

***Fiqh* Education in *Pesantren* as a Model for *Fiqh* Education in the World**

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Abstract

The community considers that *fiqh* in *pesantren* is lagging, so it cannot answer the issues that are rampant in the current era. Most of them consider that *fiqh* is an instant and final legal product that does not need to be reinterpreted several times. The attempt to provide a re-understanding of the *fiqh* of the past has experienced a deadlock because of the strong position of *fiqh* in the minds of Muslims. What Fazlur Rahman experienced until the tragedy of Nasr Hamid Abu Zayd is a small part of the evidence. This study aims to analyze and examine *fiqh* in *pesantren* as a model of *fiqh* education in the world. This research uses qualitative methods with data collection techniques through participant observation, in-depth interviews, and documentation analysis. This study found that the classical *fiqh* books (*kitab kuning*) in *pesantren* are not only legal products that cannot be reinterpreted but also discuss worship. However, classical *fiqh* can be used as a model of *fiqh* education in the world. The research is expected to be taken into consideration so that *fiqh* education in *pesantren* can be used as *fiqh* education in the world.

Keywords: *fiqh* education, *fiqh* transformative, *pesantren*.

Introduction

Pesantren is a place to study and study students also known as pondok (Kamus Besar Bahasa Indonesia (KBBI) Online, n.d.). As a traditional Islamic education, pesantren has a great influence on the spread of Islam in Java. Pesantren have five basic elements, namely the cottage, the mosque, the students (*santri*), the teaching of the classic books (*kitab kuning*) and scholars (*Kiai*) (Hakim & Aksa, 2021). Pesantren have consistency in the world of turrets, namely the legacy of previous Islamic scholars and scholars, starting from the science of tools, the science of interpretation, the science of Sufism, and what is no less important is the science of *ushul fiqh* and the science of *fiqh*.

Fiqh is an integral part of the civilization of Muslim societies worldwide, including the archipelago Muslim community. The nuances of *fiqh* play an essential role in forming a law-abiding society, both vertically (relative to Allah SWT) and laterally (relative to fellow human beings). So that people who have *fiqh* nuances can coexist peacefully without conflict or conflict of interest between people (Qudsia, n.d.).

Fiqh education in pesantren brings about the orthodoxy of fuqaha ideas and centric fiqh orthodoxy (Rahman Jm, 2016) among the Santri. The *kitab kuning* is enough to be the primary reference for pesantren in determining legal status on religious and social issues. This comes from the intellectual tradition developed in the pesantren in the form of *bahtsul masa'il*.

Bahtsul Masa'il is an index of fiqh education in pesantren that will never stop; this tradition will implement classical fiqh to be applied in the current era. To solve contemporary problems, pesantren have a plan to collect, research, and produce new *ijtihad* by the demands of the times faced by the ummah today. This *bahtsul masa'il* tradition will play a significant role in proving to the world that fiqh education is not dead.

In many cases, Islamic law products studied in pesantren are discussed and criticized for being less responsive to social changes and dynamics. Studying Islamic law in pesantren is often considered less intensive in organizing dialogue in the text, and reality puts Islamic law into a contextual formula by the dynamics of social change, a big agenda that never ends. "Islamic law is a law that applies all the time" requires the touch of experts that Islamic law finds its meaning in the dynamics of social change (Musahadi, 2013). One of the studies from (Ahmad Syakur) said that Islamic science, like other sciences, continues to develop and actively interact with the realities and demands of the times. Therefore, Pesantren have become the center of natural science research. Islam in this era must continue to develop and be open to modern realities. One of the Islamic sciences that is currently proliferating is Islamic economics. Pesantren schools have great potential to become the driving force of Islamic Economic Research in Indonesia because of their intellectual strength (Syakur, 2018a). Then the research of (Umi Latifah, Ida Nurlaeli, and Ulfi Zulfikar Faridhun), explores that the thoughts of Islamic figures such as Abu Yusuf al-Ghazali, Ibn Khaldun, and Ibn Taymiyyah are still relevant today, and developments in the classical period can still be drawn elasticity. This encourages young scholars to develop their thoughts in depth and improve the environment while maintaining the spirit of exploring the principles of sharia, tabarru contracts between people, and Islamic treasures to answer today's problems (Latifah, Nurlaeli, & Faridhun, 2023). The research of (Fathimatuz Zahra) discusses the Turast Group Ulama Nusantara, a forum established by several students to spread knowledge and seek various studies on Islam in the archipelago. This can be a pioneer in forming studies that have not been widely discussed, including the role of Indonesian scholars in coloring science in the

