

TOLERANCE IN FIKIH'S MAZHAB OF SANTRI IN MALANG

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Abstrak Konflik yang bernuansa SARA (Suku, Agama, Ras dan Antar-golongan), terutama konflik internal antar umat Islam di Indonesia masih sering terjadi. Hal itu memberi gambaran bahwa toleransi antar umat Islam atau lebih tepatnya antar pengikut mazhab fikih masih relatif rendah, sehingga perlu adanya penelitian kuantitatif untuk berusaha mengukur secara kuantitas nilai sikap toleransi bermazhab fikih terutama bagi generasi muda, yaitu kaum santri di wilayah Malang. Jenis penelitian ini adalah kuantitatif dengan metode survey, teknik pengambilan datanya dengan non probability sampling-sistematis random sampling, instrumen penelitiannya dengan model skala Likert dan teknik analisis datanya dengan rumus θ , λ dan γ . Kemudian diuji dengan rumus χ^2 . Kesimpulan dari penelitian ini adalah sebagai berikut: 1) Tidak ada pengaruh (hubungan) yang signifikan antara perbedaan jenis kelamin santri terhadap sikap toleransi bermazhab fikih santri pondok pesantren di Malang; 2) Ada pengaruh (hubungan) yang signifikan antara perbedaan model pesantren terhadap sikap toleransi bermazhab fikih santri pondok pesantren di Malang dan santri pesantren khalaf (modern) lebih toleran daripada santri pesantren salaf (tradisional); 3) Ada pengaruh (hubungan) yang signifikan antara perbedaan masa studi di pesantren terhadap sikap toleransi bermazhab fikih santri pondok pesantren di Malang dan santri yang masa studinya di atas tiga tahun lebih toleran daripada yang kurang dari tiga tahun; dan 4) Tidak ada pengaruh (hubungan) yang signifikan antara perbedaan penguasaan fikih perbandingan mazhab terhadap sikap toleransi bermazhab fikih santri pondok pesantren di Malang.

لا تزال النزاعات غالباً حول القضية العرقية والدينية والفئوية، ولا سيما النزاعات الداخلية بين المسلمين في إندونيسيا. وهذا يبين لنا أن التسامح بين المسلمين، أو بتعبير أدق بين أتباع المذاهب الفقهية لا تزال منخفضة نسبياً، لذلك نحن بحاجة إلى بحث كمي لقياس موقف التسامح الكمي بين أتباع المذاهب من قبل جيل الشباب وخاصة بطلاب المعاهد الإسلامية (المجتمع السننري) في مالانج. نوع هذا البحث هو البحث الكمي بطريقة المسح الكمي، وتقنيات جمع البيانات هي عدم احتمال أخذ العينات-أخذ العينات العشوائية المنتظمة، وأداة هذا البحث هي نموذج مقياس «ليكرت» (*trekiL*) وتحليل البيانات بصيغة «ايتا» (*ateht*)، «لدا» (*admal*) و«غامما» (*ammag*). ثم اخترت بصيغة «جي-سقوير» (*erauqs-ihc*). الاستنتاجات من هذا البحث هي: (١) ليس هناك تأثير كبير (العلاقة) في الفرق بين جنسي الطالبين و الطالبات في المعاهد الإسلامية نحو التسامح بين المذاهب الفقهية في مالانج؛ (٢) هناك تأثير كبير (العلاقة) بين مختلفة نماذج المعاهد (السلفية والعصرية) في موقف التسامح بين المذاهب فطلاب المعاهد العصرية أكثر تسامحاً من طلاب المعاهد السلفية (التقليدية)؛ (٣) هناك تأثير كبير (العلاقة) بين مختلفة فترة الدراسة (الطويلة و القصيرة)

بالمعاهد في موقف التسامح بين المذاهب في مالانج فالطلاب الذين يدرسون أكثر من ثلاث سنوات أكثر تسامحا من الطلاب الذين يدرسون أقل من ثلاث سنوات؛^٤ لا يوجد أي تأثير (العلاقة) بين اختلاف الطلاب في علمهم بالفقه المقارن وعدم علمهم نحو موقف التسامح بين المذاهب في مالانج.

Nowadays, Ethnicity, religion, race, and inter-group relations conflicts, especially internal conflict among Muslim in Indonesia often occurs around us. That shows us that the tolerance among Moslems or more appropriately among mazhab followers is relatively at the low level, therefore, we need quantitative research to measure the tolerance attitude quantitatively among mazhab followers especially in teenagers, which in this research is santri society in Malang city. This kind of research is quantitative research with survey method, data collection technique with non-probability sampling-systematic random sampling, research instrument with the Likert scale model, and data analysis technique with theta, lamda and gamma formulas. Then examined with chi-square formula. Conclusions of this research are: 1) There are no significant influences between santri sex gender to the tolerance attitude among santri at Islamic boarding school (pesantren) in Malang; 2) There are some significant influences between Islamic boarding school types on the tolerance attitude among santri at Islamic boarding school in Malang and santri at Khalaf (modern) Islamic boarding school are more tolerant than at the Salaf (traditional) Islamic Boarding School; 3) There are some significant influences between long study period to the tolerance attitude among santri at Islamic boarding school in Malang and santri with either 3 years or above long study period are more tolerant than less one; and 4) There are no significant influences between ability of fiqh mazhab comparison to the tolerance attitude among santri at Islamic boarding school in Malang.

