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Talfeeq in Sunni Islamic Jurisprudence: Classical Debates, Cross-Madhhab Analysis, and Contemporary Applications in Islamic Finance and Family Law

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Abstract: This article examines *talfeeq* as a jurisprudential phenomenon in Sunni Islamic law, utilizing units of analysis that include classical fiqh texts, cross-sectarian legal arguments, and contemporary institutional practices carried out by international fiqh institutions. This study aims to analyze the legality of *talfeeq*, examine the differences in views between Sunni schools regarding its capabilities, and assess its relevance in addressing modern legal, social, and economic challenges. This research employs a qualitative doctrinal method, analyzing primary fiqh sources, the opinions of authoritative scholars, and the resolutions of contemporary fiqh institutions through comparative and thematic approaches. The study's findings show that the majority of classical scholars restrict the practice of *talfeeq* due to concerns about legal inconsistencies and the weakening of fiqh methodologies. However, some Maliki and Hanafi scholars allow it under certain conditions. In the contemporary context, *talfeeq* is increasingly accepted, especially within the framework *of ijtihad jama'i*, especially in the fields of Islamic finance, family law, and pluralistic legal systems. This article contributes by offering a systematic comparative analysis of classical debate and modern practice, clarifying the methodological limits of *talfeeq*, and positioning it as an instrument for the legitimate adaptation of Islamic law when applied in a measured manner and based on maqāṣid al-sharī'ah.

Keywords: *Talfeeq*; Islamic Law; Cross-Sect Analysis; Ijtihad Jama'i; Maqāṣid al-Syarī'ah; Sunni Madhhabs; Contemporary Fatwas; Islamic Legal Adaptation.

1. Introduction

The development of contemporary Muslim society is characterized by increasing social, legal, and economic complexity, particularly due to globalization, legal pluralism, and shifts in the structures of both the state and society(Muhammadong & Khaerunnisa, 2025). Muslims are now faced with new problems, such as the modern financial system, cross-sectarian family law, the relationship between Islamic law and state law, and the reality of living as a minority in many parts of the world(Meirison & Yusna, 2022). In this context, the application of Islamic law, which is closely tied to a single school of thought, is often considered inadequate in responding effectively to these dynamics. One of the approaches that emerged in response to this need was the practice of *talfeeq,* which involves combining the opinions of more than one school on a single legal issue. This practice has been employed, both individually and institutionally, to provide more adaptive legal solutions (Jamaludin et al., 2024). However, *Talfeeq* also raises serious problems related to methodological consistency, legal authority, and potential abuse for the sake of convenience. The tension between the demands of legal flexibility and the need to maintain the integrity of fiqh methodology makes *talfeeq* a central issue in contemporary Islamic legal discourse that demands a more systematic and critical academic study.

In the realm of academic literature, the discourse surrounding talfeeq has garnered the attention of both classical and contemporary scholars. Classical scholars such as Imam Al-Qarafi (d. 1285 AD) of the Maliki school explicitly

opened the door *to talfeeq* with *the taysīr argument*(Zuhayli, 1989), while Imam Ibn Hajar Al-Haytami (d. 1567 AD) of the Shafi'i school strongly rejected it based on the argument of maintaining the integrity of one mujtahid's opinion(Al-Haythami, 2008). In the modern era, Wahbah Zuhayli (d. 2015) provides a comprehensive theoretical defense, situating talfeeq within the framework of maqāṣid al-sharīʿah and the principle of the grace of difference(Zuhayli, 1989). Meanwhile, Mufti Taqi Usmani (2011) warned about the risk of the emergence of weak "hybrid" opinions(Usmani, 2011). Recent empirical studies have begun to observe its application in institutions such as the International Academy of Islamic Fiqh(Hussain et al., 2023). However, the existing literature still identifies three main research gaps. First, the majority of studies are descriptive and doctrinal, lacking systematic critical analysis using a solid legal theoretical framework, such as *the operational theory of maqāṣid*. Second, there has been no attempt to build a clear and measurable model or framework of parameters to distinguish between legitimate and arbitrary *talfeeq*. Third, previous research tends to be fragmented, addressing historical, theological, or application aspects separately, thus lacking a holistic view that connects normative foundations, methodological debates, and contemporary practical implications in a single cohesive analysis.

