

ANTI-MADZHAB DISCOURSE IN INDONESIAN ISLAMIC EDUCATION TEXTBOOKS: IMPLICATIONS FOR RELIGIOUS LITERATURE AND EDUCATION

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ABSTRACT

This study examines the phenomenon of anti-madzhab discourse in the fiqh materials of Islamic education textbooks widely circulated in Indonesian schools and madrasahs. By employing a qualitative library study approach, this research analyzes primary references for mazhab comparison, including *Al-Fiqhu 'alā Al-Madzāhib Al-Arba'ah* by Abdu al-Rahman al-Jaziri and *Al-Mausū'ah Al-Fiqhiyah Al-Kuwaitiyyah* by some Kuwait scholars. The findings reveal that several fiqh-related topics in the textbooks, such as the conditions for valid ablution, requirements to become an imam, timing for zakat payment and identification of zakat recipients, reflect some anti-madzhab perspectives. These perspectives can lead to *al-masyaqqah* (difficulties) in worship practices within the community. The study highlights the need for a thorough evaluation of Islamic education textbooks, recommending that fiqh materials incorporate traditional madzhab frameworks to enhance their alignment with Islamic religious education standards. This research contributes to the ongoing discourse on curriculum development and the importance of maintaining doctrinal integrity in educational resources.

Keywords: Anti-madzhab, Textbooks, Islamic Education, Literature

ABSTRAK

Penelitian ini mengkaji fenomena wacana anti madzhab pada materi fiqh buku teks pendidikan Islam yang banyak beredar di sekolah dan madrasah Indonesia. Dengan menggunakan pendekatan studi pustaka kualitatif, penelitian ini menganalisis sumber-sumber primer, antara lain *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah* karya Abdu al-Rahman al-Jaziri dan *Al-Mausû'ah Al-Fiqhiyah Al-Kuwitiyyah*. Temuannya mengungkapkan bahwa beberapa topik terkait fikih, seperti syarat sah berwudhu, syarat menjadi imam, waktu pembayaran zakat, dan identifikasi penerima zakat, mencerminkan perspektif anti-madzhab. Perspektif tersebut dapat menimbulkan *masyaqqah* (kesulitan) dalam praktik ibadah di masyarakat. Studi ini menyoroti perlunya evaluasi menyeluruh terhadap buku teks pendidikan Islam, dan merekomendasikan agar materi fiqh memasukkan kerangka madzhab tradisional untuk meningkatkan keselarasan dengan standar pendidikan agama Islam. Penelitian ini berkontribusi pada wacana yang sedang berlangsung mengenai pengembangan kurikulum dan pentingnya menjaga integritas doktrinal dalam sumber daya pendidikan.

Kata kunci: Anti Madzhab, Buku Ajar, Pendidikan Islam, Sastra

INTRODUCTION

Islamic religious education textbooks contain several disciplines, such as Aqidah Akhlak, History of Islamic Culture, Quran and Hadiths and finally, Fiqh. It is one of the basic foundations of Islamic education.¹ Fiqh is a compilation of Islamic law, the product of Islamic scholars with competent capacity in extracting legal conclusions from primary sources i.e., the Qur'an and hadiths, which then serves as a fundamental reference in addressing social issues and the dynamics of the *ummah's* life, either related to *'ubudiyah*, *mu'amalah*, *munākahah*, *farāidl* and *jināyah*, where the law is mandatory for every community.² Responding to *ummah's* problems textually

¹ Abdurrohman Kasdi, "Al-Takâmul Wa Al-Tawfiq Bayna Al-Fiqh Wa Al-Tasawwuf: Wjihah Nazhar Kiyahî Muhammad Shâlih Darat Al-Samarânî Fî Taqaddum Al-Fikr Al-Dinî Fî Indûnisiyâ," *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* Vol. 18 No (2023): 285–319.

² Moh. Asror Yusuf, "Rethinking the Significance of Pesantren-Based Integrative Islamic Studies in the Faculty of Ushuluddin and Dakwah State Institute of Islamic Studies Kediri," *Eosofi: Jurnal Tasawuf Dan Pemikiran Islam* 9, no. 2 (2019): 326–352.

and contextually must be in accordance with the methodology formulated by *fuqaha*, among them is through *madzhab*, i.e., by following the views of the *imam mujtahid*³ such as *madzhab* scholars, namely Imam Syafi'i, Imam Ahmad bin Hanbal, Imam Hanafi and Imam Malik.

These four imams with diverse schools of thoughts⁴ are recommended as references. Ibnu al-Shalah suggested that only these four *madzhab* imams are allowed to be followed, because their legal decisions are valid, open and receive contributions from their students to explain unclear issues, specify general explanations and limit absolute explanations.⁵ The originality of the manuscripts and notes distributed and the depth of the scientific treasures outlined by these four imams are valid, hence they are relevant and legitimate references for all Muslims in the world.

Following a certain *madzhab* is to act based on the opinion of scholars, not following one's personal preferences without referring to the Qur'an and hadith. It also refers to the action of following the views of the *imam mujtahid* (someone trained and qualified to undertake *ijtihad*) for lay people or those who have not reached the level of *ijtihad*.⁶ It is widely believed that not following *madzhab*, in the present time, can be considered as *bid'ah* that is worrisome and has the potential to damage the structure of Islamic sharia. Thus, following *madzhab* is not just an option, but a necessity.⁷

This method referring to a certain *madzhab* is often not followed by authors of fiqh textbooks whose works are widely circulated in Indonesian madrasahs and schools. The legal provisions stated in their published works are not based on any of the four schools of thoughts (*madzhabs*). For example, the textbooks

³ Muhammad Sa'id Ramadhan al-Buthi, *Allamamadzhabiyah Akhtharu Bid'ati Tuhaddidu Al-Syaria'ta Al-Islamiyah* (Suriah: Dar al-Farabi), p. 17.

⁴ Nasrullah Nurdin, "Apresiasi Intelektual Islam terhadap Naskah Klasik Keagamaan," *Jurnal Lektur Keagamaan*, Vol. 13, No. 2, 2015, p. 512

⁵ Wahbah Al-Zuhaili, *Ushûl Al-Fiqh Al-Islâmi* (Suriah: Dar al-Fikr, 1986), pp. 139-140.

⁶ Muhammad Sa'id Ramadhan al-Buthi, 17.

⁷ Muhammad Sa'id Ramadhan al-Buthi, 17.

mentioned that the requirement to become an *imam* is a person should memorize the most of the Quran.⁸ Likewise, these textbooks also mentioned that the guardian of the marriage must be someone from the bride's relatives. The opinions or legal provisions by the four mazhabs do not precisely mentioned as such.

The anti-madzhab *fiqh* discourses in textbooks used in schools could influence students' religious understanding and practices. In one of the textbooks for instance, Abd. Hafidz stated that an *imam* is not valid if he is not someone who has memorized the most of the Qur'an.⁹ This is a wrong understanding, because, as the four mazhabs have outlined, memorizing Quran is a priority, not a requirement. Apart from that, anti-madzhab discourses could create discomfort and disharmony among ummah, and could even raise tensions in line with the fatality of the legal issues. Therefore, research on anti-madzhab discourses in *fiqh* materials contained in Islamic religious education textbooks must be carried out to prevent further dissemination of anti-madzhab views.

In addition to the above rationale, textbook evaluation is also an important part of curriculum development and evaluation that must be done. As emphasized by Sutiah, curriculum development needs to be carried out continuously in order to respond and anticipate existing developments and demands.¹⁰

This research contributes to filling the knowledge gap regarding the evaluation of content of *fiqh* materials in Islamic education textbooks. Compared with previous research which emphasizes other aspects such as *curriculum implementation* which focuses on the application of learning strategies, methods and techniques carried out by educators and education personnel,¹¹ *intolerance and radicalism in national textbooks* which

⁸ H. Jamhari dan H. Tasimin, *Ayo Memahami Fikih Untuk Kelas VIII Jilid 2* (Jakarta: Penerbit Erlangga, 2019), 68.