Keynote: Islamic boarding school (pesantren), santri, mazhab, tolerance, Malang.

PREAMBLE

The differences (*khilāfiyyah*) of mazhab, either in the akidah or fikih, until now still become a cause of the relationship gap in *ukhuwwah islāmiyyah* between Muslim in the world, including Indonesia. Moreover, in statuesque (after reformation), the development of religious understanding is more flourishing which is identified by the appearance of a lot of religion groups, especially in the Muslim society. The freedom that more open is a conducive precondition for the appearance of radical Islam groups¹ which tends to act intolerance toward another religion, even toward Muslim that differs in mazhab to them (in the akidah and/or fikih aspect). But, the conflict in akidah aspect is not too influenced, due to the character of akidah which is about belief in the heart. In contrast, the conflict of fikih aspect which is appeared externally, because of the character of fikih that is practice

¹ A. Jauhar Fuad, "Gerakan Kultural dan Pemberdayaan: Sebuah Imun terhadap Radikalisme di Sanggar Sekar Jagad Sukoharjo," *Al-Tahrir*, 18, no. 1 (May, 2017), 3.

deeds, thus, a Sunni Muslim will know that their friend is Syiah after seeing their fikih practice (like prayer).

Conflicts and riots that contain ethnicity, religion, race, & inter-group relations nuance is often happened in Indonesia, either the inter-religion conflict (external conflict) or intra-religion (internal conflict). Moreover, the statistic of religious conflict in Indonesia reveals the increasing- both in quantity and quality- along the year, as a result from the research of Center for Religious and Cross-cultural Studies (CRCS) Gajah Mada University Yogyakarta.

CRCS has made the yearly report for religious life in Indonesia that has been published five times since 2008. These reports analyse several main problems in the religious life in Indonesia, especially in the management of the diversity of religion in both the country and society. In 2009 of the CRCS yearly reports write that there are 18 cases, but in 2010 there are 39 cases in around worship places. With the data's area which relatively same, it could be said that the case around worship places in 2010 is higher than the previous year. Of 39 cases about worship places, conflicts and tensions which involve cross-ethnic conflicts are still dominant with 32 cases (82%). In contrast, 4 cases (10%) involve the internal conflict of a religion like around Muslim with 1 case, internal of the Protestant 1 case, and internal of Catholic 1 case. With other 3 cases (8%) are unidentified.²

Around internal conflicts of Muslim become a national issue is in 2010 which occurred in Bangil Pasuruan District, Jawa Timur that is the conflict between *santri* from an Islamic boarding school with ahlu Sunnah wal jama'ah (aswaja) and *santri* from another Islamic boarding school which is identified by using syiah mazhab. This conflict has become the battle ring arena between both sides until creating casualties on both sides. Moreover, the sunni-syi'i conflict in 2012 occurred more extreme with assaulting and burning of Syiah group's houses in Karanggayam village, Sampang, Madura, at August 26 2012³, which impact all the citizens there to be evacuated and until now they still stay in the evacuation area in Sidoarjo district with improper condition.

There are still other conflict examples between Muslim that caused by fikih mazhab difference around Muslim society in Indonesia, such

² The report of religious life in Indonesia 2010 (Yogyakarta: CRCS- UGM, 2011), 34.

³ http://www.bbc.com/indonesia/laporan_khusus/2013/08/130731_lapsus_syiah_sidoarjo_kilasbalik (retrieved 7-2-2017).

as reading Fatihah with *Basmalah* or not⁴, subuh prayer with or without Qunut, Tarawih prayer with 20 or 8 roka'at and other cases that generally about *ubudiyah* (ibadah). If these mazhab conflicts are left as they are, hence there is no tolerance attitude in fikih mazhab among Muslim in Indonesia, hence slowly but surely the conflict that happens in Iraq, Pakistan, Yaman, or other Muslim countries will happen in Indonesia, that conflict is "acquisition blood and wealth of Muslim from another different mazhab."

The religion conflict, both intra-religion (internal) or inter-religion (external) could be triggered by many factors. Some analysts stated that there are twelve factors causing a conflict which two of them are: less aged mature factor and less public sphere⁵ factor. Less aged mature could cause someone even religious people could be trapped in the emotional attitude and action. This emotional attitude and action are so easy to trigger tension, disunity, and conflict even though it is started from a little and unimportant thing. Furthermore, what do mean by less of a public sphere is less of interaction, like educational institutions, such as Pondok Pesantren (Islamic Boarding School). It means, the existence of an organisation or educational institution with a particular religion characteristic impacts toward less of the public sphere, due to this establishment or development of the place or organisation with a particular religion identify takes the public interaction area which is heterogenic and pluralistic.

This empiric reality has been an attention for me, the author, thus, the author is motivated to research this problem, but with more focus on a research toward *santri* who are more understand toward the religion and study fikih mazhab and mazhab fikih comparative study. Hence, the author thought it is necessary to have a quantitative research to prove and measure the significance of gender influence, Islamic boarding school types, duration of the study, and the understanding of mazhab fikih comparison toward a mazhab fikih tolerance attitude of *santri* of Islamic boarding school in Malang. But, the author also needs to decide the scope of problem, because there are a plenty

⁴ One of the author's friend is a mosque administrator has ever been complained by his members when he invited a prayer imam from another group or mazhab who reads *Basmalah* in al-Fatihah with *sirri* (softly) or might be does not read it, which in their view it is rejected, due to the reading is incomplete by missing one ayat, which is *Bismillahirrahmanirrahim*. Thus, the author's friend does not want to invite imam who does not want to read by *jahr* (loudly).

