of extremism can be overcome. The Islamic movement as a collective movement to guide humanity to Islam and restore the message of monotheism in the hearts, minds and lives of Muslims will be studied through the principle of wasatīyyah (moderation). Mohamed Nabil (2018, 21-28).

The research conducted by LaKIP released that students' intolerance level has shown significantly in the last ten years. It is also strengthened by the results of research conducted by Farcha Ciciek in seven cities, for example (Jember, Padang, Jakarta, Pandeglang, Cianjur, Cilacap, and Yogyakarta), which found that around 13% of students supported radical movements and 14% agreed with acts of terrorism. (Education Habitus and Intolerance Among Students - Unair News ). Asror Baisuki (2017) said, radicalism and liberalism have their respective roles in exacerbating social struggles. Radical groups use conservative methods while liberals use modernization. Therefore, it is necessary to have a third group that is able to reconcile the conflict between the two previous groups namely the moderate group. This research tends to analyze tips in cultivating moderate religious behavior while the author's research focuses more on the correlation between students' moderate attitudes and the problem-based learning process of Usul Fiqh.

Learning Ushul Fiqh, which is integrated with the values of moderation, is a process that has the potential to deliver student moderation attitudes. This is in line with the goal of studying Ushul Fiqh, as stated by Imam Abu Zahra, that the goal of Ushul Fiqh "enable students to choose the correct method as the basis for establishing laws that can arise at any time, without deviating from the objectives of Islamic Shari'a (Abu Zahra, tt.: 4). While the value of moderation according to the formulation of the scholars at the International Ulama Summit in Bogor agreed on the existence of seven values of religious moderation which include: middle (*tawassuth*), upright (*i'tidal*), tolerance (*tasamuh*), deliberation (*shura*), reform (*ishlah*), pioneering (*qudwah*), and love for the homeland (*muwathanah*) (Kementerian Agama, 2019, p. 11).

The learning of Ushul Fiqh in Madrasa is generally still conventional and has not entirely developed the values of moderation. This condition not only makes learning unattractive but also leads to the weak of students' creativity and less appreciation towards the illustrations of socio-cultural contexts and religious values as something that lives in everyday life (Muhaimin, 2007:1).

Muhammad Abdullah (2019), reveals examples of classical and modern pesantren education by referring to the concept of religious moderation. "Classical Islamic boarding schools since their establishment have strengthened themselves in the application of washatiyah-based religious moderation through the teaching of turat books (islamic classical books). Apart from that, the students are also taught the theory of preventive radicalism While the model of moderation in modern Islamic boarding schools, innovation is claimed in two aspects. The difference between Abdullah's research and research with the author's research is in the aspects of student attitudes which are limited in problem-based Usul Fiqh learning in Madrasa

by using a sociological approach through observing students' attitudes in discussions.

Considering the explained reality above, there is a need for Usul Fiqh learning innovations that further empower students to interpret the Usul Fiqh principles in solving legal problems they face, as supported by Abdul Wahab Khallaf, who stated that "studying the science of Ushl Fiqh has the aim of being able to apply the rules to the arguments in order to obtain the law" (Khallaf, tt: 14). This is supported by al-Syaibani, who stated that "most of the Islamic sciences developed and reached their glorious period through discussion methods to solve problems including the science of Jurisprudence and Ushul Fiqh" (Al-Syaibany & Langgulung, 1979, p. 566).

The reasons for developing a problem-based learning model in forming students' moderation attitudes have a strong basis. Amir Syarifuddin said, "Along with the discovery of sufficient quantities of yellow books and easy access to Ushl Fiqh materials through the use of current technology, the learning process should have changed from lectures to discussions and seminars to solve problems" (Syarifudin, 2011: 11). Align with Sahal Mahfudz's statement that "*ushuliyah* rules can be used not only on individual Fiqh issues concerning *halal* and *haram*, but also to solve problems related to public policy, including political, economic, health and other policies" (Mahfudh, 2007). 2012: xiii) which includes the problem of learning in education as well.

