

Sharia Compliance and Gratification Ethics: Analyzing Fatwa 039/DFPA/V/1445 on Gifts from Students and Parents in the School Context

Muhammad Arifin^{1*}, Rizal Setiawan²

¹Pondok Pesantren Al Haris Makassar, Indonesia. E-mail: muhammadarifin270797@gmail.com

²IAIN Palopo, Indonesia. E-mail: rizalsetiawan@iainpalopo.ac.id

*Corresponding Author

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Abstract

This study aims to analyze the Islamic legal perspective on the acceptance of gifts by teachers from students or their parents, as addressed in Fatwa No. 039/DFPA/V/1445 issued by the Dewan Fatwa Perhimpunan Al-Irsyad. The research explores how Islamic values influence the ethical boundaries of professional relationships in educational settings. A normative legal approach is employed, utilizing primary sources from the Qur'an, Hadith, and classical as well as contemporary scholarly opinions. The analysis is framed within the principles of justice ('adl), trustworthiness (amānah), and educational professionalism. The findings indicate that receiving gifts is legally permissible (mubāḥ) if the gift is given sincerely without coercion, undue influence, or expectations of preferential treatment. Conversely, it becomes prohibited (ḥarām) when the gift is intended to sway the teacher's decisions, causes favoritism, or fosters social inequality due to its value or motive. The study offers original insights by contextualizing a contemporary fatwa within classical jurisprudence and modern educational ethics. Its implications emphasize the importance of maintaining teacher integrity and suggest practical guidelines for educators and parents in aligning gift-giving practices with Islamic ethical standards. This research contributes to the broader discourse on professional ethics and Islamic law in educational institutions.

Keywords: Islamic Law; Gift Ethics; Educational Professionalism; Fatwa Analysis; Teacher–Student Relationship.

Abstrak

Penelitian ini bertujuan untuk menganalisis perspektif hukum Islam terhadap penerimaan hadiah oleh guru dari siswa atau orang tua mereka, sebagaimana yang tercantum dalam Fatwa No. 039/DFPA/V/1445 yang dikeluarkan oleh Dewan Fatwa Perhimpunan Al-Irsyad. Penelitian ini mengeksplorasi bagaimana nilai-nilai Islam mempengaruhi batas-batas etika hubungan profesional dalam lingkungan pendidikan. Pendekatan hukum normatif digunakan, dengan menggunakan sumber-sumber primer dari Al-Qur'an, Hadits, dan pendapat-pendapat ulama klasik maupun kontemporer. Analisis dibingkai dalam prinsip-prinsip keadilan ('adl), kepercayaan (amānah), dan profesionalisme pendidikan. Hasil penelitian menunjukkan bahwa menerima hadiah secara hukum diperbolehkan (mubāḥ) jika hadiah tersebut diberikan dengan tulus tanpa paksaan, pengaruh yang tidak semestinya, atau harapan akan perlakuan istimewa. Sebaliknya, hal itu menjadi terlarang (ḥarām) jika hadiah tersebut dimaksudkan untuk mempengaruhi keputusan guru, menyebabkan pilih kasih, atau menumbuhkan ketidaksetaraan.

sosial karena nilai atau motifnya. Penelitian ini menawarkan wawasan orisinal dengan mengontekstualisasikan fatwa kontemporer dalam fikih klasik dan etika pendidikan modern. Implikasinya menekankan pentingnya menjaga integritas guru dan menyarankan pedoman praktis bagi para pendidik dan orang tua dalam menyelaraskan praktik pemberian hadiah dengan standar etika Islam. Penelitian ini memberikan kontribusi pada wacana yang lebih luas tentang etika profesional dan hukum Islam di lembaga pendidikan.

Kata Kunci: Hukum Islam; Etika Hadiah; Profesionalisme Pendidikan; Analisis Fatwa; Hubungan Guru-Murid.

1. Introduction

The practice of giving gifts from students or their guardians to teachers is a common social interaction within educational environments (Syahri, 2024). This tradition is often regarded as an expression of respect and appreciation for the teacher's service, particularly during milestones such as graduation, promotion, or religious celebrations. However, beneath this tradition lies growing concern that such gifts may create expectations of reciprocity or preferential treatment (Li et al., 2022). A survey revealed that teachers in private schools have received gifts from guardians, with some expressing hesitation about whether to accept or reject them. In contrast, other findings indicate that the practice can generate jealousy among students and discomfort among educators. Consequently, this social phenomenon calls for a fair and comprehensive legal clarification that does not harm any party involved.

