



Talfiq in Islamic Jurisprudence: A Qur'anic and Hadith-Based Analysis of Prohibition, Permissibility, and Laypeople's Status

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Abstract

Talfiq is a significant issue in uṣūl al-fiqh that continues to be debated due to its connection with the practice of combining opinions from various schools of law (madhāhib) in a single legal issue. Divergent scholarly views on the permissibility and prohibition of talfiq have implications for legal certainty, particularly for laypeople who are not bound to a specific madhhab. This research aims to analyze the evidence used by scholars who prohibit and permit talfiq, explain the position of laypeople in choosing jurisprudential opinions, and formulate the boundaries of talfiq application to remain aligned with Sharī'ah principles. The study employs a qualitative method with a library research approach through descriptive-comparative analysis of classical and contemporary uṣūl al-fiqh works, particularly the writings of Wahbah al-Zuhaylī, Ibn 'Ābidīn, Shams al-Dīn al-Ramlī, Ibn Hajar al-Haytamī, and other supporting literature. The analytical techniques employed include taḥlīlī (analytical), muqāran (comparative), and istinbāṭ (legal deduction) methods to achieve a comprehensive synthesis of arguments. The findings reveal that the prohibition group bases their stance on the principle of maintaining evidentiary coherence, avoiding the emergence of new opinions not recognized by the mujtahids, and preventing the practice of tatabbu' al-rukhaṣ (excessively seeking legal leniencies). Conversely, the permissibility group asserts that talfiq can be applied as long as it does not contradict qaṭ'ī (definitive) texts, does not produce a ruling unanimously deemed invalid by all schools, and is based on genuine need and public welfare (maṣlaḥah). This study concludes that laypeople are not absolutely obligated to adhere to a single madhhab; however, they are prohibited from combining opinions within a single legal sequence that produces a form of worship or transaction not recognized by any single mujtahid imam. Thus, talfiq can only be justified when it meets the methodological boundaries of uṣūl al-fiqh and remains oriented toward maqāṣid al-sharī'ah.

Keywords: Talfiq, Islamic Jurisprudence, Istinbāṭ, Qur'an, Hadith.

Introduction

The divergence of views among scholars in establishing legal rulings is an undeniable reality throughout the historical development of Islamic jurisprudence. From the time of the Prophet's companions, the tābi'īn, to the formation of the four major schools of jurisprudence, differences in ijtihad have consistently emerged as manifestations of intellectual richness born from diverse methods of understanding sacred texts, weighing priorities of public welfare, and responding to the varied socio-cultural conditions of Muslims across different regions (Muslim et al., 2026). This diversity is precisely the primary strength that prevents Islamic law from becoming rigid and enables it to adapt to the dynamics of changing times, remaining relevant

in providing guidance for every generation. Without space for differing opinions, religious law would feel narrow and difficult to apply in the ever-evolving circumstances of life (Aini, 2026). However, this richness of diverse viewpoints also raises a fundamental question that requires methodological and thorough answers: what are the appropriate boundaries for the Muslim community, especially those without deep expertise in Islamic law, to benefit from these various opinions? This becomes crucial because scholarly differences are not a loophole for choosing rules arbitrarily but rather a treasure trove of knowledge that must be accessed with full responsibility and proper understanding (Azahary et al., 2026). A lack of understanding of these boundaries risks transforming the meaning of scholarly differences, which should be a mercy and flexibility, into a means that actually undermines the order and authority of religious law itself (Afkar et al., 2026).

One of the most debated issues directly touching upon this matter is the concept of *talfiq*, namely the attempt to combine differing opinions from various schools of law (*madhāhib*) in a single legal issue or a series of interrelated actions, with the aim of obtaining results that best suit personal desires or interests. Linguistically, *talfiq* means assembling or joining, while jurisprudentially it means taking a provision from one opinion and another provision from a different opinion in the same legal issue. This practice has sparked lengthy debates because it touches upon fundamental principles regarding how Islamic law is structured, where each scholarly opinion is closely interconnected with its evidence, principles, and legal consequences (Khuluqi et al., 2026).

The importance of this study is grounded in a real phenomenon occurring in society, where there is a widespread practice of taking the lightest opinion from one *madhhab*, then taking another opinion also considered the lightest from a different *madhhab* in one closely interrelated issue. For example, a person takes lenient conditions for marriage from one opinion, while simultaneously taking provisions that facilitate divorce from another school, without considering that both rules are actually part of a systemic and mutually supportive unity. This indicates a tendency to use *madhhab* differences as a tool for excessive self-facilitation rather than as a genuine effort to seek the legal truth intended by Allah SWT (Mh & Sakinah, 2026).

