

The Thoughts of West Kalimantan Scholars in Islamic Law: Contribution and Relevance in Islamic Religious Education Materials

Syaiful Ilmi¹, Taufik Akbar²

¹ Institut Agama Islam Negeri Pontianak, Indonesia; syaifulilmi12@gmail.com

² Institut Agama Islam Negeri Pontianak, Indonesia; taufikakbarth@gmail.com

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Abstract

The integration of local scholars ('*ulama*') thoughts into Islamic Religious Education materials in schools has been little discussed in the academic realm. This article aims to reveal the thoughts of West Kalimantan scholars on Islamic law and its relevance to Islamic religious education materials in schools. This type of research uses a qualitative approach to library research and historical studies. The historical approach the author uses to trace the development of thought among West Kalimantan scholars, especially in the field of Islamic law. The findings of this study demonstrate that the thinking of West Kalimantan scholars in Islamic law is relevant to Islamic religious education materials at the high school level. The findings of this research are based on the thoughts of H. Ismail Mundu, as presented in his works, namely, *Kitab Jaduwal Nikah*, which discusses marriage, and *Kitab Majmu' al-Mirath fi hukm al-Faraid*, which explores the science of inheritance law. This research has limitations because it only focuses on Ismail Mundu's thoughts on Islamic Law. Further research can compare the thoughts of West Kalimantan scholars and their relevance in Islamic religious education materials.

Kata kunci:

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Abstrak

*Integrasi pemikiran ulama lokal dalam materi Pendidikan Agama Islam di sekolah masih sedikit dibahas dalam ranah akademis. Artikel ini bertujuan untuk mengungkap pemikiran ulama Kalimantan Barat dalam Hukum Islam dan relevansinya dengan materi pendidikan agama Islam di sekolah. Jenis penelitian ini menggunakan kualitatif dengan pendekatan pendekatan kajian pustaka dan sejarah. Pendekatan sejarah yang penulis gunakan untuk menelusuri perkembangan pemikiran ulama Kalimantan Barat khususnya dalam bidang hukum Islam. Temuan penelitian ini menunjukkan bahwa pemikiran ulama Kalimantan Barat dalam hukum Islam mempunyai relevansi dengan materi Pendidikan Agama Islam di tingkat Sekolah Menengah Atas. Temuan penelitian ini didasarkan pada pemikiran H. Ismail Mundu dalam karyanya yaitu, *Kitab Jaduwal Nikah* yang membahas pernikahan dan *Kitab Majmu' al- Mirath fi hukm al-Faraid* membahas ilmu hukum waris. Penelitian ini memiliki keterbatasan karena hanya berfokus pada pemikiran Ismail Mundu dalam Hukum Islam. Penelitian selanjutnya dapat membandingkan pemikiran para ulama Kalimantan Barat dan relevansinya dalam materi pendidikan agama Islam.*

Corresponding Author:

Syaiful Ilmi

Institut Agama Islam Negeri Pontianak, Indonesia; syaifulilmi12@gmail.com

INTRODUCTION

Islamic law was compiled by classical Islamic jurists (*fuqaha'*) through the interpretation of the Qur'an and Sunnah as well as additional legal methods such as *qiyas* (analogy), *ra'y* (personal opinion), *ishtihsan* (juristic preference), and *maslaha* (public interest). However, the laws produced by classical scholars (read: '*ūlama'*') were greatly influenced by the socio-political realities of the 8th and 9th centuries as a result of the interpretation of religious texts (Takim, 2020). Therefore, Islamic law is not a static legal system but is dynamic, varied, and adapts to social, cultural, and political changes. Thus, in Muslim-majority countries, Islamic law plays a relatively small role in the formal legal system and is limited to family law (marriage, inheritance, divorce, child custody, and others) (Moustafa & Sachs, 2018). Since the 1990s, many contemporary scholars (read: '*ūlama'*') have initiated the need for the *Fiqh al-Wāqī'* approach so that Islamic law remains applicable and more responsive to changes in the times in terms of social, political, cultural, economic, and social situations where the law is applied. In the law of *Fiqh al-Wāqī'*, Islamic law is not only based on the text (*nash*) but also considers the empirical context (Caeiro, 2017). In the local context, this responsive and contextual Islamic legal thinking is also developing in various regions of Indonesia, including in West Kalimantan. In Islamic law, the thinking of West Kalimantan scholars (read: '*ūlama'*') follows the Shafi'i madhhab and is accommodating to local traditions (Mawardi, 2018).