Departing from the research gap, this research aims to fill the gap by conducting a comprehensive and integrated critical analysis of *the concept of talfeeq*. Its specific objectives are: (1) To analyze the debate on the legitimacy *of talfeeq* using the framework *of maqāṣid al-sharīʿah* (especially *ḥifẓ al-māl* and *ḥifẓ al-nasl*) as the main analytical knife, rather than simply presenting a list of pros and cons opinions; (2) Develop a propositive evaluative framework that formulates the normative conditions and limits for the application of *scientifically accountable talfeeq*; and (3) Evaluate the effectiveness and consistency of the application of *talfeeq* in the fatwas of contemporary jurisprudence institutions (such as IIFA and IFA India) with an evaluative framework constructed, to test its relevance in resolving contemporary problems. Thus, the contribution of this research is expected to lie not only in mapping the debate, but also in providing analytical tools to assess and guide the practice *of talfeeq* in the future.

Based on a review of social facts and literature, this study argues that the legitimacy of *talfeeq* is not dichotomous (halal/haram), but is graded and highly dependent on the fulfillment of a set of methodological and teleological prerequisites. The hypothesis put forward is: *Talfeeq* will be considered shari'i valid and legitimate if and only if: (a) it is motivated by and aimed at achieving a real and accountable *maṣlaḥah* that is in harmony with *maqāṣid al-sharīʿah*; (b) it is carried out through *a process of ijtihād jamāʿī* (collective) involving experts who master the methodology (*usul*) of the relevant schools; and (c) it does not violate the provisions of the nash which is *qatʿī* (definite) and still maintains the spirit of legal coherence. On the other hand, *talfeeq* that is carried out individually, arbitrarily, with the sole motivation of seeking leniency (*talab al-rukhas*), or that results in internal contradictions and weakening of the legal system, will fall into the category of illegitimate. This argument will be tested through a rigorous cross-madhhab analysis of the authoritative texts of scholars, and applied to evaluate the legitimacy and consistency of the use of *talfeeq* in contemporary Islamic financial instruments and the codification of modern family law in various jurisdictions.

2. Literature Review

2.1. *Talfeeq* Concepts and Typologies: From Definition to Formalist Controversy

Lexically, the term *talfeeq* is derived from the Arabic root '*l-f-q*', which means to connect or sew(Manzur, 1997), providing insight into the process of bringing different elements together. In the discourse of fiqh, the terminological meaning evolves into the practice of combining decisions from more than one school of law, either across chapters of fiqh, within a single chapter, or even within the components of a single decision(Abdul Razzaq, 2012). The definition considered most comprehensive and often referred to is from *Kuwait's Al-Mawsu'ah al-Fiqhiyyah*, which emphasizes the aspect of validating an action through combinations whose validity is not independently recognized by the respective source schools(Kuwait Council of Senior Scholars, 2008). This critical nuance—which distinguishes *talfeeq* from merely *taqlid* changing on a separate issue—is the main starting point of the debate. From this definition, the

standard typology in literature distinguishes three forms: *cross-chapter talfeeq* (such as Hanafi prayer, Shafi'i zakat), in one chapter (such as mixed ablution), and in one problem (creating a new rite of worship that is not recognized by any sect)(Razzaq, 2019). This third form is the epicenter of the controversy, as it is considered to violate the principle of internal coherence (*inzimām*) of each school, which is built on interconnected methodology (*usūl*) and derivation (*furūʿ*).

Criticism of *Talfeeq*, especially the third form, is often rooted in concerns about the disintegration of the Islamic legal system. The opponents, as represented by the majority of the Hanafi and Shafi'i scholars, view each school as a coherent "closed system". Taking a single decision without the methodological context that gave rise to it is considered a haphazard action that can give rise to a "legal monster." Ibn Taymiyyah (d. 1328 A.D.) strongly condemned the practice *of talab al-rukhas* (seeking relief), which he considered to be an abuse of diversity of opinion(Ibn Taymiyyah, 1987). Similar concerns were expressed in contemporary studies. Hallaq (2001) in *Authority, Continuity and Change in Islamic Law* asserts that legal authority in the Sunni tradition is inherent in the entire corpus and methods of a mujtahid or madhhab, not in isolated rulings(Hallaq, 2001). Therefore, arbitrary extraction and recombination have the potential to undermine the authority and continuity of the law itself. This perspective reinforces the position of classical opponents with a solid historical theoretical framework, positioning arbitrary *talfeeq* not only as a violation of fiqh, but also as a threat to the established structure of Islamic scientific authority.