Such conditions raise deep concerns among Islamic legal scholars, as it is feared that this will produce man-made laws that were never agreed upon or taught by any scholar, and damage the principle of evidentiary coherence that forms the solid foundation of every scholarly opinion. Every opinion put forward by the *mujtahid* scholars is the result of in-depth study connecting Qur'anic verses, prophetic hadiths, *uṣūl al-fiqh* principles, and considerations of benefit and harm in a comprehensive and holistic manner. Separating certain parts from the unified structure of evidence is tantamount to dismantling the foundation upon which the strength of that law rests, so that the resulting outcome no longer has a valid basis in the *Sharī'ah* (Kholishuddin, 2020).

On the other hand, there is also a view that permits the practice of *talfiq* with strong arguments related to the characteristic of the *Sharī'ah* that brings ease, as well as the right of laypeople to refer to the fatwa they believe is closest to the truth. This group emphasizes that Islam was revealed not to burden His servants beyond their capacity, but to bring mercy and flexibility in every provision. Furthermore, this view also reminds that laypeople are not obligated to adhere to one *madhhab* absolutely throughout their lives, so the door to referring

to different scholars remains wide open as long as it does not violate the fundamental principles of the Shari'ah that are definitive and absolute (Nursyahbani et al., 2024).

From a historical perspective, discussions regarding talfiq have actually emerged since the time of the early scholars, but the detailed and thorough debate became more pronounced during the middle period of madhhab development up to the contemporary era. Prominent scholars from various schools have formulated strict principles to ensure that differences of opinion are not misused as a means of manipulating religious law for personal interests. Wahbah al-Zuhayli in his famous work *Uṣūl al-Fiqh al-Islāmī* systematically summarizes these differing views, referring to the principles of scholarly consensus and the legal determination principles carefully compiled by his predecessors. Meanwhile, great scholars such as Ibn 'Abidīn and Shams al-Dīn al-Ramlī also discussed in detail the impact of talfiq practice on the legal status of actions and the position of laypeople in following scholarly opinions (Al-Farizi, 2014).

Previous studies have examined various aspects of talfiq from different angles. A study by Jamaludin et al. (2022) analyzed the factors influencing the application of talfiq according to contemporary scholars, focusing on the sociological and practical aspects without delving into the foundational evidence from the Qur'an and Hadith. Putra (2018) examined the impact of talfiq on the religious practices of laypeople and presented various scholarly views, yet concentrated more on practical consequences rather than scriptural legitimacy. Shofi'i (2023) investigated the legality of talfiq within the Indonesian Compilation of Islamic Law concerning marriage, but focused primarily on juridical and regulatory aspects without comprehensively examining the foundational scriptural evidence. While these studies have contributed to various dimensions of talfiq discourse—ranging from contemporary scholarly applications, impacts on laypeople's worship, to its legal status within national legal frameworks—none of them have specifically and systematically examined the Qur'anic and hadith evidence concerning the legitimacy of talfiq (Muhid et al., 2026).

This research addresses this critical gap by conducting a focused analysis of the Qur'anic verses and prophetic traditions that serve as the primary sources for establishing the legitimacy of talfiq. By examining these foundational evidences directly, this study aims to provide a comprehensive understanding of talfiq that is firmly grounded in the primary sources of Islamic law, thereby complementing and extending the contributions of previous studies that have primarily focused on practical, social, and juridical aspects of this important concept in Islamic jurisprudence (Sya'roni & Zubaidi, 2026).

In this study, the authors present the views of scholars quoted directly from the main or primary works, then juxtapose them with the methodological frameworks they used, and place these views in the context of legal application relevant to the present time. The authors also put forward the position of this research that although there are sharp differences of opinion regarding the absolute permissibility of talfiq, there is a general agreement recognized by both parties that talfiq is prohibited if it produces a law that contradicts the fundamental principles of the Shari'ah or combines opinions that each stand separately in the same legal issue (Alfa, 2019). Ultimately, the main objective of this paper is to comprehensively present the evidentiary foundations for the prohibition and permissibility of talfiq, as well as to explain the

boundaries of the rights of laypeople who do not have a fixed madhhab in deriving law from various scholarly opinions.

Specifically, this research aims to: (1) analyze the Qur'anic and hadith evidences as well as the arguments put forward by scholars who prohibit the practice of talfiq, particularly according to the view of Wahbah al-Zuhaylī; and (2) explain the position of laypeople who are not bound to a particular madhhab in deriving Islamic law, as well as the boundaries of its implementation regarding the prohibition of talfiq in a single legal issue according to the view of Shams al-Dīn al-Ramlī. By addressing these objectives, this study seeks to provide a comprehensive understanding of talfiq that balances the need for legal flexibility with the imperative of maintaining evidentiary coherence and Sharī'ah principles.