⁵ Peter Suwarno, "*Konflik Antar Agama: Kemungkinan Penyebab, Penanggulangan dan Penyelesaiannya*" dalam Musahadi HAM (Editor), *Mediasi dan Resolusi Konflik di Indonesia: Dari Konflik Agama Hingga Mediasi Peradilan* (Semarang: WMC-IAIN Walisongo, 2007), 21-26.

factors and dependent variables that manifested by the understanding of mazhab fikih tolerance attitude of a society or students (*santri*), such as environment and family factor, medias that often show internal conflict of a religion, education background, education level, social and economy jealousy, gender, etc.

The scope of problem in this research is limited in four free variables, gender (between male and female), type of Islamic boarding school (between *salaf/traditional* and *khalaf/modern*), duration (time) of study in an Islamic boarding school (between three year duration and more than three year duration), and the understanding of mazhab fikih comparative study (between understanding or not in fikih *muqaran*), then the dependent variable is the tolerance attitude in mazhab fikih of *santri* of Islamic boarding schools in Malang (Malang City and Regency).

The purpose of this research is to understand the influence (relation) between gender differentiation toward tolerance attitude in mazhab fikih of *santri* in Islamic Boarding School in Malang; the influence (relation) between Islamic boarding school types differentiation toward tolerance attitude in mazhab fikih of *santri* in Islamic Boarding School in Malang; the influence (relation) between duration of study differentiation in Islamic boarding school toward tolerance attitude in mazhab fikih of *santri* in Islamic Boarding School in Malang and; the influence (relation) between the understanding of mazhab fikih comparative study differentiation toward tolerance attitude in mazhab fikih of *santri* in Islamic Boarding School in Malang.

THEORETICAL ANALYSIS

The term or word *toleransi* lexically is coming from English tolerance which means patience.⁶ The term tolerance in Latin is *tolerare*, which means holding back, letting others to give their opinion, tolerant of other opinions. The tolerance attitude does not mean confirm the view or opinion of the object but admitting their right and their right of their followers.⁷ Furthermore, in Kamus Besar Bahasa Indonesia (KBBI) defines the word *toleran* with the character or attitude of tolerating (respect, letting, and allowing) a principle (view, opinion, belief, habit, deed, etc.) which differs or opposites with own principle.⁸

⁶ John M. Echols dan Hassan Shadily, *Kamus Inggris Indonesia* (Jakarta: Gramedia, 2000), 595.

⁷ Basuki Ismael dan Benyamin Molan, *Negara Hukum Demokrasi Toleransi: Telaah Filosofis Atas John Locke* (Jakarta: Intermedia, 1993), 89.

⁸ Kamus Besar Bahasa Indonesia (KBBI) *offline* application.

Hence, if we dismantle it etymologically, the word tolerance means the character or attitude of tolerating (respecting, letting, and allowing) a principle (view, opinion, belief, habit, deed, etc.) which differs or opposites with own principle, but if it is seen from the cultural, social and politic terminology side the tolerance means a symbol of compromise with a few of powers which are pulling or confronting each other and then helping each other to support common interests, protecting and fighting for it. In this context, tolerance means the peace of the citizens by tolerating many diversities between them.

Tolerance in religion (either internal or external) consisted of two categories, dogmatic and practice tolerance. Dogmatic tolerance is a tolerance that only about religious teachings. This, if it is related to the teachings in Islam is the teaching which about belief and akidah. Generally, the followers of a particular religion or mazhab in Islam do not often care about other followers. But in practice tolerance in Islam which is, in this case, is Fikih, hence tolerance in fikih mazhab means letting each other to express their belief, doing their worship and other religious practices in a social life. In its application, these two kinds of tolerance could be united or separated. The followers of a religion could be tolerance each other in both of these or against one of these (such as in akidah), but letting other sides (practice aspect like fikih) or vice versa. Thus, in a tolerance mazhab fikih- as the same in a tolerance in religion-, it is needed honesty, high-minded, wisdom, and responsibility, so it will flourish the sense of solidarity and eliminate egoistic groups.

From this explanation, it is known that even tolerance is the positive response of diversity, but it is still passive cause just about letting the other, without the willingness of understanding, and being actively involved to cooperate. Otherwise, Yusuf al-Qardlawi thought that tolerance is not passive, but dynamic. Similar to that, al- Qardlawi categorises tolerance in religion in three levels. Firstly, tolerance in a shape of just letting others be a particular mazhab or religion follower which they believe, but not giving them the chances to do their religion's duties or mazhab's teachings which are obligated to them. Secondly, giving the right to a follower of a religion (mazhab) which they believe, then not forcing them to do something as a prohibition in their religion or mazhab. Thirdly, not limiting their movement in doing something

which in their religion or mazhab is allowed (halal), even though that thing is prohibited based on other religion or mazhab.⁹

Based on the elaboration above, conceptually and methodologically, so the tolerance in fikih mazhab could be dismantled in two premier things; firstly, tolerance in mazhab fikih which refers to diversity, but accepts its diversity. Hence, how big and different the diversity is among Muslim does not describe the condition of tolerance in mazhab fikih. Secondly, tolerance in mazhab fikih actually refers to a relational situation which is relatively peaceful among Muslim internally with other sects or mazhab in order to give the freedom of place and time to do their own mazhab teaching.

