



# REORIENTATION OF MUNAKAHAT FIQH LEARNING FROM A NORMATIVE-LEGALISTIC APPROACH TO MAQASHID SYARIAH- BASED REASONING AT AL ANSOR ISLAMIC BOARDING SCHOOL, PADANGSIDIMPUAN

## NORAH REORIENTASI PEMBELAJARAN FIQH MUNAKAHAT DARI PENDEKATAN NORMATIF-LEGALISTIK KE PENALARAN BERBASIS MAQASHID SYARIAH DI PESANTREN AL ANSOR, PADANGSIDIMPUAN

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### Abstract

The teaching of fiqh munakahat in Islamic boarding schools is generally still dominated by a normative-legalistic approach, which emphasizes the determination of legal status, such as halal-haram or valid-invalid, based on texts and the authority of classical books. This approach is important in preserving the scholarly tradition of fiqh, but in practice it often does not encourage students to understand the legal objectives and social implications of fiqh provisions. This study aims to analyze how the maqāshid syariah reasoning approach can be applied in the teaching of fiqh munakahat and how this approach influences the students' way of thinking. This study uses a qualitative approach with a case study design conducted at the Al-Ansor Islamic Boarding School in Padangsidimpuan. Data were collected through observation of the learning process in the classroom, discussions with students, and reflections from teachers during the field study. The results of the study show a shift in the students' way of thinking from a textual understanding of the law to a more reflective understanding, taking into account the social context and objectives of sharia. This research contributes by offering a more contextual, reflective, and relevant model of fiqh munakahat learning for the challenges of contemporary Muslim family life.

**Keywords :** Fiqh Munakahat, Fiqh Learning, Maqashid Syariah, Islamic Boarding School Education.

### Abstrak

Pembelajaran fiqh munakahat di pesantren pada umumnya masih didominasi oleh pendekatan normatif-legalistik, yang menekankan penentuan status hukum seperti halal-haram atau sah-tidak sah berdasarkan teks dan otoritas kitab klasik. Pendekatan ini penting dalam menjaga tradisi keilmuan fiqh, namun dalam praktiknya sering kali belum mendorong santri untuk memahami tujuan hukum dan



implikasi sosial dari ketentuan fiqh tersebut. Penelitian ini bertujuan untuk menganalisis bagaimana pendekatan penalaran berbasis maqāsid syariah dapat diterapkan dalam pembelajaran fiqh munakahat serta bagaimana pendekatan tersebut memengaruhi cara berpikir santri. Penelitian ini menggunakan pendekatan kualitatif dengan desain studi kasus yang dilaksanakan di Pondok Pesantren Al-Ansor Padangsidempuan. Data dikumpulkan melalui observasi proses pembelajaran di kelas, diskusi dengan santri, serta refleksi pengajar selama kegiatan Field Study. Hasil penelitian menunjukkan adanya pergeseran cara berpikir santri dari pemahaman hukum yang bersifat tekstual menuju pemahaman yang lebih reflektif, dengan mempertimbangkan konteks sosial dan tujuan syariat. Penelitian ini berkontribusi dengan menawarkan model pembelajaran fiqh munakahat yang lebih kontekstual, reflektif, dan relevan dengan tantangan kehidupan keluarga muslim kontemporer.

**Kata Kunci :** Fiqh Munakahat, Pembelajaran Fiqh, Maqashid Syariah, Pendidikan Pesantren.

## 1. INTRODUCTION

Fiqh munakahat is a branch of fiqh that discusses the laws relating to marriage and family life in Islam. The discussion of fiqh munakahat not only covers the aspects of the marriage contract, but also touches on the stages before marriage, such as marriage preparations, the requirements and pillars of marriage, khitbah, and pre-marital guidance. This scope shows that marriage in Islam is viewed as a serious and sacred institution, as emphasized by the concept of mitsāqan ghalīẓan (a strong bond). Therefore, a comprehensive understanding of fiqh munakahat is an important part of Islamic education.

In the context of pesantren education, fiqh munakahat is taught through the study of classical books (turāt), such as Al-Bājūrī, Al-Syarqāwī, Asybah wa al-Nazā'ir, and other fiqh works. Through this tradition, santri are introduced to the diversity of opinions among scholars on munakahat issues, so that ideally they do not only understand one legal view absolutely. Classical book-based learning has the potential to shape a deep and rich understanding of fiqh, especially when linked to the social context and the evolving needs of society.