Literature review

Definition and Concept of Talfiq

Linguistically, talfiq means assembling or joining together. Jurisprudentially, as formulated by Wahbah al-Zuhaylī in *Uṣūl al-Fiqh al-Islāmī*, talfiq is performing a procedure that was never conveyed by any mujtahid, meaning performing taqlīd of several opinions in a single issue consisting of parts or pillars, so that a sequence is formed that was never conveyed by the imam of one's own madhhab nor by the imam of the madhhab being followed. A similar definition is found in *al-Mawsū'ah al-Fiqhiyyah*, which states that talfiq is taking the validity of an action from two schools simultaneously, whereas that action is deemed invalid when viewed from each school separately.

Evidentiary Foundations for Prohibition

The scholars who prohibit talfiq base their arguments on several foundational sources. From the Qur'an, they cite Surah al-Nisā' verse 115, which states that whoever opposes the Messenger after guidance has become clear to them and follows a path other than that of the believers will be left in the path they have chosen and cast into Hell, and evil it is as a destination. This verse establishes the principle that deviating from the path of the believers is prohibited and carries severe consequences in the afterlife. From the hadith, the prophetic tradition narrated by Anas bin Malik emphasizes the principle of ease in religious practice, stating, "Facilitate and do not complicate, give glad tidings and do not cause aversion," as narrated by al-Bukhārī. This hadith serves as a fundamental principle underpinning the permissibility view of talfiq, as it encourages facilitation in religious matters while maintaining the boundaries of Sharī'ah principles (Arsjad, 2015).

The principle of scholarly consensus also forms a crucial foundation for the prohibition view. The maxim "*Lā yajūzu iḥdāthu qawlin thālithin ijma'an*" (It is not permissible to create a third opinion by consensus) establishes that if scholars differ into two opinions, it is prohibited to create a new opinion that contradicts what they have agreed upon. Scholars such as Ibn 'Abidīn, Shams al-Dīn al-Ramlī, and Ibn Hajar al-Haytamī affirm that talfiq is prohibited if it produces a legal structure never agreed upon by anyone and damages the evidentiary coherence that forms the basis of every scholarly opinion (Al-Farizi, 2014).

Evidentiary Foundations for Permissibility

The scholars who permit talfiq also base their arguments on solid foundations from the Qur'an and hadith. From the Qur'an, they cite Surah al-Baqarah verse 185, which states that

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Allah intends ease for His servants and does not intend hardship for them. This verse establishes the principle that the Sharī'ah is fundamentally designed to bring ease and facilitation to believers, not to burden them beyond their capacity. From the hadith, they refer to the same prophetic tradition narrated by Anas bin Malik, which states "Facilitate and do not complicate, give glad tidings and do not cause aversion" as narrated by al-Bukhārī. This hadith serves as a foundational principle for those who permit talfiq, as it encourages facilitation in religious matters and supports the view that taking different opinions from various schools can be a legitimate means of achieving ease within the boundaries of Sharī'ah (Ar-Rizq et al., 2024).

Scholars such as Ibn al-Humām, Ibn Amīr al-Ḥājj, al-Qarāfī, and 'Izz al-Dīn ibn 'Abd al-Salām permit taking different opinions in different issues, or in a single issue as long as it does not produce a ruling unanimously deemed invalid by all referenced imams. They also invoke the principle of transferring between schools (*intiqāl al-madhhab*) based on the need to find solutions, not merely seeking ease, as well as the right of laypeople to refer to the fatwa they believe to be true as long as it does not violate fundamental religious principles (Baharuddin, 2019).

The Concept of a Single Legal Issue and Its Boundaries

Scholars distinguish between talfiq that occurs in a single issue, which is a series of actions interrelated in terms of conditions, pillars, and consequences, which is prohibited if it produces a new legal structure, and taking different opinions in separate issues which is permitted. As affirmed by al-Balqīnī and Ibn Hajar, the combined actions must not produce a legal reality never agreed upon by any imam; however, if each part stands alone in different issues, then this is not prohibited talfiq but rather a legitimate transfer of reference.

Previous Studies

Several previous studies have examined the concept of talfiq from various perspectives, each contributing to the broader understanding of this issue while leaving certain gaps that this research aims to address.