2.2. The Classical Debate Between Schools: The Tug-of-War between Ease and Methodological Integrity

The classical debate maps of *Talfeeq* show a clear polarization, reflecting the difference in emphasis in the legal epistemology of each sect. On the one hand, the Maliki school—with its strong tradition of *considering maslahah* (public interest) and *ʿurf* (custom)—tends to be more open. Imam Al-Qarafi (d. 1285 A.D.) expressly allowed *talfeeq* in worship with the argument that the religion of Allah is built on ease and spaciousness(Qarafi, 2013). Supporters of the Hanafi, such as Ibn Nujaym (d. 1563 AD), also saw gaps in its validity as long as it was done with careful research(Zuhayli, 1989). On the other hand, the Shafi'i and Hanbali schools generally are more restrictive. Ibn Hajar Al-Haytami (d. 1567 A.D.), representing the voice of Shafi'i, stated that an act that is the result of *talfeeq*—in which its components are taken from different opinions so that no single mujtahid agrees on its whole form—is invalid by consensus(Al-Haythami, 2008). This debate is essentially a tug-of-war between two main values: convenience (*taysīr*) and methodological integrity (*ḥifẓ al-manhaj*).

A deeper understanding of this dichotomy can be enriched by the approach of contemporary Islamic legal theory. Kamali (2008) in *Sharīʿah Law: An Introduction* explains that the principle of "eliminating difficulties" (*rafʿ al-ḥaraj*) is one of the universal goals of sharia(Kamali, 2008). From this, the argument of the proponents of *talfeeq* can be seen as an application of this principle in the context of the diversity of schools. However, on the other hand, the concept of "systemic coherence" is also fundamental. Jackson (1996) in *Islamic Law and the State: The Constitutional Jurisprudence of Shihāb al-Dīn al-Qarāfī*—despite discussing the same figure—shows how even Al-Qarafi operated within the framework of Maliki's strict methodology(Jackson, 1996). This means that the proposed leniency does not necessarily mean legal anarchy, but a flexibility that remains tied to the scientific corridor. Thus, the classical debate is not just a black-and-white contradiction, but a difference in placing a balance point between two mutually recognized poles of value within the framework of ushul fiqh: between providing concrete solutions (*ḥall al-mushkilah*) and maintaining the consistency of the rules (*istiqrār al-qawāʿid*). This understanding shifts the discussion from the level of "may or may not be allowed" to the level of "under what conditions and limitations".

2.3. Contemporary Approaches and Applications in Islamic Finance and Family Law

In recent decades, *talfeeq discourse* has undergone a significant transformation from a theoretical and individual debate to an institutional and collective practice. Institutions such as the International Islamic Fiqh Academy (IIFA) in

Jeddah and the Indian Academy of Fiqh (IFA) have formally adopted methodologies whose essence is talfeeq, institutionalized in the process *of ijtihād jamāʿī* (collective ijtihad)(Hussain et al., 2023). Their decisions in the field of Islamic finance, for example, often involve synthesizing the strongest opinions (aqwā) from various schools to create sharia-compliant, liquid, and competitive products for the global market. This development shifts the focus from the question "Is talfeeq legitimate?" to "How can legitimate and responsible talfeeq be done?" This contemporary approach seeks to address modern challenges while still claiming to be rooted in tradition, a phenomenon that some observers refer to as "*neo-talfeeq*"(Omar, 2020).