West Kalimantan scholars are actors in the transformation of Islamic law in the local context to answer the social and cultural challenges of the multicultural and pluralistic society of West Kalimantan (Sahri, 2024; Sahri & Hali, 2023; Syarif et al., 2024). Moreover, West Kalimantan is an area with ethnic, customary, and religious diversity, making local scholars develop an inclusive and contextual approach to Islamic law. In addition, in the thinking of West Kalimantan scholars, Islamic law does not replace customary law but is integrated into the local legal system, affecting various aspects of social and cultural order, family structure, and sustainable management of natural resources. The integration of Islamic and customary law can be seen in the use of *fiqh* terminology, norms, and the role of local scholars in the process of codifying customary law. So that Islamic law, from the perspective of West Kalimantan scholars, is dynamic and integrative in maintaining social harmony and legal continuity (Zaimuariffudin Shukri Nordin et al., 2025).

The thoughts of local scholars are not only presented in the form of local books (read: *kitāb*) but are also manifested in educational practices, religious fatwas, da'wa, and religious guidance in the community. One of the ways for West Kalimantan scholars to spread Islamic legal thought through Islamic educational institutions and religious communities (Akbar & Ilmi, 2024; Amin, 2022; Arini et al., 2023; Herlambang et al., 2024; Muhtifah, 2016). However, in the practice of contemporary Islamic education, especially in West Kalimantan, it is no longer using thoughts or material sources from local books (read: *kitāb*) by local scholars but from textbooks circulating in schools.

Islamic education in West Kalimantan is not only a means of disseminating religious knowledge but also a means to implement Islamic legal values that are relevant to local conditions. Therefore, it is important to study more deeply the thoughts of local scholars in the field of Islamic law to be developed and implemented in contemporary Islamic education in West Kalimantan. Several studies show that the thought of West Kalimantan scholars has contributed to meeting the basic needs of the community, especially in religious understanding, peace, tolerance, and religious practices (Elmansyah et al., 2024; Mahrus et al., 2020; Mohamed, 2021). Meanwhile, in Islamic

education, it shows that the thoughts of West Kalimantan scholars contribute and implement it in educational practices both in educational institutions and the community (Ihsan & Mahrus, 2023; Kurniawan et al., 2024).

This study aims to analyze the thoughts of West Kalimantan scholars in Islamic law and its relevance in the subject of Islamic religious education. The results of this study show that there is a relevance between the thinking of West Kalimantan scholars in the field of Islamic law and *Fiqh* material in schools. The findings of this research are at least a reference in the practice of Islamic education to include elements of Islamic law material in the thinking of local scholars in the subject of Islamic religious education, especially schools in West Kalimantan.

RESEARCH METHODS

This study analyzes the thoughts of West Kalimantan scholars on Islamic law and how these thoughts can be implemented in Islamic education. The framework in this research method is as follows:

Table 1.
Research Method Framework

Research Steps	Library Research	Historical Approach
Data Collection	Articles and books that discuss Islamic law and Islamic educational materials on Islamic law in High School	Manuscripts or local books (<i>kitāb</i>) of West Kalimantan that discuss Islamic law
Data Analysis	Content Analysis and Identification of Islamic Law Themes	Chronological and Contextual Interpretation
Data Synthesis	Analysis of the Synthesis and Interpretation of the Thoughts of West Kalimantan Scholars in Islamic Law and Islamic Education	

Based on this framework, the implementation of this research uses a type of qualitative research with two approaches, namely, the literature and historical study approaches. The library research approach is used to analyze various sources of literature, both primary and secondary, such as the works of West Kalimantan scholars, articles, and books related to Islamic law and Islamic education. The library research approach used by the author aims to find, conceptually, the thinking of scholars in West Kalimantan (Creswell & Poth, 2016).

The historical approach that the author uses to trace the development of the thought of West Kalimantan scholars, especially in the field of Islamic law. Through a historical approach, the author reconstructs the role of West Kalimantan scholars and contextualizes them to be implemented in contemporary Islamic education (Faire & Gunn, 2016). The data collection was carried out by analyzing documents such as manuscripts, articles, and books. Data obtained was analyzed using the content analysis method to identify the main themes in Islamic legal thought and integrate them into Islamic religious education materials. The method used by the author is relevant to the purpose of the research, which not only describes but also interprets Islamic legal thought that is historical and local.