Arabian Peninsula and many more things related to Islam in Indonesia. This group is instrumental as part of the fight against radicalism or as a bulwark for solving the problem of jihadism in Indonesian society. This group collects a lot of knowledge from its Moderate Islamic Organizations in Indonesia, namely NU and Muhammadiyah. Finally, the research of Moh. Andi Hakim explains that pesantren's education system and traditions create values that align with the culture of peace. The pesantren education system requires its students to consistently obey the teachings of their religion but remain inclusive. On the one hand, we preserve the pesantren tradition while at the same time respecting traditions outside the pesantren. Meanwhile, Pesantren requires its students to be consistent in prayer and preaching but must prioritize tolerance and respect for local culture and the diversity of the surrounding community (Hakim, 2021). Based on the literature review above, the author is interested in studying pesantren fiqh education, which can be used as fiqh education in the world. Based on previous research, we know that fiqh education in pesantren is discussed not textually but contextually so that the fiqh in pesantren is still relevant to answer current problems, namely about counteracting radicalism, maintaining tolerance among human beings and appreciating religious diversity in Indonesia and in the world.

This research uses Qualitative research methods. This type of research will study objective phenomena where researchers conduct research at Pesantren Ulul Albab Balirejo Yogyakarta. To obtain accurate data, researchers will provide descriptions, explanations, and information related to fiqh education in pesantren so that this research is descriptive-analytical. Primary data sources are obtained directly through interviews with Kyai, Nyai, Ustadz, Ustadzah, and Ulul Albab Balirejo Yogyakarta students. Secondary data sources were obtained from classical fiqh books in pesantren, journals, books, and other sources relevant to the research studied. The data collection techniques of this research go through three stages: observation, interviews, and documentation. After all the data is obtained, it will be analyzed using descriptive analysis techniques. So that researchers can interpret the results of observations from the data obtained to answer the problems the author examines. The goal is to explore potential values still relevant to current developments. Especially to explore the classical treasures to dare to answer the existing challenges.

It is necessary to know that fiqh in pesantren is not only formalistic-textual, so people think that pesantren fiqh education is lagging and cannot answer the rampant issues in this era. Most of them think that fiqh is an instant and final

legal product that does not need to be reinterpreted, and there is an assumption that fiqh only studies how to perform worship without seeing the conditions around us (Widyanto, 2011). Pesantren not only studies fiqh textually but also applies a fiqh education model that relates to the context and does not abolish the turrets inherited by past scholars.

This research intends to answer questions, namely how education in fiqh pesantren deserves to be used as a model in fiqh education in the archipelago and even the world by taking the focus of fiqh studies at Pesantren Ulul Albab Balirejo Yogyakarta. Elaboratively, it can be formulated as follows. First, how does fiqh in pesantren deserve to be a model in fiqh education in the archipelago and even the world? Second, how does fiqh transform to face the changing times?

Result and Discussion

Fiqh Education in Pesantren Deserves as a Model for Fiqh Education in the Archipelago and even the World

Change is a necessity because it is the nature of life. In all aspects of human life, cultural, social political and everything in between is continuously developed. Therefore, science also develops along with human development (Syakur, 2018b). Transformative Islamic knowledge has become a demand and diffusion.

