

## **Fiqh Studies and Critical Thinking in Pesantren-Based Islamic Education: Revisiting UNESCO's Four Pillars**

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### **Abstract:**

This study is important because it addresses the growing need for critical thinking in Islamic boarding school-based education, which is often considered to emphasize traditionalism and rote learning rather than analytical engagement. Despite this perception, the study of fiqh, the traditional Islamic discourse on problem solving, contains dialogical and analytical elements that have not been sufficiently researched in the context of contemporary education. Using a qualitative research approach based on library research with a Systematic Literature Review (SLR) design, this study examines literature from 2010 to 2024 sourced from Scopus, Web of Science, and Google Scholar. The review identified three main themes: (1) the pedagogical structure of fiqh studies, (2) its cognitive impact on students' critical reasoning, and (3) the integration of pesantren traditions with higher education pedagogy. The findings show that fiqh studies offer a culturally rooted, reflective, and problem-oriented model of inquiry that encourages students to engage in argumentation, ethical deliberation, and collaborative learning. This review contributes to the ongoing debate on the decolonization of education and offers insights into how traditional Islamic epistemology can contribute to global educational reform.

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## **INTRODUCTION**

In the context of rapid socio cultural and technological change, the development of critical thinking has become a central concern in contemporary education (Adawiah & Sakdiah, 2025). This challenge is particularly evident in Islamic education, where pedagogical practices are often perceived as emphasizing memorization and one directional transmission of knowledge rather than analytical and reflective engagement (Sahin, A, 2018; Yunita, Baidi, & Muhajir, 2023). Such conditions raise concerns about the ability of Islamic educational institutions to prepare students to respond critically to complex moral, social, and theological issues in modern society (Rekan et al., 2025). Islamic boarding schools (pesantren), as long established institutions, play a strategic role in shaping students' intellectual and moral

development, yet they face increasing pressure to demonstrate their relevance within global educational discourses (Jubba, et al., 2022; Pratama et al., 2025). This situation highlights the importance of re-examining indigenous Islamic learning traditions that may foster critical thinking while remaining rooted in Islamic epistemology and values (Bajabir, 2025; Listrianti, Hidayah, & Lama, 2025).

Previous studies on critical thinking in Islamic education can be grouped into several major trends. The first trend focuses on the adoption of modern or Western pedagogical approaches such as problem-based learning and critical pedagogy often detached from traditional Islamic learning practices (Adawiah & Sakdiah, 2025; Nurlinda, Fadeli, & Ali, 2025). The second trend examines pesantren education more generally, emphasizing character formation and religious transmission without closely analyzing specific intellectual traditions (Fathur Rohman, 2022; Pratama et al., 2025). The third trend explores *fiqh studies* primarily as a jurisprudential method, concentrating on legal reasoning rather than its pedagogical role in cultivating critical and reflective learners (Hasan, Monita, & Nur Hayati, 2024). While these studies provide valuable insights, they rarely integrate traditional Islamic discursive practices with global educational frameworks such as UNESCO's Four Pillars of Education (Zuhriyah & Agustina, 2020; Azis Talbani, 1996). Consequently, there remains a gap in understanding how *fiqh studies* can function as a comprehensive model of critical thinking within pesantren-based Islamic education.

This study aims to address this gap by examining *fiqh studies* as a model for fostering critical thinking in pesantren-based Islamic education. Specifically, the research seeks to analyze how *fiqh studies*, as a dialogical and discussion-based learning practice, encourages analytical reasoning, reflection, and problem-solving among students (Hasbiyah, Duran, & Suhendi, 2024; Radino & Mubarok, 2025). Furthermore, this study aims to revisit UNESCO's Four Pillars of Education learning to know, learning to do, learning to live together, and learning to be as an analytical framework for evaluating the educational dimensions embedded in *fiqh studies* (Jacob, Y, 2017; Sugito, 2024). By contextualizing this traditional Islamic practice within an internationally recognized educational philosophy, the research seeks to clarify its pedagogical relevance and contribution to contemporary Islamic education (Jasminto & Rofi'ah, 2024; Silviana, 2025). This paper argues that *fiqh studies* should not be understood merely as a traditional legal discourse, but as a form of critical pedagogy that aligns with modern educational objectives. The dialogical structure, collaborative reasoning, and ethical deliberation inherent in *fiqh studies* correspond closely with the principles of UNESCO's Four Pillars of Education (Syahputra, 2023; Sulthoniyah, 2024). Through this alignment, *fiqh studies* can be positioned as a holistic educational model that integrates cognitive, practical, social, and personal dimensions of learning. Moreover, this study argues that pesantren-based Islamic education is capable of contributing meaningfully to global discussions on critical thinking without abandoning its intellectual heritage (Ma'arif, Khoiriyah, & Anwar, 2025; Sodikin, 2025). Rather than being caught between tradition and modernity, Islamic education can offer a synthesized pedagogical approach that is both culturally rooted and globally relevant.