Within the corpus of Islamic jurisprudence, the issue of gift-giving has been extensively discussed by scholars, each with contextual and conditional nuances. Generally, gifts are considered a permissible form of social transaction (*mu'āmalah*), but their ruling may shift depending on the circumstances, the giver's intention, and the recipient's position. Scholars such as Imam al-Ghazali in *Iḥyā' 'Ulūm al-Dīn* (Al-Ghazali, 1992) and Imam al-Nawawi in *al-Majmū'* (Taimiyah, 2008) have noted that accepting gifts by judges or officials may fall into the category of *rishwah* (bribery) if accompanied by expectations of benefit (Mispanyah, 2018). In the educational context, teachers hold a position of trust due to their role in evaluating and guiding students, making any gift potentially influential in matters of fairness. The Islamic Fatwa Council in Egypt has also issued a ruling prohibiting teachers from receiving gifts while still actively teaching if such gifts might affect their decisions or behavior. Thus, both classical and contemporary legal literature underscores the need for caution when accepting gifts by individuals in strategic roles.

This fatwa is formulated to provide a clear and practical legal guideline regarding the permissibility of teachers accepting gifts from students or their guardians. The underlying

purpose is to preserve the ethical standards of the teaching profession and prevent conflicts of interest that may compromise justice in education. The Fatwa Council of Al-Irsyad bases this ruling on the Qur'an, Sunnah, scholarly opinions, and the current social context of Muslim communities (Dewan Fatwa Perhimpunan Al-Irsyad, 2024). It also aims to align the practice of gift-giving with Shariah principles that emphasize justice, trust, and sincere intention. Furthermore, this fatwa offers practical guidance for teachers and guardians to avoid misunderstandings or inappropriate actions. Overall, it serves as a legal framework to uphold harmony and integrity in the teacher-student-parent relationship.

This fatwa is built upon the argument that teachers' acceptance of gifts from students or their guardians must be legally evaluated to ensure it aligns with Shariah principles and educational ethics. Normatively, gifts are not inherently forbidden, but within hierarchical relationships—such as between teachers and students—their status may shift depending on motivation and consequences. Scholars from the Shafi'i, Hanbali, and Hanafi schools have offered nuanced opinions on gift-giving, especially when it could lead to injustice and thus resemble bribery. For instance, Imam Ahmad ibn Hanbal prohibited judges from accepting gifts they previously received before taking office, fearing a shift in the giver's intention. In modern settings, Indonesia's Corruption Eradication Commission (KPK) advises that state officials, including educators within public institutions, should refrain from accepting gratuities that could influence decision-making. Based on these considerations, the central hypothesis of this fatwa is that gifts given to teachers who still hold teaching authority should be prohibited if they risk compromising integrity, fairness, or creating negative perceptions.

2. Research Methods

This study employs a normative-qualitative design with a textual and contextual approach to formulate Fatwa No. 039/DFPA/V/1445 by the Fatwa Council of Al-Irsyad concerning the permissibility of receiving gifts from students and their guardians (Dewan Fatwa Perhimpunan Al-Irsyad, 2024). The data collection methods involve an in-depth analysis of scriptural sources (*taḥlīlī sharī*), focusing on relevant Qur'anic verses and Prophetic hadiths that highlight the virtues of gift-giving as well as the potential harms when associated with positions of authority. Additional data is obtained from the literature on *maqāṣid al-sharī'ah*, particularly regarding the preservation of justice and prevention of *rishwah* (bribery), along with scholarly opinions from various Islamic schools of thought concerning gift exchanges within the teacher-student relationship. The data analysis

technique combines legal reasoning with social-contextual analysis to assess the implications of gift-giving practices in contemporary educational settings, especially in relation to professional ethics and the objectivity of teachers. The entire process is finalized through collective deliberation (*musyawarah*) among the council members, ensuring that the fatwa is firmly grounded in scriptural evidence, aligned with Shariah objectives, and responsive to current societal needs.

3. Discussion

3.1. Normative and Maqāṣid-Based Foundations in the Issuance of Fatwa by the Fatwa Council of Al-Irsyad Association No: 039/DFPA/V/1445 on the Ruling of Accepting Gifts from Students and Their Guardians

The Fatwa issued by the Fatwa Council of the Al-Irsyad Association No: 039/DFPA/V/1445 regarding the ruling on accepting gifts from students and their guardians is a contemporary Islamic legal response to the ethical complexities in educational settings (Dewan Fatwa Perhimpunan Al-Irsyad, 2024). This fatwa stands on a strong normative foundation derived from religious texts and integrates the principles of *maqāṣid al-sharī'ah* to uphold justice and integrity in teacher-student-parent relationships.

