

TEACHING UṢŪL AL-FIQH: A Multicultural Education Model

Rusli

Faculty of Sharia and Islamic Economy
State Institut of Islam Studies (IAIN) Palu
email: rusli_mochtar@yahoo.com

Abstract: *This paper deals with the teaching of uṣūl al-fiqh (methodology of Islamic law) using a multicultural model. Multicultural education means an instilling of the values that lead to peace and harmony, which comprise sixteen values, such as equality, mercy, empathy, justice, nationalism, cooperation, tolerance, good opinion, solidarity, mutual trust, self-convidence, responsibility, honesty, sincerity, trustworthy, and deliberation. These values are humanist in nature, and can be found clearly in the primary sources of Islam, such as the Qur'ān and the Sunna of the Prophet. In the teaching of uṣūl al-fiqh, which is based on a multicultural education, these values should be incorporated into learning. In the process of incorporating these values, the paradigm that is issued is humanist-progressive, which emphasizes the principle and approach of respect for differences and doing more cooperative activities than competitive. In the principle of respect for differences, education is illustrated as mirror, window and conversation, while in the second principle, students are the subject in learning process. The method of teaching that is employed in class includes dialog, cooperation, problem solving, affirmation and democratic boundaries setting.*

المخلص: يقوم هذا البحث بمعالجة قضية تدريس أصول الفقه المبني على التربية التعددية. وهذه التربية هي ترسيخ القيم التي تؤدي إلى السلم والإنسجام إلى نفس الإنسان والتي تحتوي على ستة عشر قيمة، وهي المساواة والرحمة والتقصم العاطفي والعدالة والقومية والتعاون والتسامح وحسن الظن والتضامن وتبادل الثقة والثقة بالنفس والمسئولية والصدق والإخلاص والأمانة والمشاورة. وهذه القيم تتصف بالإنسانية وتوجد بوضوح في مصادر الإسلام الأساسية وهما القرآن والسنة النبوية. وفي تدريس أصول الفقه التي بنيت عليها التربية التعددية، فلا بد من إدخال هذه القيم إلى التعليم. وفي عملية ترسيخ هذه القيم، نموذج التدريس الذي يعتمد عليه

هو النموذج الإنساني المتقدم، الذي يتركز على احترام الإختلافات المتنوعة والقيام بالأعمال التي هي أكثر تعاوناً. وأما في مبدأ الاحترام على الاختلافات، فتتصور التربية كالمراة والنافذة والحوار، وأما في المبدأ الثاني فإن الطلاب هم الفاعلون في عملية التربية والتعليم. وأما طريقة تدريس أصول الفقه التي تستخدم في الفصل فتشمل طرق الحوار والتعاون في الدراسة وحل المشكلات والتأكيد وصناعة الحدود الديمقراطية.

Abstrak: Artikel ini membahas tentang pengajaran *uṣūl al-fiqh* dengan menggunakan model pendidikan multikultural. Pendidikan multikultural adalah penanaman nilai-nilai yang mengantarkan kepada perdamaian dan harmoni, yang mencakup enam belas nilai, seperti persamaan, kasih sayang, empati, keadilan, nasionalisme, kerjasama, toleransi, baik sangka, solidaritas, saling percaya, percaya diri, tanggung jawab, kejujuran, ketulusan, amanah, dan musyawarah. Nilai-nilai ini berwatak humanis, dan dapat ditemukan dengan jelas dalam sumber utama Islam, yaitu *al-Qur'an* dan *Sunnah Nabi*. Dalam pengajaran *uṣūl al-fiqh* yang berbasis pada pendidikan multikultural, nilai-nilai ini harus dimasukkan ke dalam pembelajaran. Dalam proses penanaman nilai-nilai ini ke dalam pembelajaran, paradigma yang dijadikan pijakan adalah paradigma humanis-progresif, yang menekankan pada pendekatan dan prinsip menghormati berbagai macam perbedaan dan melakukan aktivitas yang lebih kooperatif ketimbang kompetitif. Dalam prinsip penghormatan terhadap perbedaan, pendidikan digambarkan sebagai cermin, jendela, dan percakapan. Sementara itu, dalam prinsip yang kedua, siswa menjadi subjek dalam proses pembelajaran. Metode pengajaran *uṣūl al-fiqh* yang digunakan di dalam kelas adalah metode dialog, bekerja sama, pemecahan masalah, afirmasi, dan pembuatan batasan-batasan demokratis.