However, in practice, the teaching of fiqh munakahat in Islamic boarding schools still tends to be dominated by a normative-legalistic approach. Students generally stop at questions about legal status, such as whether something is permissible or impermissible, halal or haram, without continuing on to analyze the social implications and legal objectives of these provisions. This condition is normal in the pesantren tradition, but it shows the need for a reorientation of learning so that students begin to be directed towards more critical and reflective reasoning, particularly through the maqāsid syariah approach in understanding the laws of munakahat.

Islamic educational institutions, especially Islamic boarding schools, play a crucial role as the foundation for national progress through the formation of moral values and faith in students.<sup>1</sup> As the oldest educational institution in Indonesia, Islamic boarding schools have a

<sup>1</sup> Fitroh Muspiatu Sangadah and Feri Riski Dinata, *Reframing Islamic Education Management through the Lens of Maqāsid Al-Sharī'ah: Evidence from Madrasah Education*, 4, no. 1 (2025).



historical mandate to preserve and spread religious values through a strong learning tradition.<sup>2</sup> Within this ecosystem, fiqh occupies a position as a compulsory subject and the core of education due to its direct impact on individual behavior in performing worship and muamalah.

In the context of the pesantren curriculum, fiqh munakahat (marriage law) is very strategic because it regulates the smallest foundation of society, namely the family. Traditionally, the teaching of this subject is rooted in classical Islamic texts, which are characteristic of the originality of pesantren in educating future scholars to remain faithful to classical Islamic thought.<sup>3</sup>

Despite its central position, fiqh learning in Islamic boarding schools is often viewed as outdated and unable to respond to rapidly developing contemporary issues. There is a tendency toward a normative-legalistic approach, in which fiqh is considered a final legal product that is instantaneous and textual, and therefore does not need to be reinterpreted in depth. As a result, fiqh material is often taught rigidly, focusing only on the legal status of “halal-haram” or “valid-invalid” without giving students the space to understand the social context and practical application in modern life.<sup>4</sup>

This tension becomes even more apparent when textual learning materials are confronted with global dynamics and technological advances that demand critical thinking. If learning remains confined within narrow normative boundaries, Islamic boarding schools risk producing a generation that is formally and procedurally proficient but lacks spiritual and humanistic orientation in religion.

Studies on fiqh teaching methods in Islamic boarding schools have been conducted extensively, but most of them still focus on technical and pragmatic aspects such as the use of learning media or traditional methods such as sorogan and bandongan.<sup>5</sup> There are still limitations in studies that explore the philosophical and evaluative dimensions of how to integrate normative legalism with maqasid sharia reasoning in the classroom.<sup>6</sup> To date, the application of maqasid syariah has been discussed more often in the realm of fatwa or public policy than in the practical level of the curriculum in secondary schools or state Islamic boarding schools. Therefore, there is an urgent need to formulate a model for teaching fiqh munakahat that is able to bridge classical texts with social reality through the maqasid framework.

<sup>2</sup> M. Athoillah, “THE METHODS OF TEACHING AND LEARNING FIQH IN ISLAMIC BOARDING SCHOOL, ISLAMIC SCHOOL AND PUBLIC SCHOOL,” *Jurnal Pendidikan Islam* 2, no. 1 (2016): 127–42, <https://doi.org/10.15575/jpi.v2i1.697>.

<sup>3</sup> Ali Syahputra, “Fiqh Education in Pesantren as a Model for Fiqh Education in the World,” *Santri: Journal of Pesantren and Fiqh Sosial* 4, no. 2 (2023): 213–28, <https://doi.org/10.35878/santri.v4i2.872>.

<sup>4</sup> Annisa Lutfiana and Enjang Burhanudin Yusuf, “Implementasi Maqasid Al-Syariah dalam Pembelajaran Fikih: Studi pada Siswa SMA N 1 Purwokerto,” *AHKAM* 4, no. 2 (2025): 410–23, <https://doi.org/10.58578/ahkam.v4i2.5792>.

<sup>5</sup> Athoillah, “THE METHODS OF TEACHING AND LEARNING FIQH IN ISLAMIC BOARDING SCHOOL, ISLAMIC SCHOOL AND PUBLIC SCHOOL.”

<sup>6</sup> Iing Ilham Karuniawan and Moh. Roqib, “Ruang Lingkup Pendidikan: Pengaplikasian Maqasid Syariah Kajian dalam Fikih Pada Siswa di SMAN 1 Purwokerto,” *NUSRA : Jurnal Penelitian dan Ilmu Pendidikan* 5, no. 3 (2024): 1012–23, <https://doi.org/10.55681/nusra.v5i3.2944>.