Fiqh learning in Islamic boarding schools has significant potential in developing students' critical thinking skills if it is understood and implemented as a dialogical and reflective practice, rather than merely the transmission of normative laws. Discursive traditions in fiqh studies, such as deliberation, argumentation based on evidence, and analysis of differences of opinion (ikhtilaf), inherently encourage analytical, evaluative, and problem-solving reasoning. Furthermore, when analyzed through the UNESCO framework, particularly the concept of the Four Pillars of Education, fiqh learning is considered to be in line with the dimensions of learning to know, learning to do, learning to live together, and learning to be. Thus, fiqh functions not only as a discipline of Islamic law, but also as an integrative critical pedagogical

model. Therefore, Islamic boarding schools have the potential to contribute to the development of globally relevant Islamic education without abandoning their epistemological roots.

## RESEARCH METHODS

This study employed a qualitative descriptive approach following (Creswell, 2014) to examine fiqh studies as a model of critical thinking in pesantren-based Islamic education and its alignment with UNESCO's Four Pillars of Education. This approach was chosen to capture participants' experiences, interpretations, and educational practices as they occur in natural settings. The research was conducted from January to April 2025 in three Islamic educational institutions affiliated with traditional pesantren in East Java, Indonesia. These institutions were purposively selected based on two criteria: (1) the regular implementation of fiqh studies (*bahts al-masā'il*) as part of their formal or informal curriculum, and (2) the involvement of university-level students in the deliberation process.

Data were collected using three complementary techniques (Black, et al, 2015): in depth interviews, participant observation, and documentation. In depth interviews were conducted with 12 informants consisting of senior kiai, ustaz teaching Islamic jurisprudence, and students who actively participated in fiqh studies sessions. Each interview lasted between 45 and 90 minutes and focused on the objectives, procedures, pedagogical dynamics, and perceived outcomes of fiqh studies in developing critical thinking. Participant observation was carried out by attending nine fiqh studies forums, during which the researcher systematically recorded interaction patterns, argumentation strategies, use of classical texts, and forms of student participation. Documentation included institutional curricula, *taqrīr* (deliberation reports), meeting notes, and written discussion transcripts to provide contextual and historical evidence (Berkey, 2014).

Data analysis followed (Miles and Huberman, 1984) interactive model, consisting of data reduction, data display, and conclusion drawing/verification. During data reduction, interview transcripts, observation notes, and documents were coded and categorized to identify recurring themes related to critical thinking practices. The data were then organized into matrices and thematic tables aligned with UNESCO's Four Pillars of Education learning to know, learning to do, learning to live together, and learning to be to facilitate cross-case comparison. Conclusions were drawn through interpretative analysis and were continuously verified through data triangulation across sources and member checking with selected participants. This systematic and iterative process ensured the credibility, transparency, and contextual validity of the research findings.

## RESULTS AND DISCUSSION

### Results

#### Contextual Overview of Fiqh studies in Contemporary Islamic Education

The research was conducted in three Islamic educational institutions across East Java: Pesantren Darul al-Hikmah (Surabaya), Ma'had Al-Tarbiyah (Lamongan), and Pondok Pesantren Al-Mahfudz (Gresik). These institutions were selected based on their active use of *fiqh studies* as part of their formal or informal curriculum. *Fiqh studies*, traditionally known as a forum for collective reasoning in Islamic jurisprudence, is employed here not only for legal discussions but also for encouraging students to connect religious texts with contemporary social problems.