Keywords: cooperative learning, dialog, problem solving, democratic boundary setting.

INTRODUCTION

In general, *uṣūl al-fiqh* is one of the subjects in Islamic law studies. In Islamic universities in Indonesia, introducing this subject in the

curriculum is highly important. And, a mastery of this subject is undoubtedly significant since it is regarded as a method or tool in deriving Islamic laws. If one does not use it properly, it will lead to inconsistent laws from Muslim scholars' perspective. In developing Islamic sciences, *uṣūl al-fiqh* should be put in priority.

Uṣūl al-fiqh is derived from two words: *uṣūl*, which is the plural of *aṣl*, meaning "foundation, basis and principle", and *fiqh* which means "Islamic law". Therefore, *uṣūl al-fiqh* can be defined as the science that explains the references, essentials, and general principles of law. Islamic jurists define this science as theoretical legal information and principles that ensure that one learns and deduces the *sharī'ah* decrees regarding applied (practical issues) from various evidences (sources) of it.

Although this method of Islamic law derivation plays a significant role in producing colourful Islamic laws in various *fiqh* literatures, the teaching of *uṣūl al-fiqh* in Islamic universities in Indonesia still depends on a conventional method. Some lecturers teach this method as it was inscribed in literatures of *uṣūl al-fiqh*, without placing it in the changing contexts. On the other hand, the teaching of *uṣūl al-fiqh* in some Islamic universities in Indonesia has been carried out in a normative way, lacking a standardized modul that responds and adjusts more to a change of time. However, as Shaḥrūr said,¹ "the change of the epistemology of knowledge can lead to change of law" (*taghayyur al-aḥkām bi taghayyur al-nuzum al-ma'rifiyyah*). And, as we already know that the world is rapidly changing, and global issues are developing due to the rapid development of information technology represented by the Internet. In fact, *fatwā* (legal opinion), which seems to be sacred, begin online. This in turn threat traditional authority in a social religious way.

On the other hand, social problems such as social violence either based on race, religion, or other factors, have become a common phenomenon in Indonesia in particular, and in this world in general. The result that may arise is so far-reaching, and a lot of

¹See Muḥammad Shaḥrūr, *al-Kitāb wa al-Qur'ān: Qirā'ah Mu'āṣirah* (Damascus: al-Uhāfī, nd); and see also *Nahwa Uṣūl Jadīdah li al-Fiqh al-Islāmī: Fiqh al-Mar'ah* (Damascus: al-Uhāfī, 2000).

efforts have been made by the government, non-governmental organizations, and the community to deal this issue. The forms of resolution include conflict reconciliation, interfaith dialogue, and so forth. The role of Islam to spread mercy to all creatures (*rahmatan li al-‘alamīn*) is challenged to prove its claim in this current situation. In this context, *uṣūl al-fiqh* (methodology of Islamic jurisprudence) as a important part of Islamic sciences should arrange itself in multicultural societies, and its teaching should be based on the principles that promote peace and harmony to a great deal. In this context, multicultural education is highly necessary.

Therefore, the problem is how to teach *uṣūl al-fiqh* based on a multicultural education? From this main problem, the questions may include: What multicultural values should be promoted in teaching *uṣūl al-fiqh*? What methods and approaches should be taken in teaching *uṣūl al-fiqh* in the classroom?