The most real and far-reaching applications of *contemporary talfeeq* occur in two domains: Islamic Finance and Family Law. In Islamic finance, a study by El-Gamal (2006) in *Islamic Finance: Law, Economics, and Practice* critically documents how products such as sukuk and *murābaḥah* are often the result of legal engineering that combines elements of classical contracts from different schools of thought. Although El-Gamal highlighted the risks of "*sharia arbitrage*", the practice has been widely accepted as a necessary innovation mechanism(El-Gamal, 2006). In family law, modern codification in Muslim countries such as Morocco (Moudawana), Egypt, and Indonesia is an example of *legislative talfeeq*. Cammack (2007) in "*Islamic Law in Contemporary Indonesia*" notes how KHI strategically chose and combined rules from the Shafi'i, Hanafi, and Maliki schools to create a national law that was accepted by the majority of Indonesian Muslims(Feener & Cammack, 2007). These applications demonstrate that *Talfeeq* has become an indispensable pragmatic tool for navigating the complexities of modern society and the nation-state. However, its acceptance still leaves critical questions about authority, methodological transparency, and fidelity to *maqāṣid al-sharīʿah*, which is the research gap that this article seeks to fill.

3. Methods

3.1. Material Object

The material object of this research is the concept of *talfeeq* in Sunni Islamic jurisprudence, which is analyzed as a legal methodology. The focus of the study includes the construction of definitions, typologies, and polarization of arguments for validity in classical and contemporary discourse, as manifested in authoritative texts and decisions of fiqh institutions(Abdul Razzaq, 2012; Kuwait Council of Senior Scholars, 2008).

3.2. Research Design

The research design employed is qualitative, with a doctrinal research approach and instrumental case studies. This approach was chosen to analyze legal norms, doctrines, and arguments in depth, while testing their application in specific cases in the field of Islamic finance and family law.

3.3. Data Source

The data source consists of primary and secondary data. Primary data is in the form of classical texts of ushul and fiqh from four Sunni schools, as well as contemporary documents such as resolutions of the International Islamic Fiqh Academy (IIFA). Secondary data include journal articles, monographs, and critical reviews by modern scholars on *Talfeeq(Al-Haythami, 2008; Hussain et al., 2023)*.

3.4. Data Collection Technique

The data collection technique was carried out through extensive library research. This technique involves a systematic search of relevant primary and secondary sources, both in print and digital formats, to gather comprehensive definitions, arguments, and examples of talfeeq applications.

3.5. Data Analysis Technique

The data analysis technique applies qualitative content analysis and cross-madhhab comparative analysis. Text data is analyzed to identify themes, argumentation patterns, and legitimacy criteria. Furthermore, comparisons were made to map similarities and differences in views between schools, as well as to evaluate the consistency of Talfeeq's application in contemporary cases.

4. Results

4.1. Mapping and Classification of Arguments in the Classical Debate on Talfeeq

An analysis of classical primary sources reveals that the concept of *talfeeq* as a technical term is not found in the works of the founding imams of the school(Amini, 1991; Rehmani, 2007). A systematic discourse on it only appeared in medieval literature. From the analysis of the text, two main arguments were identified. The first camp, which can be called the "camp of ease" (*taysīr*), is mainly represented by the voices of the Maliki and some Hanafi. Imam Al-Qarafi (d. 1285 AD) explicitly stated the ability to combine the opinions of two schools in one form of worship, with the postulate that this religion was built on the basis of ease and spaciousness(Qarafi, 2013). A similar opinion among the Hanafi is represented by Ibn Nujaym (d. 1563 A.D.), whose validity *of talfeeq* is stated by Wahbah Zuhayli with reference to Ibn Nujaym's writings in *Bay' al-Waqf(Zuhayli, 1989)*. The argument of this camp centers on the principle of eliminating difficulties (*rafʿ al-ḥaraj*) and the fulfillment of benefits (*maṣlaḥah*).

The second camp, often referred to as the "camp of methodological integrity" (ḥifẓ al-manhaj), comprises the majority of Hanafi, Shafi'i, and Hanbali scholars. The voice of the Shafi'i school is very firm. Ibn Hajar Al-Haytami (d. 1567 A.D.) stated that a practice that is the result of *talfeeq*—where one part of it follows Imam A and the other part follows Imam B, so that no single imam approves of its overall form—is bathil based on consensus(Al-Haythami, 2008). He provided a concrete example in the form of a person who performs ablution by rubbing part of his head (following the Shafi'i school) and then praying on land contaminated with dog feces (following the Maliki school), which renders his prayer invalid according to the two imams. This argument emphasizes the internal coherence of a mujtahid's opinion that should not be scattered.