⁹ Abd. Hafidzm, student of MA Miftahut Thullab Gedangan Daleman Kedungdung Sampang. Direct interview on 02 Mei 2024.

¹⁰ Sutiah, *Pengembangan Kurikulum PAI, Teori dan Aplikasinya* (Sidoarjo: Nizamia Learning Center, 2017), 70.

¹¹ Fahmi, Fauzi, dan Wahyu Bitasari. "Revitalisasi Implementasi Kurikulum Pendidikan". *Al-Fikru: Jurnal Ilmiah*, 14(2), 81–91.

focused on studying textual and contextual materials that are contradictory to the values of tolerance and democracy,¹² *actual models of fiqh learning* in responding to social issues in schools and madrasas which focus on learning fiqh in schools in various approaches,¹³ *the existence of the Syafi'i madzhab* which focuses on madzhab in Indonesia,¹⁴ and the legal *istinbāth* methodology of the Bahts al-Masāil institution focuses on the *qauli* method, the *ilhaqi* method, and the *manhaji* method,¹⁵ this research specifically highlights the contrasts between the content of fiqh material and the authoritative traditional views of *fuqaha*.

By conducting an in-depth analysis of these differences, this research aims to criticize how Islamic religious materials are in contrast to authoritative Islamic fiqh views. It is hoped that this study could pave the way for the development of curricula that are more in line with these valid *madzhab*s, without denying differences as a form of moderate action.¹⁶

METHOD

This study employs a qualitative library research approach to investigate the presence of anti-madzhab discourse in the *fiqh* materials of Islamic education textbooks used in Indonesian schools and madrasahs. The qualitative method is chosen for its

¹² Faozan, Ahmad. "Wacana Intoleransi Dan Radikalisme Dalam Buku Teks Pendidikan Agama Islam." Disertasi, Sekolah Pascasarjana UIN Syarif Hidayatullah Jakarta, 2021, 107–15.

¹³ Firman Mansir, "Analisis Model-Model Pembelajaran Fikih Yang Aktual Dalam Merespons Isu Sosial Di Sekolah Dan Madrasah," *Ta'dibuna: Jurnal Pendidikan Islam* 10, no. 1 (2021): 88.

¹⁴ Anny Nailatur Rohmah and Ashif Az Zafi, "Jejak Eksistensi Mazhab Syafi'i di Indonesia," *Jurnal Tamaddun: Jurnal Sejarah dan Kebudayaan Islam* 8, no. 1 (2020), 173-192.

¹⁵ Agus Mahfuddin, "Metodologi Istinbath Hukum Lembaga Bahtsul Masail Nahdlatul Ulama," *Jurnal Hukum Keluarga Islam* 6, no. 1 (2021): 1–17.

¹⁶ Zainal Abidin, "Al-Wasathiyah Fi Al-Iqtishād Al-Islāmī: Ârâ'u 'Ulamâ Jam'iyati 'Nahdlatul Ulama' Bi Jawa AlSyarqiyah Haula 'Al-Taraddud' Bi Sya'ini Fatâwa Al-Fawâid Al-Mashrifiyah," *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* Vol. 18 No (2023): 246–84.

suitability in exploring textual content and understanding the underlying themes and discourses.

The primary data sources for this study include Islamic education textbooks widely used in Indonesian schools and madrasahs, and renowned *fiqh* references such as "Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah" by Abdu al-Rahman al-Jaziri and "Al-Mausû'ah Al-Fiqhiyah Al-Kuwitiyyah." The textbooks served as the primary sources, and were selected based on their widespread use and relevance to the research objectives. The selection criteria include: textbooks approved by the Indonesian Ministry of Education and Culture, textbooks covering *fiqh* materials for various educational levels (primary, secondary and high school), and textbooks published within the last ten years. The *fiqh* references, on the other hand, serve as the secondary sources. Both primary and secondary sources are described below.

Table 1.
Textbooks under study and *fiqh* references as comparison

No.	Authors	Title	Publisher	Year of publication
1.	Jamhari and Tasimin	Ayo Memahami Fikih untuk Kelas VII Jilid I	Erlangga	2019
2.	Jamhari and Tasimin	Ayo Memahami Fikih untuk Kelas VIII Jilid 2	Erlangga	2019
3.	Suyanto and Latif	Fikih 1 untuk Kelas VII MTs	PT Tiga Serangkai Pustaka Mandiri	2019
4.	Mustahdi and Mustakim	Buku Pendidikan Agama Islam dan Budi Pekerti SMA/MA/SMK/MAK Kelas XI	Kemendikbud	2017
5.	Wizârah al-Auqâfwa al-Syu'ûn Al-Islâmiyah	<i>Al-Mausû'ah Al-Fiqhiyah Al-Kuwitiyyah</i>	Dzât al-Salâsil, Kuwait	1992
6.	Abdu al-Rahman al-Jaziri	<i>Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah</i>	Dar al-Fikr, Lebanon	2019

FINDING AND DISCUSSION

Anti-madzhab discourse is extensively found in the studied textbooks used for middle schools and high schools in Indonesia. The authors of the textbooks mentioned some *fiqh* provisions that are not in line with those outlined by the four *madzhab* imams. Not only do they contradict one of the four imams, but they also deviate from the consensus *Al-Madzâhib Al-Arba'ah*. There are several textbooks that have been studied as follows:

Textbook A: *Anti-madzhab* discourses in “Ayo Memahami Fikih untuk Kelas VII Jilid I” textbook, written by H. Jamhari and H. Tasimin, Erlangga, 2019

In this textbook, there are several *fiqh* material contents which have certain interpretations, that are not in line with the four *madzhabs*. Among the material samples are:

1. *Wudu* is valid only when not in major *hadats*

In this book, it is explained that the condition for valid ablution (*wudu*) is not to be in a state of major *hadats*.¹⁷ As such, it is not valid for *Janabag* people who in fact have major *hadats* to perform ablution. The provision of *fiqh* law in this textboos is not in accordance with the *istinbâth* law formulated by the four *madzhabs*.

In the *Syâfi'iyah*, *Hanafiyah* and *Hanâbilah* *madzhabs*, *Janabah* person who has major *hadats* are valid to perform ablution when they want to eat, drink, have another intercourse and sleep. Even, the law of ablution for these people is *sunnah*.¹⁸ Likewise, it is legal and *sunnah* to perform ablu-

¹⁷ Jamhari, H and H. Tasimin. *Ayo Memahami Fikih Untuk Kelas VIII Jilid 2*. Jakarta: Penerbit Erlangga, 2019, p.10

¹⁸ *Wizârah al-Auqâfwa al-Syu'ûn Al-Islâmiyah, Al-Mausû'ah Al-Fiqhiyah Al-Kuwitiyyah, Vol. 43* (Kuwait: Dzât al-Salâsil, 1992), p. 324.

tion for a major *hadats* such as menstruation and childbirth, as long as the blood has stopped.¹⁹

By performing this *sunnah* (ablution), Muslims gain abundant rewards and benefits. Besides, *taqlil al-hadats* (minimizing *hadats*) is a real implication of performing ablution. For the two *hadats*, namely the major and minor *hadats*, ablution practice is relevant to the concept of hygiene prescribed in Islam. Cleansing the body from external dirt by washing the face, both hands, head and both feet at the same time cleans the body from *syar'i* dirt.

Another important point supported by the proponents of Syâfi'iyah, Hanafiyyah and Hanâbilah madzhab but not accepted by the authors of the textbook is the statement “by performing ablution, the reward is greater and more valuable”. Similarly, in the Mâlikiyah madzhab, it is considered valid and *sunnah* for Janabah person with major *hadats* to perform ablution when they want to sleep.²⁰ Following the Mâlikiyah madzhab means obtaining rewards from Allah, the view that the authors of the textbook seemed to miss out.

