

# Manhaj Convergence (al-Jam'): Effort Synthesis Schools and Their Relevance in Usul Fiqh Sharia Economics (Study Application on Products Islamic Banking)

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**Abstract:** Differences among legal schools (ikhtilāf) in uṣūl al-fiqh are an inherent feature of Islamic legal thought arising from diverse interpretive methods, scholarly backgrounds, and socio-historical contexts. Rather than treating such diversity as a problem, Muslim jurists developed the methodology of al-jam', which seeks to reconcile apparently contradictory legal evidences so that all remain operative. This study examines the epistemological foundations, methodological features, and contemporary relevance of manhaj al-jam', with particular attention to its application in Islamic economics. This research employs a library-based qualitative method using descriptive-critical and comparative analysis. Primary sources consist of classical uṣūl al-fiqh texts, complemented by contemporary scholarship to contextualise modern legal and economic challenges. The findings demonstrate that al-jam' is grounded in the assumption of the intrinsic coherence of revelation and prioritises reconciliation over elimination, thereby preserving textual authority while accommodating legal plurality. The study further reveals that al-jam' has evolved into a maqāṣid-oriented and increasingly interdisciplinary framework. Its application in Islamic economics through instruments such as murābahah, sukuk, takaful, and Shari'ah-compliant equities illustrates how normative prohibitions against ribā, gharar, and maysir can be harmonised with modern economic needs. The study concludes that strengthening an interdisciplinary model of al-jam' is essential for maintaining the relevance and integrity of Islamic law in contemporary contexts.

**Keywords:** Al-Jam', Convergence Method, Maqasid Al-Shariah, Islamic Economics, Islamic Banking.

## Introduction

A systematic understanding of kaidah-lughawiyah (linguistic principles) is essential for deriving legal rulings from the Qur'an and Hadith with accuracy, given that Arabic, as the language of revelation, possesses a depth of meaning and distinctive linguistic structures (Zulbaidah, 2025a). Such an understanding provides a crucial foundation for Ushul Fiqh, which serves not only as a methodological framework for the istinbāt (deduction) of Allah's laws from the Qur'an and Sunnah but also as a tool for determining furu' (derivative) rulings with precision (Zulbaidah, 2025b). Within the broader framework of Indonesian law, the principles of Ushul Fiqh assume practical significance, ensuring that Islamic legal values are translated into national regulations in a manner that is coherent and harmonious. This reflects Indonesia's commitment to promoting societal welfare through legislation that is responsive to both contemporary developments and the evolving needs of its diverse population (Zulbaidah, Amin, Rosele, & Utang, 2025).

Moreover, a tauhid-based approach to social reconstruction remains highly relevant for Indonesian Muslims living in a pluralistic society. Such an approach, rooted in awareness of transcendental, social, and civic responsibilities, facilitates the integration of Islamic legal principles with national norms. Consequently, the law is not only formalistic but also attuned to the pluralistic and dynamic nature of society (Zulbaidah, 2024). In this way, the study and application of kaidah-lughawiyah and Ushul Fiqh transcend theoretical discourse, playing a pivotal role in ensuring that Islamic law is implemented consistently with national legislation while remaining responsive to broader societal realities.

Differences among legal schools in uṣūl al-fiqh constitute a historical and intellectual reality that is inseparable from the development of Islamic law. Such diversity emerges from variations in scholarly background, methods of legal reasoning (istinbāt), and the social as well as cultural contexts in which scholars interpret the revealed texts. Therefore, ikhtilāf should not be perceived as an anomaly, but rather as an inherent characteristic of the dynamic nature of Islamic legal

thought. In responding to these differences, Muslim jurists have not always adopted the method of *tarjih* by selecting one opinion and dismissing others; instead, they have also developed the methodological approach of *al-jam'*, which seeks to reconcile apparently contradictory legal evidences so that all of them may remain operative. This approach reflects the breadth and flexibility of Islamic legal epistemology, which is capable of accommodating plural perspectives without losing its normative foundations.

Conceptually, the *manhaj al-jam'* is grounded in the principles of unity and integrative legal understanding. The Qur'an emphasises the importance of maintaining communal cohesion through the command to hold firmly to the rope of Allah and not to be divided, implicitly indicating the necessity of an inclusive attitude towards divergent legal interpretations. Likewise, the instruction to refer disagreements back to Allah and His Messenger provides a methodological basis for managing differences through a deeper engagement with the primary sources of Islamic law, rather than by negating one piece of evidence in favour of another. Within this framework, *ikhtilāf* is understood as a means of enriching the Islamic legal tradition, a view reinforced by the Prophetic hadith which describes differences within the Muslim community as a form of mercy. This mercy materialises when diversity of opinion is managed constructively through harmonisation rather than confrontation.