A CONCEPTUAL FRAMEWORK

Uṣūl al-Fiqh as a Source of Values and Change

This paper is based on the assumption that *uṣūl al-fiqh* is a source of values and change. By this, *uṣūl al-fiqh* has a big potential in carrying out practical reforms in various aspects of life. This is supported by Hallaq when he said that “In Islamic law, authority... has always encompassed the power to set in motion the processes of continuity and change.”² Historically, jurisprudence has initiated reforms responsible at once to contextual pressures and religious integrity. Legal principles preserved the moral force of Islamic concepts by assuring that “legal change did not occur only in an *ad hoc* manner... but was rather embedded in processes built into the very structure of the law.”³

Uṣūl al-fiqh thus embodies an historical record of the way Islamic jurists engaged emergent problems in dialogue with traditional authority. The methods by which laws are derived (*uṣūl al-fiqh*) are a living school in successfully adapted modes of practical reason and may still offer norms for expanding Islam’s

²Wael Hallaq, *Authority, Continuity and Change in Islamic Law* (Cambridge: Cambridge University Press, 2001), ix.

³*Ibid.*, 204.

normative competence to new social challenges. Therefore, *uṣūl al-fiqh* plays a vital role in discussing contemporary issues such as violence, social injustice, global environment crisis, and other destructive issues.

Multicultural Education

Multicultural simply means “cultural diversity.” There are three terms which are usually used to describe diversity, that is, plurality, diversity and multicultural. However, all these terms do not have the same connotation. Multiculturalism is “a social-intellectual movement that promotes the value of diversity as a core principle and insists that all cultural groups be treated with respect and as equals.”⁴ The recognition of cultural diversity, which leads to tolerance, peace, harmony, and social justice, is developed through education, which is called “multicultural education”. Therefore, multicultural education is about internalization of multicultural values, which include tolerance, peace, harmony, social justice, and so forth.

The term of peace and harmony implied an effort to resolve conflict, treat human beings and their rights in a respectful way, respect justice, and build consensus.⁵ Therefore, to establish peace and harmony, an educator should develop a particular method of teaching or pedagogy, which can be used in the classroom. Based on this pedagogy, students can learn how to bring peace to this world, not only by studying the issues of war and peace, but also by studying the capability, behavior, and talents of students in the classroom, through which an educator structures his lessons.

According to this pedagogy, the classroom should be based on five main principles: *dialogue*, *cooperation*, *problem solving*, *affirmation* and *democratic boundaries setting*. Dialog refers to how an educator gives information; cooperation refers to learning environment built by an educator; problem solving refers to building skill which can be used by students to solve the problem of violence; affirmation refers to motivation. An educator uses

⁴Blaine J. Fowers dan Frank C. Richardson, “Why Is Multiculturalism Good?” *American Psychologist*, Vol. 51, No. 6 (June 1996), 609.

⁵Ian M. Harris, “Principles of Peace Pedagogy,” *Peace and Change*, Vol. 15, No, 3 (July 1990), 255.

motivation technique to inspire an interest to the issues related to peace and self-confidence to help students to bravely deal with the threats of violence haunting the world. Democratic boundaries setting refers to the method of guarding the classroom which appreciates the boundaries and issues from each member of classroom.⁶

The principles of pedagogy of peace can create in the classroom a caring community who teach students to appreciate the principles of democracy and challenge the assumptions of violence which form the basis for traditional pedagogy which is teacher-centered. This means that this pedagogy can transform student's behavior into the better. The behaviors and attitudes which can be constructed by this peace-based multicultural education, as Smith and Carson argued, can be incorporated into seven main categories: *non-violence, human rights, social justice, world-mindedness, ecological balance, meaningful participation, and personal peace.*⁷

MULTICULTURAL VALUES INSTILLED INTO THE TEACHING OF *UṢŪL AL-FIQH*

In a situation of continuous communal conflict, *uṣūl al-fiqh* needs to reposition itself within the context of religious and cultural diversity. It should also offer new hope and the perspective that Islam represents a smiling, peaceful and non-violent face of religion. In this case, peaceful multicultural values should be instilled in the teaching of *uṣūl al-fiqh*.

The Qur'ān and the Sunna as primary sources of Islamic law teach universal multicultural values. Diversity is central to the Qur'ānic view of society. The Qur'ān recognizes this diversity by saying to the Prophet Muhammad that if Allah wants, He will make only one community (QS. al-Mā'idah: 48). However, human beings were made "nations and tribes" in order to know each other (QS. al-Ḥujurāt: 13). Then, the Qur'ān urges each individual to know each other either Moslems or non-Moslems, who have different belief from them, and to strive as in a race in all virtues

⁶*Ibid.*, 255-56.