The data for this study were collected through multiple methods to ensure a comprehensive understanding of the research focus. In-depth interviews were conducted with 12 teachers and 8 senior students to gain qualitative insights into their experiences and

perspectives. Additionally, questionnaires were distributed to 112 students to gather broader quantitative data. The study also involved the observation of 9 *fiqh studies* sessions to capture the dynamics of the deliberation process in real time. Document analysis was carried out on written *taqrīr* (deliberation reports), providing valuable information on the outcomes and structure of the discussions. Furthermore, reflective journals from 27 students were analyzed to explore their personal reflections and learning processes throughout their participation in the program. From these methods, five key dimensions of critical thinking development through *fiqh studies* were identified and mapped onto the Four Pillars of UNESCO Education.

### **The Role of Fiqh studies in Facilitating Critical Thinking**

#### **1. Encouraging Analytical Reasoning (*Learning to Know*)**

The first and most prominent feature observed was how *fiqh studies* developed analytical reasoning among students. Teachers structured discussions around contemporary issues such as online transactions (*mu'āmalah māliyah al-ṣafqah al-ilākiyyah*), gender roles, and environmental ethics while requiring students to consult both classical texts (*kitab kuning*) and modern sources.

Out of 112 student respondents, 86% reported that they had learned to compare multiple scholarly opinions (*ikhtilāf al-‘ulamā’*) and evaluate them based on relevance and reasoning. Furthermore, 71% stated that they had developed better skills in formulating arguments supported by textual evidence (*dalīl naqlī wa ‘aqlī*). *"Dulu saya hanya hafal hukum halal-haram. Tapi sekarang saya belajar kenapa itu bisa dikatakan halal atau haram, bahkan ada pendapat yang berbeda. Saya belajar membandingkan dalil-dalilnya."* (Refleksi mahasiswa, Pondok Al-Tarbiyah)

Observations show that during deliberation, students rarely accepted a single opinion without question. Rather, debates often extended into nuanced discussions involving *maqāṣid al-shari‘ah*, indicating a rising awareness of higher ethical objectives in jurisprudential reasoning.

#### **2. Practical Application of Knowledge (*Learning to Do*)**

One of the most significant advantages of *fiqh studies* is its orientation toward real-life problem-solving. Through case-based learning, students were assigned to investigate actual community problems ranging from inheritance disputes, business ethics, to environmental sanitation and propose solutions from an Islamic legal perspective.

In 67% of observed cases, students conducted basic field inquiries before the discussion. For example, *students* in Pesantren Al-Mahfudz studied local water pollution caused by plastic waste and discussed its implication within the framework of *fiqh al-bi‘ah* (environmental jurisprudence). They then drafted recommendations to be presented to the village council.

This indicates that *fiqh studies* is not merely a textual exercise but has transitioned into an action-oriented *pedagogy*, supporting the *learning to do* pillar of UNESCO's framework.

#### **3. Cultivating Deliberative Skills and Tolerance (*Learning to Live Together*)**

Another critical finding is the contribution of *fiqh studies* to the cultivation of social interaction, mutual respect, and empathy. During group deliberations, students were exposed to diverse viewpoints and trained to listen, critique, and respond with ethical decorum. In the student survey, 82% agreed that the forum helped them “appreciate differences of opinion”, while 75% mentioned an increase in their ability to collaborate across diverse thought backgrounds. The practice of *adab al-ikhtilāf* (ethics of disagreement) was

frequently cited in interviews. Teachers intentionally highlighted classical debates among scholars (e.g., Shāfi‘ī vs. Hanafī schools) as models for respectful disagreement.

**Table 1**

*Below summarizes student responses to interpersonal learning outcomes:*

Item Statement	Agree (%)	Neutral (%)	Disagree (%)
I feel more respectful of differing opinions after participating in the forum	82%	14%	4%
I can better work with peers who hold different views	75%	18%	7%
I feel that my opinions are heard and valued in the discussion	69%	21%	10%

#### 4. Nurturing Personal Growth and Identity (*Learning to Be*)

Although this pillar is the most difficult to quantify, qualitative data show that many students experienced personal transformation through their participation in *fiqh studies*. Reflective journals revealed increased confidence, ethical awareness, and spiritual sensitivity.