The Qur'an explains that renewal is not only done by individuals; parts of each region are doing renewal that innovates on diversity. Renewal covers issues related to Sharia and increases its presence in social sustainability. Tajdid in Islamic studies means adding crucial things that have not been studied before, throwing out obsolete things, and reusing Islamic studies according to modern language.

Renewal in fiqh scholarship is commonplace. This can be seen from several aspects: First, human instinct. People instinctively like new things, both the content and the way they are presented. Whenever there are new things that people are interested in, they are interested in seeing them and even discussing or researching them. Secondly, it developed due to Islam coming into contact with the culture of the wider society, and it was incorporated into Islam over time. It is not easy to uproot an established culture from society. Therefore, Islamic law adapts to culture and customs as long as they do not conflict with Islamic principles, thus influencing the development of Islamic legal products. Thirdly, there are unprecedented new insights in various fields, so fiqh

argumentation develops from the past. Fiqh is required to react to such new situations. New fiqh books are created or will be created whenever developments are made that address new issues (Wahbah al-Zuhaili, 2000).

Pesantren has long made an important contribution to educating the nation. Fiqh's education in pesantren faced the challenges of the times and experienced renewal. In this case, the role of kyai is very important for efforts to transform ideas among santri on how fiqh should reform itself to respond to the times. More importantly, the rich scientific treasures of classical fiqh can improve the foundation of fiqh renewal so that it does not lose its historical base (Ansori, Sunaryo, & Munawir, 2011).

The author finds data on fiqh literature taught in Pesantren, especially in Ulul Albab Balirejo Yogyakarta, which fully serves the internal interests of the pesantren. To fulfill the interest from outside the pesantren, add a little literature as a breakthrough of new fiqh. From this, it can be used as a basis for solving the problems of human life now and in the future.

One tradition has become an icon in some pesantren is the *bahtsul masa'il* tradition. In this tradition, santri are taught how to *istinbathul al-ahkam* on fiqh problems faced by the community. This tradition also looks at the ability to respect every opinion. These two things are essential factors in developing new ways of interpreting fiqh in the future, and again, pesantren are accustomed to it.

The author adds that the medium for understanding fiqh with the correlation of today's development is to know *maqashid shari'ah*. Especially in the modern era, *maqashid shari'ah* is interested in determining Islamic law. First, the Qur'an was revealed 14 centuries ago, while human life has changed, so one of the ways to relate Islamic law to social change is to use the concept of *maqashid shari'ah* (Daud, 2018).

Fiqh education in pesantren deserves to be a model of fiqh education in the archipelago and even in the World because in pesantren, we find laws that are by the laws of Allah, then we update them with something, region, place, time, and condition (A. Zubaedi, 2023). Fiqh pesantren can adjust what is in the sources of the Qur'an because the sources of the Qur'an are *mujmal* and some are *tafshil*, so *fugaha* or fiqh experts can adjust to the times in the World. *Bahtsul Masa'il*, which has become a tradition in solving contemporary problems, of course, cannot be separated from the sources of the Qur'an, *hadith*, and *turast*, which are the legacy of previous generations of scholars. For example, during the time of the Companions, there was no such thing as professional zakat;

professional zakat only appeared in this era; in the Qur'an, there is no detailed explanation, so it must be explained in detail, then fiqh in pesantren can adjust in answering problems that arise in this era (Ma'unah, 2023).

Fiqh can be used as fiqh education in the archipelago and even the world will be better, even this world will advance if fiqh education becomes a model of fiqh education in pesantren, we already have fiqh civilization which will discuss civilization. Fiqh of civilization will be the foundation for world peace and harmony. So, fiqh is not just discussing worship problems, student problems with teachers, and others, but also discussing world civilization (Syahrul Effendi, 2023). With the existence of fiqh of civilization, it certainly will not leave the source of Islamic teachings, and also not leave the books of the legacy of previous scholars, it is precisely classical fiqh that will become the foundation for indulgence in transformative fiqh of civilization. The problems that occur in the current era can be correlated with classical fiqh through the concept of maqashid shari'ah, and also the Qur'an and hadith, as we know, the Qur'an not only discusses the past but also discusses future events (Toifuri, 2023).