⁷D. C. Smith dan T. Carson, *Educating for a Peaceful Future* (Toronto: Kagan and Woo, 1998); See also Marie Gervais, "The Baha'i Curriculum for Peace Education," *Journal of Peace Education*, Vol. 1, No. 2 (September 2004), 206-207.

(QS. al-Mā'idah: 48). This eternal ethics is deeply rooted in the Qur'ānic notion of human equality, which emphasizes that all human beings, regardless of ideological persuasion, are created from the "same soul" (*nafs waḥidah*) (QS. al-Nisā': 1). Therefore, it does not matter whether he is a Jew, Christian, or Sabian, since anyone who work righteousness "will get their reward from Allah" (QS. al-Baqarah: 62). Moreover, 'the most honored of you', the Qur'ān said, is 'the most righteous' (QS. al-Ḥujurāt: 13).

The Qur'ān then said that the assessment of human beings depends on their virtues, not on their allegiance to a particular belief. Righteousness spreads out through social actions –the best way to serve Allah is to serve humanity. Therefore, a call for establishing social justice is a foundation for inclusive multicultural community (*ummah muqtaṣidah*), which consist of various human race, united by Adamic ethic of double human's responsibility to respect and appreciate the self and society.

The view of the Qur'ān on this diversity, united by the notion of human equality, has influenced the Prophet's actions and relationship with other communities. So, we can see later that the Prophet, whose ethics is the Qur'ān, strengthened and spread the universal Qur'ānic values, which become the foundation for multiculturalism. The Qur'ānic values include justice, equality, human rights, democratic values, which in turn bring about the attitude of anti-discriminatory, and of tolerance toward different groups based on race, ethnicity, religion, culture, and so forth. These values are also included into the principle of *maqāṣid al-sharī'ah* (the objective of Islamic law), which aims to give benefit to human beings and reject all sorts of harm.

The Association of the Teachers of Islamic Education (AGPAI) in the second workshop in Jakarta, held in 10-12 April 2009, formulated multicultural values that include sixteen values such as equality, mercy, empathy, justice, nationalism, cooperation, tolerance, good opinion, solidarity, mutual trust, self-confidence, responsibility, honesty, sincerity, trustworthy, and deliberation.⁸

⁸Abdurrahman et.al., *Panduan Integrasi Nilai Multikultur dalam Pendidikan Agama Islam pada SMA dan SMK*, 2nd Edition (Jakarta: Kirana Cakra Buana, 2011), 64-67.

These values are humanist in nature, and can be found clearly in the primary sources of Islam, such as the Qur'ān and the Sunna of the Prophet.

These sixteen values are then developed in a lesson plan which is based on multicultural education. It can be carried out by placing these values within the social context or real situation that enables students to see their identity in the community, and also people's identity that is different from them.

APPROACHES AND METHODS OF TEACHING

UŞŪL AL-FIQH

Setting the Paradigm

It is often said that curriculum is in principle not uniform; however, it is understood in a different way according to the paradigm and framework of thought that form the basis for it. Nevertheless, in the policy of education and a practice of learning, a myriad of the paradigms of curriculum are combined in various ways to achieve the goals of education effectively. According to Grant and Sleeter,⁹ the paradigm consists of four kinds: humanist, develop mentalist, social efficiency, and social progressive. These four paradigms have influenced the policy and practice of education in various countries, including Indonesia.

First, humanist paradigm has the belief that the curriculum should help young people learn to reason. The ability to reason becomes a focus in this paradigm, since it stressed that reason is an important means for people to understand and develop themselves and their life's. This paradigm also assumes that reason and morality cannot be separated since a high moral development requires a high level of reasoning, and this encourages and demands a high moral behavior.

Second, develop mentalist paradigm assumes that the curriculum should support child and adolescent development. Children differ in interests, abilities, and developmental rates. To accommodate these differences and to support the natural process of growth and learning, curriculum should fit each child's level of

⁹Carl A. Grant dan Christine E. Sleeter, *Doing Multicultural Education for Achievement and Equity* (London: Routledge, 2007), 159-160.

development and personal interests. Good teachers are good psychologists; they are able to analyze developmental needs of their students and tailor their curriculum and teaching methods to fit them.