RESULTS AND DISCUSSION

The Work and Thoughts of West Kalimantan Scholars in Islamic Law

The role of local scholars is very important in the religious development of the community in West Kalimantan because it contributes to providing a contextual understanding of religion with the culture of the community. The West Kalimantan scholar discussed in the field of Islamic law in this study is H. Ismail Mundu. Ismail Mundu was born in Tanjung Kakap in 1870 AD from the marriage of a *Mursyid Thariqah* (spiritual guide) Abdul Qadir Jailani who came from Bugis with a daughter named Zahra (wak Soroh) from the Kakap area of West Kalimantan. H. Ismail Mundu died on Thursday, January 16, 1957. H. Ismail Mundu is a descendant of King Suwito, the Kingdom of Gowa in South Sulawesi. His full name is Shaykh Ismail ibn Abdul Karim al-Bugisy al-Puntiany (Jabbar et al., 2013; Riyadhi, 2012; Syarif, 2018).

H. Ismail Mundu is the *mufti* (Islamic legal expert) of the Kubu Kingdom, which is currently located in Kubu Raya Regency, West Kalimantan Province. As a scholar, *mufti*, and judge, Ismail Mundu has succeeded in practicing his knowledge and improving the religious understanding of the Kubu Raya community and its surroundings. At the age of 20, Ismail Mundu performed the Hajj and studied with Arab and Malay scholars in Mecca. Ismail Mundu studied with Sheikh Abdullah Az-Zawawi, a *mufti* in Mecca, and studied with two teachers, namely Umar Sumbawa and Makabro, also known as Puang Lompo. Through Paung Lompo, Ismail Mundu studied Islamic religious knowledge. In 1904, Ismail Mundu returned to the archipelago, which is currently located in Teluk Pekedai District, Kubu Raya Regency, West Kalimantan Province (Jabbar et al., 2013; Riyadhi, 2012). The work of H. Ismail Mundu in the field of Islamic law is as follows:

Table 2.
The Work of H. Ismail Mundu in Islamic Law

No.	Kitāb Title	The Contents of the Kitāb
1.	<i>Jaduwal Nikah</i>	Marriage
2.	<i>Majmu' al- Mirath fi hukm al-Faraid</i>	Islamic Law of Inheritance

Source: Muhammad Lutfi Hakim (2019) & Luqman Abdul Jabbar et.al (2013).

The two works of H. Ismail Mundu discuss Islamic law, especially in marriage and inheritance law. *Kitāb Jaduwal Nikah* by Ismail Mundu is one of the important manuscripts in Islamic law in West Kalimantan, especially in the context of the Kubu Kingdom. This *kitāb* was compiled in 1937 AD and serves as a guideline for Islamic marriage officiants (*penghulu*) and the community in understanding and implementing Islamic marriage laws. Ismail Mundu in *Kitāb Jaduwal Nikah* systematically describes various aspects of Islamic marriage law (*fiqh munakahat*).

According to Ismail Mundu, marriage is part of the worship of Allah SWT so that marriage is considered a form of fulfilling Islamic law and maintaining the morality of society. In *Kitāb Jaduwal Nikah*, Ismail Mundu discusses the conditions of marriage and the pillars of marriage, such as the existence of *wali* (guardian), *ijab* (offer), and *qabul* (acceptance), as well as the presence of two witnesses. Ismail Mundu distinguishes between *wali mujbir* (compelling guardian) and *wali tahkim* (appointed guardian). In marriage guardians, Ismail Mundu places special emphasis on the types of guardians and their order of priority, including the provision when guardians are absent or unqualified. This *kitāb* also mentions the names of female guardians and restrictions on choosing a partner (Hakim, 2019; Haris, 2011).

In the *Kitāb Jaduwal Nikah*, Ismail Mundu also discusses 'iddah (waiting period after divorce) for women who are divorced or left dead by their husbands. In addition, Ismail Mundu commented on the law of *li'an* (mutual cursing) in the context of husband-and-wife disputes related to the accusation of adultery. Finally, Ismail Mundu discussed *kafa'ah* (equality) in terms of religion, *nasab* (lineage), and social status as an effort to maintain household harmony (Hakim, 2019; Haris, 2011). Meanwhile, in *Kitāb Majmu' al-Mirath fi hukm al-Faraid*, Ismail Mundu's work is one of the contributions of local scholars to the development and teaching of *faraid* science, especially in the West Kalimantan region. This *kitāb* serves as a guide to the division of inheritance, especially for beginners (Mahrus, 2012).