## CONCEPTUAL FRAMEWORK

### Discipline of Usul Fiqh

The science of Usul Fiqh can be interpreted as "science that discusses the rules used in extracting Islamic law from *tafshili arguments*"

(Zuhaili, 1986: 24). One of the urgencies of Studying Usul Fiqh is to strengthen feelings in charity (Syarifudin, 2011: 5-6). This can be an indicator that there is the formation of a moderate attitude for people who study Usul Fiqh. Abdul Wahab Khallaf said "studying the science of Usul Fiqh has the aim of being able to apply the rules to the arguments in order to obtain the law and be able to understand the Shari'a texts and their legal content" (Khallaf, tt: 14)

By setting out this purpose, after studying Usul Fiqh, one is expected to be able to choose the correct method as the basis for establishing laws that arise at any time without deviating from the objectives of Islamic law (Abu Zahra, tt: 4).

The scope of Usul Fiqh learning material is not as broad as the material in Fiqh (Abu Zahra, tt.: 8). The object of the discussion of the science of Usul Fiqh does not discuss the *juz'i* arguments, which are studied massively by Fiqh. Usul Fiqh only discusses the arguments that are still general, seen from a general legal provision's perspective. The object of this discussion will be to discuss the various arguments, conditions and pillars, levels, and proofs. Ushul experts will discuss the Qur'an, *sunnah*, *Ijma*, *qiyas*, and its evidence, the evidence of *'am* and those that limit it, *amr* and things that indicate *amr*, also the *dalalah* law in terms of *qath'i* and *zhan*, who has the right to accept *taklif*, also explain about things that are being the obstacles to the enactment of the law such as being stupid, wrong and forgetting. Based on the objectives formulated by ulama Ushul Fiqh above, the scope of the Usul Fiqh material will not come out of the framework of formulating these objectives, even with various editorials.

The material of Usul Fiqh in learning will be formulated when the competency standards and objectives are known. This is in line with competency-based learning theory, as stated

by Wina Sanjaya: “learning objectives can help teachers in designing learning systems, meaning that clear goals can help teachers in determining subject matter” (Sanjaya, 2011, p. 64).

### **The Attitude of Religious Moderation**

Religious moderation is understood as a perspective, attitude, and behavior that always acts equally and is not extreme in religion. Religious moderation is an attitude of a religion that is balanced between the practice of one’s religion (exclusive) and respect for the religious practices of others with different beliefs (inclusive). The value of moderation as referred to includes seven values, namely middle (*tawasuth*), upright (*i’tidal*), tolerance (*tasamuh*), deliberation (*shura*), reform (*ishlah*), pioneering (*qudwah*), and love for the homeland (*muwathanah*) (Ministry of Religion of the Republic of Indonesia, 2022: 11). Briefly, the seven values are described as follows.

*Tawasuth* attitude is to place someone in the middle, not stuck in extreme positions, not inclined to the left or leaning to the right, balanced in using *aqli* and *naqli* arguments, not standing in a position that is *madharat* but taking a position that is *masalahah*. *Tawasuth*’s behavior which is based on the principle of life that upholds justice and is straight living together, plays a straight role and always has the character of the building and avoids all the characteristics of a radical approach (Nurcholis, 2011: 96). Perpendicular (*i’tidal*) means being impartial, siding with the truth, and correctly or not arbitrarily. The meaning fair is an equation that is the meaning of the word fair. A fair attitude will make the perpetrators impartial; fair people take sides with right and wrong and must get their rights. Thus, a just person will do something appropriate and not arbitrary” (Ministry of Religion of the Republic of Indonesia, 2012: 22).

The word *tasamuh* refers to openness, airy, voluntary, and gentle attitude in accepting differences. Tolerance is always accompanied by respect, accepting different people as part of us, and positive thinking. This is in line with M. Hasan (2017: 72) that tolerance is an attitude of acknowledging and respecting differences, both in religious aspects and various other aspects of life. *Shura* (consultation), also known as deliberation, is an activity carried out to resolve all various cases by sitting together and gathering various ideas to reach conventions for the common good. Deliberations contain great benefits, not only accommodating the participants’ opinions but also containing truth values derived from collective conventions.

*Islah* (reform) can be interpreted as a good deed commendable concerning human attitude (E. van Donzel, 1990: 141). In terminology, *islah* can be defined as an act that brings a change from darkness to light. The word *Salah* means to improve all actions and activities to be positive. *Islah* also means managing something that is always straightly right, restoring its actual use. *Al-qudwah* can mean a role model, things that are followed and used to it, and *uswah* (example) or role model.