Prophet SAW mentioned:

طَهَّرُوا هَذِهِ الْأَجْسَادَ طَهَّرَكُمُ اللَّهُ، فَإِنَّهُ لَيْسَ مِنْ عَبْدٍ
يَبِيتُ طَاهِرًا إِلَّا بَاتَ مَعَهُ فِي شِعَارِهِ مَلَكٌ لَا يَنْقَلِبُ
سَاعَةً مِنَ اللَّيْلِ إِلَّا قَالَ: اللَّهُمَّ اغْفِرْ لِعَبْدِكَ فَإِنَّهُ بَاتَ
طَاهِرًا.

Meaning: *Purify your bodies, may God purify you, because there is no servant who sleeps at night in a pure state but an Angel will be with him in the prayer, not a single moment will he turn his body but an Angel will say: “Oh God, forgive your servant, because he sleeps at night in a pure state”*²¹

¹⁹ Abi Bakar, *Hâsyiyat Iânat Al-Thalibîn, Vol. 1* (Jakarta: Dar al-Kutub al-Islamiyah, 2009), p. 107.

²⁰ Al-Islâmiyah, 324.

²¹ Abd. Al-Ra`ûf Al-Munâwî, *Faidl Al-Qadîr Syarh Al-Jâmi` Al-Shaghîr, Vol. 5* (Bairût-Libanon: Dar al-Ma`rifah, 1972), 35.

2. One of requirements of being an *imam* is having the most Quranic memorization

In the textbook entitled “Ayo Memahami Fikih untuk kelas VII jilid I” it is explained that among the requirements to become an *imam* is memorizing the most of the Quran.²² Meanwhile, according to the four madzhab, this is not a requirement for being an imam. As stated by Umar Nawawi in the Syafi'i madzhab, that the nature of *masyruthah* (required qualities, obligatory qualities) for imam are six, namely: (1) not being in a minor hadats, (2) not being in *janabah* condition, (3) not having *najis* (impurities) on his clothes or body, (4) not touching his private parts, (5) not leaving *'tidal* and *tuma`ninah* in prayer, even if it is sunnah prayer, (6) not omitting the recitation of rSurah al-Fatihah while he is able to read it.²³

According to the Hanâbilah madzhab as cited by S'ad Zarzur, the legal conditions for a congregation (which is connected with an *imam*) are (1) Islam, (2) not *fasiq* (immoral), (3) having sound mind (*aql*), (4) *baligh*, (5) The imam cannot be *ummi* when the makmum is *qari'*, (6). Should be a man when the makmum are men, (7) pure from *hadats* and *najis*, (8) not having disabilities, (9) being able to stand.²⁴

There are nine requirements to become an *imam* in the Mâlikiyah madzhab, namely (1) Islam, (2) male, (3) having sound mind, (4) not being in *makmum*, (5) not having *hadats*, (6) able to perform the *rukuns* of prayer, (7) knowing the *rukuns* and requirements for prayer, (8) free (not a slave), (9) muqim (resident), especially for Friday prayer.²⁵

²² H. Jamhari dan H. Tasimin, 68.

²³ Umar Nawawi Al-Jawi, *Mirqat Shu'ud Al-Tashdiq* (Bairut: Dar al-Kutub, 2015), 86.

²⁴ Sa'ad Zarzur, *Fiqhu Al-Ibadah Ala Al-Madzhabi Al-Hanbali*, 254.

²⁵ Al-Arabi Al-Qarawi, *Al-Khulashah Al-Fiqhiyah Ala Madzhabi Al-Sadah Al-Mâlikiyah Al-Ibadah*, 103.

The conditions that must be fulfilled as an *imam* in the Hanafi madzhab are (1) Islam, (2) *baligh*, (3) having sound mind, (4) male, (5) able to read the required validity for the prayer, (6) not being disabled, (7) fulfills the conditions for the validity of the prayer, such as being purified from hadats and (8) overing the *awrah*.²⁶

Based on above explanation of the conditions for an imam by the four *madzhabs*, having the most memorization of Quran (as mentioned in the textbook) is not a requirement to become an *imam* according to the Syafi'i madzhab. As stated by Umar Nawawi, it is only *mustahabbah* (recommended qualities) not *masyruthah* (mandatory qualities). In more detail, Umar Nawawi mentioned the *mustahabbah* qualities for an imam include: (1) *Fiqh* (understanding the science of jurisprudence), (2) *Qira'ah* (having much memorization of Quran), (3) *Wara'* (having the nature of caution in practicing religion), (4) *Sinnun* (older age), (5) *Nasab* (noble lineage) and *Hijrah* (who migrated together).²⁷ In fact, according to Syafi'iyah, local leaders and *imam ratib* have more priority than those who have deeper religious knowledge, or more fluent in reading the Quran, or who memorize the Quran.

Likewise, according to the Hanâbilah madzhab, having memorized the most of the Qur'an gives more priority rather than a requirement. Abdu al-Rahman, quoting Hanâbilah scholars, said that the one who has more right to be an *imam* is the one who understands the science of jurisprudence better, the quality of his Quran reading is better, then the more he understands the science of jurisprudence the better the quality of his reading, then the one who has better quality of recitation, even if he doesnot understand the fiqh if he understands the provisions of prayers.²⁸

²⁶ Najah Al-Halibi, *Fiqhu Al-Ibadah Ala Al-Madzhabi Al-Hanafi*, 109.

²⁷ Al-Jawi, 86.

²⁸ Abdu al-Rahman Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah* (Lebanon: Dar al-Fikr, 2019), 676.

Similarly, according to the Mâlikiyah madzhab, having memorized the most of the Qur'an is *sunnah* which takes precedence and is not mandatory. Abdu al-Rahman explained the opinion of the Mâlikiyah madzhab that among the people who are given priority to become *imams* are people who understand the laws of prayer better, then those who have better understanding in hadiths both in history and memorization, then those who are just, then those who are more capable in Quranic recitation. Even in this *madzhab*, judges are the ones who have more priority as an *imam*, even though there are people who are more knowledgeable in their religion.²⁹

As for the Hanafî madzhab, the person who has the most memorization of the Qur'an is not a requirement to become an *imam*, not even mentioned as a more entitled *imam*. In this madzhab, the person who has better recitation and tajwid can be as more entitled *imams*. As quoted by Abdu al-Rahman, the person who has the right to be an *imam* is the one who best understands the laws of prayer, its validity and invalidity on the condition of avoiding explicit harms, then the one who has better recitation and tajwid, then the one who is *wara* (being cautious of their sins).³⁰

3. Tattoo makes *wudu* invalid

In this book, it is explained that one of the conditions for a valid ablution (*wudu*) is that there is nothing that obstructs the flow of water to the parts of the body being washed, such as paint, rubber, tattoos and other objects. Thus, according to this book, people who have tattoos do not have the right to perform ablution because tattoos are considered to block the flow of water to the parts of the body that are being washed.

In the Syafi'i madzhab, tattooing is piercing the skin with a needle until it bleeds, then leaving ink in it so it turns

²⁹ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 676.

³⁰ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 676.

blue or green because of the blood.³¹ In this way, the tattoo penetrates the inner skin, rather than sticking to the outer skin. Whereas, the reason for the invalid *wudu* is if the object prevents the ablution water from reaching the outer skin.³² Zain in the Syafi'i madzhab also states that it is valid to perform *wudu* and to bathe a person who pierces his parts of body that are washed by wudu with a needle, then adding ink for coloring or painting his skin.³³ However, people who have tattoos are sinful and must repent. It is also mandatory to remove the tattoos if it does not cause harm.