Third, social efficiency educators see the main purpose of curriculum as preparing young people for the needs of an industrial or postindustrial society, as defined by business leaders and employers. Curriculum should be planned according to measurable learning outcomes; students should be taught to those outcomes and tested for mastery of them. Students should also be divided based on ability so that the more able students would be prepared to lead, and the less able would be prepared to follow and take up less intellectually demanding work.

Fourth, progressive paradigm sees curriculum as preparing citizens to address social, community, and global issues such as justice, poverty, or environmentalism. In addition, curriculum should prepare them for active participation in democratic institutions and practice in public decision making. In this curriculum, skills such as communication and collaboration are particularly valuable. Similarly, if the ability to cooperate in both small and big teams is emphasized, the students are accustomed to deal with differences of opinion and have a strong stability of emotion and rationality to solve the problem or conflict for public welfare. According to this paradigm, all knowledge and skills taught in school should support and be relevant to the effort to deal with crucial social problems.

From these paradigms, it is progressive paradigm that has influenced multicultural education to a great deal. Moreover, as most experts in education argued, the paradigm of multicultural education is a latest development of progressive paradigm.¹⁰ In earlier development, progressive paradigm tends to focus on the issue of discrimination based on economic status and its relationship with discrimination based on race and ethnic groups.

Based on this progressive and humanist paradigm, the curriculum of *uṣūl al-fiqh* is developed. This is due to the fact that the relationship between the paradigm and *uṣūl al-fiqh* is so close.

¹⁰*Ibid.*

Because the goal of Islamic law is to derive goodness and benefit and to prevent all kind of harms, the methodology promoted to derive rules and laws should be built upon the principle of humanity and public welfare.

To design the curriculum of *uṣūl al-fiqh* which is based on multicultural awareness, the concept of *uṣūl al-fiqh* and the concept of multicultural education has a clear relationship; therefore, the students can build meaningful, holistic understanding and actions to those concepts. Those concepts are also related to their previous experiences or knowledge, so they can learn more easily because they are contextual and interactive. Those concepts should be attractive to educators themselves so they can teach in an enthusiastic and motivated way.

Approaches of Teaching *Uṣūl al-Fiqh*

Teaching is a process of transferring knowledge and values from educators to students. In order to achieve an effective learning, an educator should begin from an approach, and formulate a method of teaching. In the multicultural pedagogy of *uṣūl al-fiqh*, the approach which should be adopted by educators includes as follows.

1. To promote respect for differences

One important question in multicultural education is how to ensure the students can deal with differences in a positive way, because encounter and interaction with differences can possibly lead to violence and injustice. Hookway, as cited by Bischoff and Moore,¹¹ offers a scheme which can help to arrange a variety of approaches toward differences, by illustrating education as mirror, window and conversation.

Education as “mirror” is an important part in preparing students to deal with differences. In this case, to understand people and their environment is significant in order to be positively involved in dealing with differences. The reason is that using someone’s direct experience is not compelling and violent. Knowledge about the self, accompanied with encounter and

¹¹Claire Bischoff dan Mary Elizabeth Mullino Moore, “Cultivating A Spirit for Justice and Peace: Teaching Through Oral History,” *Religious Education*, Vol. 102, No. 2 (2007), 153.

interaction with various differences, can help someone to get rid of the coercion of opinion toward others.¹²

Education as “window” means teaching students a variety of religious traditions with their uniqueness. This kind of education can improve and cultivate religious freedom and differences without violent intolerance. In addition, personal experiences with other people that differ in gender, social economic background, cultural heritage, is highly important in building relationship with other people and their environment with respect and care. In short, students need education from their religious traditions and also from other beliefs.¹³

Education as “conversation” means that conversation is valued as a meaningful dialog between two sides. In this situation, each part is open to change and differences.¹⁴