Fiqh education in pesantren is very important to be applied in the archipelago and even in the world, because we know that the book of the Qur'an is very different from other books, even other religions recognize the book of the Qur'an provides very clear and detailed guidance, such as inheritance, where the Qur'an explains the parts of the heirs that we often hear with one-twelfth, one-third, one-quarter, one-sixth, one-eighth and two-thirds, while in other books there is no mention of this detail. This proves that fiqh in pesantren can be applied to prevent conflict and achieve a world of peace and harmony (Muhammad, 2023).

Fiqh pesantren can solve problems in the world, in terms of economic, social, political, and so on, all can be solved with fiqh. Indeed, classical fiqh does not explain the development of today, but we can adjust it, such as Sunan Kudus, was very extraordinary, he did not allow qurban using cows, because cows are sacred animals for Hindus, Sunan Kudus's followers finally sacrificed buffaloes. This proves that Islam appreciates the traditions in the community, and fiqh deserves to be a model of fiqh education in Indonesia and even the world (Zikriandi, 2023).

The purpose of today's fiqh education in pesantren initiated by Gus Yahya is to strengthen the position of Muslims at the national and international levels in overhauling the perspective of religious discovery. This view needs to be

strengthened because there are still few Muslims who move from classical fiqh thinking in responding to change. Therefore, the development of the Islamic world seems backward from the perspective of the past. The biggest factor that often arises is that we Muslims and other infidels became national divisions after the collapse of the Ottoman Empire in 1924, when Western hegemony emerged, reinforced by the presence of the United Nations (UN) as a body initiated by "infidel" nations from various countries. This term is often used in classical fiqh. He said using the International conference to position the Islamic world to read the changing world through fiqh education in pesantren today. This issue is important for the Islamic world as a space to secure its interests while strengthening the weakness of the United Nations. The purpose of the UN is interpreted as part of the good that is the basis of Sharia law. In addition, this strategic institution is tasked with maintaining world peace after the trauma that destroyed human life in the First and Second World Wars ("Kontekstualisasi Keberagaman Melalui Fikih Peradaban—UIN Syarif Hidayatullah Jakarta Official Website," 2023).

Thus, pesantren have a big design in compiling, revising, and then bringing up new *ijtihad* by the conditions set for the benefit of the ummah so that the ummah is not confused by various contemporary problems that Islamic law cannot resolve. The tradition of *bahtsul masa'il* and the like and *maqashid shari'ah* has great capital for pesantren students to take steps to criticize various real practices of the ummah and at the same time can prove to the archipelago and even this world that fiqh education in pesantren is not dead as assumed by most observers and practitioners of Islamic law themselves. Pesantren must abandon the tradition of text-based education and revise it towards contextual fiqh, without leaving the *turast* inherited by previous generations of scholars.

With this, the author argues that fiqh education in Indonesia has a very significant relevance to be appointed as a model of fiqh education globally. According to the Indonesian Ministry of Religious Affairs, more than 28,000 pesantren across Indonesia continue to contribute to the education of the younger generation through in-depth knowledge of fiqh ("PD-PONTREN," n.d.). In addition, the results of the UNESCO study in 2022 showed that the fiqh education system in Indonesia has the advantage of integrating local values and Islamic teachings, thus reaching the local society and culture. the author found that fiqh education can offer a unique and relevant approach to the problems of today's world. One example is the application of local wisdom-based fiqh. This allows for a balanced adaptation of Islamic teachings and their

application in daily life (“UNESCO Jakarta | UNESCO,” n.d.).