In the Hanbali school of thought, tattoos can be washed with water to purify them, because tattoos are covered by flesh,³⁴ not outside the flesh. In the Hanafi madzhab, if a tattoo is washed, it is pure, because it is only a mark that is difficult to remove.³⁵ In the Maliki madzhab, it is explained that the tattoo is mixed with blood. If someone is having difficulties removing it, then they are *ma'fu* (forgiven).³⁶

Table 1.
Summary of anti-madzhab discourses in fiqh materials in Textbook A

1. Fiqh materials on the validity of ablution (*wudu*)

Fiqh in textbooks	Anti-mazhabs	One of conditions for valid wudu is being in purity (not being in a major hadats)
Fiqh according to four madzhab	Syâfi'iyah	Janabah person (a person with a major hadats) is valid and sunnah to perform wudu when eating, drinking, having another intercourse and sleeping

³¹ Muhammad Al-Nabrawi, *Hasyiah Al-Nabrawi Ala Syarhi Al-Iqna'* (Lebanon: DKI, 1971), 532.

³² Al-Islâmiyah, 55.

³³ Ismail Zain, *Qurratu Al-'Ain Bifatawaa Ismail Zain*, 49.

³⁴ Idris Al-Bahuti, *Kasyfu Al-Qinna' an Matni Al-Iqna'*, 362.

³⁵ Ibnu Umar Abidin, *Hasyiah Raddu Al-Mukhtar*, 356.

³⁶ Muhammad Alisy., *Fathu Al-Ali Al-Malik Fi Al-Fatwa Ala Madzhab Al-Imam Malik*, 272.

Mâlikiyah	It is valid and sunnah for Janabah person with a major hadats to perform wudu before sleeping
Hanâbilah	Janabah person with a major hadats is valid and sunnah to perform wudu before eating, drinking, having another intercourse and sleeping
Hanafiyah	Janabah person with a major hadats is valid and sunnah to perform wudu before eating, drinking, having another intercourse and sleeping

2. Fiqh materials on the conditions for being *imam*

Fiqh in textbooks according to four madzhabs	Anti-mazhabs	One of conditions for being an <i>imam</i> is having the most memorization of Quran
	Syâfi'iyah	Having the most memorization of Quran is not the condition for being an imam, it is rather a suggestion (<i>sunnah</i>)
	Mâlikiyah	Having the most memorization of Quran is a suggestion (<i>sunnah</i>), not an obligation (<i>wajib</i>)
	Hanâbilah	Having the most memorization of the Quran is not a requirement for being an imam
	Hanafiyah	Having the most memorization of Quran is not a requirement of being imam, even it does not mention as a condition for more entitled imam

3. Fiqh materials on the tattoo and validity of *wudu*

Fiqh in textbooks according to four madzhabs	Anti-mazhabs	Having tattoos makes <i>wudu</i> invalid because it blocks the flow of water to the part of the body that is being washed.
	Syâfi'iyah	Tattoo does not prevent ablution water from reaching the outer skin.
	Mâlikiyah	Tattoo is forgiven when someone has difficulty removing it.
	Hanâbilah	Tattoos can be washed with water because they are covered in flesh, not outside the flesh.
	Hanafiyah	If a tattoo is washed, it is pure, because

it is just a mark that is difficult to
remove

Source: Textbook entitled “Ayo Memahami Fikih untuk Kelas VII Jilid I”, written by H. Jamhari and H. Tasimin, Erlangga, 2019

From the three tables above, it can be seen that the fiqh materials on some issues such as: the validity of ablution, the conditions of being an *imam*, and the provision of tattoo in the studied textbook does not follow any of the views of the four *madzhab* imams.

Textbook B: Anti Madzhab discourses in the “Ayo Memahami Fikih untuk Kelas VIII Jilid 2” textbook, written by H. Jamhari and H. Tasimin, Erlangga, 2019

This textbook mentioned some legal provisions that does not reflect to any of the opinions of the authoritative *imam madzhab*s. Among the sample materials are:

1. It is haram to pay *zakat* after *ied al-fitr* prayer

In the textbook, it is explained that it is forbidden (*haram*) to pay *zakat* after the performance of Eid al-Fitr prayer.³⁷ This fiqh material clearly contradicts the consensus of the four *madzhab*s (Syâfi’iyah, Hanafiyah, Hanâbilah, Mâlikiyah).

In the Syafi’i *madzhab*, it is stated that paying *zakat* after the performance of Eid al-Fitr prayer until sunset is considered *makruh* (discouraged) when there is no excuse. If there is an excuse, such as waiting for a nearby poor person, then it is not considered to be *makruh*.³⁸ According to this *madzhab*, the forbidden (*haram*) time to pay *zakat* past Eid al-Fitr, such as paying *zakat* the next day after Eid al-Fitr.³⁹ Similarly, according to the Hanbali *madzhab*, paying *zakat* after the performance of Eid al-Fitr prayer is *makruh*.

³⁷ H. Jamhari dan H. Tasimin, 31.

³⁸ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba’ah*, 989.

³⁹ Muhammad Syattha, *I’ناه Thalibin* (t.t: Dar al-Fikr, 2019), 174.

As for the Maliki *madzhab*, it is permissible to pay *zakat* after the performance of Eid al-Fitr prayer.⁴⁰ It is not *makruh*, let alone *haram*. Maliki's opinion is lighter than the Syafi'i and Hanbali *madzhab*s, even lighter than the Hanafi *madzhab*. According to Maliki *madzhab*, the valid time to pay *zakat* is a lifetime. Paying at any time, the *zakat* fitrah is called *zakat ada'* not *qadha'*. However, it is *sunnah* that *zakat* is to be paid before performing Eid al-Fitr prayer.⁴¹

The explanation of the prohibition of paying *zakat* after the performance of Eid al-Fitr prayer in this textbook is in line with the opinion of Ibn Utsaimin. In his *Fatawa Fiqh*, he asserts that it is forbidden for someone to delay *zakat* fitrah until the performance of Eid al-Fitr prayer. If delayed without a valid reason, then the *zakat* is not accepted.⁴² This fatwa by the Wahhabi figure is an effort to interpret the below hadith of Prophet Muhammad textually instead of contextually.

فَرَضَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ زَكَاةَ الْفِطْرِ طُهْرَةً
لِلصَّائِمِ مِنَ اللُّغْوِ وَالرَّفَثِ، وَطُعْمَةً لِلْمَسَاكِينِ، مَنْ آدَاهَا
قَبْلَ الصَّلَاةِ، فَهِيَ زَكَاةٌ مَقْبُولَةٌ، وَمَنْ آدَاهَا بَعْدَ الصَّلَاةِ،
فَهِيَ صَدَقَةٌ مِنَ الصَّدَقَاتِ.

Meaning: *The Prophet Shallallahu 'alaihi Wasallam obligated zakat fitrah as a purification for the fasting person from vain and forbidden actions, and food for the poor, whoever pays it before the Eid al-Fitr prayer, then it is an accepted zakat, and whoever pays it after the Eid al-Fitr prayer, then it is a regular charity.* (Narrated by Abu Daud).

2. In understanding the sentence *ومن اداها بعد الصلاة فهي صدقة* and *من الصدقات* the author used a textual (instead of contextual)

⁴⁰ Wahbah Al-Zuhaili, *Al-Fikihu Al-Islami Wa Adillatihi*, 908.

⁴¹ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 989.

⁴² Al-Sulaiman, *Majmu' Fatawa Wa Rasail Fadhilah Al-Syaikh Muhammad Bin Shalih Al-Utsaimin* (Riyadh: Dar al-Tsurayya, 2002), 220.

interpretation. The word *shadaqah* is understood as *shadaqah* in the general sense, that is, general charity, not the obligatory *zakat*. It is strengthened by the previous statement which mentions that the accepted *zakat* is the *zakat* paid before Eid al-Fitr. Thus, an opinion arises that does not conform to the four *madz-habs*. The book mentioned that the *mustahiq zakat* (recipient of zakat) specifically for the poor is the accepted opinion.