2. To do activities which are more cooperative than competitive

Cooperative learning refers to the understanding that students should work collaboratively in a small team to help themselves and other students to learn,¹⁵ or a method of learning using social interaction as medium to establish knowledge.¹⁶ The importance of using cooperative activities is based on the research that showed that the technique of cooperative learning is more excellent in improving learning results than individual or competitive learning experiences.¹⁷

Such learning tasks and activities as problem solving, critical thinking, and conceptual learning, improve significantly when using strategies of cooperation. Students possibly have a higher level of thinking during and after discussion in a cooperative group rather than those working in an individual or competitive way. Besides, students can get emotional benefits and social skills from a cooperative class. They tend to see their friends in a better and

¹²*Ibid.*, 154.

¹³*Ibid.*

¹⁴*Ibid.*, 1555.

¹⁵Joanne M. McInerney and Tim S. Roberts, “Collaborative or Cooperative Learning?” in Tim S. Roberts, *Online Collaborative Learning: Theory and Practice* (USA: Information Science Publishing, 2004), 205.

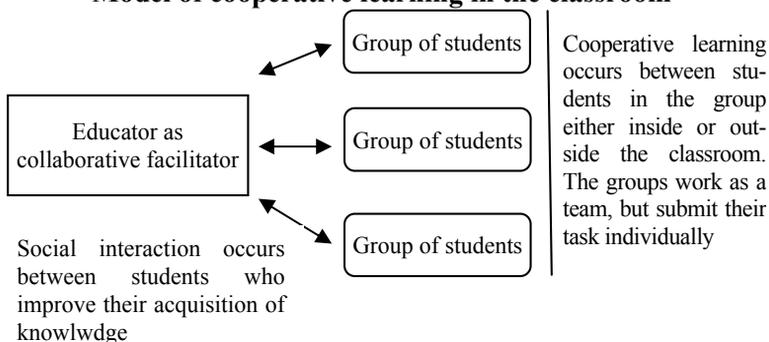
¹⁶V. Paz Dennen, “Task Structuring for Online Problem-Based Learning: A Case Study,” *Educational Technology & Society*, Vol. 3, No. 3 (2007).

¹⁷Harris, *Principles of Peace Pedagogy*, 263.

more positive way. The condition which cultivate mutual love that arises from cooperation will improve motivation to study.

The principle of cooperative learning can be used in teaching *uṣūl al-fiqh* by forming student's groups, in which they can learn each other while exploring a myriad of issues altogether. Informal groups can be used during study to help students process what they have learned so far. The focus groups that consist of two or three students can be used to come up with questions before presentation and to help students to get information after presentation. The grouping of students informally enable them to process actively what they have studied or what they are studying, and make it easier for educators to listen to this discussion for collecting important information on how those concepts are accepted and understood. More formal groups can be used in particular areas to re-study homework's, or solve the problems altogether (look at the table below!).

Table 1
Model of cooperative learning in the classroom



Method of Teaching *Uṣūl al-Fiqh* in the Classroom

Since the paradigm of teaching embraces humanist-progressive paradigm, the subject of learning must be students. In other words, learning process should be student-centered. This means the model of learning is *active and collaborative learning*. Therefore, the teaching of *uṣūl al-fiqh* which is based on multicultural education can use such strategies as follows:

1. Dialogue

In the classroom which is arranged on this principle of dialogue, educator and students share information each other, respond to the same experience, and look for the answer to complicated issues. Each student contributes his or her opinion to construct the truth. The key is to exchange ideas from one to another in a respectful way. The educator learns from students, giving them assignment to read and analyze their world –culture, local customs, and local wisdoms. Students come up with their ideas about the world to the class, and an educator uses the method of dialogue to ask to the students about their insights.

In relation to the teaching of *uṣūl al-fiqh*, an educator brings up an issue to students, each of whom gives various answers. For example, educator as both participant and facilitator comes up with the issue of “suicide bombing”, while students respond to this issue by giving the answer based on the methodology of *uṣūl al-fiqh* that they have learned so far. Students can come up with a variety of the method of legal reasoning to solve the problem, whether by using *qiyās* (analogical reasoning), *istiṣlāḥ* (public interest), *istiḥsān* (juristic preference) or *maqāṣid al-sharī‘ah* (the objective of Islamic law), and so forth.