According to data from the Central Statistics Agency (BPS), pesantren graduates in Indonesia have achieved great achievements in various fields, including fiqh learning. This success cannot be separated from the fiqh education conducted in Pesantren, which is based on theoretical understanding and practical application in daily life. The success of fiqh education in Indonesia is also reflected in active participation in social activities and community strengthening (“Badan Pusat Statistik,” n.d.). Data from the Institute for Pesantren and Community Development (LP2M) shows that pesantren in various regions are actively involved in poverty alleviation, health and education programs, and pesantren as agents of broader change. By involving the international community in exchanging knowledge and experience, Indonesian fiqh education can increasingly reach the world level. For example, collaboration between pesantren and national educational institutions has strengthened Indonesia's image as a center for inclusive and contemporary fiqh education (“Home 1,” n.d.).

Overall, fiqh education in pesantren has a uniqueness and diversity that is not only locally relevant but can also be an inspiring model for the world. The data confirms that pesantren in Indonesia has significantly contributed to forming a contextual, practical, and globally relevant understanding of fiqh.

Difference between *Shari'ah* and *Fiqh*

Shari'ah is the laws and regulations of Allah SWT for his servants because shari'ah means the source of running water. Hence, Ibn al-Manzhur says that shari'at is the same as religion. When viewed in terms of legal science, shari'ah is the primary legal norm set by Allah SWT, which is obligatory to follow based on faith that is coupled with morals, both in *hablum minallah* or *hablum minannas* (Nurhayati, 2018).

Fiqh is a science that studies the laws that exist in the Qur'an and Sunnah and then implements them in human actions that are mature and have common sense. The science of fiqh also examines various provisions and rules for formulating Islamic law. So it can be said that shari'at comes from absolute revelation, while fiqh can change according to changes in society which are dynamic in responding to the development of science and technology. (Muhaimin, 2015)

Fiqh laws that apply in some issues under certain conditions will inevitably change from time to time and in different places. This is to the fiqh rule

"changes in place and time cause changes in the law (Fiqh)", meaning that changes in time and place that cause Islamic law (Fiqh) to change in the Islamic legal system are called *illat* (the background that causes the existence or absence of a law on something) (Anshori, 2020).

The definition of sharia according to Imam Abu Muhammad Ali bin Hazm in the book *Al-Ihkam fi Ushulil Ahkam*,

وأما الشريعة فهي أن يأتي نص قرآن أو سنة أو نص فعل منه عليه السلام أو إقرار منه عليه السلام أو إجماع

The Meaning: Sharia is when there is a clear text (no multiple interpretations) from the Quran, the text of the sunnah (hadith), the text obtained from the actions of the Prophet, and the *ijma'* of the companions. (Ali bin Hazm, 2001)

From the above information, what is called sharia is all the instructions Allah SWT gives to humans in the fields of creed, *amaliah* (physical), and morals. The source of these guidelines is found in the Al-Quran, the hadith of the Prophet SAW, and *Ijma'* the companions.

In contrast to *fiqh*. The definition of *fiqh*, according to Imam Abul Hasan Al-Amidi in *Al-Ihkam fi Ushulil Ahkam*:

العلم بالأحكام الشرعية العملية المكتسب من أدلتها التفصيلية

It means: that *fiqh* is the knowledge of the rulings of the Shari'ah for practical purposes derived from the detailed proofs. (Ali bin Hazm, 2001)

From this explanation, we see that *fiqh* refers to issues related to human actions, and its legal understanding is obtained from legal sources through a series of *ijtihad* processes. This can be achieved through the process of *ijtihad*, so it is not surprising that there is a gap between one idea and another.

The difference between Shari'ah and Fiqh can be seen from the following table (Nurhayati, 2018):

<i>Shari'ah</i>	<i>Fiqh</i>
Found in the Qur'an and hadith	Found in the book of Fiqh
Fundamental and has a broader scope	Instrumental, its scope is limited to laws that regulate human actions
Shariat is absolute	Fiqh is relative
The decree of Allah and his Messenger, so that they last forever	Human works that evolve according to the times
Only one understanding	More than one understanding/Stream
Show the unity of Islam	Shows the diversity of Islamic thought

A simple example of Sharia and *fiqh* is the obligation to pray based on Sharia law. Everyone must pray whenever and wherever, but when it comes to

issues such as what clothes to wear when praying, what recitations to recite, and so on, this is fiqh and of course, there will be differences of opinion. ("Berikut Ini Perbedaan Antara Syariat dan Fiqih, Serta Bagaimana Kita Menyikapinya," n.d.)

