

UNIVERSAL LEGAL MAXIMS ON MU'AMALAH CONTRACTS FROM THE PERSPECTIVE OF SHARIA ECONOMIC LAW



Enang Hidayat^{1*}, Dadan²

*Correspondence :

Email :
enanghidayat17@gmail.com

Affiliation:

¹ Sekolah Tinggi Agama
Islam Nahdlatul Ulama
Cianjur, Indonesia
² Universitas Islam KH.
Ruhiat Cipasung,
Indonesia

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Abstract

This paper explores the thought of Shah Wali Allah al-Dihlawi on his concept of Universal Legal Maxims (qawa'id kulliyah), focusing not only on his inductive reasoning in Islamic jurisprudence but also on his philosophical approach to Islamic legal theory. The objective of this study is to explain Shah Wali Allah al-Dihlawi's qawa'id kulliyah as presented in his seminal work "Hujjah Allah al-Balighah", particularly in relation to mu'amalah (transactional contracts), and to analyze the philosophy of Islamic economic law in light of these principles. This research employs a normative, conceptual, and philosophical approach. The findings of this study reveal that al-Dihlawi presents seven qawa'id kulliyah in "Hujjah Allah al-Balighah". Through these seven legal maxims, al-Dihlawi attempts to integrate his philosophical and mystical thought into various forms of mu'amalah contracts. The analysis of Islamic economic legal philosophy regarding these seven Kaidah Kulliyah aims at achieving public welfare (maslahah 'ammah), with a central focus on the protection of wealth—an objective that is implicitly embedded in several types of mu'amalah contracts, including mubadalah (exchange), ulfah (harmonious relations), muwasah (compassionate sharing), mu'awanah (mutual assistance), and mudayanah (deferred payment contracts). These contracts are driven by two main motives: fulfilling basic human needs and attaining public welfare both in this world and the hereafter. This study contributes to the enrichment of normative and philosophical approaches in constructing an adaptive and contextual framework for Islamic economic law.

Abstrak

Tulisan ini menggali bagaimana pemikiran Shah Wali Allah al-Dihlawi tentang kaidah kulliyah-nya yang tidak hanya terfokus pada pemikiran induktifnya dalam fikih Islam, tetapi terfokus juga pada pendekatan filsafat hukumnya. Penelitian ini bertujuan untuk menjelaskan kaidah kulliyah Shah Wali Allah Al-Dihlawi dalam karyanya "Hujjah Allah al-Balighah" terkait dengan akad mu'amalah dan untuk menganalisis filsafat hukum ekonomi syariah terhadap kaidah kulliyah dalam karyanya tersebut. Penelitian ini menggunakan pendekatan normatif, konseptual, dan filosofis. Temuan penelitian ini mengungkapkan bahwa terdapat tujuh Kaidah Kulliyah yang disajikan oleh al-Dihlawi dalam "Hujjah Allah al-Balighah". Melalui tujuh Kaidah tersebut, al-Dihlawi berusaha mengintegrasikan pemikiran filosofis dan tasawufnya ke dalam berbagai akad mu'amalah. Analisis filsafat hukum ekonomi syariah terhadap tujuh kaidah kulliyah-nya bertujuan untuk mencapai kemaslahatan umum dengan fokus utama memelihara harta, yang secara implisit disebutkan dalam beberapa akad mu'amalah, yaitu dalam akad mubadalah, ulfah, muwasah, mu'awanah, dan mudayanah. Akad-akad ini didorong oleh dua motif utama, yaitu memenuhi kebutuhan dasar manusia dan mencapai kemaslahatan umum di dunia dan akhirat. Penelitian ini berkontribusi dalam upaya memperkaya pendekatan normatif dan filosofis dalam membangun kerangka hukum ekonomi syariah yang adaptif dan kontekstual.

INTRDUCTION

In the development of the contemporary Islamic economy, there has been a strong tendency toward the formalization of contracts that places greater emphasis on legal validity from a fiqh perspective than on ethical substance and the objectives of *maqāṣid al-shari'ah*. Contracts such as *murabahah*, *ijarah*, and various other Islamic financial instruments are normatively considered valid; however, in practice, they often do not fully reflect the principles of justice, balance, transparency, and protection of weaker parties. This condition indicates a gap between the legal – formal structure of Islamic economic law and the philosophical objectives of Sharia, which prioritize public welfare (*maṣlaḥah*). This academic concern has encouraged the need to reconstruct the approach to understanding contracts, not only based on normative legal provisions, but also on universal legal maxims (*qawa'id kulliyah*) oriented toward *maqāṣid al-shari'ah*.

In this context, the thought of Shah Wali Allah al – Dihlawi (d. 1176 H) becomes relevant to be reexamined, as he offered an integrative approach that combines Sharia, rationality, and social realities in formulating the principles of *mu'amalah* law. Therefore, this study does not merely position al – Dihlawi's thought as a historical discourse, but seeks to operationalize the *qawa'id kulliyah* he formulated as a normative – philosophical framework for evaluating and reconstructing contractual practices in the contemporary Islamic economy, so that they are more aligned with the values of justice and public welfare, which constitute the essential spirit of *maqāṣid al-shari'ah*.