In social interaction among Muslim with diversity in mazhab, of course, could not be free from a possibility of friction which is triggered by activities of their mazhab belief in public, as long as they do not reject even more by eradicating other mazhabs' existence. Although it is correct that among indicators of democracy is a possibility for everybody to express in public, including a rejection toward other religious groups, but it would be better if it does not exceed the limit and does not against the roles and ethics.

As the explanation above that the tendency of conflict which happens among Muslim is caused by the difference in practical aspects that is fikih. But the difference in fikih is something that always happens, because it is the character of religion, language, human also environment and life. Hence, the people which have a willingness to be united in one opinion in ibadah, muamalah, and other jurisprudence in Islam, it means that these people want something impossible to happen. Moreover, this diversity in mazhab fikih is known as rahmat (mercy) by the majority of scholars¹⁰. The diversity in mazhab fikih is not only known as common thing and rahmat (mercy), but also as very prestige heritages, because the diversity of scholars' view is a heritage that could be a study resource for the development of fikih in the near future, also could be a consideration and opinion that has a high value.

In contrast, the empiric reality in common society still cannot create the diversity of mazhab fikih as rahmat (mercy), vice versa; it often becomes torment and the starting point of conflict and hostility among

⁹ Yūsuf al-Qarḍāwī. *Minoritas Nonmuslim di dalam Masyarakat Islam*, terj. Muhammad Baqir (Bandung: Mizan. 1985), 95-97.

¹⁰ As the view of Imam al-Sha`rānī in his work "al-Mizān al-Khidiriyyah" dan "al-Mizān al-Qubrā", also the view of Imam al-Utmānī with the title of his which clearly supports the mercy of diversity; "Raḥmah al-Ummah fi Ikhtilāf al-Aimmah".

own Muslim and claims that they and their group or fikih mazhab is the correct one. Whereas, if we read the history of Muslim in the past, since in the era of Prophet Muhammad PBUH's companions, tabi'in and Mujtahid imam mazhab, like Imam Maliki, Syafi'i, and others we will find that how much they are tolerance each other and sincerely respect other mazhab and opinions even its very contrast with their own mazhab or view.

The high tolerance for mazhab fikih among scholars and Muslim in the past is because of their wide understanding in fikih mazhab comparative. Umar Sulaiman al-Ashqar stressed that among the important advantages of learning and understanding fikih mazhab comparative (*al-fiqh al-muqāran*) is to be spared from intolerance toward other mazhab and blind fanatic attitude in their mazhab fikih.¹¹

Otherwise, the educational institutions which are studying fikih and comparative mazhab deeply are Islamic boarding school (pesantren). Islamic boarding school is an artefact of Indonesian civilisation which is established as a religious educational institution with its traditional and unique design. As a civilisation artefact, the existence of Islamic boarding school must have a very strong historical and cultural root with Indonesia. Hence, it is not overreacting that some groups called Pesantren as an Indonesian indigenous educational institution, which is the educational institution that originally coming from Indonesia.¹²

Other philosophy of pesantren's coming based on temporary group, is the same as a philosophy of the existence of traditional market (pasar) as the place of selling and buying, where the buyers and sellers are not only "being forced" to settle there, but the interaction between sellers and buyers itself creates the place that is called by pasar (traditional market). The kind of picture also as the beginning that creates pesantren. This is the intensive mirror of the dialogue between pesantren and its environment.

Where the essence of Pesantren is interpreted as the Traditional Islam Educational institution to study, understand, steep, ensoul, and actualise Islam teachings to emphasise the importance of religious morality as the guidance of daily life behaviours. Pondok, mosque, santri, the classic book teachings and kyai are the basic elements of pondok pesantren. Kyai is the most essential aspect of a pesantren,

¹¹ Umar Sulaiman al-Ashqar, *Masā'il fī al-Fiqh al-Muqāran* (Yordania: *Dār al-Nafāis*, 2003), 14.

¹² Nurcholis Madjid, *Bilik-bilik Pesantren: Sebuah Potret Perjalanan*, (Jakarta: Paramadina, 1997), 10.

more often as the founder. Hence, it is common if the development of a pesantren is depending on the personal ability of kyai. He as a key actor that determines the shape of pesantren's life.

Thus, the position of pesantren (with kyai and santri's role) which very strategic as a big source to establish the dialogue with society, also could be a big potential in order to establish a mutual and appreciative cooperation among society's element from various characters and backgrounds. One thing pesantren could do is by creating a tolerance between Muslim with its mazhab plurality. Because the strategic role of pesantren, hence, the barometer of mazhab fikih tolerance of Muslim society in Indonesia is pesantren.

METHOD

The approach or paradigm of this research is quantitative, because it tries to measure the relation of four free variables: gender, type of pesantren, duration of study in pesantren, and understanding of fikih mazhab comparative toward one dependent variable that is tolerance attitude mazhab fikih of Santri pondok pesantren in Malang. Quantitatively (in numbers). Quantitative research is the opposite of qualitative research, as explained by Moleong that the term of qualitative research based on Kirk and Miller, in the beginning is sourced by the qualitative observation which is against by the quantitative research. The quantitative observation involves a level measure of particular characteristics. In another word, quantitative research involves itself in calculation or number or quantity, but qualitative on the quality that shows on the natural side. Because of this consideration, hence, a qualitative research tends to be interpreted by a research with no calculation,¹³ vice versa with quantitative.