*Al-Muwathanah* is the acceptance of the nation’s principles contained in the 1945 Constitution and the regulations. National commitment can be used as an indicator of religious moderation because, in the perspective of religious moderation, practicing religious teachings is the same as carrying out obligations as citizens, as fulfilling obligations as citizens is a form of practicing religious teachings.

### **Problem-Based Learning**

In PBL, knowledge is not just a set of facts, concepts, or rules ready to be taken and remembered (Nata, 2014, p. 244). In the learning process, students build their own experiences

through active involvement. Students become the center of activity, not teachers. This is supported by learning theory which states that “the essence of learning is that students learn, not teachers teach” (Rusman, 2011, p. 229).

PBL has a design in the form of learning steps. The steps in question are as follows (Nata, 2014, pp. 248–249). *First*, students are divided into several groups. Each group’s chairperson is appointed as a moderator, and a secretary acts as a note-taker. *Second*, determine the main problem to be solved. The problems in question can be obtained from the learning materials contained in the syllabus. They can also be problems proposed by the students. *Third*, the lecturer asks students in each group to discuss the subject matter according to the available time. *Fourth*, in this fourth step, there are several activities as follows: a) collecting data, b) analyzing the data, c) formulate hypotheses, d) processing data, and e) draw conclusions.

There are three objectives attached to PBL. First, PBL aims to develop students’ thinking skills and problem-solving skills. In other words, “PBM aims to have higher-order thinking skills.” (Trianto, 2012: 94-96). Second, to foster an attitude of cooperation (*cooperative*) between students in completing assignments. Third, be an independent learner. In this goal, students are expected to become independent and autonomous learners. Many methods in problem-based learning include the rational scientific discussion method, question and answer, the recitation method or *trial and error*, and assignment.

In contrast, the Evaluation of Problem-Based Learning measures cognitive aspects. It assesses the *affective* and *psychomotor* domains on an ongoing basis. This last assessment framework is very reasonable because it is based on the purpose of the PBM: to develop thinking skills, foster a cooperative attitude and become an in-

dependent learner. Therefore, in the PBL, “evaluation is not enough just to use a written test or a paper and pencil test but is added to assessing the work done by students who are none other than the result of their investigation.” (Al-Tabany, 2017, pp. 101–102).

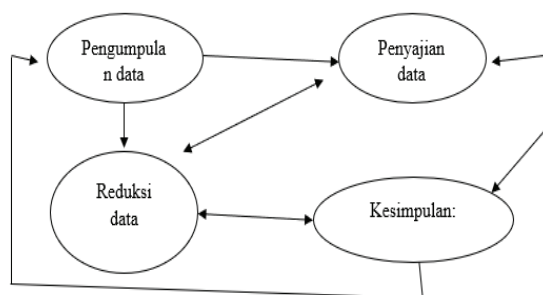
## RESEARCH METHOD

The research used is a *qualitative* approach, observations and data collection were conducted naturally without manipulating the subject under study. The results were *descriptive*, which tended to use an *inductive* approach (Lincoln, 1985:25). Aspects of process and meaning are prioritized. The research report contains data excerpts to provide an overview of the presentation of the report. Data comes from interviews, observations, field notes, photos, videotapes, notes or memos, and other official documents. Questions with question words why what reasons and how they occur will always be used by researchers” (Lincoln, 1985: 25). The theoretical basis was used as a guide so that the research focus was following the facts in the field, besides helping provide an overview of the research background and as a material for discussing research results.

This research was conducted at Madrasah al-Hikmah 1 Brebes, located at Jl. Raya Benda Jami’ Al Hikmah Masjid Complex, Kec. Sirampog Kab. Brebes Prov. Central Java. The research was carried out starting from October 2021 to January 2022. Through triangulation (Observation, Interview, and Document Study), primary data were obtained from Fiqh teachers and students. In contrast, secondary data was obtained from books, literature, and documents related to research problems. Observations are done by making direct observations and recording events, occurrences, and activities during the Fiqh learning process in class. Furthermore, interviews were conducted with related parties

and supplemented with document studies, namely collecting research-related documents such as institutional profiles, data for educators and education staff, data of students, and learning outcomes data. For the research to be carried out properly, guidelines for observations and interviews were prepared.