Furthermore, the application of the *manhaj al-jam'* cannot be separated from the orientation of *maqāṣid al-sharī'ah* as the ultimate objectives of Islamic law. The *maqāṣid* serve as a normative compass, ensuring that legal reasoning does not remain confined to formal legality, but is directed towards substantive justice and public welfare. The preservation of religion, life, intellect, lineage, and wealth provides an evaluative framework for reconciling diverse legal evidences. The Qur'anic command to uphold justice and benevolence underscores that Islamic law aims to establish balance and goodness in human life. In line with this, the Prophet's affirmation that Islam is a religion of ease highlights that flexibility is an intrinsic element of the *Sharī'ah*, requiring legal application to consider context and human capacity without compromising its fundamental values.

In the contemporary context, the increasing complexity of social, economic, and technological realities necessitates the development of collective and interdisciplinary *ijtihād*. Legal reasoning can no longer be confined to individual or purely textual efforts, but must involve collaboration between jurists, economists, financial experts, and other relevant specialists. This form of *ijtihād jamā'i* is consistent with the Prophetic hadith that affirms the continued reward for *ijtihād* even when differing conclusions are reached, as long as sincere methodological effort is undertaken. Within the framework of *al-jam'*, collective *ijtihād* facilitates constructive dialogue between various approaches, enabling Islamic law to respond adaptively to changing circumstances while maintaining its normative authority.

The relevance of the *manhaj al-jam'* is particularly evident in the field of contemporary Islamic economics. Modern economic systems present challenges that were not explicitly addressed in classical *fiqh* literature, including complex banking transactions, financial instruments, and risk management mechanisms. The categorical prohibition of *ribā*, as affirmed in the Qur'an and the Sunnah, represents a fundamental principle that cannot be compromised. At the same time, society's need for efficient and sustainable financial services must also be addressed. Here, the *al-jam'* approach plays a crucial role by harmonising these normative prohibitions with practical necessities through the development of *Sharī'ah*-compliant alternative contracts, such as *murābahah*, *mushārahah*, *muḍārahah*, and *ijārah muntahiyah bi-tamlik*. This approach not only avoids *ribā* but also promotes justice, transparency, and equitable distribution of economic benefits.

The *manhaj al-jam'* may be understood as a strategic methodological framework for preserving the integrity and relevance of Islamic law. It functions as a means of maintaining communal unity amid diverse legal opinions, directing *ijtihād* towards the realisation of *maqāṣid al-sharī'ah*, and bridging the gap between normative texts and evolving socio-economic realities. Within the context of Islamic economics, this approach is not merely theoretical but operational, as it contributes to the formation of a financial system that is just, inclusive, and oriented towards the public good. Consequently, strengthening the application of the *manhaj al-jam'* constitutes an

urgent necessity to ensure that Islamic law and Islamic economics continue to offer meaningful solutions to contemporary global challenges.

### Methods

This study employs library research with a descriptive-critical approach, utilising a combination of methods to achieve a comprehensive understanding. The primary sources include al-Risalah, al-Burhan, al-Mustasfa, al-Ihkam, Rawdah al-Nazir, and Jam' al-Jawami', while secondary sources comprise Abu Zahrah, Abdul Wahhab Khalaf, Wahbah al-Zuhaili, Muhammad Taqi Usmani, and Jasser Auda. The analysis is conducted in two stages: first, a descriptive-analytical stage to explain the fundamental concepts and principles of al-jam'; second, a critical-comparative stage to evaluate the strengths, weaknesses, and relevance of al-jam' in the context of Islamic economics (Zulbaidah, Yuniardi, Januri, Najmudin, & Cason, 2025; Novianti, 2024). This approach aligns with qualitative documentary analysis and thematic content analysis, wherein documents are systematically identified, coded, and organised to interpret meaning, patterns, and normative implications, enabling the study to produce systematic and applicable conclusions.