Thus, the approach of this research is the quantitative research, an approach which has a possibility to do record and analysis of the data result of a research exactly and analyse its data using non-parametric statistic calculation. In a quantitative research, generally, there are only two methods, which are experiment and survey. The experiment research needs a particular treatment, because it tries to look for influences of specific behaviours toward others in a controlled condition.¹⁴ Because this research does not do a particular treatment, so this research method is survey method, which is purely field

¹³ Moleong, *Metodologi Penelitian Kualitatif* (Bandung: PT Remaja Rosda Karya, 2001), 2

¹⁴ Sugiyono. *Metode Penelitian Kuantitatif, Kualitatif dan R&D* (Bandung: Alfabeta, 2009), 72.

observation by collecting quantitative data in order to be analysed, examined, and measure then it will be concluded quantitatively too.

The population is a generalisation area which contains object or subject that has particular qualities or characteristics that are set up by a researcher in order to be studied and concluded.¹⁵ In the quantity side, there are two kinds of the population, finite population and infinite population. Because this research will just analyse santri who are still currently active in Pesantren in Malang city and Malang district, so, the population of this research is narrow, but the number of pesantren in Malang city and district area are a lot, hence, it is taken 24 pesantren (12 in Malang district and 12 in Malang city) as the samples of the research. These 12 pesantren in Malang district are: 1) Pesantren Ilmu al-Qur'an; 2) Nurul Huda; 3) al-Ishlah; 4) al-Ishlahiyyah; 5) al-Nashlichah; 6) Darul Hikmah; 7) al-Fatah; 8) al-Nur al-Qur'ani; 9) Hidayatul Qur'an; 10) al-Munawarriyyah; 11) al-Hasani dan; 12) al-Muqorrobun. But these 12 pesantren in Malang city are: 1) Ashhabul Kahfi; 2) Sabilur Rosyad; 3) Anwarul Huda; 4) Darul Qur'an; 5) Sabilul Hasanah; 6) Nahdlotul Ulum; 7) Nurul Qur'an; 8) al-Ikhlash; 9) Luhur; 10) Darus Salam; 11) Bustanul Ulum dan; 12) Manarul Huda.

The samples are part of numbers and characteristics which owned by its population.¹⁶ To decide samples that will be taken from that population are very considered by sampling technique. Generally, sampling techniques are divided into two parts: *probability sampling* and *no-probability sampling*. Hence, this research's sampling technique is used by *non-probability sampling-systematic random sampling* technique.¹⁷ That is the technique where all part of the population does not have the same chance to be taken as a sample (especially in deciding type of pesantren between salaf and modern), then it will be chosen randomly systematically in deciding testing sample.

The technique which is used in this research to collect research data is by using collecting instrument which is questionnaire to reveal data about relationship among four free variables: gender, type of pesantren, duration of study in pesantren, and understanding of comparative fikih mazhab toward one dependent variable which is mazhab fikih tolerance attitude of santri pondok pesantren in Malang.

To be clearer about analysis data technique and hypothesis test whics are used could be seen in the following table:

¹⁵ *Ibid.*, 80.

¹⁶ *Ibid.*, 81.

¹⁷ *Ibid.*

Table 1: Data Analysis Technique

No	Variable Type	Type of Data	Analysis Data Technique	Hypothesis test
1.	The relation between gender and tolerance attitude in mazhab fikih	Nominal with Ordinal	Theta (θ) $= \frac{\sum D_i}{T_2}$	Chi-Square $(\chi^2) = \frac{\sum(O - E)^2}{E}$
2.	The relation between types of pesantren and tolerance attitude in mazhab fikih	Nominal with Ordinal	Theta (θ) $= \frac{\sum D_i}{T_2}$	Chi-Square $(\chi^2) = \frac{\sum(O - E)^2}{E}$
3.	The relation between duration of study in pesantren and tolerance attitude in mazhab fikih	Nominal with Ordinal	Lamda (λa) $\lambda a = \frac{\sum f_b + \sum f_k - (F_b + F_k)}{2N - (F_b + F_k)}$	Chi-Square $(\chi^2) = \frac{\sum(O - E)^2}{E}$
4.	The relation between the understanding of fikih mazhab comparative study and tolerance attitude in mazhab fikih	Ordinal with Ordinal	Gamma (G) $G = \frac{F_a - F_1}{F_a + F_1}$	Chi-Square $(\chi^2) = \frac{\sum(O - E)^2}{E}$

Beside data technique analysis above, in this research is also used a common formula to calculate percentage:¹⁸

$$p = \frac{f}{N} \times 100 \%$$

The hypothesis claim of this research is “There is a relation or significant influence between gender, type of pesantren, duration of study in pesantren, and understanding of fikih mazhab comparative study toward tolerance mazhab fikih attitude of santri in pondok pesantren in Malang.” It means, tolerance attitude of mazhab fikih female santri is more tolerant than male; also tolerance attitude of santri in modern pesantren (khlaf) is more tolerant than salaf (traditional); santri with duration of study above three years also more tolerant than under 3 years; and santri who understand fikih mazhab comparative study is more tolerant than santri who does not understand.