After data collection, analysis and testing of the validity of the data were carried out. At this stage, two methods are used. Namely, 1) the Triangulation method, namely comparing and matching the phenomena obtained by researchers in the field (in the form of notes during observation) with data obtained through interviews and document studies; and 2) Data triangulation, which is comparing data and evidence obtained from different situations, covering 3 (three) subtypes, namely people, time and space. That is, researchers take and explore information and data from teachers and students who carry out the same activity and carry it out at different times and places. The concept map of the research steps can be seen in the following scheme:



**Picture 1.** Components of Data Flow Model Analysis (Miles: 15).

## RESEARCH RESULTS AND DISCUSSION

### Problem-Based Learning of Usul Fiqh at Madrasah Al-Hikmah 1 Brebes: Madrasa Profile

Madrasah Al-Hikmah 1 Brebes is a non-formal institution under the auspices of the Al-Hikmah Islamic Boarding School. Pioneering was started in 1911 by KH. Khalil bin Mahalli. The condition of the people who were still unfamiliar with religious knowledge at that time became one of the backgrounds of the *kiyai* (founder of the institution) establishing this non-formal institution. In 1927, the existence of Al-Hikmah Islamic Boarding School was officially opened by KH. Suhaimi bin Abdul Ghani who is Kholil's nephew. From here, it became known as the Al-Hikmah Islamic Boarding School. In 1930, with an operational permit issued by the government of the Indies, this boarding school pioneered the classical education system. In 2005, the notary deed of the foundation was renewed in August, named Al-Hikmah Islamic Boarding School Education Foundation, with Number c-1386.HT.01.02.TH 2005. Since its establishment in 1978 until now, this Madrasah Mu'allimin Ad Diniyyah Al-Hikmah 1 continues to grow. Until now, this Madrasa still maintains its characteristics, namely as an educational institution whose learning is based on the yellow book. However, this Madrasa also always responds and adapts to renewal. Thus, this Madrasa always maintains the slogan of preserving tradition and responding to modernization. A brief profile of this Madrasa can be seen in the following chart.

**Table 1.** A brief profile of this Madrasa Mu'allimin Addiniyyah (MMA) Al-Hikmah 1

Name of Madrasa	Madrasah Mu'allimin Addiniyyah (MMA) Al-Hikmah 1
Islamic Boarding School Statistics Number	51.2.33.29.12.053

9 Years Wajardikdas Program	Kd.11.29/5/0011/Pgm/PP/2005
The Address of Madrasa	Jl. Raya Benda Masjid Jami' Al Hikmah Benda, Sirampog, Brebes, Central Java, Post Code: 52272, Phone Number: (0289) 432422
Website	<a href="http://www.ponpesal-hikmah1.or.id">www.ponpesal-hikmah1.or.id</a>
Madrasa Status	Private
Educational stage	Six years with the following classification: Kindergarten I – III (junior high school equivalent): 9 Years Kindergarten Wajardikdas Program. Wustha Tk. IV-VI (High School Equivalent: Legalized by the Ministry of Religion of the Republic of Indonesia
Number of Students	811 Students (Male and Female)

**Source:** A brief profile of this Madrasa can be seen in the following chart (<https://al-hikmah1.or.id/hal-sejarah.html>).

### Usul Fiqh Teaching Materials

The study of Usul Fiqh at the Mu'allimin Al-Diniyyah Al-Hikmah 1 Brebes has been given from grade III *Tsanawiyah* (Junior High School) to grade VI *Aliyah* (Senior High School). Usul Fiqh's teaching materials provided are in the form of book packages. The books are determined for each level according to the depth of the discussion contained therein, as shown in the following table:

**Table 2.** Lists of Kitab taught at Madrasa Mu'alimin Addiniyyah (MMA) Al-Hikmah 1

No	Book Name	Class
1	<i>Warakat</i>	III
2	<i>Al-Luma'</i>	IV
3	<i>Al-Luma'</i>	V
4	<i>Lub al-Ushul</i>	VI