The content and discussion in *Kitāb Majmu' al-Mirath fi hukm al-Faraid* by Ismail Mundu is the basis of Islamic inheritance law, which regulates the distribution of inheritance that is carried out in three ways, namely, the cost of managing the corpse, repaying debts, and executing the will. In addition, in the heirs category, Ismail Mundu classifies based on gender, consisting of 15 groups of men and 10 groups of women. In practice, only 5 groups often receive inheritance, namely children, fathers, mothers, husbands, and wives (Hakim, 2023). As for the explanation of the division of inheritance (*furud al-muqaddarah*), Ismail Mundu describes the division by parts (1/2, 1/4, 1/8, 1/3, 2/3, 1/6), as determined in Islamic law. Meanwhile, if there are no heirs, then the inheritance is given to the *baitul mall* for the benefit of the people. In *Kitāb Majmu' al-Mirath fi hukm al-Faraid* also discusses cases that often arise in inheritance, such as *Gharrawain* (*Umariyatain*/inheritance problem) between father, mother, and husband or wife; *Khuntha musykil* (inheritance for the dual sex); *Musharakah* (*Himariyyah*/legacy issue); *Munasakhat* (inheritance level); and *Akdariyah* (inheritance problem/legacy issue) (Hakim, 2023). The background of the writing of *Kitāb Majmu' al-Mirath fi hukm al-Faraid* by Ismail Mundu is that many of his students have difficulty understanding the mechanism of inheritance distribution according to Islamic law and based on the hadith of the Prophet that *faraid* science is a science that many Muslims forget (Jabbar et al., 2013).

Characteristics of Shafi'i Madhhab in the Thought of West Kalimantan Scholars

The Shafi'i Madhhab has dominant adherents in the development of Islam in Southeast Asia, especially in Indonesia. Since the 19th century, there has been a shift in the intellectual interest of scholars from metaphysics and Sufism towards the practice of worship (*'ubūdiyyah*) and *mu'amalah* (socio-economics), which are the core of the teachings of the Shafi'i madhhab. Indonesian scholars who had studied in Mecca brought home the teachings of Shafi'i and taught them through educational institutions such as Islamic boarding schools (*pesantren*) and to the community. In addition, Indonesian scholars also spread the Islamic law of the Shafi'i madhhab through writing as part of the authority of local Islamic scholars. The writings of Indonesian scholars are made in the form of *Kitāb Jawi* written in Malay with Arabic script (*Jawi*) so that the role of *Kitāb Jawi* has an influence in transmitting the teachings of the Shafi'i madhhab to the Muslim community in the Malay region or the archipelago. In writing the *Kitāb Jawi*, local scholars also adapt the teachings of Shafi'i *fiqh* to the local social and cultural context of the Malay community (Huda et al., 2023).

In the context of West Kalimantan, the influence of the Shafi'i madhhab is also dominant in the thinking of local scholars, such as Ismail Mundu, Sheikh Muhammad Basyuni Imran, H. Abdul Rani Mahmud, and others. In the thought of Muhammad Basyuni Imran, for example, in several of his works he used the Shafi'i madhhab more dominantly, although in certain cases he used the *aqli* (rational) approach by considering

the social aspect of the Muslim community in West Kalimantan (Herlambang et al., 2024; Mohamed, 2021). Meanwhile, the *Kitāb Ihdāul Hidāyah* by H. Abdul Rani Mahmud, which discusses various worship practices, is also guided by the Shafi'i madhhab as the basis of his thought in *fiqh* (Rahmatullah, 2022).

The thought of West Kalimantan scholars has consistently made the Shafi'i madhhab the basis for religious ideas in fiqh, including worship, mu'amalah, munakahat, and faraid. In Ismail Mundu's Kitāb Majmu' al-Mirats fi Hukm al-Faraid, the structure of inheritance distribution is based on Shafi'i principles, especially in terms of the division of furudh muqaddarah (division of inheritance), the determination of heirs, and the settlement of complex inheritance cases such as gharrawain and khuntha. the kitāb also emphasizes the importance of qiyas as a method to resolve inheritance cases that are not explicitly explained in the text (Hakim, 2023).