This study aims to analyze how the maqasid syariah-based reasoning approach can be integrated into the teaching of fiqh munakahat at the Al-Ansor Islamic Boarding School in Padangsidempuan. Maqasid syariah itself is an ethical and legal framework that aims to realize benefits through the protection of five basic aspects: religion, life, intellect, lineage, and property.<sup>7</sup>

Through this reorientation, this study is expected to make two major contributions. Theoretically, this study enriches the literature on maqasid-based fiqh pedagogy that is relevant to the challenges of the times. Practically, this study offers an adaptive curriculum model for Islamic boarding schools to shape students who are not only legally obedient, but also have social awareness, justice, and an inclusive character in facing global dynamics.<sup>8</sup>

This study offers a pedagogical contribution to fiqh education by examining how maqāṣid-based reasoning can be introduced within classical fiqh munakahat learning in pesantren. Unlike previous studies that focus on legal formulations or theoretical discussions of maqāṣid, this research highlights the cognitive shift of students from normative-legalistic reasoning toward reflective understanding through classroom interaction and guided discussion

## 2. RESEARCH METHOD

This study uses a qualitative approach with a case study design. This approach was chosen because the study aims to gain an in-depth understanding of the fiqh munakahat learning process and the way santri think in the natural context of the pesantren. Case studies allow researchers to examine learning practices in a specific, contextual manner that is not detached from the social reality in which the activities take place. The research was conducted at the Al-Ansor Islamic Boarding School in Padangsidempuan with the research subjects being 12th grade Madrasah Aliyah students who participated in fiqh munakahat learning activities during the field study.

Data collection techniques were carried out through direct observation of the learning process in the classroom, discussions with students, recording of teacher reflections, and documentation of learning notes. The data obtained was then analyzed using thematic analysis, namely by identifying the main patterns in student discussions, particularly related to how they understand fiqh law and the shift in reasoning from a normative-legalistic approach to reasoning based on maqāṣid syariah. This analysis was used to observe the trends, dynamics, and developments in students' thinking during the learning process.

## 3. RESULT AND DISCUSSION

Based on observations at the Al-Ansor Islamic Boarding School, the teaching of fiqh munakahat is still dominated by the Salafi tradition, which emphasizes mastery of classical texts as the main reference. The bandongan method is the most commonly used approach, in

<sup>7</sup> Tanza Dona Pertiwi and Sri Herianingrum, "Menggali Konsep Maqashid Syariah: Perspektif Pemikiran Tokoh Islam," *Jurnal Ilmiah Ekonomi Islam* 10, no. 1 (2024): 807, <https://doi.org/10.29040/jiei.v10i1.12386>.

<sup>8</sup> Syahputra, "Fiqh Education in Pesantren as a Model for Fiqh Education in the World."



which the ustadz or ustadzah reads classical texts aloud to the students and then translates them literally into the local language.

In addition, the learning process is accompanied by explanations of linguistic aspects, such as structure and i'rab, in order to strengthen the students' understanding of the Arabic texts being studied. This pattern shows that the teaching of fiqh munakahat at this pesantren is more oriented towards mastery of texts and linguistic rules, so that understanding of fiqh is built through a strong textual approach.

In addition to the bandongan method, fiqh munakahat learning at Al-Ansor Islamic Boarding School also applies the sorogan method as a means of training students' accuracy and precision in reading. In practice, students read the text of the book directly in front of the teacher, while the teacher corrects their reading and provides guidance so that their understanding of the text remains in accordance with the correct rules.

In this context, the ustadz occupies the position of a center of scholarly authority who transmits the thoughts and values of classical fuqaha to the students. The students actively take notes on the explanations in the margins of the book as part of the process of internalizing knowledge. This tradition is considered important for maintaining the continuity and originality of classical Islamic thought so that it remains alive and understood by the younger generation.

Findings in the field show that santri's understanding in the early stages of learning fiqh munakahat is still heavily influenced by normative-legalistic thinking. Fiqh is perceived as a final and established legal product, so it is not considered necessary to reinterpret it in accordance with the evolving social context. As a result, santri mainly focus on the classification of legal status, such as halal–haram, valid–invalid, or sunnah–makruh. This approach causes discussions of fiqh to tend to stop at the formal aspects of the law, without any deepening of the philosophical foundations, objectives of the sharia, or values of benefit that underlie the provisions.

This situation causes students to often experience difficulties when responding to contemporary marriage issues that are increasingly complex and diverse. A rigid and textual approach to fiqh makes them tend to focus on the letter of the law, without considering the social and cultural context or the dynamics of the relationships involved in these issues. As a result, fiqh is often understood as merely a collection of ritualistic normative provisions that are detached from the realities of everyday life. If this pattern of understanding continues, it has the potential to give rise to what is known as a methodological crisis, namely the inability of santri to bridge classical texts with the demands of modernity. This crisis not only hinders the development of contextual fiqh thinking, but also weakens the relevance of fiqh as an ethical and social instrument in responding to the problems of the ummah in the contemporary era.