The list of books mentioned above is seen from the style of the *mazhab* of Shafi'i, a mujtahid who is very tolerant of differences of opinion. Based on the literature above, it can

be used to indicate that Madrasah al-Hikmah 1 is part of the many madrasas in Indonesia with the *mazhab* of Syafii in studying *Usul Fiqh*. This may be because Imam Syafi'i is known as the founder of Usul Fiqh studies, which is known to be moderate in understanding the verses of the Qur'an and Hadith. Moderate in the sense of being intermediate between *aqli* (logical thinking) and *naqli* (verses from Qur'an and Hadith) (as reflected in the treatise he wrote (Sanusi, 2018: 240). The hierarchy of Usul Fiqh material taught at the Madrasa is based on the book of *al-Luma* and includes the following materials:

**Table 3.** Lists of Ushul Fiqh materials hierarchy based on Kitab al-Luma at Madrasa Mu'alimin Addiniyyah (MMA) Al-Hikmah 1

No	Theme	Description
1	Al-Kalam (the word of Allah) and the Hadith of the prophet	Judging from <i>aqsam al-kalam</i> , <i>haqiqat</i> and <i>majaz</i> , <i>bayan al-wujuh allati tu'khadh minha l-asm' wa l-lughat</i> , <i>amr</i> and <i>nahy</i> , general and specific, <i>mujmal</i> and <i>mubayyan</i> , <i>mafhum</i> , <i>mu'awwal</i> , and <i>nasikh- mansukh</i> .
2.	The deeds and decrees of the Prophet Muhammad	The behavior and determination of the Prophet Muhammad SAW can take the position of his speech in the context of <i>al-bayan</i> .
3	<i>Al-Akhbar</i>	Stories are attributed to the Prophet Muhammad.
4	<i>Ijma'</i>	<i>Ijma</i> can be established as a legal proposition with two things, namely: the Qur'an and the Hadith of the Prophet Muhammad.
5.	<i>Qiyas</i> Material	<i>Qiyas</i> as a source that law is <i>muttafaq</i> (agreed). The position of <i>Ijma</i> and matters related to it
6	The law of origin of something.	The urgency is when the verses for a particular case are not found. Then a <i>mujtahid</i> will come back to the original law.

No	Theme	Description
7	Order of Verses	The order in which the verses are used and the process for their issuance
8	<i>Taqlid</i>	What allows and forbids it, and who is allowed and prohibits <i>taqlid</i> .
9	<i>Fatwa</i>	The person who gives the <i>fatwa</i> , the person who asks for the <i>fatwa</i> and its requirements.
10	<i>Ijtihad</i>	Discuss the position of <i>ijtihad</i> and matters related to it.

Based on the data above, it seems that the Usul Fiqh material taught at Madrasah Al-Hikmah in terms of contents and references is somewhat different from the Usul Fiqh material taught in Madrasah in general, which uses the curriculum of the Ministry of Religion. In Madrasah Al-Hikmah 1, Ushul Fiqh material has been taught in class III *tsanawiyah* (junior high school). In contrast, at Madrasah, in general, Usul Fiqh material is only given in class X with material that is not bound to specific Usul Fiqh references or books in addition to the relatively more systematic preparation of the material, for example, in class X, the systematic arrangement is as follows (Attachment KMA165 2014: 59-60):

1. The concept of Ushul Fiqh, its purpose, and scope
2. History of the growth and development of Fiqh and Ushul Fiqh
3. *Madzhab* in fiqh and Ushul fiqh
4. The position of the Qur'an as a source of *muttafaq* (agreed) Islamic law
5. The position of hadith as the second source of *muttafaq* (agreed) Islamic law
6. The function and position of *ijma`* as a source of *muttafaq* (agreed) Islamic law
7. the function and position of *qiyas* as the fourth source of *muttafaq* (agreed) Islamic law

8. Analyzing *istihsan* as a source of *mukhtalaf* (disputed) Islamic law
9. Analyzing *maslahatul mursalah* as a source of *mukhtalaf* (disputed) Islamic law
10. Analyzing *`urf* as a source of *mukhtalaf* (disputed) Islamic law
11. Analyzing *istishab* as a source of *mukhtalaf* (disputed) Islamic law