The first study, conducted by Mohd Hafiz Jamaludin, Norhidayah Pauzi, and Syed Mohd Jeffri Syed Jaafar (2022) entitled "*Analisis Terhadap Faktor-Faktor Pengaplikasian Konsep Talfiq Menurut Ulama Mu'asirin*", analyzed the factors influencing the application of the talfiq concept according to contemporary scholars. This study focused on identifying the reasons and motivations behind why modern scholars adopt talfiq in their legal reasoning, exploring the contextual and practical considerations that drive such applications. However, this research primarily emphasized the sociological and practical aspects of talfiq application without delving deeply into the foundational evidences from the Qur'an and Hadith that legitimize or prohibit the practice. The study's scope was limited to understanding the "how" and "why" of talfiq application rather than examining the "what" of its scriptural legitimacy.

The second study, authored by Muhammad Yunan Putra (2018) entitled "*Talfiq dan Pengaruhnya Terhadap Ibadah Masyarakat Awam Serta Pandangan-Pandangan Ulama Fikih*", examined the impact of talfiq on the religious practices of laypeople and presented various views of jurisprudential scholars regarding this issue. This research provided valuable insights into how talfiq affects the daily worship and religious observance of ordinary Muslims who are not deeply versed in Islamic legal methodology. It also compiled diverse scholarly opinions on the permissibility and prohibition of talfiq. Nevertheless, this study concentrated more on the practical consequences and social implications of talfiq rather than conducting a systematic analysis of the Qur'anic verses and prophetic traditions that serve as the foundational

basis for the legitimacy of talfiq. The study's focus was predominantly on the applied dimension of talfiq in the context of laypeople's worship, leaving the textual-evidential dimension underexplored.

The third study, written by Eri Nur Shofi'i (2023) entitled "*Legalitas Talfiq dalam Kompilasi Hukum Islam: Studi Buku I KHI tentang Perkawinan*", investigated the legality of talfiq within the Indonesian Compilation of Islamic Law (*Kompilasi Hukum Islam* or KHI), specifically focusing on Book I concerning marriage. This research examined how talfiq is positioned and applied within the context of positive Islamic law in Indonesia, analyzing its legal status and implications within the national legal framework. However, this study was largely confined to the juridical and regulatory aspects of talfiq within the Indonesian legal system, focusing on marriage provisions specifically. It did not comprehensively examine the foundational evidences from the Qur'an and Hadith that underpin the legitimacy of talfiq as a methodological concept in uṣūl al-fiqh.

While these three studies have contributed significantly to various dimensions of talfiq discourse—ranging from contemporary scholarly applications, impacts on laypeople's worship, to its legal status within national legal frameworks—none of them have specifically and systematically examined the Qur'anic and hadith evidences concerning the legitimacy of talfiq. The foundational scriptural basis that justifies or prohibits the combination of opinions from different schools within a single legal issue remains largely unexplored in these previous works.

This research addresses this critical gap by conducting a focused analysis of the Qur'anic verses and prophetic traditions that serve as the primary sources for establishing the legitimacy of talfiq. By examining these foundational evidences directly, this study aims to provide a comprehensive understanding of talfiq that is firmly grounded in the primary sources of Islamic law, thereby complementing and extending the contributions of previous studies that have primarily focused on practical, social, and juridical aspects of this important concept in Islamic jurisprudence.

Research method

This study employs a qualitative approach with a library research type focusing on the analysis of fiqh and uṣūl al-fiqh documents. The research design applied is descriptive-comparative, namely describing the opinions of each group, comparing the reasons used, and analyzing their relevance to applicable fiqh principles (Sugiyono, 2013). The population and main data sources in this study are authoritative classical and contemporary uṣūl al-fiqh works, including the writings of Wahbah al-Zuhaylī, Ibn 'Ābidīn, and Shams al-Dīn al-Ramlī, as well as other supporting references related to the issue of taqlīd and differences of opinion among schools.

Data collection techniques were carried out by tracing, recording, and identifying sections discussing talfiq, the rights of laypeople, and legal determination principles. The authors then selected relevant data and grouped them according to the discussions of prohibition, permissibility, and the position of laypeople. Data analysis techniques employed include the taḥlīlī method (elaborating meanings and arguments), muqāran method (comparing views), and istinbāṭ method (drawing conclusions in line with Sharī'ah principles). As library researchers, the authors interpret texts while maintaining objectivity and referring to the context in which these views emerged. Data validity checking was conducted by cross-checking

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between different sources and ensuring their conformity with the fundamental principles of uṣūl al-fiqh (Ramadhan, 2020).