In the textbook, it is explained that according to the strong opinion (*rajih*), the *mustahiq zakat* is specifically for the poor who do not have wealth and are unable to strive or work to earn a living.⁴³ This is a legal provision that does not align with the four *madzhabs*. This strong opinion (*rajih*) in the textbook is the opinion from the Wahhabi group.⁴⁴

According to the Hanafi school, the distribution of *zakat fitrah* is the same as the distribution of zakat in general in the Surah Al-Taubah Verse 60.⁴⁵ Similarly, according to Hanbali madzhab, *zakat fitrah* is the same as the distribution of common *zakat*, that is, to the eight groups.⁴⁶ The same opinion is from the Syafi'i school, even zakat is obligatory to be evenly distributed to the eight groups if they are present.⁴⁷

Maliki *madzhab* holds a different opinion. According to this *madzhab*, there is a difference of opinion among scholars. The first opinion mentions that the distribution of *zakat fitrah* is specifically for the poor. Second, the distribution of zakat fitrah is the same as common zakat, that is, to the eight groups mentioned in the Qur'an.⁴⁸

None of the *madzhabs*'s opinion mention that *zakat fitrah* is specifically for the poor. Wahbah al-Zuhaili stated that according to the consensus of *fiqh* scholars, the distribution of *zakat*

⁴³ H. Jamhari dan H. Tasimin, 32.

⁴⁴ Bin Baz dan Shalih Al-Utsaimin, *Fiqhu Al-Sunnah Waadillatihi Wa Taudhih Madzhab Al-Arba'ah*, 75.

⁴⁵ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 30. .

⁴⁶ Al-Sa'di Al-Hanbali, *Al-Inshaf Fi Ma'rifa Al-Rajih Min Al-Khilaf Ala Madzhabi Al-Imam Ahmad Bin Hanbal*, (Lebanon: DKI, 1971), 168.

⁴⁷ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 567.

⁴⁸ Al-Khattab Al-Ra'ini, *Mawahib Al-Jalil Lisyarhi Mukhtashar Khalil* (Lebanon: DKI, 1971), 273.

fitriah is the same as the distribution of obligatory *zakat*. Because *shadaqah fitrah* is *zakat*, then the distribution of *shadaqah fitrah* is the same as the distribution of other *zakat*, so it falls into the generality of the Surah Al-Taubah Verse 60.⁴⁹

Table 2.
Summary of anti-madzhab discourse in fiqh materials
in Textbook B

1. Fiqh materials on the time of paying *zakat*

Fiqh in textbooks	Anti-mazhabs	Paying <i>zakat</i> after the performance of Eid al-Fitr prayer is forbidden (<i>haram</i>)
Fiqh according to four madzhabs	Syâfi'iyah	Paying <i>zakat</i> after the performance of Eid al-Fitr prayer until sunset is considered <i>makruh</i> , unless there is a valid reason
	Mâlikiyah	It is permissible to pay <i>zakat</i> after the performance of Eid al-Fitr prayer
	Hambalialah	Paying <i>zakat</i> after the performance of Eid al-Fitr prayer is <i>makruh</i>
	Hanafiyah	The valid time to pay <i>zakat</i> is a lifetime.

2. Fiqh materials on the *zakat* recipients

Fiqh in textbooks	Anti-mazhabs	According to the strong opinion (<i>rajih</i>), the recipients of <i>zakat</i> are specifically for the poor who do not have wealth or stable jobs.
Fiqh according to four madzhabs	Syâfi'iyah	<i>Zakat fitrah</i> is the same as the distribution of <i>zakat</i> , which is to eight groups.
	Mâlikiyah	There is a disagreement among scholars. The first opinion is that the distribution of <i>zakat fitrah</i> is specifically for the poor. The second opinion is that the distribution of <i>zakat fitrah</i> is the same as <i>zakat</i> , which is to the eight groups mentioned in the Qur'an. However, it does not mention that it is specifically for the poor, which is the prevailing opinion.
	Hambalialah	<i>Zakat fitrah</i> is the same as the distribution of

⁴⁹ Wahbah Al-Zuhailî, *Al-Fiqhu Al-Islâmi Wa Adillatihu* (Bairut: Dar al-Kitab al-Ilmiyah, 2003), 568.

Hanafiyah	common <i>zakat</i> , which is to eight groups. The distribution of <i>zakat fitrah</i> is the same as the general distribution of <i>zakat</i> , which is to eight groups.
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3. Fiqh materials on the *zakat* recipients

Fiqh in textbooks	Anti-mazhabs	According to the strong opinion (<i>rajih</i>), the recipients of <i>zakat</i> are specifically for the poor who do not have wealth or stable jobs.
Fiqh according to four madzhabs	Syâfi'iyah	<i>Zakat fitrah</i> is the same as the distribution of <i>zakat</i> , which is to eight groups.
	Mâlikiyah	There is a disagreement among scholars. The first opinion is that the distribution of <i>zakat fitrah</i> is specifically for the poor. The second opinion is that the distribution of <i>zakat fitrah</i> is the same as <i>zakat</i> , which is to the eight groups mentioned in the Qur'an. However, it does not mention that it is specifically for the poor, which is the prevailing opinion.
	Hambaliah	<i>Zakat fitrah</i> is the same as the distribution of common <i>zakat</i> , which is to eight groups.
	Hanafiyah	The distribution of <i>zakat fitrah</i> is the same as the general distribution of <i>zakat</i> , which is to eight groups.

Source: Textbook entitled "Ayo Memahami Fikih untuk Kelas VIII Jilid 2," written by H. Jamhari and H. Tasimin, Erlangga, 2019.

From the two tables above, it can be seen that the legal provisions in the fiqh materials in textbook B, particularly on the matters of the time for paying *zakat* and the right recipients for *zakat* does not follow the views of one of the *madzhab* imams.

Textbook C: Anti Madzhab Discourse in the "Buku Fikih 1 Untuk Kelas VII MTs" written by Harun Suyanto and Amrih Latif, PT Tiga Serangkai Pustaka Mandiri, 2019

In this textbook, there are several contents containing anti-*madzhab* discourse in its fiqh materials. The legal provisions in these materials do not conform to the opinions of the verified *madzhab imams*, among the sample materials are:

1. Major *hadats* is purified by *ghusl janabah*

In fiqh materials contained in Textbook C, it is mentioned that a bath that can purify major *hadats* is called *ghusl janabah*. This mention does not conform to the opinion of *madzhab* scholars, because not all major *hadats* are called *Janâbah*. *Janâbah* is the name of some major *hadats*. Not all major *hadats* are called *Janâbah*. As such, mentioning that all major *hadats* are purified with *ghusl janabah* is not correct.

In the Syafi'i madzhab, as affirmed by Nawawi, the understanding of *Janâbah* in *shara'* is directed to people who ejaculate and have intercourse. In line with the opinion of Ibn Hajar al-Haitsami,⁵⁰ among the major *hadats* that fall into the category of *janabah* are: (1) ejaculation, (2) penetration (even without ejaculation).⁵¹ Other major *hadats* that are not called *janabah* are (1) death, (2) menstruation, (3) *nifas* (postpartum bleeding) and (4) childbirth.

In the Hanbali madzhab, it is explained that *Janâbah* is a condition where a person ejaculates or has intercourse.⁵² In the Hanafi madzhab, *Janâbah* occurs by two factors, namely ejaculation and penetration.⁵³ Meanwhile, in the Maliki madzhab, it is mentioned that *Janâbah* occurs for either factor, penetration or ejaculation.⁵⁴

The provisions of *janabah* in these *madzhabs* do not support the author's opinion in the textbook C, both editorially and

⁵⁰ Wizârah al-Auqâfwa al-Syu'ûn al-Islâmiyah. *al-Mausû'ah al-Fikihiyah al-Kuwitiyyah*, 47.