### Learning Objectives

Based on the document, the objectives of Usul Fiqh Studies at the Muallimin Ad Diniyyah Al-Hikmah 1 Brebes madrasa are as follows:

1. Students can learn the rules and procedures used by a person in obtaining a legal determination with the *ijtihad* method.
2. Students can learn about the mandatory requirements of a *mujtahid* scientifically.
3. Students can understand and know how to determine an Islamic law with various methods compiled and developed by *mujtahid*.
4. Students can apply the rules of Usul Fiqh to legal problems.
5. Students can analyze a legal provision set by the *ulama* with detailed arguments. (<https://alhikmah1.or.id/hal-sejarah.html>)

Based on the data above, there are indicators of the objectives of problem-based learning of Usul Fiqh at Madrasa Al-Hikmah 1. Because students not only achieve cognitive (knowledge) as contained in points 1 and 2 but also so that students have skills in applying the rules of Usul Fiqh and can think analytically, as mentioned in points 4 and 5 above. This is also reinforced by data from interviews with the head of MMA



Al-Hikmah 1 Brebes, Mahmudi Muhson, who said that students who study Usul Fiqh not only want to know but also have skills both in attitude and become a model for them in responding to a different law on the correct basis” (Interview, 23-1-2022).

Based on the findings above, the learning objectives at Madrasah al-Hikmah 1 can be categorized as the objectives of problem-based learning. This is in line with the theory of the objectives of problem-based learning, which says, “PBL aims to develop students’ thinking and problem-solving skills. Thinking skills in PBL are not only thinking about something concrete, but more than that, they can think about abstract and complex ideas. In other words, “PBL aims to have higher-order thinking skills.” (Al-Tabany, 2017, pp. 94–96). The capital of thinking that has reached a high level about abstract things makes the horizons and insights of students’ thinking wider. Thus, a moderate attitude of respecting different opinions will appear in students.

### **Empowering Learning Methods**

The Usul Fiqh learning method applied by Madrasah al-Hikmah 1 has the spirit of empowering students to be critical and respectful of each other. The method, first, *tatbiq* (application). That is a learning method that is applied directly by the teacher by taking one of the Usul Fiqh learning materials then students are asked to apply the material in the form of these rules. With this method, students become creative in finding examples of applying these rules. This is reinforced by the results of an interview with a fifth-grade Fiqh teacher who said that “the use of the *tatbiq* method is by the teacher explaining the concept of Usul Fiqh buildings such as the pillars of *qiyas* in its application to a law for which no solid argument has been found in the Qur’an. Furthermore, the teacher gives assignments to students to apply the rules of Islamic law for

which there is no evidence in the Qur’an, such as drug law which is confirmed with the law of *khamar* (alcohol) because it has the same *illat*” (Interview, 25-1-2022). The same thing was also stated by Anwar Firdaus (the student of class VI). They said that “in learning Usul Fiqh the teacher invited us to discuss new problems related to the theme of Usul Fiqh studies, and also taught how to apply the rules of Islamic law both in the text of the Qur’an and Hadith, namely in terms of the prohibition of general and specific rules and also other rules” (Interview, 26-1-2022).

Second, *muskilat* (problem-solving). This method is a learning method that emphasizes students to think critically and actively in actualizing knowledge on specific problems. This argument is reinforced by the Ushul Fiqh teacher, Luqman Hakim, who said that “Ushul Fiqh learning using the *muskilat* method is very suitable to be applied in learning Usul Fiqh. With this method, students are trained to learn to solve simple legal problems found in everyday life such as smoking laws, drinking alcohol laws, and so on.” (Interview, 25-1-2022)

The same thing is strengthened by a student named Fatikhul Birri, who said, “with this method, we are instructed to discuss a Fiqh issue. The teacher usually chooses a theme and determines the problem to be discussed with a brief explanation, then gives a Jurisprudence issue related to the theme. Then we are ordered to respond and analyze the problem from various points of view following the applicable Fiqh rules. Finally, we are trained to interpret a law based on *ushuliyah* rules. (Interview, 26-1-2022). Using this *muskilat* or problem-solving learning method is proven to motivate students to see and understand reality and develop thinking skills to practice finding solutions to a legal problem. This is at least an awareness for students that Fiqh is a product of *ijtihad* whose truth is not absolute, so an attitude is needed to respect differences of opinion.