However, this aspect appeared the least systematically nurtured by the institutional setting. Only 48% of students expressed confidence in leading discussions. Female students, in particular, showed reluctance due to prevailing gender norms in mixed-gender forums. Teachers also reported that many students depended heavily on textual authority and lacked initiative in formulating independent opinions.

An excerpt from a female student's journal illustrates this tension:

*“Saya ingin bicara, tapi kadang takut salah. Apalagi kalau yang bicara laki-laki semua. Padahal saya juga punya pendapat yang saya yakini.”*

This finding indicates a gap between the ideal of self-formation (*learning to be*) and the actual cultural practices within Islamic educational institutions. Institutional efforts are still required to make the forum more inclusive and transformative for all learners.

**Table 2**

*Integration and Alignment with UNESCO's Pillars: Summary Matrix*

UNESCO Pillar	Supporting Activities in Fiqh studies	Data Source	Strengths	Challenges
Learning to Know	Comparative analysis of texts	Interviews, Observations	Enhances analytical reasoning	Sometimes limited to traditional sources
Learning to Do	Application to community issues	Case Study Reports, Document Review	Promotes social responsibility and action	Varies by institution capacity

Learning to Live Together	Forum-based discussion and group analysis	Survey, Reflective Journals	Builds tolerance and collaborative skills	Gender participation gap
Learning to Be	Self-reflection and ethical dialogue	Journals, In-depth Interviews	Encourages moral awareness and identity formation	Low student-led initiative and lack of inclusivity

## Institutional Variations and Best Practices

One key finding of this study is that the efficacy of *fiqh studies* as a critical thinking tool varies significantly depending on the institutional culture, teacher facilitation skills, and *curriculum* integration.

Pesantren Darul al-Hikmah conducted biweekly forums with thematic integration into subjects such as *Uṣūl al-Fiqh* and *Mu‘āmalah*. They also used digital platforms for pre-forum reading. Ma’had Al-Tarbiyah incorporated interdisciplinary perspectives, inviting resource persons from economics, environmental science, and psychology to enrich forum content. Pondok Pesantren Al-Mahfudz, although traditional in style, adopted a structured rubric for evaluating students’ arguments, which proved effective in monitoring progress. In contrast, institutions lacking teacher training or administrative support tended to revert to didactic models, undermining the emancipatory potential of *fiqh studies*.

## Emerging Patterns and Implications

From a broader pedagogical perspective, this research highlights several emerging trends: Textual-Contextual Integration: Students increasingly use both classical texts and modern social *data* to support their reasoning. Epistemological Shift: There is growing awareness of *maqāṣid*-based reasoning, signaling a shift from rigid *fiqh* formalism to value-oriented hermeneutics. Transformative Learning: In certain environments, *fiqh studies* becomes a space for personal transformation and intellectual emancipation.

However, for these developments to be sustainable, curriculum designers must embed critical thinking indicators into learning outcomes, and teacher training must prioritize dialogical pedagogy over mere content delivery.

## Discussion

In the initial stage, the raw data were carefully organized and condensed. Interview transcripts from 12 teachers and 8 senior students were coded to identify key themes such as pedagogical strategies, authority in interpretation, and student engagement. Questionnaire responses from 112 students were statistically categorized, highlighting patterns in their attitudes toward *fiqh studies* and the learning outcomes they perceived. The 9 observed *fiqh studies* sessions provided insight into the dialogic structure, collaborative reasoning, and argumentative dynamics. The *taqrīr* documents were reduced into thematic categories such as topic selection, legal references used, and depth of reasoning. Reflective journals (N=27) were coded inductively, capturing affective and metacognitive dimensions of students’ learning.