Fiqh Education in *Pesantren*

Education in pesantren, according to article 1 paragraph 2 of the pesantren law number 18 of 2019 is education organized by pesantren and located in the pesantren environment by developing a curriculum that is by the uniqueness of the pesantren, based on the *kitab kuning* or considered Islamic with an Islamic education pattern ("UU No. 18 Tahun 2019," n.d.). One of the references to the pesantren is the *kitab kuning*. This yellow Islamic classic book learning can be carried out in the dormitory which is also a pillar of the Pesantren, or it can also be done in the mosque.

The study of the *kitab kuning* or Islamic teachings with a Muslim education pattern is unique to pesantren. Based on the regulation of the Minister of Religious Affairs of the Republic of Indonesia number 30 of 2020 article 24 paragraphs 3 and 4, the study of the *kitab kuning* or considered Islamic can be taught using sorogan, bendongan, classical, structured, tiered, muhafazah, muhadarah, muzakarah, and bahtsul masa'il methods (In'ami, D, Vestia, & Setiawan, 2022).

According to A. Mukti Ali, at least two factors hinder the development of Islamic education in Indonesia. First, the mystical roots that make the model of Indonesian spiritual life more about "Amalia" (practice) than "thinking". Second, the thoughts of Indonesian scholars who emphasized the field of fiqh with a more normative approach. Of course, the pesantren, which is said to be the source of Islam in the country, is responsible for its birth. The philosophical phenomenon of education is confirmed by Abdurrahman Wahid who said that fiqh law occupies a dominant position in creating values in the pesantren environment, followed by the Sufi tradition. The rules of fiqh and Sufi law originate from Sunni ideology and thought. Imam al-Ghazali's tradition greatly colored the formation of pesantren values. As explained above, the emergence of pesantren is closely related to the Islamic mysticism that initially came to Indonesia. Therefore, pesantren can be seen as an area of flourishing "epistemic systems" that arise from a unique encounter between the orientation of vertical social categories and horizontal cultural categories, against religious orthodoxy and cultural alienation. If interpreted with the periodization paradigm of the

development of Islam in Indonesia, as proposed by Kuntowijoyo, there are three periods: the Age of Myth, the Age of Ideology, and the Age of Ideas/Knowledge. Pesantren still does not consider the mythical age to be completely different. This is because religious-mystical beliefs still influence its intellectual awareness and still have profound differences with the fulfillment of scientific-technical requirements. In addition, the social structure of pesantren reflects the concept of education as a path to wisdom, not a path to knowledge. Kyai is at the top of the hierarchy, followed by the kyai, after which it is at the top of the hierarchy as a journey to knowledge. Senior Santri and junior Santri are based on their level of piety and knowledge. It is believed that the higher the hierarchical level of the pesantren community, the better the charisma and other abilities (Arif, Fatonah, & Billah Faza Mb, 2020).

Pesantren provides pedagogy for personal interests and the benefit of the community. Usually, pesantren offer fiqh materials containing ritual procedures for lifestyle, even rules for the smallest things, such as using the toilet (Juwita, 2014).

The nature of traditional understanding among pesantren cannot do this, which is divorced from the model of religious studies based entirely on the study of the yellow Islamic classic books, which mostly originate from the classical or medieval period of Islam and emerged in the context of Arabic culture. Although, according to Martin Bruinessen, there are *kitab kuning* derived from later pieces of history and written by local scholars, they remain insignificant. Not surprisingly, the products of pesantren religious studies face serious problems of adaptability to social change. In other words, their products often fail to respond to specific religious issues (Musahadi, 2013).