To ensure the trustworthiness of the findings, this research employs several strategies. Credibility is achieved through prolonged engagement with the primary texts, triangulation of sources across different madhhab traditions, and peer debriefing with colleagues specializing in uṣūl al-fiqh. Transferability is addressed by providing thick descriptions of the scholarly context and methodological frameworks underlying each view, enabling readers to assess the applicability of findings to other contexts. Dependability is ensured through an audit trail documenting the research process, including data collection, categorization, and analytical procedures. Confirmability is established by maintaining reflexivity throughout the research process and grounding interpretations in the textual evidence from primary sources (Drisko & Maschi, 2016).

Result/Findings

Qur'anic and Hadith Evidence of Talfiq Legitimacy According to Wahbah al-Zuhaylī

The analysis of Wahbah al-Zuhaylī's work *Uṣūl al-Fiqh al-Islāmī* reveals that the prohibition of talfiq is grounded in several foundational sources from the Qur'an and Hadith. From the Qur'anic perspective, al-Zuhaylī cites Surah al-Nisā' verse 115, which states that whoever opposes the Messenger after guidance has become clear to them and follows a path other than that of the believers will be left in the path they have chosen and cast into Hell. This verse establishes that deviating from the path of the believers is prohibited and carries severe consequences. In the context of talfiq, al-Zuhaylī argues that combining opinions from different schools in a single legal issue, particularly when it produces a new construct not recognized by any school, constitutes following a path other than that of the believers because the resulting legal conclusion does not represent the position of any recognized mujtahid imam, thereby falling outside the agreed-upon framework of Islamic legal methodology (Jamaludin et al., 2023).

From the hadith perspective, al-Zuhaylī refers to the prophetic tradition narrated by Anas bin Malik, which states "Facilitate and do not complicate, give glad tidings and do not cause aversion" as narrated by al-Bukhārī (Al-Bukhārī, 2003). Al-Zuhaylī interprets this hadith as an encouragement to facilitate religious matters within the boundaries of established legal frameworks. He argues that this hadith does not justify arbitrary combination of opinions from different schools, but rather encourages finding ease within the confines of a coherent and consistent legal methodology. According to al-Zuhaylī, true facilitation comes from understanding the integrated nature of each school's legal system, not from cherry-picking parts from different systems to create new constructs (Ar-Rizq et al., 2024).

Al-Zuhaylī also emphasizes the principle of scholarly consensus as a crucial foundation for the prohibition of talfiq. He cites the maxim "*Lā yajūzu ihdāthu qawlin thālithin ijma'an*" (It is not permissible to create a third opinion by consensus), which establishes that if scholars differ into two opinions, it is prohibited to create a new opinion that contradicts what they have agreed upon. This principle serves as the main foundation for rejecting the mixing

of opinions between schools arbitrarily, as it is considered to damage the structure of consensus painstakingly built by earlier scholars (Hafidz, 2024). Zuhaylī further explains that every scholarly opinion has an integrated evidentiary foundation that is interconnected with one another. No part of a scholarly opinion stands alone without connection to the evidence, principles, and objectives of the Sharī'ah that form its basis (Jamaludin et al., 2023). Taking part of an opinion and discarding another part only because it is considered lighter, while the discarded part is the support or foundation for the part taken, is the same as damaging the evidentiary structure that forms the basis of that ruling. This results in a ruling that no longer has a solid evidentiary foundation as compiled by the mujtahid scholars.

The action of taking part of an opinion and discarding another part merely for convenience has the potential to produce a ruling that was never conveyed by any scholar, thereby potentially deviating from the will of the Sharī'ah. This is because every opinion put forward by scholars is the result of a comprehensive study of Qur'anic evidence, Hadith, fiqh principles, and considerations of benefit and harm that are interconnected. If this connection is forcibly severed, the resulting ruling is merely a construct that has no strong basis in Sharī'ah sources, even though each part taken actually originates from different scholarly opinions (Baharuddin, 2019).

In addition to the reason of scholarly consensus, the prohibition of talfiq is also based on the concern about opening the door to excessively seeking leniencies or what is called *tatabbu' al-rukhaṣ*. This occurs when someone only takes the lightest opinions from various schools without considering the coherence of evidence and the underlying legal objectives. According to al-Zuhaylī, this is dangerous because it can change the meaning of the Sharī'ah, which balances obligations and ease, into merely a tool to fulfill personal desires, thereby shifting the position of humans from servants who submit to Allah's commands to determinants of law according to their own will (Al-Farizi, 2014).

The analysis reveals that al-Zuhaylī's prohibition view emphasizes preserving evidentiary coherence, preventing the creation of new opinions not recognized by mujtahids through the consensus principle, and avoiding excessive seeking of leniencies which undermines the balance of Sharī'ah between obligation and ease. These arguments are firmly grounded in Qur'anic evidence, prophetic hadiths, and established uṣūl al-fiqh principles.