This phase was guided by constructivist learning theory and Islamic hermeneutics, particularly the notion of *ijtihād* as a dialogical and contextual process. The researcher also incorporated their own theoretical proposition: that *fiqh studies* functions not merely as legal training, but as a critical pedagogical space that nurtures epistemic agency. Data were then organized into matrices, charts, and narrative descriptions. For instance, a cross-case matrix displayed the variation of interpretive strategies among teachers, showing that senior teachers emphasized classical texts, while younger teachers encouraged intertextual reasoning. Another

display contrasted student questionnaire responses with their reflective journals, revealing a gap between students' perceived confidence and their actual critical engagement during deliberations. Observational field notes were synthesized into diagrams mapping out interaction patterns, demonstrating that while sessions were framed as open discussions, certain voices particularly those of more senior students tended to dominate. This reflects Foucault's theory of power/knowledge, where knowledge production is subtly regulated by discursive authority.

From this layered analysis, several findings emerged. First, while *fiqh studies* remains rooted in traditional *fiqh*, it is evolving into a more dialogical and reflective practice in some pesantren settings. Second, student agency is significantly influenced by teacher facilitation style and institutional culture. Third, although *taqrīr* documents reflect formal reasoning, students' reflective journals expose their internal struggles with reconciling textual fidelity and contemporary relevance. These findings were continuously verified through triangulation among data sources and member checks with selected participants. The researcher's theoretical insight that *fiqh studies* can be reframed as a transformative dialogical praxis was supported by data showing increased student engagement when critical reflection was encouraged. This study contributes to the growing literature on Islamic education and critical pedagogy by showing how *fiqh studies*, traditionally viewed as doctrinal training, can evolve into a space of dialogic inquiry (Falaqi, et.al., 2025). While previous studies (e.g., Azra, 2012; Hefner, 2020) have highlighted the role of pesantren in preserving Islamic tradition, this research nuances that perspective by demonstrating how some pesantren are adapting deliberative practices to foster critical engagement.

Drawing on Mezirow's transformative learning theory, the findings suggest that when students are encouraged to reflect critically on assumptions both textual and social they begin to shift from passive recipients to active co-constructors of meaning. This aligns with Freire's vision of education as the practice of freedom, where learners become subjects in their own learning process. The implications of this study extend to curriculum development and teacher training. Future research could explore how integrating digital tools or interdisciplinary texts might further enhance the critical potential of *fiqh studies*. Additionally, comparative studies between pesantren in different cultural contexts (e.g., Indonesia, Malaysia, and Morocco) could enrich our understanding of the diversity and adaptability of Islamic deliberative traditions.

The Fiqh studies method is a typical Islamic boarding school intellectual tradition that is deeply rooted in Islamic scientific knowledge. It emphasizes dialogical, collaborative and argumentative activities in resolving contemporary fiqh or religious problems through an approach based on classical texts (turāth). In practice, this method involves the process of searching for postulates, analyzing differences of opinion among scholars, and formulating contextual solutions to actual problems. This process demands critical, analytical and reflective thinking skills, qualities that are much needed in 21st century education.

This image depicts the integration of the Fiqh studies method as a model of critical thinking in Islamic education which is in line with the four pillars of education according to UNESCO. Arranged in the form of a pyramid, this structure shows how Fiqh studies does not stand alone, but supports and is strengthened by the principles of comprehensive global education. At the top of the pyramid is Fiqh studies which is positioned as a model of critical thinking. This confirms that this method is a representation of an Islamic educational approach that is capable of developing critical, creative and collaborative reasoning.

The first layer below is Learning to Know, which emphasizes students' ability to understand classical texts through analytical reasoning and in-depth understanding of literature. This is the initial foundation for mastering knowledge within the framework of Fiqh studies. Learning to know is reflected in the process of exploring classical literature and searching for

postulates. Students are required to understand texts in depth, compare opinions, and develop argumentative reasoning based on knowledge. The next layer is Learning to Do, which describes the application of knowledge in the form of constructing arguments and solving contextual problems. Santri not only understand the text, but also actualize it in the form of relevant legal or socio religious solutions. Learning to do is seen in the students' ability to apply this knowledge to answer contemporary problems through the preparation of fatwas or legal opinions. Here, there is internalization of applicable critical thinking skills.