The pesantren's appreciation of fiqh books in the 20th century and the existence of fiqh as a science is a logical consequence that has a clear relationship with the daily life behavior of each individual or group (Yafie, 1994).

In addition, the pesantren's scientific tradition emphasizes fiqh due to individual and group renewal. Organizations that play an active role in this regard such as Muhammadiyah, Persis, the Naqshabandiyah, and al-Irsyad tariqas, personally contribute to building the status of fiqh through their thoughts in the form of essays. According to Martin, it was an attempt to cause the supremacy of fiqh over other parts of the religious sciences.

Fiqh education must be accompanied by ushul fiqh. The science of ushul fiqh is the principle of the formation of fiqh. To learn ushul fiqh, try to contextualize the process of fiqh when solving current problems.

Fiqh in pesantren is placed as a significant part of the taught curriculum (Mahfudz, 1999). Pesantren has always used fiqh as the primary subject (Van Bruinessen, 1995). By knowing the fiqh community, pesantren groups promote it as a concept and reference for life attitudes. But still, for example, fiqh is so dominant in this pesantren culture that it is not immersed in the pursuit of social sustainability. The legal version of the products produced by pesantren still seems to be limited to copies of the yellow classical books. Until now, the kyai in discussing fiqh still uses the principle of selection (Rahmat, 2002).

The textualists-normative approach is thus rooted in the reasoning structure of pesantren, perhaps due to excessive respect given the aspect of kyai's power in the field of classical mastery or indeed the very rich classical knowledge (Z. Zubaedi, 2007).

However, pesantren now have changed, pesantren now are not only fiqh education that carries the orthodoxy of the results of fuqaha thinking but also carries the orthodoxy (Rahman Jm, 2016) of the legal products of previous scholars among santri. So the Yellow Islamic classic book is enough to be the main reference for pesantren in determining legal status on religious and social issues. It comes from the intellectual tradition that develops in pesantren as *bahtsul masa'il*.

Bahtsul Masa'il indicates that fiqh education in pesantren will never stop, this *bahtsul masa'il* will apply classical Islamic legal theories to be applied in the current era. To solve contemporary problems, pesantren have a big plan to collect, research, and produce new *ijtihad* by the demands of the ummah's interests. This *bahtsul masa'il* tradition will play a big role in proving to the world that fiqh education is not dead (Asfiyak, 2019).

In its development, there are three groups fiqh thinking in pesantren; first, Contextual fiqh reasoning. This contextual fiqh reasoning means obeying something written in the Madzhab book, which is a must. The basis for providing answers to religious issues is the aspect of textuality. Second, social-contextual fiqh reasoning. This social-contextual fiqh reasoning is based on two sources: appreciating the madhab fiqh books selectively by contextualizing them and using *qawa'id fiqhiyyah*, and the main reference is *Maqashid al-Syari'ah*. Third is critical fiqh reasoning (Fiqh transformative-emancipatory). This critical fiqh reasoning wants to transform so that fiqh has a more philosophical character because it refers to *maqashid al-shari'ah* and the Qur'an and Sunnah. The breakthrough that can be achieved is using *manhajiy "ijtihad"* which develops it.

Conclusion

From this discussion, the author concludes that fiqh education in pesantren is learning religious norms and a deep process that involves understanding reflection. Reflecting the importance of understanding and applying these norms, including fiqh's teachings in everyday life. fiqh education in the world covers not only religious but also social, moral, and ethical aspects. In a global context, understanding fiqh helps unite people around universal values, including justice tolerance, and humanity. Through holistic fiqh education, it is hoped that a generation will be created that understands the technical aspects of Islamic law and can also apply these values wisely and appropriately in various situations of world life. Therefore, fiqh education in pesantren becomes an important pillar in shaping a just, ethical society and can positively contribute to an increasingly complex and interconnected world.

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