*The third is bahtsu wa al Munasabah* method. This method is used in Usul Fiqh learning related to content processing in the current life context. Students are directed to think inductively about a person's response to an environment or something that can be observed. Through this method, training students to think contextually can also bring up an attitude of respect for differences of opinion. This argument is strengthened by the subject teacher Usul Fiqh, Luqman Hakim, who said, "My children, when faced with the opinion of *qila waqila (various opinions of scholars)*, do not claim that this is the most correct and the others are wrong. Luqman continued with this method, and students are also accustomed to respecting the adherents of other *mazhab*. They can follow opinion A or B while it is still in the justified corridor and have justified arguments. Mutual respect must be shown, and insults must be avoided against other people with different opinions or *mazhab*. (Interview, 26-1-2022).

### **Simultaneous Learning Evaluation**

The evaluation conducted by the Usul Fiqh teacher at Madrasah Al-Hikmah 1 can be said to be simultaneous. It has been done in a way that can foster a moderate attitude, such as active dialogue and responding to their words and actions. In this way, teachers can measure the extent to which students understand and practice instilling the value of religious moderation. Evaluation is not limited to routines on cognitive achievement through tiered tests. This is confirmed by class VI Fiqh teacher, Mukhlis Syafiq, who said that "in evaluating Ushul Fiqh learning, we follow the rules from Madrasa, such as the mid-semester exam and the Final Semester Examination, but on the other hand, I also always assess their attitudes which can be observed when learning, their accuracy, their completeness in preparing lessons and in discussions, it is usually evident which students

are active and which are not, which students are loud in arguing. I always evaluate after the discussion and guide them on the importance of respecting each other as exemplified by the *ulama* when they have different opinions" (Interview, 25-1-2022).

### **Students' Religious Moderation Value**

Adnan M. al-Assaf (2013) from the results of his research which says that a moderate attitude can assist students in spreading general awareness about caring and tolerance, as well as supporting the concept of coexistence and supporting human rights. Then, he said that the moderate attitude was expected to contribute to many graduates of Islamic studies to continue to study the concept of moderation and its application within the framework of Islamic teachings and to be able to link moderation with a developing civilization. The conclusion from the results of the research above seems to be one of the reinforcements for the findings made by the author.

Based on the results of interviews and documentation, it was found that some of the students' religious moderation attitudes resulted from the problem-based learning process of Ushul Fiqh at Madrasah Mu'allimin Ad Diniyyah Al-Hikmah 1 Brebes. These attitudes include:

#### ***Tasamuh (Tolerance)***

*Tasamuh* means liking to hear and respecting the opinions of others (Masduqi, 2016, p. 36). Based on information obtained through interviews with Usul Fiqh teachers, the attitude of respect for different opinions (*tasamuh*) is seen when there are differences of opinion in discussions among students about the law. They seem to respect each other's different views and do not easily claim the truth for themselves. This attitude can be seen in the problem-based learning

of Ushul Fiqh about *qiyas*. The problem chosen is about *zakat fitrah* using money. This issue does not argue the Qur'an and Hadith. Thus, the legal solution is to use *ijtihad* through *qiyas*. The learning scenario begins with the Ushul Fiqh teacher dividing the number of students into several groups with an average of four students.

Then the teacher gives a paper containing the above legal issues. Then the teacher invites each group to discuss it. After that, the discussion continued with plenary, and each group presented the results of their group discussion. In the plenary, the differences of opinion among the students were divided into two. Some of them said that *zakat fitrah* for Indonesian does not have to use staple food (rice) but can be replaced with money.

Meanwhile, others insisted that Indonesian who pay *zakat fitrah* must use staple food (rice) and cannot be replaced with money. Amid these differences, the Ushul Fiqh teacher tried to moderate it by saying that "the issue of *zakat* payment instruments is a matter of *ijtihadiah*. Those oblige with staple foods such as Imam Syafii because he *qiyas* with rice (the staple food of Indonesian). Meanwhile, according to Imam Abu Hanifah's opinion, those who allow money see the benefit, namely the value, not the object. After listening to the teacher's explanation, each student with different opinions finally understood. It seemed that they were no longer blaming each other but each respecting differences.