⁵¹ Ibnu Hajar Al-Haitsami, *Al-Minhaj Al-Qawim*, 11:

⁵² Abu al-Qasim al-Kharaqi. 1993. *Matn al-Kharaqi Ala Abi Abdi Allah Ahmad bin Hanbal*. Madinah: Dar al-Shahabah li Alturats, 14.

⁵³ Burhan al-Din Mazah, *Al-Muhith Al-Burhani* (Madinah: Dar Ihya' al-Turats al-Arab), 72.

⁵⁴ Muhammad Al-Kharasyi, *Syarh Mukhtashar Khalil Li Al-Kharasyi*, 352.

substantially. Therefore, these legal provisions are opinions that do not align with the *qauli* method which should indeed be applied by textbook authors whose scholarly capacity and thoughts have not yet reached the level of *mujtahid*. The *qauli* method is a way of deriving law whose determination is by referring to the fiqh books of the madzhab imams.⁵⁵

2. *Khatib* must recite the *kalimah syahadah* in Friday sermon

In Textbook C, it is explained that the *khatib* must recite the *kalimah syahadat*.⁵⁶ Meanwhile, according to the Hanafi *madzhab*, the Friday sermon has only one *rukun*, namely *dhikr* that is not compulsory or conditional.⁵⁷ According to the Malikiyah view, the Friday sermon has only one *rukun*, namely a reminder/warning or good news.⁵⁸

According to the Syafi'i *madzhab*, the *rukun* of the Friday sermon are five, namely Hamdalah, at the beginning of the first and second sermons. Two, sending blessings to the Prophet SAW. Three, reminder to fear of Allah SWT. Four, reciting one verse of the Qur'an. Five, praying for believing men and women in the hereafter.⁵⁹ According to the Hanbali *madzhab*, the Friday sermon has four *rukuns*, namely; Hamdalah, at the beginning of the first and second sermons. Two, shalawat to the Prophet SAW. Three, reciting one verse of the Qur'an. Four, reminder of fear of Allah SWT.⁶⁰

Table 3.
Summary of anti-madzhab discourse in fiqh materials in Textbook C

⁵⁵ Ahmad Zahro, *Tradisi Intelektual NU: Lajnah Bahts Al-Masai'il 1926-1999* (Yogyakarta: PT. LKiS, 2004), 118.

⁵⁶ Mashuri, *Fiqh MTs Kelas VII* (Jakarta: Direktorat KSKK Madrasah Direktorat Jenderal Pendidikan Islam Kementerian Agama RI, 2020), 165.

⁵⁷ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 305.

⁵⁸ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 305.

⁵⁹ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 305.

⁶⁰ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 305.

1. Fiqh materials on *Janâbah ghusl*

Fiqh in textbooks according to four madzhabs	Anti-mazhabs	A bath (<i>ghusl</i>) to purify major <i>hadats</i> is called <i>Janabah ghusl</i>
	Syâfi'iyah	Not all <i>ghusl</i> to purify major <i>hadats</i> is called <i>Janabah ghusl</i> . The condition for <i>Janabah</i> includes penetration and ejaculation.
	Mâlikiyah	Not all <i>ghusl</i> to purify major <i>hadats</i> is called <i>Janabah ghusl</i> . The condition for <i>Janabah</i> includes penetration or ejaculation.
	Hanâbilah	Not all <i>ghusl</i> to purify major <i>hadats</i> is called <i>Janabah ghusl</i> . The condition for <i>Janabah</i> includes penetration or ejaculation.
	Hanafiyah	Not all <i>ghusl</i> to purify major <i>hadats</i> is called <i>Janabah ghusl</i> . The condition for <i>Janabah</i> includes ejaculation due to lust and penetration

2. Fiqh materials on Jumah sermon

Fiqh in textbooks according to four madzhabs	Anti-mazhabs	A rukun for Jumah sermon is <i>khatib</i> recites <i>kalimah syahadah</i>
	Syâfi'iyah	The <i>rukun</i> of the Friday sermon are five, namely Hamdalah, at the beginning of the first and second sermons. Two, sending blessings to the Prophet SAW. Three, reminder to fear of Allah SWT. Four, reciting one verse of the Qur'an. Five, praying for believing men and women in the hereafter
	Mâlikiyah	Friday sermon has only one <i>rukun</i> , namely a reminder/warning or good news
	Hanâbilah	The Friday sermon has four <i>rukuns</i> , namely; Hamdalah, at the beginning of the first and second sermons. Two, <i>shalawat</i> to the Prophet SAW. Three, reciting one verse of the Qur'an. Four, reminder of fear of Allah SWT
	Hanafiyah	Friday sermon has only one <i>rukun</i> , namely <i>dhikr</i> that is not compulsory or conditional

Source: Textbook entitled "Fikih 1 Untuk Kelas VII MTs" written by Harun

Suyanto and Amrih Latif, PT Tiga Serangkai Pustaka Mandiri, 2019

From the two tables above, it can be concluded that the legal provisions on *janabh ghusl* and the *Jumah sermon* contained in the fiqh material in Textbook C do not reflect the views or opinions of the four imam *madzhabs*.

Textbook D: Anti-Madzhab Discourse in the Pendidikan Agama Islam dan Budi Pekerti textbooks for SMA/MA/SMK/MAK Grade XI

Textbook D contains fiqh materials that do not align with the views of four madzhabs. The materials addressed some issues from marriage to burial, such as:

1. Marriage guardians should be from the male relatives of the brides

In the Textbook D, it was mentioned that “the condition of marriage guardians should be from the bride’s male relatives (*mahram*).”⁶¹ This legal provision was not in line with any *madzhab* that mentions that *mahram* is a condition for someone being a marriage guardian.

In Syâfi’iyah *madzhab*, the conditions of being a marriage guardian are: (1) Islam, (2) *baligh*, (3) having sound mind, (4) free (not a slave), (5) male and (6) just.⁶² Meanwhile, in Hanâbilah *madzhab*, a marriage guardian should be: (1) male, (2) having sound mind, (3) *baligh*, (4) free (not a slave), (5) Muslim and (6) intellectual.⁶³

Meanwhile, the conditions for marriage guardians according to Mâlikiyah *madzhab* are: (1) male, (2) free (not a slave), (3) having *akhlak*, (4) *baligh*, (5) not being in *ikhram*,

⁶¹ Mustahdi dan Mustakim, *Pendidikan Agama Islam Dan Budi Pekerti SMA/MA/SMK/MAK Kelas XI* (Jakarta: Pusat Kurikulum dan Perbukuan, Balitbang, Kemendikbud), 135.

⁶² Khatib al-Syarbini Al-Mishri, *Al-Iqna’ Fi Halli Alfadi Abi Syuja’* (Lebanon: Dar al-Kutub al-Ilmiyah, 1971), 241.

⁶³ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba’ah*, 14.

(6) not *kuffur*, (7) not foolish, (8) not *fasiq*.⁶⁴ Finally, in Hanafiyah *madzhab*, marriage guardians should be: (1) a Muslim, (2) *baligh*, (3) having sound mind, (4) free (not a slave), (5) not necessarily being just. A woman who is mandated to marry another orphan woman can be a guardian as long as the orphan is not a slave, *baligh* and having sound mind.⁶⁵

In addition to the conditions for a marriage guardian (*wali nikah*), the Textbook D is inconsistent with the discourse of a marriage guardian from the woman's *mahram* (unmarriageable kin) and also from the aspect of the causes of becoming a marriage guardian. The causes of becoming a marriage guardian according to accepted *fiqh* are (1) paternity and grandfatherhood, (2) *ashabah* due to lineage, (3) the master who liberates, and (4) the judge.⁶⁶ From these four classifications of guardians, many are not *mahram* of the bride but are valid to become a marriage guardian according to the applicable provisions. Among them are the children of her uncle or cousin from the woman and lineage below the cousin. They can legitimately become a valid marriage guardian if the previous marriage guardian has passed away, even becoming an irreplaceable marriage guardian as long as they exist and meet the conditions to become a marriage guardian. Likewise, the master who liberates his slave has the right to become a marriage guardian even though he is not a *mahram* of the bride when there is no guardian from the lineage. Another accepted party who can become a marriage guardian is the judge even though he is not a *mahram* of the bride.