Among the Hanafi, the majority also refused. Alauddin Al-Haskafi (d. 1677 AD) stated that any *fabricated talfeeq bainal madzahib* (intersect) is invalid(Haskafi, 2002). Zafar Ahmad Usmani (d. 1974 AD) corroborated this view by stating that there was an agreement between the Hanafi, Shafi'i, and Hanbali schools on the invalidity *of talfeeq*, while the Maliki school had a different history(Usmani, 2011). Ibn Taymiyyah (d. 1328 A.D.) of the Hanbali school criticized the practice of seeking leniency (*talab al-rukhas*) by selecting and mixing the easiest opinions of the various sects, which he considered to be an abuse of the treasure trove of disagreement(Ibn Taymiyyah, 1987).

4.2. Cross-Madhhab Analysis of the Form and Criteria of Talfeeq

Based on a study of existing definitions, particularly from Al-Mawsu'ah al-Fiqhiyyah in Kuwait, and Abdul Razzaq (2012), this study identifies three main forms of *talfeeq* that are the subject of cross-sectarian debate(Abdul Razzaq, 2012). First, *Talfeeq Cross Chapters* (following different schools for different types of worship or laws). Second, *Talfeeq in One Chapter* (combining the opinions of different schools in the same field of jurisprudence). Third, *Talfeeq in One Problem* (uniting the components of different sects to form a single action that is not fully recognized by any one sect). This third form is the focus of the sharpest criticism, as seen in the classic example of a person touching a woman (following Hanafi: not canceling ablution) and bleeding (following Shafi'i: not canceling ablution), and then praying with the ablution—a practice that is invalid both according to Hanafi (because blood cancels) and Shafi'i (because touch cancels)(Mohammad, 2021).

Further analysis shows the existence of unwritten criteria used by classical scholars to assess *talfeeq*. The first criterion is the existence of *real masyaqqah* (difficulties). Talfeeq proponents, such as Al-Qarafi and Al-Dardir, always

associate his abilities with the principle of lightening burdens(Dasooqi, 2013). The second criterion is knowledge of the postulates. Shah Waliullah Dehlavi (d. 1762 A.D.) stated that a person who does not possess absolute mujtahid capacity, but understands the postulates of the two sects, is permitted to combine them (Dehlavi, 2005). The third criterion, put forward by the opponents, is the integrity of a priest's system of opinion. They view each opinion of the imam of the sect as part of a single methodological unity that should not be taken piecemeal.

The study also found that the realm of *talfeeq* application is consistently limited to the area *of zhannī* (conjecture) and the result of *ijtihād*, rather than to *the matter of qaṭʿī* (certain) in nash or the issue of faith. This is confirmed by Shah and Yousuf (2020), who state that *talfeeq* operates in the domain of ijtihad and does not apply to definitive sharia provisions(Shah, 2020). This limitation explains why the debate is so fierce, since the object is in the "gray" area of Islamic law that is indeed open to differences in interpretation and method.

4.3. Documentation of Contemporary Applications in Islamic Finance and Family Law

In the context of Islamic finance, the study's results document the adoption of the talfeeq methodology by global fatwa institutions. The International Academy of Islamic Fiqh (IIFA) in Jeddah explicitly incorporates talfeeq into its *method of ijtihād jamāʿī* (collective ijtihad). A study by Hussain et al. (2024) on the IIFA resolution demonstrates how this institution combines the strongest opinions (aqwā) of various schools to produce decisions in the financial field that align with modern demands(Hussain et al., 2023). Examples cited include *the product structure of ṣukūk* (sharia bonds) and property financing, which often synthesizes elements of ijārah (rent), murābaḥah (buying and selling with a markup), and wakālah (representation), each with different foundations in the classical fiqh of its respective sect.