The implementation of learning reorientation was carried out by introducing the Maqasid Syariah framework as an evaluative and critical tool. Teachers at Al-Ansor began using provocative questions to encourage students to consider the maslahat behind formal legal texts. The integration of these values focused on five basic principles (al-ḍarūriyyāt al-khams):





protection of religion, life, intellect, lineage, and property. In the Munakahat material, this shift was evident in two main topics:

**Marriage Registration:** Previously, santri focused only on the requirements for a valid marriage according to Islamic law (the presence of a guardian and witnesses). Now, they are taught to understand that registration at the KUA is part of *hifz al-nasl* (protection of offspring) and *hifz al-mal* (protection of property) so that the rights of wives and children are legally guaranteed by the state.

**Child Custody (Ḥaḍānah):** Santri began to shift from simply following the traditional family hierarchy to the principle of “best interest of the child.” This is in line with the objectives of *hifz al-nafs* (protection of the soul) and *hifz al-'aql* (protection of the mind) so that the child's mental development is not disrupted by parental disputes.

This approach has been proven to improve students' critical thinking skills, as they not only understand the law textually, but are also encouraged to examine the context and purpose behind it. In addition, this type of learning fosters a deeper sense of tolerance and social awareness, making students more sensitive to social realities and able to position *fiqh* as a relevant ethical guideline in social life.

The process of reorienting *fiqh* learning faces quite complex challenges, especially from within the *pesantren* environment. The normative-legalistic mindset that is deeply rooted in the learning tradition makes it difficult for all parties involved to instantly accept this change in approach. In addition, there is resistance from some circles who view the *maqāṣid al-syarī'ah* approach as potentially neglecting the classical texts that have been the main foundation of *fiqh* studies. This concern is based on the assumption that an emphasis on legal objectives could weaken the authority of the classical texts as a normative reference. On the other hand, the stigma against innovative thinking is still quite strong, where new interpretations are often suspected of being methodological deviations or even labeled as *bid'ah* (heresy). This condition poses a challenge for renewal efforts, especially in Islamic boarding schools, which tend to be conservative and cautious about change.

Externally, the process of reorienting learning also faces various technical obstacles, particularly time constraints in the already packed *pesantren* curriculum. This condition makes it difficult to optimally integrate the *maqāṣid al-syarī'ah* approach, especially given the lack of teaching materials or *maqāṣid* modules that are contextual and easy to apply in *fiqh* learning. In addition, limited supporting facilities and infrastructure also affect the effectiveness of the program, including access to relevant and up-to-date learning resources. The readiness and motivation of *ustadz* and *ustadzah* to continue pedagogical renewal are also important variables, because not all educators have adequate opportunities or support to develop new approaches. Despite these obstacles, strengthening digital literacy and religious moderation through the *maqāṣid* framework is still seen as an urgent form of educational *ijtihād*. This effort is considered important to ensure that *fiqh* learning remains relevant, adaptive, and capable of responding to socio-religious challenges in the contemporary era..



#### 4. CONCLUSION

This study concludes that reorienting fiqh munakahat learning from a normative-legalistic approach to reasoning based on maqāṣid al-sharī‘ah at Al-Ansor Islamic Boarding School can improve students' substantive understanding without neglecting the tradition of classical Islamic texts. The integration of maqasid values successfully changed the students' mindset from merely memorizing formal legal statuses to the ability to analyze the maslahah (benefit) behind the text, so that Islamic law is understood as a dynamic and humane system. The application of the al-ḍarūriyyāt al-khams framework has contributed significantly to shaping the character of santri to be more responsible, tolerant, and socially sensitive in dealing with contemporary family issues. In addition, this reorientation serves as a moral compass and a form of “educational ijtihad” that equips santri to respond to the challenges of the digital and globalization era with a moderate (wasatiyyah) attitude. Institutionally, the maqāṣid-based approach has proven to be able to balance the efficiency of educational management with the harmonious achievement of spiritual and worldly goals.

As a practical implication, this study recommends the need to revise the pesantren curriculum to explicitly integrate maqasid modules and improve the pedagogical and digital competencies of ustadz. Affirming the principle of “the best interests of the child” and the protection of human rights in fiqh munakahat is also urgent in order to realize an inclusive and equitable Islamic education system. Finally, this comprehensive, emancipatory, and transformative learning model is expected to serve as a reference for the internationalization of Islamic boarding school education in the future.

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