Islamic teachings fundamentally encourage the act of giving gifts. The Prophet Muhammad ﷺ stated, “*Exchange gifts, and you will love one another*” (Narrated by al-Bukhari in al-Adab al-Mufrad). This hadith clearly shows that giving gifts strengthens social bonds and nurtures mutual affection. However, in asymmetric relationships such as those between teachers and students, where a power dynamic exists, gift-giving can potentially shift in nature and approach the domain of *risywah* (bribery), particularly when the intention behind the gift is not purely benevolent (Bahar, 2022).

Several Qur'anic verses also prohibit the misuse of power for personal gain. For instance, Surah al-Baqarah (2:188) states:

“Do not consume one another’s wealth unjustly or send it [in bribery] to the rulers in order that [they might aid] you to consume a portion of the wealth of others while you know [it is unlawful].” (Kementerian Agama RI, 2019)

This verse strongly condemns the exploitation of social or institutional positions to acquire material benefit under false pretenses. In educational contexts, gifts offered to teachers may sometimes fall under this warning, especially when they influence teacher judgment or performance evaluations.

Moreover, the Prophet ﷺ issued stern warnings against officials who accept gifts in the context of their authority. A hadith narrated by Muslim reports the Prophet saying:

“Why do we appoint a man, and he later says: ‘This is for you and this was given to me as a gift’? Why did he not sit in his father’s or mother’s house to see whether he would be given gifts?” (Muslim, 2010)

This hadith illustrates that receiving gifts while holding a position of responsibility is highly vulnerable to abuse and suspicion. Teachers, in their role as educators and evaluators, hold similar authority and influence over students. Therefore, gifts from students or their parents should not be viewed simply as gestures of respect but examined critically for their intent and possible consequences.

In the field of *uṣūl al-fiqh* (Islamic legal theory), a significant maxim reads: *“Al-‘ibrah bi al-ma‘ānī lā bi al-alfāz”* (Consideration is given to meanings and outcomes, not merely to words) (Taufiqurohman & Fauziah, 2023). Accordingly, a gift in a teacher-student context must be assessed based on its underlying purpose and potential effects, not solely on its label as a “gift.” In situations where gifts lead to expectations or preferential treatment, they may be classified as illicit gratifications or even disguised bribery.

Scholars from the Shāfi‘ī and Ḥanbalī schools of thought have discussed this issue thoroughly. Imam al-Ghazālī, in his work *Iḥyā’ ‘Ulūm al-Dīn*, emphasized that even longstanding gifts given to judges or officials during their tenure should be avoided, as they may jeopardize impartiality. Likewise, Imam al-Nawawī, in *al-Majmū’*, stressed that accepting gifts while holding a position of trust can no longer be deemed purely voluntary generosity (*tabarru’*), but must be scrutinized for potential unethical motives (Mugiyati, 2014).

This fatwa does not rely solely on textual sources but also employs the *maqāṣid al-sharī‘ah* (higher objectives of Islamic law) to arrive at a sound ethical conclusion (Arisandy et al., 2022). The *maqāṣid* approach enables scholars to assess Islamic rulings based not only on their literal meanings but also on the broader goals of justice, public welfare, and the prevention of harm.

In the context of accepting gifts from students or their guardians, several *maqāṣid* principles are particularly relevant:

- a. Upholding Justice (*ḥifẓ al-‘adl*): Justice is a core principle in education. Any form of gift-giving that might lead to biased treatment or favoritism undermines the fairness students deserve and could lead to social and academic inequality.
- b. Preserving Trust and Accountability (*ḥifẓ al-amānah*): Teachers are entrusted with the responsibility to nurture and evaluate students without bias. Receiving gifts during

this process risks compromising their objectivity and may erode the trust placed in them.

- c. Blocking the Means to Corruption (*sadd al-dharā'i'*): An important aspect of maqāṣid is to close the doors to potential harm. Prohibiting gift acceptance in certain contexts serves as a precautionary measure against potential bribery or unethical influence.
- d. Safeguarding the Honor of the Teaching Profession (*ḥifẓ al-karāmah*): Islam upholds the dignity and sanctity of the teaching profession. Prohibiting gifts within the student-teacher relationship emphasizes that teachers are not transactional actors, but rather custodians of knowledge and moral guidance.

The fatwa also considers the social realities present in educational environments. While gift-giving to teachers is often perceived as a gesture of appreciation, in many situations, it leads to unequal treatment, feelings of exclusion among students, or even displays of socio-economic disparity. The normative and maqāṣid-based approach taken in this fatwa reflects the need to evaluate religious practices in light of their real-world implications.