### ***Shura (consultation)***

*Shura* has something in common with the meaning of deliberation. Every problem tries to be resolved by exchanging opinions to reach an agreement based on the principle of *maslahat* so that the problem is immediately well resolved with quality. In the discussion's problem-based learning of Ushul Fiqh, the deliberation attitude is shown. Each group member expresses their opinion about the issue being discussed,

namely, "*nahi*" (prohibition). The theme raised is the smoking law. There were many inputs and opinions on legal smoking issues in the discussion. Opinions developed in the discussion varied based on the *nahi* rules in Usul Fiqh. It was agreed from the discussion that smoking laws also have pros and cons. Some students argue that smoking is illegal because it contains harm and waste; some say it is *makruh* because the prohibition on smoking is not firm. Even an opinion says it is mandatory for certain people because, without smoking, a person cannot carry out activities.

Through a fairly productive discussion, it was agreed that the smoking law was not found to be firm in the law, either in the Qur'an or Hadith, so the law was based on the *ijtihad* of the *ulama*, which has different laws. Through these discussions, deliberation was reached without causing disputes between individuals or groups. Friendship and friendly relations are also established among students without anyone feeling disadvantaged. Deliberation is a moderate attitude that every problem is resolved through deliberation to reach an agreement (Nur, 2016, p. 89).

### ***Pioneering (al-Qudwah)***

The problem that became the theme of the discussion was the law of pornography. During the discussion, many inputs and opinions regarding pornography legal issues were voiced. In the plenary discussion, students who were involved in the discussion argued with each other about the harm caused by pornography. Information obtained from the fiqh teacher, the discussion went well and smoothly, although there were occasional tensions. However, everything is still in the corridor that does not cross the line.

Through discussion about pornography law, information is obtained that pornography law and porn action are *haram* without dispute. The prohibition is based on the Qur'an,

which prohibits actions, behaviors, or anything that can cause someone to commit adultery. As mentioned above, the value of pioneering (*al-qudwah*) in problem-based learning of Usul Fiqh with the discussion method can be seen from two aspects. *First*, the pioneering students discuss, which is done by prioritizing politeness, mutual respect, and tolerance of differences of opinion. This aligns with the spirit of developing moderation, namely wisdom, good teaching, and rebuttal. Second is pioneering in practicing pornography laws. Information obtained from fiqh teachers is that Madrasah Al-Hikmah 1 is a law that prohibits students from seeing, doing, or enjoying things related to pornography. Since the enactment of these regulations, no violations have been found by students of Madrasah al-Hikmah 1 Brebes

## CONCLUSION

That implementation of Ushul Fiqh learning carried out by Madrasah Al-Hikmah 1 Brebes has fulfilled the elements of a problem-based learning model that can build an attitude of religious moderation in its students. This is proven by some attitude of moderation shown by the students in the discussion. The attitude is included tolerance, deliberation and pioneering.

The learning model developed consists of several aspects, including teaching materials, learning methods, and evaluation. The material developed is based on the internal curriculum by using references in the form of the book of Ushul Fiqh with an introduction to Arabic. Thus, the material used is not bound by the Usul Fiqh curriculum, which is based on the curriculum developed by the Ministry of Religion. The learning method used is *student-centered* based, characterized by *madrrasah diniyah*, namely the *tatbiiq* method (application), the *muskilat* method (problem-solving), and the *bahtsu wa al munasabah* method. Substantially, the three methods have the same spirit as the methods of discussion, problem-solving, Contextual Teaching, and Learning. While the evaluation used has measured skills and attitudes (psychomotor) on a routine basis, not just evaluating abilities (cognitive). Problem-based learning of Usul Fiqh has proven to be successful in encouraging students to be active and creative in developing an attitude of religious moderation, which includes tolerance (*tasamuh*), deliberation (*shura*), and pioneering (*al-qudwah*). This finding seems to be one of the Problem-Based Learning of Usul Fiqh models that can build students' religious moderation attitudes at the Madrasah level.

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