Hence, this formulation of research is *associative*, which is asking the relation and influence between two variables or more, so the statistic hypothesis is:

Ho: $p = 0$, means “equals to zero”, so the hypothesis is there is no relation.

Ha: $p \neq 0$, means “unequals to zero”, so might be above or under zero, so the hypothesis is there is a relation. And p is the correlation value in hypothesis formulation.

¹⁸ Soerjono Soekanto, *Pengantar Penelitian Hukum* (Jakarta: UI Press, 1986), 268.

DISCUSSION AND RESULT

From the questionnaire that has been spread to all the population and got around 440 proper questionnaire, then randomly choose 225 sample for four variants: 1) Gender; 2) Type of Pesantren; 3) Duration of Study in Pesantren; 4) Level of understanding Fikih muqaran (fikih comparative study), so it is got tabulation data of every sample which is listed ascendingly (from the smallest to the largest) as the following table:

Table 2: Tabulation Questionnaire Value Ascendingly

NO	GENDER		TYPE OF PESANTREN		DURATION STUDY IN PESANTREN		LEVEL OF UNDERSTANDING IN FIKIH MUQARAN		
	M	FM	Salaf	Khalaf	< 3 Yr	> 3 Yr	Low	Medium	Good
1	87	82	69	89	86	102	91	86	102
2	93	83	79	97	86	104	93	92	102
3	103	86	82	100	86	104	94	92	102
4	103	91	83	104	87	105	98	93	103
5	103	91	87	105	87	107	98	93	104
6	105	93	88	105	87	108	99	94	107
7	105	95	88	105	91	111	102	94	108
8	106	95	89	107	95	112	102	95	108
9	106	97	90	108	95	112	103	96	108
10	107	97	92	110	96	112	106	98	109
11	108	98	94	112	96	112	108	101	109
12	110	98	96	113	97	114	109	102	109
13	111	99	96	115	99	114	109	103	111
14	112	100	101	117	99	116	109	103	111
15	114	103	104	121	99	119	110	103	111
16	116	105	104	121	103	119	111	106	112
17	119	106	105	122	104	122	114	106	112
18	120	107	106	129	107	124	115	106	113
19	121	110	107	129	111	124	117	106	114
20	122	112	108	131	111	125	118	109	115
21	122	117	112	131	113	126	119	110	116

22	123	118	119	132	113	129	120	110	121
23	124	126	120	132	117	131	120	112	122
24	126	130	121	133	118	142	124	112	127
25	130	136	122	144	122	145	125	124	131
R	111,84	103	98,48	116,48	100,2	117,56	108,56	101,84	111,48

The value and data percentage which is got for gender variant of santri toward tolerance attitude of mazhab fikih as the following table:

Table 3: Percentage of Tolerance Attitude in Mazhab Fikih between Male Santri and Female

GENDER	LEVEL OF TOLERANCE ATTITUDE IN MAZHAB FIKIH			
	High	Medium	Low	Total
Male	7 (28 %)	17 (68 %)	1 (4 %)	25 (100 %)
Female	3 (12 %)	19 (76 %)	3 (12 %)	25 (100 %)
Total	10 (20 %)	36 (72 %)	4 (8 %)	50 (100 %)

From the explanation data above, it is shown that male santri have the value of tolerance attitude in mazhab fikih higher than female, because of their high level of tolerance attitude reaches 28%. In contrast, female santri only reaches 12%. Also in the percentage of low level tolerance attitude in mazhab fikih, male santri got better tolerance attitude, because only 4% which have low tolerance attitude, but female santri reaches 12%. The part of majority of tolerance attitude level of mazhab fikih both male and female santri are in medium level; male santri 68%, and female santri 76%.

After that data is processed and analysed by using *Theta* formula, then it is found the result that the difference in tolerance attitude in mazhab fikih between male and female reaches 0.21% or 4.41%. This describes the low influence of gender with tolerance attitude in mazhab fikih of santi in Malang. Also after that data is examined by using *Chi-Square* formula to test the hypothesis, it is found the answer that there is no significant relation between gender and tolerance attitude in mazhab fikih of santri in pondok pesantren in Malang.

Hence, the hypthothesis that the author has made before, "there is relation or significant influence between gender and tolerance attitude in mazhab fikih and female santri is more tolerant than male" is wrong and not proven, moreover, male santri is more tolerant than female.

Then the value and percentage that is found for the variant of types of pesantren with the tolerance attitude in mazhab fikih is as the following below:

Table 4: Percentage of Tolerance Attitude in Mazhab Fikih Between Santi of Salaf Pesantren and Khalaf

TYPE OF PESANTREN	LEVEL OF TOLERANCE ATTITUDE IN MAZHAB FIKIH			
	High	Medium	Low	Total
Salaf	2 (8 %)	14 (56 %)	9 (36 %)	25 (100 %)
Khalaf	11 (44 %)	13 (52 %)	1 (4 %)	25 (100 %)
Total	13 (26 %)	27 (54 %)	10 (20 %)	50 (100 %)

According to data above, it is seemed that santri who are studying in khalaf pesantren (modern) have tolerance attitude value in mazhab fikih higher than santri of salaf (traditional), because the level of tolerance attitude level which is relatively high about 44%. But santri of salaf pesantren (traditional) just approximately 8%. Also in percentage of level value tolerance attitude ein mazhab fikih for low level, santri of khalaf pesantren are better in their tolerance attitude, because it is just 4% who are low in tolerance attitude level, but santri of salaf pesantren reach about 36%. The difference of both level (high and low) is too far, but for medium level the difference between santri of khalaf and salaf pesantren is relatively same, because the majority of tolerance attitude level in mazhab fikih santri on both types of pesantren are in the medium level; santri salaf reaches 56%, but santri khalaf 52%.