In issuing this ruling, the Fatwa Council of Al-Irsyad Association combines textual analysis with an understanding of social dynamics through collective deliberation. This exemplifies a balance between *fiqh al-nuṣūṣ* (text-based jurisprudence) and *fiqh al-wāqī'* (context-based jurisprudence). As frequently highlighted in *uṣūl al-fiqh* literature, an effective fatwa must be both grounded in Islamic principles and responsive to contemporary challenges.

In conclusion, Fatwa No. 039/DFPA/V/1445 is not only grounded in strong scriptural evidence but also aims to realize ethical integrity and social justice through a maqāṣid-based perspective. In circumstances where gifts might lead to manipulation or unfair advantages, their acceptance must be prohibited to preserve the integrity of the educational process. Thus, this fatwa should not be viewed as a mere restriction, but rather as a form of protection for the sacred values of Islamic education—justice, trust, and professionalism.

The combined normative and maqāṣid approach presented in this fatwa offers a robust framework for shaping an educational system that is not only intellectually sound but also ethically upright and socially equitable.

3.2. The Implications of the Fatwa on Educational Ethics and Teacher Professionalism; Fatwa Analysis

The fatwa issued by the Fatwa Council of Perhimpunan Al-Irsyad No: 039/DFPA/V/1445 H regarding the permissibility of accepting gifts from students or their parents has significant normative and practical implications for the world of education (Dewan Fatwa Perhimpunan Al-Irsyad, 2024). This fatwa not only provides legal guidelines for the practice of gift-giving but also reinforces ethical values, integrity, and professionalism in the relationships between teachers, students, and parents. In the increasingly complex context of modern education, the role of teachers as bearers of knowledge requires a clear and consistent ethical standard to ensure that educational processes align with Islamic values of justice and dignity.

One of the fatwa's primary aims is to protect the integrity of the teaching profession. A teacher is not merely an instructor but also a moral figure and role model for students. Accepting gifts in one's capacity as a teacher may pose a risk of conflicts of interest, especially if the gift has the potential to influence grading or the treatment of students. This fatwa emphasizes that a teacher's integrity is judged not only by their teaching ability but also by their commitment to fairness and objectivity in all professional interactions.

Gift-giving, even when expressed as appreciation or respect, can become a gateway to subtle forms of gratification. Without ethical awareness and legal guidance, such practices can compromise the credibility of academic evaluation, weaken public trust in educational institutions, and create unequal treatment among students. Therefore, the fatwa provides clear parameters to limit gifts that may deviate from the principles of sharia and professional conduct.

A key impact of the fatwa is its preventative function against gratification practices, which often occur unconsciously. Gratification in education may take various forms, including monetary gifts, items, or privileges provided by parents to teachers. Without adequate ethical safeguards, such practices may foster emotional dependency or inappropriate loyalty between teachers and parents or students, ultimately compromising a teacher's objectivity.

This fatwa encourages the development of a healthy and sharia-compliant culture of appreciation. Islam does not prohibit expressions of respect or gratitude toward teachers. However, these expressions must be proportionate, free from ulterior motives, and must not create a sense of injustice among students. One alternative is to promote collective forms of appreciation coordinated by the school or parent committees in a transparent and inclusive

manner. This way, teacher appreciation remains intact while avoiding ethical concerns or potential conflicts of interest.

The fatwa also takes into account the social context that shapes teacher-student-parent relationships in modern educational environments. In practice, giving gifts to teachers is common during special occasions, such as Teacher's Day, graduation ceremonies, or even birthdays. In some cultural settings, these acts are seen as courteous gestures and signs of respect. As long as the gifts are not intended to gain special treatment or influence decisions, such acts are deemed permissible under Islamic law (Sari & Meidina, 2022).

However, the fatwa also reminds us that in today's educational system, relationships between teachers, students, and parents are not always equal. There are power dynamics and structural inequalities that may allow gifts to be misused for personal gain. For instance, some parents may offer gifts in the hope of securing higher grades for their children or preferential treatment within the school system. This kind of practice clearly violates the principles of fairness and professionalism in education and contradicts the objectives of Islamic law (*maqāṣid al-sharī'ah*) (Andiko et al., 2023), which aim to uphold trust and prevent harm.