The existence of anti-madzhab discourse regarding the marriage guardian in Textbook D becomes more visible when investigating the legality of someone as a *wali muhakkam*. A *wali muhakkam* is someone appointed by both bride

⁶⁴ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 14.

⁶⁵ Ahmad Abdu Al-Maujud, *Al-Ankihah Al-Fasidah Fi Dhau'I Al-Kitab Wa Al-Sunnah* (Lebanon: Dar al-Kutub al-Ilmiyah, 1971), 47-49.

⁶⁶ Muhammad bin Muhammad al-Ghazali, *Al-Wasith Fi Al-Madzhab* (Lebanon: Dar al-Kutub al-Ilmiyah, 1971), 133.

and groom to act as a marriage guardian in their marriage.⁶⁷ This *wali muhakkam* often becomes an alternative for young men and women who faced challenge of marriage license issues from the family. In this condition, appointing a *wali muhakkam* from people who have no *mahram* relationship becomes a common practice. This usually occurs on some cases where a bride comes from a problematic family, hence it is not possible to choose a guardian from the her *mahram*. Thus, the legal decision that the guardian must be from the woman's *mahram* could be a burden and difficult to implement.

2. Burying up to three bodies in one grave

In Textbook D, it is mentioned that it is permissible to bury two to three bodies in one grave.⁶⁸ This *fiqh* decision contradicts the four *madzhabs*. According to the Mâlikiyah school, it is permissible to gather many bodies in one grave when in a state of emergency.⁶⁹ Meanwhile, in the Hanâbilah school, it is forbidden to gather many bodies in one grave except in a state of emergency.⁷⁰

The difference of opinion between the *madzhabs* and this textbook lies in the word “emergency”. The permissibility of burying two to three bodies in one grave in the textbooks did not explicitly mention the word “emergency”, while in the *madzhabs*, the word “emergency” is mentioned. The difference in words gives rise to different meanings and interpretations. According to Abdu al-Majid, an emergency condition allows something forbidden to be done. An example is uttering disbelief when life is threatened. The original law of uttering disbelief is forbidden, but in a threatened condition, what is forbidden becomes permissible.⁷¹ This is part of the

⁶⁷ Ade Saroni, *Badai Bahtera Rumah Tangga Dan Solusinya* (Yogyakarta: Nas Media Pustaka, 2022), 61.

⁶⁸ Mustakim, 40.

⁶⁹ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 489.

⁷⁰ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 489.

⁷¹ Al-Zaruqi Abdu Al-Majid, *Ushul Al-Fiqhi Masar Amaliyah Istinbâth Al-Qanun Al-Islami* (Lebanon: Dar al-Kutub al-Ilmiyah, 2017), 97.

division of *rukhsah* (leniency) law. The evidence provides enough argument that the legal conclusion will differ between emergency and non-emergency conditions.

The legal provisions in the studied textbooks also differ and contradict the Syafi'i and Hanafi schools. In the Syafi'i school, it is mentioned that it is permissible to gather many bodies in one grave when there is a need.⁷² Meanwhile, in the Hanafi school, it is explained that it is *makruh* (discouraged) to gather many bodies in one grave except when there is a need.⁷³ As in the Hanbali and Maliki schools, the difference in words in the Syafi'i and Hanafi schools influences the emergence of different meanings and interpretations, namely the word "need". According to al-Suyuthi, a common need is in the same position as an emergency.⁷⁴

3. Burying a body at night is permissible in the state of emergency

In Textbook D, it is mentioned that it is permissible to bury a body at night when in a state of emergency.⁷⁵ This *fiqh* content differs from many representative *fiqh* books. The legal decision taken contradicts the four madzhab of Syâfi'iyah, Hanafiyah, Hanâbilah and Mâlikiyah.

In the Syâfi'iyah *madzab*, it is stated that burying a body at night is permissible and not *makruh*, and this is most accepted decision (*qaul mukhtar*)⁷⁶ as written in Syafi'i references, such as in the book *Mughni al-Muhtaj* which explained that it is permissible and not *makruh* to bury a body at night. In the book *al-Maushu'ah al-Fiqhiyah al-Kuwitiyah*, it is explained that it is not *makruh* to bury a body at night.⁷⁷ The same opi-

⁷² Ali Bin Muhammad Al-Syaukani, *Nail Al-Authar* (t.t.: Syirkah al-Halbi), 89.

⁷³ Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, 489.

⁷⁴ Al-Suyuthi, *Al-Asybah Wa Al-Nadzair Fi Qawaid Wa Furu'i Fiqhi Al-Syâfi'iyah* (Lebanon: Dar al-Kutub al-Ilmiyah, 1971), 140.

⁷⁵ Mustakim, 40.

⁷⁶ Wahbah Al-Zuhaili, *Al-Fiqhu Al-Islâmi Wa Adillatihi* (Bairut: Dar al-Kitab al-Ilmiyah, 2003), 535.

⁷⁷ Al-Islâmiyah, 16.

nion is also from the Hanafiyah and Hanâbilah madzhab that it is permissible and not *makruh* to bury at night, and this is the accepted opinion.⁷⁸ As for the Mâlikiyah madzhab, it affirms that it is not *makruh* to bury at night, with the evidence that Prophet Muhammad, Sayyidina Abu Bakar, Siti Fatimah, and Siti Aisyah were buried at night.⁷⁹

The anti-madhab fiqh content in this textbook is a case where the *hadith* of Prophet Muhammad was understood partially. The above fiqh opinion written by the textbook authors was related to a hadith that says:

لَا تَدْفِنُوا مَوْتَاكُمْ بِاللَّيْلِ إِلَّا أَنْ تَضْطَرُّوا

Meaning: *Do not bury the dead at night except in a state of emergency.*

However, the meaning of this hadith does not apply universally to all practices of burying the deceased at night, but is limited to the practice of burying a body at night before it is prayed over, as affirmed by Ibn Hajar al-Asqalani. This restriction is based on the story of Prophet Muhammad prohibiting someone from burying a body at night until it is prayed over, except in a state of emergency.⁸⁰

4. A *khatib* must understand the correct *aqidah* and *fiqh*

In Textbook D, it is explained that a *khatib* must understand the correct *aqidah* and *fiqh*.⁸¹ This fiqh content contradicts the four *madzhab*s which mentioned that none of these are requirements for a *khatib*. The requirements of a *khatib* in the four *madzhab*s can be seen in the conditions of a *khatib*. According to the Syafi'i madzhab, a *khatib* should be: (1) pure from minor and major impurities (*najis*) either on clo-

⁷⁸ Al-Islâmiyah, 535.

⁷⁹ Yasin Ghadi, *Al-Dur Al-Mantsur Fi Ahkam Al-Janaiz Wa Al-Qubur* (t.t.: t.tp., 1994), 249.

⁸⁰ Ibnu Hajar Al-Asqalani, *Al-Dirayah Fi Takhriji Ahaditsi Al-Hidayah* (Lebanon: Dar al-Ma'rifah), 242.

⁸¹ Mustakim, 55.

thes, body or place, (2) covering the *awrah*, (3) male, (4) eligible to be an *imam*, (5) a knowledgeable person who believes in the *rukun* as *rukun*, and the *sunnah* as *sunnah*.⁸²

In these five conditions as outlined in four *madzhabs*, it is not required for a *khatib* to understand the correct *aqidah* and understand *fiqh*. Evenmore, it is affirmed in four *madzhabs* that both knowledgeable and unknowledgeable people who meet the five criteria can become a *khatib*. It is enough for a knowledgeable person to believe in the *rukun* as *rukun* and the *sunnah* as *sunnah*, and for an unknowledgeable person to not believe in the obligatory (*wajib*) as *sunnah*.