After that data is being processed and analysed using *Theta* formula, it is found the result that the difference of tolerance attitude in mazhab fikih between santri salaf and khalaf approximately reached -0.53% or 28%. This describes the low influence of type of pesantren with tolerance attitude of mazhab fikih of santri in Malang, but after that result is examined with *Chi-Square* formula to test the hypothesis, it is found the answer that there is a significant influence between types of pesantren toward level of tolerance attitude in mazhab fikih of santri of pondok pesantren di Malang.

Thus, the hypothesis that author has written before that is, "there is a realtion or significant influence between type of pesantren with tolerance attitude in mazhab fikih and santri of khalaf pesantren is more tolerant than salaf" is correct and proven, moreover, if it is calculated with percentage, so the difference does not too much.

Furthermore, the value and percentage which is got for the variant of difference in duration of study in pesantren with tolerance attitude in mazhab fikih is as the following below:

Table 5: Percentage of Tolerance Attitude in Mazhab Fikih Between Santri with more than 3 years and less than 3 years

DURATION OF STUDY IN PESANTREN	LEVEL OF TOLERANCE ATTITUDE IN MAZHAB FIKIH			
	High	Medium	Low	Total
Less than 3 Yr	1 (4 %)	18 (72 %)	6 (24 %)	25 (100 %)
More than 3 Yr	9 (36 %)	16 (64 %)	0 (0 %)	25 (100 %)
Total	10 (20 %)	34 (68 %)	6 (12 %)	50 (100 %)

From the explanation above, it is showed that santri who has been in pesantren for more than 3 years have tolerance attitude in mazhab fikih higher than santri with less than 3 years duration of study in pesantren, because the level of tolerance attitude with high level by reaching 36%. But, santri with duration study less than 3 years just reach 4%. Also in low level percentage of tolerance attitude level in mazhab fikih , santri with more than 3 years duration of study have better tolerance attitude, because 0% in low level of tolerance attitude, but santri with duration of study less than 3 years reach about 24%. The difference between both level (high and low) is too far, but for medium level the difference between santri with more than 3 years and less than 3 years duration of study is not too far, because the majority of tolerance level attitude in mazhab fikih of santri in that variants of duration of study in in the average level; santri with less than 3 years duration of study reaches 72%, but santri with more than 3 years duration of study reaches 64%.

After that data is processed and analysed with *Lamda* formula, it is found the result that the difference of tolerance attitude level in mazhab fikih between salaf and khalaf reaches 0.19 or 1.9%.¹⁹ This describes the low influence of types of pesantren toward the tolerance attitude level in mazhab fikih of santri in Malang, but after that result is examined by using *Chi-Square* to examine the hypothesis, it is resulted the answer that there is a significant relation between the duration of study in pesantren toward the tolerance attitude level in mazhab fikih of santri pondok pesantren in Malang.

¹⁹ Moreover, when the author analysed with *Theta* formula it is found -0.23 or 5.3%

Hence, the hypothesis that author has written before which is, “there is a relation or significant influence between duration of study in pesantren toward tolerance attitude in mazhab fikih and santri with duration of study in pesantren more than three years are more tolerant than less than 3 years” is correct and proven.

Furthermore, the value and percentage that is resulted by the variant of difference understanding of fikih muqaran toward tolerance attitude level as the following table below:

Table 6: Percentage of Tolerance Attitude Level among Santri Depends on Understanding Level in Fikih Muqaran

ABILITY LEVEL OF UNDERSTANDING FIKIH MUQARAN	LEVEL OF TOLERANCE ATTITUDE IN MAZHAB FIKIH			
	High	Medium	Low	Total
Good	4 (16 %)	21 (84 %)	0 (0 %)	25 (100 %)
Medium	1 (4 %)	23 (92 %)	1 (4 %)	25 (100 %)
Low	2 (8 %)	23 (92 %)	0 (0 %)	25 (100 %)
Total	7 (9,3 %)	67 (89,3 %)	1 (1,4 %)	75 (100 %)

From the explanation above, it is showed that santri with good understanding of fikih muqaran have better tolerance attitude level in mazhab fikih than santri with medium or low understanding in fikih muqaran, because the level of tolerance attitude level with high level reach 16%. But santri with medium understanding of fikih muqaran just reach about 4%, but it is odd that santri with low fikih muqaranah understanding reach 8%, so, it is little above than medium level of understanding. And also in percentage value level of tolerance attitude in mazhab fikih for low level, santri with good understanding in fikih muqaran are better in tolerance attitude, because 0% in low tolerance attitude, but santri with medium understanding reach 4%, moreover, it is odder santri with medium understanding also reach 0%. The majority of tolerance attitude level in mazhab fikih of santri with difference level of fikih muqaran understanding is more dominant in medium level; santri with good understanding reaches 84%; but santri with low understanding reach about 92%.