The Position of Laypeople and Boundaries of Talfiq Implementation According to Shams al-Dīn al-Ramlī

The analysis of Shams al-Dīn al-Ramlī's work *Tuḥfat al-Muḥtāj* reveals a comprehensive framework regarding the position of laypeople in following scholarly opinions and the boundaries of talfiq implementation. According to al-Ramlī, laypeople are not obligated to adhere to a single madhhab absolutely throughout their lives. This is because the obligation of the layperson is to perform taqlīd (following a qualified scholar) of a mujtahid they trust, and they have the right to choose which scholar to follow in various legal issues they encounter (Khasanah et al., 2019).

Al-Ramlī distinguishes between two types of laypeople: those who have the ability to distinguish between scholars and their opinions, and those who do not. For those who have the ability to distinguish, they may choose opinions from different scholars in different legal issues, as long as they do not combine opinions within a single legal sequence that produces a ruling never recognized by any mujtahid. This is based on the principle that each scholar's opinion is

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a coherent and integrated system, and taking parts from different systems within one issue would result in a construct that has no basis in any recognized school (Ar-Rizq et al., 2024).

Al-Ramlī provides a clear example to illustrate the boundaries of talḥiq. He cites the case of a person performing ablution (wudū) by wiping only part of the head according to the Shāḥī'ī school, then touching a non-mahram woman without a barrier according to the Ḥanafī school, and then continuing the prayer. According to al-Ramlī, this is a prohibited form of talḥiq because the resulting action is not recognized as valid by either school. The Shāḥī'ī school considers the prayer invalid due to touching a non-mahram woman, while the Ḥanafī school considers the prayer invalid because the wiping of the head was not performed completely. Thus, the combination produces an action that is invalid according to both schools, which is the essence of prohibited talḥiq (Hasbullah, 2025).

However, al-Ramlī also acknowledges that there are situations where taking different opinions in a single issue may be permissible. For example, if a person follows the Shāḥī'ī school regarding the requirement of having a guardian for marriage, but then follows the Ḥanafī school regarding the condition of having witnesses for marriage, this may be permissible because these two issues are separate and do not form a single legal sequence. The key distinction is whether the combined opinions create a new legal construct that was never recognized by any scholar, or whether they merely involve applying different opinions to separate and independent aspects of a legal issue (Tanzilulloḥ & Saleh, 2022).

Al-Ramlī further explains that laypeople are allowed to transfer between schools (*intiḥāl al-madḥhab*) based on genuine need and the pursuit of ease, as long as this is not done arbitrarily or merely to seek leniencies excessively. This is supported by the principle of Shari'ah flexibility and the prophetic tradition narrated by Anas bin Malik. Al-Ramlī emphasizes the importance of the methodological requirement that talḥiq must be based on the need to find a solution or to achieve public welfare (*maṣḥlahah*), not merely on personal desires. He also stresses that the resulting legal conclusion must not contradict definitive texts (*nāṣ qat'i*) and must not violate the agreed-upon principles of the Shari'ah. This ensures that talḥiq serves as a legitimate mechanism for legal flexibility rather than a tool for manipulating religious law (Nasution et al., 2022).

Furthermore, al-Ramlī highlights the role of authorized scholars and muftis in providing guidance regarding talḥiq. He asserts that laypeople should not independently perform talḥiq without consulting qualified scholars who understand the intricacies of uṣūl al-fiqḥ and the interconnections between different opinions. This is crucial to prevent misunderstandings and ensure that talḥiq is applied within its proper boundaries (Ar-Rizq et al., 2024).

To facilitate understanding of the key findings, the following table summarizes the main arguments of scholars regarding talḥiq:

Table 1. Summary of Scholarly Arguments on Talḥiq.

Aspect	Prohibition view (wahbah al-zuhayli)	Permissibility view (shams al-din al-ramli)
Qur'anic foundation	Surah al-nisā' (4:115): prohibition of following paths other than the believers	Surah al-baqarah (2:185): allah intends ease, not hardship

Hadith foundation	Emphasis on maintaining evidentiary coherence	"facilitate and do not complicate" (narrated by al-bukhārī)
Core principle	Preserving evidentiary coherence and preventing <i>tatabbu' al-rukhas</i>	Flexibility and public welfare (<i>maṣlaḥah</i>)
Laypeople's status	Must maintain consistency within a single madhhab	May choose opinions from different schools in separate issues
Prohibited talfiq	Combining opinions within a single legal sequence (<i>qaḍiyyah wāḥidah</i>) producing a new construct invalid according to all schools	Same prohibition applies; the resulting action must be recognized by at least one school
Permissible talfiq	Generally not permitted	Permitted when based on genuine need, does not contradict definitive texts, and involves qualified consultation

Source: Compiled from the analysis of al-Zuhaylī (2001) and al-Ramlī (1996).