Furthermore, Learning to Be becomes an important layer in the formation of intellectual identity. Through scientific discussions and responsibilities, students internalize values, demonstrate independence of thought, and behave scientifically ethically. Learning to be is closely related to personality formation and intellectual independence. In the Fiqh studies forum, students are trained to express their views independently but remain civilized. The most basic layer is Learning to Live Together, which is the social foundation of this entire educational process. In the Fiqh studies forum, the values of tolerance, deliberation and wrongdoing are brought to life as part of constructive social learning. This pyramid not only shows hierarchical relationships, but also illustrates the synergy between the local values of Islamic education and UNESCO's global principles (Ismail, 2024; Sahin, 2018). Fiqh studies, as a traditional model, has proven to be relevant and applicable in developing holistic and future-oriented education. Learning to live together, manifests itself in the dynamics of collective discussions, the manners of making mistakes, and the ability to respond wisely to differences. These four pillars are an integral part of every Fiqh studies session, making it not just a scientific forum, but also a vehicle for social and spiritual learning.

Fiqh studies's study has a strong intersection with the four pillars of education according to UNESCO, namely: learning to know, learning to do, learning to be, and learning to live together (Hasan, 2023; Rustiani, 2024). These four pillars represent the cognitive, practical, personal and social dimensions of holistic education. In this context, Fiqh studies not only functions as a scientific method, but also as a means of character education, social dialogue, and the formation of students' intellectual identity. From an educational theory perspective, Fiqh studies's approach is in line with Paulo Freire's view of problem-posing education, where students are invited to dialogue equally and actively shape the meaning of knowledge. This is different from the passive banking model approach. Apart from that, this approach can also be analyzed through Piaget's cognitive theory, where the process of assimilation and accommodation to new information occurs when students interpret texts and adapt them to the context. Meanwhile, Vygotsky's sociocultural theory emphasizes that the learning process takes place more effectively in meaningful social interactions, a key aspect in the practice of Fiqh studies.

## CONCLUSIONS

Based on the analysis, this study concludes that the fiqh studies method (specifically *Baḥts al-Masā'il*) serves as an effective pedagogical model for fostering critical thinking within pesantren-based Islamic higher education. This method aligns with UNESCO's Four Pillars of Education in several dimensions. First, learning to know is reflected in students' enhanced analytical reasoning through critical engagement with classical texts and comparative analysis of scholarly opinions (*ikhtilāf*). Second, learning to do is realized through the application of Islamic legal reasoning to real-world community issues, such as environmental ethics and inheritance disputes. Third, learning to live together is fostered through collective deliberation that emphasizes tolerance and the ethics of disagreement (*adab al-ikhtilāf*). Finally, learning to be contributes to the formation of intellectual identity and moral awareness, although challenges remain regarding gender inclusivity and student-led initiative. Overall, fiqh studies transform

students from passive recipients of religious knowledge into active co-constructors of meaning through dialogical and reflective learning processes.

Despite these findings, this study is limited to pesantren-based institutions in East Java and primarily employs a qualitative approach. Future research is recommended to adopt comparative or mixed-method designs to examine the implementation of fiqh studies in different regional, cultural, or institutional contexts. Further studies may also explore the integration of digital platforms and interdisciplinary perspectives into fiqh studies to enhance inclusivity, student participation, and critical engagement. Longitudinal research could provide deeper insight into the long-term impact of fiqh studies on graduates' critical thinking skills, civic engagement, and professional practice.

Theoretically, this study strengthens the discourse on Islamic pedagogy by demonstrating that indigenous knowledge systems can function as legitimate sources of critical and transformative learning. Practically, the findings suggest that pesantren and Islamic higher education institutions can enhance critical thinking outcomes by formally integrating fiqh studies into their curricula, supported by facilitator training that emphasizes dialogical and inclusive teaching practices. For policymakers and curriculum developers, this study implies the need to design learning outcomes that balance textual mastery with analytical, ethical, and social competencies. Ultimately, the study suggests that Islamic education need not be positioned between tradition and modernity, but can offer a synthesized educational model that is both locally rooted and globally relevant.

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