Although in practice, local scholars in West Kalimantan adhere to the Shafi'i madhhab, they also use contextual methods by considering local culture and adjusting to religious issues in the community. One of the main characteristics of madhhab Shafi'i in the thought of West Kalimantan scholars is the strength in the approach of religious texts, both from the Qur'an, Hadith, *Ijma'*, and *Qiyas*. Local scholars in West Kalimantan also use a systematic legal formulation; for example, in the *Kitāb Jaduwal Nikah* by Ismail Mundu, the laws of marriage are explained systematically based on the harmony, conditions, type of *wali*, and the period of *'iddah* and *li'an*, showing the strong influence of the *kitāb* Shafi'iyyah (Alpiah & Mahrus, 2023; Hakim, 2019).

The thought of local scholars in West Kalimantan also maintained and adopted the thoughts of other scholars who were characteristic of the influence of Shafi'i. However, local scholars in West Kalimantan also perform *ijtihad* in the local context, especially when dealing with religious issues that are not discussed in the classics. In this case, the thought of West Kalimantan scholars in Islamic law is not only to use the Shafi'i school textually but also to apply the madhhab contextually according to the religious diversity of the local community in West Kalimantan. The thought pattern of West Kalimantan scholars has similarities with the development of Islamic law in the archipelago, especially in the 19th century, for example, Sheikh Nawawi al-Bantani, who wrote a lot of *kitāb fiqh* with the Shafi'i madhhab with a practical and applicative approach to connect the concept of classical *fiqh* with the reality of Muslim society in the archipelago (Imawan et al., 2024). Thus, the Shafi'i madhhab played a role in the formation of Islamic legal structures in the archipelago, including in West Kalimantan. Through the kingdom, educational institutions, international scientific networks, and the work of local scholars, the Shafi'i madhhab is not only a guideline of Islamic law but also a part of Islamic identity in West Kalimantan (Rajafi, 2023; Safari et al., 2024).

Relevance of the Thoughts of West Kalimantan Scholars to Islamic Religious Education Material

Ismail Mundu contributed to the spread of Islamic teachings, especially in the field of Islamic law. Through his work, it shows that Ismail Mundu has a deep understanding of Islamic teachings and is able to implement them in a social context in the Muslim community in West Kalimantan. In addition, Ismail Mundu's thoughts on Islamic law have relevance in Islamic religious education learning materials. Therefore, educational institutions in West Kalimantan should include Islamic religious education materials with sources from the works of local scholars such as Ismail Mundu. Moreover, his thoughts are relevant as learning materials to strengthen students' Islamic identity while internalizing Islamic values based on the understanding of the society of West Kalimantan.

The integration of Ismail Mundu’s thought in Islamic religious education material not only makes students understand Islamic teachings normatively but also introduces students to the fact that West Kalimantan has scholars who contribute to the development of Islam, especially in West Kalimantan. Through the thought of local scholars, learning Islamic religious education is more contextual because it introduces local scholars so as to foster students’ love for local scholars. Based on the author’s exploration of Islamic religious education material, especially at the senior high school level, it has relevance to Ismail Mundu’s thoughts. The relevance between the Islamic religious education material and Ismail Mundu is as follows:

Table 3.
The Relevance of Islamic Religious Education Textbook Materials with Ismail Mundu’s Thoughts on Marriage Law

Islamic Religious Education Materials	<i>Kitāb Jaduwal Nikah</i>
1) Definition of Marriage; 2) Marriage Legal Provisions; 3) The Proposition of <i>Naqli</i> Marriage; 4) Marriage Pillars & Conditions; 5) <i>Talaq</i> ; 6) The Cause of the <i>Talaq</i> ; 7) <i>'Iddah</i> ; 8) Reconciliation; 9) The Wisdom of Marriage	1) Marriage Law; 2) Types of Marriage; 3) Marriage Principles & Conditions; 4) Guardians in Marriage; 5) <i>Sekufu'</i> in Marriage; 6) <i>'Iddah</i> ; 7) Marriage Sermon.