In the field of family law, *the talfeeq* application is more legislative in nature. In Indonesia, the Compilation of Islamic Law (KHI) enacted through Presidential Instruction No. 1 of 1991 is an example of codification that selects and combines various sects. The rules on compulsory wills for obstructed heirs, for example, adopt the concept of Maliki fiqh, while most inheritance provisions follow the calculations of Shafi'i fiqh. In Morocco, the 2004 Mudawwanah (Family Law) reform achieved a similar goal, consolidating the concept of polygyny restrictions and marriage requirements from various interpretations to strengthen women's legal positions. The data indicate that this type of codification seeks to establish national legal certainty while addressing contemporary issues, such as gender equality and child protection.

The application *of talfeeq* is also documented in the fatwas of national institutions such as the Islamic Fiqh Academy India (IFA India). The official website of IFA India states that one of the goals of this institution is to provide solutions to contemporary problems by drawing on all the treasures of Islamic fiqh (Islamic Fiqh Academy India, n.d.). Their publications and resolutions, particularly those related to financial transactions and social issues affecting minority Muslim families in India, exhibit a pattern similar to that of the IIFA: identifying the opinions of various sects, then selecting or combining those deemed most appropriate to the context and principles of *the maṣlaḥah*. These findings suggest that talfeeq has become the de facto standard mechanism in 21st-century institutional ijtihad, enabling the bridging of classical texts with new realities.

5. Discussion

The results of this study confirm the complexity of the concept *of talfeeq* in Sunni Islamic jurisprudence. The results show that *talfeeq* is not a single concept, but rather has three forms, each at a different level of controversy, with a third form (within-issue combination) serving as the central point of the debate. Mapping the classical debate reveals a clear polarization between camps that base the argument on the principles of convenience and benefit (*taysīr* and *maṣlaḥah*), as represented by some Maliki and Hanafi scholars(Qarafi, 2013), and camps that emphasize methodological integrity and systemic coherence of a school, such as the majority of Hanafi, Shafi'i, and Hanbali scholars(Al-Haythami, 2008; Haskafi, 2002; Ibn Taymiyyah, 1987). Furthermore, the research documents the transformation of talfeeq from a disputed individual practice into an institutionalized collective methodology, as

applied by the International Islamic Fiqh Academy (IIFA) and the Islamic Fiqh Academy of India in response to contemporary issues in the fields of Islamic finance and family law (Hussain et al., 2023).

Reflection on the Results shows that the controversy surrounding *Talfeeq* is essentially a manifestation of the enduring tension in Islamic law between contextual flexibility and methodological consistency. The arguments of the talfeeq proponents reflect a deep commitment to the principle of *rafʿ al-ḥaraj* (eliminating difficulties), which is one of the maqāṣid al-sharīʿah. Meanwhile, the strong rejection from its opponents reflects legitimate concerns about the erosion of scientific authority and the disintegration of a coherent legal system if the practice of extracting and recombining judgments is carried out indiscriminately. The finding that *talfeeq* applies only in the region *of ijtihādī* (zhannī) and not in the case of qaṭʿī(Shah, 2020) emphasizing that this debate takes place in a space that is indeed designed for healthy differences of opinion (*ikhtilāf*). Thus, the polarization is not a contradiction between "right" and "wrong", but rather a difference of emphasis in interpreting and applying the same sources of law.

The interpretation of the Result leads to a proposition that the validity of *talfeeq* is not dichotomous (halal/haram), but graded and highly dependent on the process and intention behind it. The sharp difference between Ibn Taymiyyah's criticism of *talab al-rukhas* (opportunistic leniency) and Shah Waliullah Dehlavi's approval of those who understand the postulates of the various schools(Dehlavi, 2005), hinting that the determining factor is scientific integrity and teleological goals. *Talfeeq*, which is done with a deep understanding of the ushul of each sect and is driven by the goal of achieving a real *maṣlaḥah*, can be distinguished from *talfeeq,* which is done superficially just to find the easiest way. The institutionalization of *talfeeq* in the form of *ijtihād jamāʿī* by institutions such as IIFA can be seen as an attempt to ensure that the synthesis of judgments is carried out with high scientific integrity and collective consideration, thus minimizing the risk of arbitrariness that classical scholars fear.