2. Cooperation

Cooperative learning is a model of learning for students in a heterogeneous small group, which consist of 4-6 students, to finish the task and solve the problem. What is emphasized in cooperative learning model is social activity. This means every group member should interact with other members, and an educator strives to motivate them in order to cultivate sense of togetherness and mutual need. In finishing a group task, every member of the group cooperate each other in a collaborative way and help to understand the subject matter, look over and correct their friends’ task and other activities, with the objective of achieving a high study result.

What is instilled into the students is the understanding that the work or task cannot be regarded as completed if one of the group members has not understood or mastered the subject matter yet. In the teaching of *uṣūl al-fiqh*, there are several steps that must be taken. Look at the table below!

Table 2

Steps of cooperative learning in teaching of *uṣūl al-fiqh*

Phase	Activities
Phase 1 Stating the learning objective and giving motivation to students	An educator states the learning objective that will be achieved in the lesson and motivates the students
Phase 2 Giving information	An educator gives information to the students in a demonstrative way and giving reading materials
Phase 3 Organizing students	An educator explains to the students how to study in a study group and helps every group to communicate efficiently
Phase 4 Guiding study groups	An educator guides study groups while completing some tasks
Phase 5 Evaluation	An educator evaluates learning results about the subject matter studied or every groups present their work results
Phase 6 Giving reward and appreciation	An educator looks for the ways to appreciate either students's effort or their study results individually or in group

Source: M. Ibrahim, *et.al.*, *Pembelajaran Kooperatif* (Surabaya: Universitas Negeri Surabaya Press, 2000).

3. Problem solving

Problem solving in learning process is one of the alternative learning methods to facilitate student's learning in order that their study will be meaningful, efficient and productive. Using a problem solving method in learning means creating a learning condition which is process-oriented and student-centered. Problem solving as an approach to learning involves a learning environment, in which the problem is a key to heading toward learning process; that is, before the students learn a set of knowledge, they are first and foremost given the problem under study.

Using problem solving method in the teaching of *uṣūl al-fiqh* begins with the questions about the topics of *uṣūl al-fiqh* under study, and then the topics are related to the emerging issues in

community's current life. Furthermore, students get through steps of learning and designing a problem solving. In general, the learning process take place from identifying and formulating the problem, finding and discussing the solution, to evaluation (decision making).

4. Affirmation

In the classroom, affirmative action helps to develop competence. By strengthening student's achievement, affirmation can improve self-confidence in students and help them to be loved and respected. Why is affirmation important? Because human beings need spirit either coming from inside or outside themselves. The spirit coming from outside human beings is a sort of stimulus that makes students more confident. The students, who improve their self-confidence in their class based on multicultural education, may learn to believe other's opinion and have a courage to take risk and challenge all sorts of violence.

5. Democratic boundaries setting

According to Harris,¹⁸ creating peace is about setting boundaries which remove all kinds of hostility and respecting for others' boundaries. Violence arises because of violation against boundaries set by other people. Therefore, educators, while managing their class in such a way, should provide important lessons about creating and guarding those boundaries. They are aware of the necessity of procedures to arrange behavior and attitude in class – who made the rules, how are the rules implemented, and what will happen to those who violate the rules. A class without rules will lead to chaos, as the world without law will lead to anarchy.

Democratic boundary setting will attract students to get involved in the process of law-making, by explaining to them the significance of setting boundaries toward acceptable behavior, and driving them to participate in making laws and rules that respect other people's boundaries. This procedure will encourage educators to run the class, which facilitate agenda-making on the side of

¹⁸Harris, *Principles of Peace Pedagogy*, 266.

students rather than dominate the learning with properly arranged agenda.

As a method to discipline the class, democratic boundary setting assumes that all people in the class have specific boundaries. For instance, no shouting is allowed since it makes someone cannot hear well; students should listen one to another; students are not allowed to come late; students should prepare their lessons, and so forth. In the class which is based on multicultural education, educators should discuss what boundaries that must be obeyed by students, and explain the boundaries for educators. After that, the class must agree with certain boundaries or accept the boundaries made for certain behavior. For instance, in giving grade, students should submit the assignment on time; in preparing class discussion, all students agree to complete their tasks. These boundaries will help students to define their acceptable behavior. When the boundaries are agreed upon, educator and the class members must make rules which express these boundaries and respect for other people's boundaries in the class.