In both classical and contemporary Islamic jurisprudence, scholars have long debated the permissibility of accepting gifts in various contexts, including within professional relationships such as that of teachers and students. Generally, scholars divide the ruling into two categories:

a. Permissible under certain conditions

Some scholars permit teachers to accept gifts from students or parents, provided the following conditions are met:

1. The gift is given sincerely and without any hidden agenda.
2. It is neither requested nor expected by the teacher.
3. It does not affect the teacher's treatment of the student.
4. It does not provoke jealousy or feelings of inequality among other students.

This opinion is based on the general principle that gift-giving is legally permissible (*mubah*) as long as it does not violate ethical or legal boundaries, particularly those related to fairness and trust.

b. Prohibited in specific circumstances

Other scholars argue that receiving gifts is impermissible in situations where:

1. The gift may negatively influence the teacher's professional responsibilities.

2. There is a clear conflict of interest or an appearance of bias.
3. The giver intends to obtain special treatment, privileges, or academic advantage.

This view draws on the legal maxim of *sadd al-dharā'ī'* (blocking the means to harm) and the principle that “*preventing harm takes precedence over obtaining benefit*” (*dar'u al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*) (Bakry et al., 2022).

Drawing on the above discussions and social considerations, the fatwa offers a clear and practical legal conclusion:

- a. Accepting gifts is permissible if:
 1. The gift is given sincerely, without any intention to influence the teacher's judgment or decisions.
 2. There is no resulting injustice or unfair treatment of other students.
 3. There is no undue pressure or influence from parents toward teachers.
 4. The teacher maintains professional objectivity at all times.
- b. Accepting gifts is prohibited if:
 1. The gift is given with the intent to gain favoritism, influence grades, or alter decisions.
 2. The gift creates a conflict of interest or raises suspicions.
 3. It leads to negative perceptions among school communities or undermines public trust.
 4. It compromises the integrity or ethical standards of the teaching profession.

The implications of this fatwa reflect the spirit of Islamic ethics in maintaining a balance between respect for teachers and the preservation of justice and professionalism. In Islam, teachers occupy a noble position and are considered the heirs of the prophets. However, this honor must not be tainted by practices that compromise honesty and moral responsibility.

This fatwa also serves as a reminder for educational institutions to develop comprehensive ethical codes governing interactions between teachers, students, and parents. Furthermore, it can serve as a foundational reference for educational policy-makers and school administrators in formulating rules that foster learning environments free from ethical breaches or moral compromise.

The fatwa issued by the Fatwa Council of Perhimpunan Al-Irsyad on the permissibility of accepting gifts from students and their parents is a vital contribution to strengthening Islamic educational ethics. Rather than imposing restrictions, the fatwa acts as a moral

safeguard that protects the dignity of teachers and ensures a just, professional, and spiritually sound educational process. By clearly distinguishing between permissible and impermissible forms of gift-giving, the fatwa provides a practical framework for promoting accountability, integrity, and fairness in Islamic educational settings—grounded firmly in the principles of *sharī'ah* and *maqāṣid al-sharī'ah*.

4. Conclusion

This study concludes that the permissibility of teachers receiving gifts from students or their parents depends on the intention behind the gift and its potential impact on the teacher's professionalism. The primary finding emphasizes two legal rulings: it is permissible when the gift is given sincerely as a gesture of appreciation without expectations or coercion, and it is prohibited when the gift is intended to influence academic decisions or creates injustice and suspicion. This conclusion is drawn based on a thorough analysis of the Qur'an, Sunnah, classical scholarly opinions, and the objectives of Islamic law (*maqāṣid al-sharī'ah*). Therefore, the fatwa outlines key principles—sincerity, justice, and integrity—as the ethical foundation for regulating gift-giving in educational settings.

This study lies in its comprehensive and multidisciplinary approach, combining normative Islamic legal sources with practical ethical considerations in modern education. By engaging scriptural evidence, scholarly views, and *maqāṣid al-sharī'ah* analysis, the research provides a nuanced and contextualized understanding of how educational ethics should be preserved within Islamic frameworks. This enables the fatwa to offer practical and morally sound guidelines that are applicable in real-life school environments, especially in preserving teacher professionalism and ensuring fairness among students. Consequently, the study serves as a valuable reference for educators, parents, and policymakers seeking to establish sharia-compliant educational practices. This study has several limitations that should be acknowledged. The research primarily focuses on the ethical implications of gift-giving in formal school contexts, without exploring its application in informal or religious education settings, such as *pesantren* or private tutoring. Furthermore, the study does not include empirical data or case studies that could enhance the understanding of how gift-giving practices manifest in diverse educational cultures. As a result, while the fatwa presents a strong normative framework, future research could enrich the findings by incorporating field studies and stakeholder interviews to assess the practical impact of these guidelines across various educational institutions.

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