### Results and Discussion

#### Basic Principles of Manhaj al-Jam'

The concept of *al-jam'* originates from the linguistic meaning of combining or reconciling distinct elements into a unified whole. In *uṣūl al-fiqh*, this concept evolves into a core methodological principle aimed at resolving apparent contradictions between Sharī'ah evidences. Rather than treating contradiction as an inherent feature of revelation, *al-jam'* presumes the intrinsic coherence of divine law and attributes inconsistency to human limitations in interpretation and contextual understanding. Methodologically, *al-jam'* is prioritised because it preserves the authority of all relevant texts without negating any of them. This approach reflects a normative commitment to the integrity and completeness of Sharī'ah sources. By reconciling evidences, jurists avoid premature reliance on *tarjīḥ* or *naskh*, both of which may marginalise certain texts and restrict interpretive possibilities.

The Qur'anic injunction to refer disputes back to Allah and His Messenger (Qur'an, al-Nisā' [4]: 59) provides a strong normative foundation for *al-jam'*. This command implies that legal disagreement should be resolved through reintegration of evidences rather than polarisation. It affirms that harmony, not elimination, constitutes the proper epistemological response to juristic conflict. Consequently, *al-jam'* functions not merely as a technical tool but as an interpretive philosophy grounded in balance, coherence, and inclusivity. This principle becomes particularly significant when Sharī'ah encounters complex modern realities, as it enables jurists to remain faithful to normative texts while engaging constructively with evolving socio-economic contexts.

#### Practice of al-Jam' in Classical Literature

Classical Islamic legal theory consistently positions *al-jam'* as the preferred method for resolving apparent contradictions. Early jurists maintained a firm conviction that authentic revelation cannot contain genuine inconsistency. This epistemological assumption shaped *uṣūl al-fiqh* as a disciplined science of reconciliation rather than selective textual preference. Al-Shāfi'i played a decisive role in institutionalising *al-jam'* by asserting that conflicts between the Qur'an and Sunnah, or between general and specific texts, are only apparent and must be resolved through careful interpretation. His approach established reconciliation as a normative obligation, reinforcing the unity of Sharī'ah sources. Subsequent scholars further refined this methodology. Al-Juwaynī integrated rational tools such as *qiyās* and *ijmā'* into the reconciliatory framework, while al-Ghazālī expanded *al-jam'* by linking it explicitly to *maqāṣid al-sharī'ah*. This shift ensured that reconciliation served not only textual coherence but also the substantive objectives of Islamic law. Later jurists, including al-Āmidī, Ibn Qudāmah, and al-Subkī, contributed to the methodological maturation of *al-jam'*. They emphasised procedural order, acknowledged practical limitations, and promoted cross-school harmonisation. Collectively, classical scholarship demonstrates that *al-jam'* was a foundational and systematically developed methodology rather than a marginal interpretive technique.

### Al-Jam' in Contemporary Literature

In contemporary Islamic legal discourse, *al-jam'* has gained renewed significance due to increasing legal complexity arising from globalisation, technological change, and modern economic systems. Contemporary scholars recognise that literalist approaches alone are insufficient to address unprecedented issues, thereby necessitating integrative interpretive strategies. Prominent scholars such as Abū Zahrah, Wahbah al-Zuhaylī, and Mufti Taqī Usmani employ *al-jam'* within collective *ijtihād* and institutional fatwa bodies. Their approach synthesises classical jurisprudence with contemporary realities while maintaining strong textual anchorage. This reflects an effort to ensure continuity without stagnation. Jasser Auda represents a paradigmatic shift by conceptualising *al-jam'* at the level of systemic *maqāṣid al-sharī'ah*. He advances an interdisciplinary framework that integrates Islamic legal objectives with modern social sciences and systems theory. In this model, reconciliation extends beyond texts to encompass objectives, contexts, and empirical realities. In the Indonesian context, scholars such as Amir Syarifuddin and Ainol Yaqin adopt *al-jam'* as a mediating paradigm between classical fiqh and contemporary legal-economic frameworks. Their contributions highlight the adaptability of *al-jam'* across cultural and institutional settings, reinforcing its relevance as a global interpretive methodology.