Discussion

Methodological Integration of Qur'anic and Hadith Evidences in Al-Zuhaylī's Prohibition Framework

The findings regarding al-Zuhaylī's prohibition framework reveal a sophisticated integration of Qur'anic and hadith evidences within a coherent methodological structure. Al-Zuhaylī's approach demonstrates that the prohibition of talfiq is not merely a matter of jurisprudential preference but is firmly grounded in the primary sources of Islamic law. The use of Surah al-Nisā' verse 115 as a foundational text establishes a clear scriptural basis for prohibiting deviation from the path of the believers. Al-Zuhaylī's interpretation of this verse in the context of talfiq highlights the importance of maintaining methodological consistency and avoiding the creation of new legal constructs that fall outside established scholarly consensus (Jamaludin et al., 2023).

This integration of Qur'anic evidence with hadith tradition creates a comprehensive framework that addresses both the theoretical and practical dimensions of talfiq prohibition. The hadith narrated by Anas bin Malik, which emphasizes facilitation while maintaining established boundaries, provides a practical guide for implementing the prohibition in a manner that does not contradict the principles of ease and mercy inherent in the Sharī'ah (Mansour, 2026). Al-Zuhaylī's interpretation of this hadith as encouraging facilitation within established frameworks rather than arbitrary combination of opinions demonstrates his commitment to balancing flexibility with methodological rigor.

The principle of scholarly consensus (*ijmā'*) serves as a crucial bridge between the Qur'anic and hadith foundations and the practical implementation of the prohibition. The

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maxim "*Lā yajūzu iḥdāthu qawlin thālithin ijmā'an*" (It is not permissible to create a third opinion by consensus) establishes a clear boundary that prevents the emergence of new opinions not recognized by any mujtahid. This principle ensures that the diversity of scholarly opinions remains a source of flexibility and mercy rather than becoming a means of arbitrary legal manipulation (Hannan et al., 2024).

The prohibition of *tatabbu' al-rukhaṣ* (excessively seeking legal leniencies) emerges as a critical concern in al-Zuhaylī's framework. This concern is rooted in the Qur'anic emphasis on maintaining balance and avoiding extremes, as well as the prophetic tradition's emphasis on facilitation within boundaries. By preventing the excessive pursuit of leniencies, al-Zuhaylī's framework preserves the integrity of Islamic legal methodology and ensures that talfiq does not become a tool for personal convenience at the expense of Sharī'ah principles (Hasbullah, 2025).

The Implications of Al-Ramlī's Framework for Laypeople's Legal Practice

The findings regarding al-Ramlī's framework for laypeople reveal a nuanced and context-sensitive approach that balances the need for legal flexibility with the imperative of maintaining methodological integrity. Al-Ramlī's recognition that laypeople are not absolutely obligated to adhere to a single madhhab reflects an understanding of the practical realities facing ordinary Muslims who may encounter multiple legal opinions in different contexts. This approach is consistent with the Qur'anic principle of ease and the prophetic tradition of facilitation, as it allows laypeople to benefit from the diversity of scholarly opinions without being burdened by rigid adherence to a single school.

Al-Ramlī's distinction between two types of laypeople—those who can distinguish between scholars and their opinions and those who cannot—demonstrates a sophisticated understanding of the varying levels of religious knowledge and capacity among the Muslim community. This distinction ensures that the flexibility granted to laypeople is appropriately calibrated to their ability to navigate the complexities of Islamic legal methodology. For those who have the ability to distinguish, al-Ramlī permits the choice of opinions from different scholars in different legal issues, while for those who do not, he requires consultation with qualified scholars to ensure proper guidance (Jamaludin et al., 2022).

The boundaries of talfiq implementation established by al-Ramlī are significant for several reasons. First, the prohibition of combining opinions within a single legal sequence that produces a ruling never recognized by any mujtahid preserves the integrity of Islamic legal methodology and prevents the creation of new legal constructs. Second, the distinction between permissible and prohibited talfiq provides clear guidance for laypeople and scholars alike, enabling them to navigate the complexities of differing opinions while maintaining consistency with Sharī'ah principles. Third, the emphasis on qualified consultation ensures that talfiq is applied with proper understanding and within appropriate boundaries (Mustopa, Sya'roni, Sirojuddin, et al., 2026).