This democratic procedure gives control to students regarding their learning environment, and enables them to make rules that are clear for acceptable and unacceptable behaviors. When these rules are transgressed, anyone in the class can show it and gives the sentence that is related to the violation against the rules. The rules should have characteristics, and must be understood and known by all people in the class. They must know what will happen if the rules are violated, and all members of class can be responsible for implementing the acceptable rules in general.

Harmonious control over boundaries in society is one of the main objectives of peace. In class, it can be carried out by explaining to the students the significance of rule-making that facilitate the class to achieve their educational objectives. By involving students in formulating rules, they are taught about how to make rules in a responsible way that respect for other people's rights. By considering different opinions, they will esteem other people's boundaries and show students' democratic behavior, which can be used in their family and work.

INTEGRATION OF MULTICULTURAL VALUES INTO THE TEACHING OF UṢUL AL-FIQH

Integration means “uniting until it becomes one integrated whole”.¹⁹ In this paper, integration can be understood as “internalization of values into people”, while multicultural values are defined as “values which include sixteen values as formulated by The Association of the Teachers of Islamic Religious Education (AGPAI)”. Therefore, integration of multicultural values means “integration of sixteen fixed multicultural values into the students in the classroom.”

In the discourse of multicultural education, there are a variety of models of integration.²⁰ First, direct and indirect model. Direct model is a model of integrating multicultural values directly into the relevant subject matters, while indirect model is a model of internalization of multicultural values into standardized competence that has any relevance to them. Second, thematic model is a model of integration by placing a topic as a basis for internalization. This model, multicultural elements are made as a topic. Third, social laboratory model, which is defined as a model of integration by which multicultural values are internalized into social facts.

Below is the example of lesson plan of *uṣūl al-fiqh* which is based on a multicultural education.

Table 3
Example of lesson plan in the teaching of *uṣūl al-fiqh*

No	Competence		Multicultural Values			Learning Actualization
	Standard-based Competence	Basic Competence	Mercy	Mutual respect	Mutual assistance	
1.	To understand the concept of <i>al-‘amr</i> (imperative) with the example of the Quranic verse	To show behaviour of giving assistance to the poor and needy	✓	✓	✓	<ul style="list-style-type: none"> • Social service • Assistance to the poor and needy • Collecting <i>zakah</i>'s fund

¹⁹Tim Penyusun Bahasa Indonesia, *Kamus Bahasa Besar Bahasa Indonesia* (Jakarta: Pusat Bahasa, 2008), 594.

²⁰Abdurrahman et.al. *Panduan Integrasi*, 120-121.

	on rules of <i>zakaḥ</i> (alms giving)					
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CLOSING

This paper is about teaching *uṣūl al-fiqh* based on multicultural education. From the above discussion, it can be concluded that multicultural values that are to be implanted into the teaching consist of 16 values. The values include equality, mercy, empathy, justice, nationalism, cooperation, tolerance, good opinion, solidarity, mutual trust, self-confidence, responsibility, honesty, sincerity, trustworthy, and deliberation. These values are clearly stated in the Quran and the Ḥadīth as the primary sources of Islamic law, which are discussed in detail in the science of *uṣūl al-fiqh*.

Universal multicultural values, which are instilled in the science of *uṣūl al-fiqh*, are taught to the class. In the teaching of *uṣūl al-fiqh*, the paradigm must be humanist-progressive which respect human dignity and rights. Based on this paradigm, the approach should comprise two fundamental principles, that is, encouraging respect for differences, and doing activities in a more cooperative way than competitive one. The first principle can be carried out by looking at education as a mirror, window and conversation. The second principle concerns with creating the classroom that is based on cooperative and collaborate learning. Both principles can be implemented using the method of teaching such as dialogue, cooperation, problem solving, affirmation, and democratic boundary setting.

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