In these conditions, a *khatib* is also sufficient from a person who is eligible to be an *imam* of prayer. This eligibility does not require understanding the correct *aqidah* and understanding of the *fiqh*. Understanding *fiqh* is only a *mustahabbah* (recommended) characteristic for an *imam*. This is as stated by Umar Nawawi al-Jawi. According to him, the conditions to be a valid *imam* are six in the Syafi'i school, namely (1) not in a state of minor impurities (*hadats*), (2) not in a state of major impurities (*junub*), (3) there is no *najis* that on his clothes or body, (4) not touching his private parts, (5) not leaving *i'tidal* and *tuma'ninah* in prayer, even if it is a *sunnah* prayer, (6) not leaving the recitation of Surah al-Fatihah while he is able to recite it.⁸³

Meanwhile, the *mustahabbah* (recommended, not required) characteristics for an *imam* are six, namely (1) understanding *fiqh*, (2) *qira'ah* (memorize parts of the Qur'an), (3) *wara'* (caution in practicing religion), (4) *sinnun* (older in age), (5) *nasab* (having noble lineage) and (6) *hijrah* (who migrate together).⁸⁴

According to Hanâbilah, the conditions of a *khatib* is that he is obligated to perform the Friday prayer.⁸⁵ According

⁸² Muhammad Abu al-Fath Al-Bayunani, *Dalil Al-Khatib* (t.t, 2012), 33-34.

⁸³ Al-Jawi, 14.

⁸⁴ Al-Jawi, 86.

⁸⁵ Abdu al-Rahman Al-Jaziri, *Al-Fiqhu Ala Al-Madzâhib Al-Arba'ah*, Vol. 1 (Lebanon: Dar al-Fikr, 2019), 357.

to the Mâlikiyah school, the condition to become a *khatib* is that he is an *imam* and must be a person with the status of *muqim* (resident).⁸⁶ Meanwhile, the conditions to become an imam in the Mâlikiyah school are nine, namely (1) Islam, (2) male, (3) having a sound mind, (4) not in the status of a *makmum*, (5) not in a state of ritual impurity, (6) able to perform the *rukun* of prayer, (7) know the *rukun* and conditions of prayer, (8) Free (not a slave), and (9) *muqim*, specifically for the Friday prayer *imam*.⁸⁷

Table 4.
Summary of anti-*madzhab* discourse Textbook D

1. Fiqh materials on the conditions of marriage guardians

Fiqh in textbooks	Anti-mazhabs	Marriage guardians should be from the bride's <i>mahram</i>
Fiqh according to four madzhab	Syâfi'iyah	Marriage guardians should be: (1) Islam (2) Baligh (3) Having sound mind (4) Free (not a slave) (5) Male (6) Just
	Mâlikiyah	Marriage guardians should be: (1) Male (2) Free (not a slave) (3) Having akhlak (4) Baligh (5) Not in ikhram (6) Not kuffur (7) Not fool (8) Not fasiq
	Hanâbilah	Marriage guardians should be: (1) Male (2) Having sound mind (3) Baligh (4) Free (not a slave) (5) Muslim (6) Intellectual

⁸⁶ Al-Qarawi, 161.

⁸⁷ Al-Qarawi, 103.

Hanafiyah	Marriage guardians should be: (1) Islam (2) Baligh (3) Having sound mind (4) Free (not a slave) (5) Not necessarily just (6) A woman who is mandated to marry orphan woman and the orphan is not slave, baligh and having sound mind
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2. Fiqh materials on burying the dead (1)

Fiqh in textbooks	Anti-mazhabs	Burrying two or three bodies in one grave is permissible
Fiqh according to four madzhab	Syâfi'iyah	Burrying many bodies in one grave is permissible in certain condition
	Mâlikiyah	Burrying many bodies in one grave is permissible in emergency
	Hanâbilah	Burrying many bodies in one grave is <i>haram</i> , except in emergency
	Hanafiyah	Burrying many bodies in one grave is <i>makruh</i> , except in emergency

3. Fiqh materials on burying the dead (2)

Fiqh in textbooks	Anti-mazhabs	Burrying a body in the evening is permissible when urgent
Fiqh according to four madzhab	Syâfi'iyah	Burrying a body in the evening is permissible and not <i>makruh</i>
	Mâlikiyah	Burrying a body in the evening is not <i>makruh</i>
	Hanâbilah	Burrying a body in the evening is permissible and not <i>makruh</i>
	Hanafiyah	Burrying a body in the evening is permissible and not <i>makruh</i>

4. Fiqh materials on the conditions for khatib

Fiqh in textbooks	Anti-mazhabs	A <i>khatib</i> should have understanding of the correct <i>aqidah</i> and <i>fiqh</i>
Fiqh according to four madzhabs	Syâfi'iyah	A <i>khatib</i> should be: (1) pure from both minor and major impurities (<i>najis</i>), on clothes, body or place (2) covering the <i>aurat</i> (3) male (4) eligible to be an imam (5) a knowledgeable person who believes in the pillars as pillars and the sunnah as sunnah.
	Mâlikiyah	A <i>khatib</i> is someone who is eligible as an <i>imam</i> and should be <i>muqim</i> (resident)
	Hanâbilah	A <i>khatib</i> is someone who is eligible to lead Jumah prayer
	Hanafiyah	Does not mention that khatib should understand correct <i>aqidah</i> and <i>fiqh</i>

Source: Pendidikan Agama Islam dan Budi Pekerti textbooks for SMA/MA/SMK/MAK Grade X

From the four tables above, it can be concluded that the legal provisions on the conditions of marriage guardians, burials, and the requirements of being a khatib in Textbook D as contained in its fiqh materials does not follow the views of one of the *madzhab imams*.

Four textbooks under study have shown that authors' opinions on legal provisions related to religious practices, ranging from the conditions of wudu and ghusl, to the conditions of being an imam and khatib, to the burials of body were not built upon valid fiqh main references from the four imam *madzhabs*. The authors have the tendency of interpreting a certain legal provision from a textual editorial of a *hadith* instead of perusing a contextual interpretations towards the *hadith*.

CONCLUSION

This study has identified significant instances of anti-madzhab discourse in the fiqh materials of Islamic education textbooks used in Indonesian schools and madrasahs. The findings reveal discrepancies between textbook content and tra-

ditional madzhab interpretations on various fiqh-related topics, such as conditions for ablution, requirements for becoming an *imam*, timing for *zakat* payment, identification of *zakat* recipients, the conditions of *janabah ghusl*, the validity of tattoo for prayers, and many more. These discrepancies have the potential to confuse students and lead to improper religious practices.

The presence of anti-madzhab discourse in educational materials such as coursebooks underscores the critical need for aligning textbooks with the four established *madzhab* teachings. Ensuring doctrinal accuracy in Islamic education is essential for fostering a correct and unified practice of Islam among students. Misalignments can disrupt students' understanding and adherence to Islamic jurisprudence, leading to a fragmented religious education.

To address the issues identified in this study, several actions are recommended. First, Islamic education textbooks should be thoroughly reviewed and revised by qualified Islamic scholars to ensure they reflect valid *madzhab* interpretations. This will help maintain the integrity of Islamic educational materials. Second, educators should receive comprehensive training on traditional *madzhab* frameworks. This training will equip teachers with the knowledge and skills necessary to accurately convey *fiqh* teachings and correct any misconceptions arising from current textbooks. Third, the curriculum should be developed to include a balanced representation of all four Sunni *madzhabs*. This approach will provide students with a comprehensive understanding of Islamic jurisprudence, ensuring they are well-versed in the diversity of Islamic legal thought. Lastly, coursebooks on Islamic education should be authored by those who have sound knowledge in the fields of *fiqh* and *madzabs* (among others), as to prevent similar incident reoccur in the future.

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