Based on the author’s exploration of Islamic religious education material at the senior high school level, it has relevance to Ismail Mundu’s thoughts in *Kitāb Jaduwal Nikah*. In fact, the explanation in Ismail Mundu is more systematic and comprehensive in discussing the law of marriage. This shows that Ismail Mundu’s work can be used as a reference in strengthening Islamic religious education teaching materials at the high school level. The discussion in *Kitāb Jaduwal Nikah* is more systematic and contextual and uses the Shafi’i madhhab so that it is in accordance with the needs of students, especially in marriage law material. Moreover, the Question and Answer method in *Kitāb Jaduwal Nikah* will provide answers to marriage problems that occur in society; this increases students’ knowledge because marriage issues in society are not explained in Islamic religious education textbooks. The material of the Islamic religious education textbook is more universal by providing general examples of marriage problems that occur in the Muslim community, while in *Kitāb Jaduwal Nikah* it is more contextual so that it is relevant in the social and cultural context of students in West Kalimantan.

The author’s findings also show that there is a relevance between Ismail Mundu’s thoughts in *Kitāb Majmu’ al-Mirath fi hukm al-Faraid* and Islamic religious education materials at the senior high school level. The relevance of the material between Ismail Mundu’s thoughts and the Islamic religious education Textbook at the senior high school level is related to the basics of inheritance, inheritance rights, various heirs, and others. *Kitāb Majmu’ al-Mirath fi hukm al-Faraid* presents the material on inheritance law systematically so that it can be used for deepening the material for students at the high school level. Through *Kitāb Majmu’ al-Mirath fi hukm al-Faraid*, students can deepen their understanding of the concept of inheritance not only theoretically but also practically by providing examples of cases of inheritance distribution in the West Kalimantan region.

In addition to increasing students' insight, the use of *kitab* or the work of local scholars in West Kalimantan also forms the character of religious students because in Islam, inheritance law holds the principles of Islamic values such as justice, respect for the rights of heirs, and responsibility. The use of local books (*kitab*) not only teaches

aspects of Islamic law to students but also helps students in internalizing moral values that are in accordance with the learning objectives of Islamic religious education. The practice of Islamic religious education must produce holistic, contextual, and applicative learning so that students not only understand the teachings of Islam as dogma but are also able to relate it to socio-religious issues (Masturin, 2025; Sholihah et al., 2024; Taufik, 2020).

Through the *kitab* material from the work of West Kalimantan scholars, students are made more critical of issues that develop in Muslim society. According to Amin Abdullah, the main function of Islamic religious education is not just the transmission of teachings but the transformation of religious awareness towards inclusive, rational, and humanist religiosity (Abdullah, 2022). Moreover, Islam and Indonesia have been integrated since Islam entered the archipelago before Indonesia's independence. This combination has influenced the dynamics of Muslim life in Indonesia, including its influence on education issues. Therefore, in Islamic religious education, it is necessary to include the thinking of local scholars to overcome socio-religious problems in contemporary Islamic religious education (Ilmi & Ardiansyah, 2020; Masmuri & Bayu, 2019; Masturin, 2023; Rosyidin & Arifin, 2021; Sahri & Widiatmaka, 2025; Sependi & Suratman, 2024; Syarif et al., 2023).

CONCLUSION

The findings of this study show that the thoughts of West Kalimantan scholars on Islamic law have relevance to Islamic religious education material at the senior high school level. The findings of this research are based on the thoughts of H. Ismail Mundu in his work entitled *Kitāb Jaduwal Nikah*, which discusses marriage, and *Kitāb Majmu' al-Mirath fi hukm al-Faraid*, which discusses the science of inheritance law. The two *kitab* have relevance to Islamic religious education materials. Therefore, educational institutions in West Kalimantan should include Islamic religious education materials by including material sources from the works of local scholars such as Ismail Mundu. Ismail Mundu's work can be used as a reference in strengthening Islamic religious education teaching materials at the senior high school level. The discussion of *kitab* in Ismail Mundu's work is more systematic and contextual and uses the Shafī'i madhhab so that it is in accordance with the needs of students, especially in the material of marriage and inheritance law. This research has limitations because it only focuses on Ismail Mundu's thought in Islamic law. In addition, this study does not compare with other local scholars in West Kalimantan who discuss Islamic law. The next research can compare the thoughts of West Kalimantan scholars and their relevance in Islamic religious education materials.

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