A comparison between classical and contemporary approaches reveals a significant shift in paradigm. In classical discourse, *talfeeq* is often discussed in the context of individual worship (such as the validity of ablution and prayer) with implications for the validity of one's charity. The example given by Ibn Hajar Al-Haytami regarding ablution and uncleanness is proof of this(Al-Haythami, 2008). In contrast, in contemporary applications, the focus has shifted massively to the realm of socio-economic muamalah (AH), particularly Islamic finance and the codification of family law. This shift shows that *Talfeeq* has evolved from an abstract fiqh-ushuli concept to a pragmatic policy tool for regulating the lives of modern Muslims within the framework of the nation-state and the global economy. These contextual differences also explain why some classical concerns seem less relevant in more complex and collective contemporary settings.

The follow-up to these findings highlights the urgent need to develop an operational, normative framework that can guide talfeeq practices in the modern era. The framework must be able to answer the criteria required by both proponents and opponents of the classics. For example, a charter could be formulated that requires that legitimate *talfeeq* must: (1) Be conducted collectively (*ijtihād jamāʿī*) by credible institutions, accommodating concerns about the quality of individual scholarship; (2) Methodologically transparent, clearly mentioning the source school of each component of the decision and the underlying postulate, as the spirit of Shah Waliullah's statement; (3) Oriented towards the Measurable Maṣlaḥah, not merely subjective convenience, so as to be in harmony with the arguments of Al-Qarafi and Al-Dardir but with clear parameters; and (4) It does not violate the Principled Consensus (*ijmāʿ*) or nash qaṭʿī, meeting the conditions of the limits proposed by the opponents. The development of such a framework will transform *Talfeeq* from a mere legal technique to an accountable methodological discipline, enabling it to fulfill its function as a bridge between the rich heritage of jurisprudence and the challenges of changing times.

6. Conclusion

This research yielded three significant findings related to the concept of Talfeeq in Sunni Islamic jurisprudence. First, the legitimacy of Talfeeq is not absolute or dichotomous, but graded and highly dependent on the fulfillment of strict methodological and teleological prerequisites. The polarized classical debate between proponents who argue

on the principles of convenience (taysīr) and benefit (maṣlaḥah) and opponents who maintain the methodological integrity (ḥifẓ al-manhaj) of the madhhab essentially agree on its basic limitations: Talfeeq applies only in the territory of ijtihadi, not in matters of qaṭʿī. Second, there has been a significant transformation in the application of Talfeeq, from individual practice in ritual worship to a collective and institutionalized methodology (ijtihād jamāʿī) used to address contemporary problems, especially in the fields of Islamic finance and the codification of family law. Third, the most controversial and critical form of Talfeeq is the within-issue combination, which creates a single action that is not fully validated by any one sect, demanding extra caution.

Scientifically, this research contributes by offering an integrated analytical framework that connects the normative-theoretical dimensions of classical debate with the empirical realities of contemporary applications. Instead of merely mapping differences of opinion, this study interprets this polarization as a healthy dynamic that fosters a balance between flexibility and legal discipline. Furthermore, this study contrasts the concept of an arbitrary and leniency-oriented Talfeeq (talab al-rukhas)—condemned by scholars such as Ibn Taymiyyah—with a responsible Talfeeq, which is conducted collectively, transparently, and oriented towards the maqāṣid al-sharīʿah. Thus, his main contribution is to shift the discourse from a simplistic "may or may not be" question to a more productive "how and under what conditions" question for the development of contemporary Islamic law.

Based on the findings and discussions, at least three advanced research agendas can be suggested. First, an in-depth evaluative-comparative study is needed on the effectiveness and consistency of the application *of Talfeeq* in the fatwas of various global fiqh institutions (such as IIFA, DSN-MUI, AAOIFI) for specific fields such as sharia fintech or Islamic bioethics. Second, empirical sociological research is needed to measure the social impact of Talfeeq-based codification of family law on the practice and perception of justice in diverse Muslim societies. Third, the development of operational frameworks and toolkits for responsible Talfeeq, which can include checklists based on maqāṣid and ushuliyah rules, will be of great benefit to legal practitioners, regulators, and fatwa institutions in ensuring that legal innovations remain within the shari'i and methodologically legitimate boundaries.

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