After that data is processed and analysed by using *Gamma*, it is found the result that the difference of tolerance attitude level in mazhab fikih between santri with difference understanding level of

fikih muqaran reach 0.267 or 2.67%. This describes the low influence of difference level understanding of fikih muqaran toward tolerance attitude in mazhab fikih of santri in Malang. Also after that data is examined by using *Chi-Square* formula to examine the hypothesis, it reveals the answer that there is no significant relation between difference level of fikih muqaran understanding toward tolerance attitude in mazhab fikih of santri pondok pesantren in Malang.

Thus, the hypothesis that has written by the author before that, "there is a relation or significant influence between different understanding level of fikih muqaran of santri toward tolerance attitude in mazhab fikih and santri with good understanding are more tolerant than santri with medium or low level of undersanding" is incorrect and unproven, moreover santri with low understanding are more tolerant than santri with medium understanding of fikih muqaran.

CLOSING

Based on the hypothesis that has been delivered in order to be proven with the result of data analysis result and hypothesis examination, hence, this result is concluded in four points as the following below:

1. There is no significant influence (relation) between gender and tolerance attitude in mazhab fikih of santri pondok pesantren in Malang;
2. There is significant influence (relation) between types of pesantren and tolerance attitude in mazhab fikih of santri pondok pesantren in Malang and santri from khalaf (modern) pesantren are more tolerant than salaf (traditional) one;
3. There is significant influence (relation) between duration of study in pesantren and tolerance attitude in mazhab fikih of santri pondok pesantren in Malang and santri with more than three years duration of study are more tolerant than less than three years duration;
4. There is no significant influence (relation) between difference level of fikih mazhab comparative study understanding and tolerance attitude in mazhab fikih of santri pondok pesantren in Malang.

Based on the explanation and conclusion above, thus, from this research the author gives suggestions in four points as the following:

1. The curriculum in pesantren should not distinguish difference gender of santri in general sciences, like fikih comparative mazhab study. Although in the research has been known that there is no significant influence (relation) between different gender of santri toward tolerance attitude in mazhab fikih of santri pondok pesantren in Malang, but still it seems the low level of tolerance in mazhab fikih of female santri;
2. This research is proven that there is significant influence (relation) between different types of pesantren toward tolerance attitude in mazhab fikih of santri pondok pesantren in Malang. Hence, the author gives a suggestion for salaf pesantren to make an internal evaluation about the low level of tolerance attitude mazhab fikih of their santri and looking for a solution. For the first step could be done by using a comparative study to other modern pesantren by doing a discussion and *sharing* their own curriculum;
3. There is a significant influence (raltion) between different duration of study in pesantren toward tolerance attitude in mazhab fikih of santri pondok pesantren in Malang. Hence, in the opinion's author it is needed to introduce fikih comparative mazhab since the beginning year (freshman year), because not all study duration of santri will be more than three years;
4. Although there is no significant influence (relation) between different understanding of fikih comparative mazhab study toward tolerance attitude in mazhab fikih of santri pondok pesantren in Malang, but still the materials and curriculum of fikih comparative mazhab are needed by santri to know other mazhab in order to be more mature in the interaction among wide and plural society in the future; when they are in the society.

REFERENCES

- al-Ashqar, Umar Sulaimān. *Masā'il fi al-Fiqh al-Muqāran*. Yordania: Dār al-Nafāis, 2003.
- al-Qarḍāwī, Yūsuf. *Minoritas Nonmuslim di dalam Masyarakat Islam*, terj. Muhammad Baqir. Bandung: Mizan, 1985.
- CRCS. *Laporan Kehidupan Beragama di Indonesia 2008*. Yogyakarta: UGM, 2009.
- _____. *Laporan Kehidupan Beragama di Indonesia 2010*. Yogyakarta: UGM, 2011.
- _____. *Laporan Kehidupan Beragama di Indonesia 2011*. Yogyakarta: UGM, 2012.
- _____. *Laporan Kehidupan Beragama di Indonesia 2012*. Yogyakarta: UGM, 2013.
- Echols, John M. dan Hassan Shadily. *Kamus Inggris Indonesia*. Jakarta: Gramedia, 2000.
- Fuad, A. Jauhar, "Gerakan Kultural dan Pemberdayaan: Sebuah Imun terhadap Radikalisme di Sanggar Sekar Jagad Sukoharjo," *Al-Tahrir*, 18, no. 1, Mei, 2017.
- HAM, Musahadi (Editor). *Mediasi dan Resolusi Konflik di Indonesia: Dari Konflik Agama Hingga Mediasi Peradilan*. Semarang: WMC-IAIN Walisongo, 2007.
- Madjid, Nurcholis. *Bilik-Bilik Pesantren: Sebuah Potret Perjalanan*. Jakarta: Paramadina, 1997.
- Moleong. *Metodologi Penelitian Kualitatif*. Bandung: PT Remaja Rosda Karya, 2001.
- News, BBC. *Laporan Khusus Syiah Sidoarjo Kilas-Balik*. http://www.bbc.com/indonesia/laporan_khusus/2013/08/130731_lapsus_syiah_sidoarjo_kilasbalik, 2013.
- Ismael, Basuki dan Benyamin Molan. *Negara Hukum Demokrasi Toleransi: Telaah Filosofis Atas John Locke*. Jakarta: Intermedia, 1993.
- Soekanto, Soerjono. *Pengantar Penelitian Hukum*. Jakarta: UI Press, 1986.

Sugiyono. *Metode Penelitian Kuantitatif, Kualitatif dan R&D*. Bandung: Alfabeta, 2009.