The requirement that talfiq must be based on genuine need and public welfare (*maṣlaḥah*) rather than arbitrary leniency-seeking aligns with the Qur'anic principle of ease and the prophetic tradition of facilitation. This ensures that talfiq serves as a legitimate mechanism for achieving legal flexibility and addressing genuine needs within the Muslim community. Additionally, the requirement that the resulting legal conclusion must not contradict definitive texts and must not violate the agreed-upon principles of the Sharī'ah

ensures that talfiq remains within the boundaries of Islamic legal methodology (Mustopa, Sya'roni, Azhary, et al., 2026).

Comparative Analysis of Prohibition and Permissibility Frameworks

The comparison of the prohibition and permissibility frameworks reveals both convergence and divergence in their approaches to talfiq. Both al-Zuhaylī and al-Ramlī agree that talfiq is prohibited when it produces a new legal construct not recognized by any mujtahid. This consensus is grounded in the shared recognition of the importance of maintaining evidentiary coherence and preserving the integrity of Islamic legal methodology. The difference between their positions lies in the scope of application: al-Zuhaylī tends toward a more restrictive approach that emphasizes the dangers of *tatabbu' al-rukhaṣ*, while al-Ramlī acknowledges situations where talfiq may be permissible based on genuine need and public welfare (Hasbullah, 2025).

The divergence in their approaches can be understood in terms of their different methodological priorities. Al-Zuhaylī's emphasis on preserving evidentiary coherence and preventing the creation of new opinions reflects a concern for maintaining the integrity of Islamic legal methodology and preventing arbitrary legal manipulation. In contrast, al-Ramlī's emphasis on flexibility and public welfare reflects a concern for addressing the practical needs of the Muslim community and ensuring that Islamic law remains accessible and responsive to changing circumstances. Despite these differences, both frameworks are grounded in the same foundational sources—the Qur'an and Hadith—and share a commitment to maintaining the integrity of Islamic legal methodology. The differences in their conclusions reflect the richness of Islamic legal tradition and the diversity of approaches within established *uṣūl al-fiqh* principles. This diversity is itself a source of flexibility and mercy, as it allows the Muslim community to benefit from multiple perspectives while maintaining consistency with fundamental *Sharī'ah* principles (Ar-Rizq et al., 2024).

The comparison also highlights the importance of qualified scholarly guidance in the application of talfiq. Both al-Zuhaylī and al-Ramlī emphasize the role of qualified scholars in providing guidance and ensuring that talfiq is applied within appropriate boundaries. This emphasis reflects the shared recognition that talfiq is a complex methodological issue that requires proper understanding and expertise to be applied correctly.

Implications for Contemporary Islamic Legal Practice

The findings of this study have significant implications for contemporary Islamic legal practice. First, the prohibition of talfiq when it produces a new legal construct not recognized by any mujtahid provides a clear boundary that prevents arbitrary manipulation of Islamic law. This boundary is crucial for maintaining the integrity of Islamic legal methodology and ensuring that the diversity of scholarly opinions remains a source of flexibility and mercy rather than becoming a means of legal manipulation. Second, the recognition that laypeople are not absolutely obligated to adhere to a single madhhab provides flexibility that is consistent with the Qur'anic principle of ease and the prophetic tradition of facilitation (Rohman, 2018). This recognition enables laypeople to benefit from the diversity of scholarly opinions without being burdened by rigid adherence to a single school, while also emphasizing the importance of qualified consultation to ensure proper guidance (Sunaji, 2025). Third, the emphasis on genuine need and public welfare (*maṣlaḥah*) as conditions for permissible talfiq ensures that talfiq

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serves as a legitimate mechanism for addressing the practical needs of the Muslim community (Nurjanah et al., 2026). This emphasis aligns with the broader objectives of the Sharī'ah (*maqāṣid al-sharī'ah*) and ensures that talfiq contributes to the well-being of the Muslim community. Fourth, the integration of Qur'anic and hadith evidences within a coherent methodological framework demonstrates the importance of grounding legal decisions in primary sources. This integration ensures that the prohibition and permissibility of talfiq are not merely matters of jurisprudential preference but are firmly grounded in the foundational sources of Islamic law (Auda, 2008).

The findings also underscore the importance of ongoing scholarly engagement with the concept of talfiq in the context of contemporary challenges. The increasing diversity of opinions within Islamic legal discourse, the complexities of modern life, and the need for contextually sensitive approaches to Islamic law all point to the importance of ongoing research and dialogue regarding the boundaries and applications of talfiq.

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