### Application of al-Jam' in Islamic Economics and Banking

The practical significance of *al-jam'* is most evident in Islamic economics and banking, where normative Shari'ah principles interact directly with market imperatives. Modern financial systems require profitability, liquidity, and risk management, which often appear to conflict with prohibitions such as *ribā*, *gharar*, and *maysir*. *Al-jam'* enables these tensions to be addressed through structural reconfiguration rather than normative compromise. In Islamic banking, the reconciliation between the prohibition of *ribā* and the necessity of profit generation is achieved through asset-based contracts such as *murābahah*. By transforming monetary lending into genuine trade transactions, this model preserves Shari'ah compliance while ensuring institutional sustainability. Similarly, *sukuk* instruments exemplify *al-jam'* by integrating classical contracts with modern capital market mechanisms. By representing ownership in tangible assets or usufruct rather than debt, *sukuk* reconcile Shari'ah principles with the need for large-scale, tradable financial instruments. *Takaful* and Shari'ah-compliant equity markets further illustrate this reconciliatory logic. Cooperative risk-sharing replaces commercial risk transfer in *takaful*, while stringent screening mechanisms align stock market participation with Shari'ah ethics. These applications demonstrate that *al-jam'* operates as a functional bridge between normative values and contemporary economic practice.

### Critical Comparative Analysis of Classical and Contemporary Approaches

Comparative analysis reveals enduring tensions between flexibility and rigidity in the application of *al-jam'*. Al-Ghazālī's *maqāṣid*-oriented approach prioritises adaptability and relevance, enabling innovative legal solutions but risking subjective expansion if insufficiently constrained by textual authority. By contrast, al-Āmidī's textual and systematic methodology ensures legal certainty and consistency. While methodologically robust, this approach may lack responsiveness to novel issues that fall outside explicit textual parameters, thereby limiting its applicability in rapidly changing contexts. The contrast between al-Shāfi'ī and Ibn Qudāmah further illustrates this methodological spectrum. Al-Shāfi'ī's idealistic insistence on absolute textual harmony underscores confidence in the perfection of revelation, whereas Ibn Qudāmah's pragmatic acceptance of *tarjīh* reflects juristic realism in cases where reconciliation proves unfeasible. The comparison between al-Subkī and Jasser Auda highlights a broader epistemological shift from intra-school harmonisation to interdisciplinary synthesis. While classical approaches safeguard doctrinal integrity, contemporary frameworks seek broader engagement with modern knowledge systems. The central challenge for contemporary Shari'ah economics, therefore, lies in developing an interdisciplinary model of *al-jam'* that balances textual fidelity, *maqāṣid* orientation, and empirical economic realities.

## Conclusion

This study demonstrates that *al-jam'* constitutes a foundational and indispensable methodology in Islamic legal theory, particularly in mediating the relationship between normative Shari'ah texts and evolving socio-economic realities. Rooted in the epistemological assumption that authentic revelation is inherently coherent, *al-jam'* prioritises reconciliation over elimination, thereby preserving the authority of all valid legal evidences. As a methodological principle, it reflects both intellectual humility and a commitment to legal integrity within *uṣūl al-fiqh*. Classical Islamic scholarship consistently positioned *al-jam'* as the primary response to apparent textual contradiction. From al-Shāfi'ī's insistence on the unity of revelation to al-Ghazālī's integration of *maqāṣid al-shari'ah* and al-Āmidī's methodological systematisation, reconciliation emerged as a dominant interpretive strategy. These contributions illustrate that *al-jam'* was not an ad hoc solution but a rigorously developed framework that balanced textual fidelity, rational reasoning, and legal objectives. In contemporary discourse, *al-jam'* has undergone significant expansion to address the complexities of modern legal and economic systems. Contemporary scholars and institutions employ reconciliation not only at the textual level but also at the level of objectives and interdisciplinary engagement. This evolution underscores the adaptability of *al-jam'* as a dynamic methodology capable of responding to unprecedented challenges without severing its roots in classical jurisprudence. The application of *al-jam'* in Islamic economics and finance further confirms its practical significance. Instruments such as *murābahah*, *sukuk*, *takaful*, and Shari'ah-compliant equities exemplify how reconciliation enables compliance with core prohibitions *ribā*, *gharar*, and *maysir* while simultaneously fulfilling market demands for profitability, liquidity, and risk management. These models reveal that Islamic economics does not resolve tension through normative compromise but through structural transformation grounded in Shari'ah principles. Finally, the comparative analysis between classical and contemporary approaches highlights an enduring methodological tension between textual rigidity and purposive flexibility. The central challenge for contemporary Shari'ah scholarship lies in constructing an interdisciplinary model of *al-jam'* that integrates normative texts, *maqāṣid al-shari'ah*, and empirical economic realities. Achieving this balance is crucial for ensuring that Islamic law remains both normatively authoritative and functionally relevant in the context of an increasingly complex global economy.

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