Islamic economic law integrates Islamic spiritual and ethical values into transactions, with contracts (*'uqūd*) serving as the primary instruments that reflect justice, honesty, and public welfare. The study of the universal principles of contracts is therefore important to ensure their conformity with *maqāṣid al-shari'ah*.

Sayyid Sabiq, in the introduction to *Hujjah Allah al – Balighah* by Shah Wali Allah al – Dihlawi, states that the work reveals the secrets and philosophy of Islamic law through an extraordinary style of writing and clear arguments.¹ Shah Wali Allah al – Dihlawi (d. 1176 H) explains that his work encompasses the philosophy of life, including the domain of *mu'amalah* contracts, as reflected in the interrelation between public welfare and benevolence within his *qawa'id kulliyah* concerning *mu'amalah* contracts.

Shah Wali Allah al – Dihlawi, an eighteenth – century reformist scholar from India inspired by Ahmad Sirhindi, emphasized the importance of emulating the governance of the *Khulafa al-Rashidin* in political life. He referred to Al – Ghazali and Ibn Taymiyyah in combating *taqlid*, and he also rejected monopolistic economic practices that harmed society. In his economic thought, many of his ideas are found in his work *Al – Budur al – Bazighah*, particularly through the more widely known concept of *al-irtifaqat*. Although this concept is also mentioned in *Hujjah Allah al – Balighah*, the discussion there is relatively limited.

The economic thought of Shah Wali Allah al – Dihlawi is relevant to the theory of *maqāṣid al-shari'ah*, which aims to achieve just and sustainable economic welfare. The principles of *maqāṣid*, such as the protection of wealth and equitable distribution of resources, serve as the foundation for the implementation of the Islamic economy, including Islamic banking, halal investment, and zakat, in order to promote public welfare within society.

¹ Shah Wali Allah Al – Dihlawi, *Hujjah Allah Al-Balighah (1)*, Cet – 1 (Beirut: Dar al – Jail, 2005).

Research on Shah Wali Allah al – Dihlawi from the perspective of the philosophy of Islamic economic law remains limited. This approach, together with the study of *qawa'id kulliyah*, is important for understanding Islamic law, including *mu'amalah* contracts, as well as for developing a flexible understanding of Islamic economic law and practical legal solutions. This study is expected to identify the contribution of al – Dihlawi's *qawa'id kulliyah* in establishing philosophical and normative foundations for *mu'amalah* contracts. Furthermore, this research has the potential to provide guidance for contracts that not only fulfill the formal requirements of Sharia but also emphasize the values of justice and public welfare in accordance with the spirit of *maqasid al-shari'ah*.

This study aims to examine Shah Wali Allah al – Dihlawi's explanation of the *qawa'id kulliyah* concerning *mu'amalah* contracts in his work Hujjah Allah al – Balighah, as well as to analyze these *qawa'id kulliyah* from the perspective of the philosophy of Islamic economic law in relation to *mu'amalah* contracts.

Research on Shah Wali Allah al – Dihlawi has previously been conducted; however, no study has specifically examined the *qawa'id kulliyah* in his work Hujjah Allah al – Balighah through the perspective of the philosophy of Islamic economic law.

Several studies on this subject have been conducted, including those by Hammad al – Atiyah,² Zubair,³ H. Ghazali Munir,⁴ Khalid Usman Hamdamin,⁵ Mohd Arif Nazri, dkk.⁶, Nirwan Hamid,⁷ Sayyid Abdul Mazid al – Gauri,⁸ Hasan Ahmad Ibrahim,⁹ Abdul Azim Islahi,¹⁰ Ahmad al – Nadwi,¹¹ Abdul Djalal,¹² Dian Aulia Nengrum,¹³ Mohd Nazri, dkk.¹⁴,

² Syaikhah Hammad Al – Atiyah, "Al – Imam Syah Shah Wali Allah Al – Dahlawi Wa Juhuduhu Fi Khidmat Al – Sunnah Al – Nabawiyyah," *Majallah Kuliyyah Al-Syariah Wa Al-Dirasah Al-Islamiyyah Jamiah Qatar* 26 (2008): 16 – 106.

³ Zubair, "Musahamah Al – Syah Shah Wali Allah Al – Dahlawi Fi Al – Adab Al – Arabi Ala Hujjah Allah Al – Balighah" (Jamiah Kalyakut, 2008).

⁴ Ghazali Munir, "Pemikiran Pembaruan Teologi Islam Syah Wali Allah Ad – Dahlawi," *Jurnal THEOLOGIA* 23, no. 1 (2012): 17 – 35, <https://doi.org/10.21580/teo.2012.23.1.1757>.

⁵ Khalid Usman Hamdamin, "Khittat Bahs Al – Syah Shah Wali Allah Al – Dahlawi Wa Arauhu Al – Kalamiah" (Jamiah al – Qahirah, 2013).

⁶ Mohd Arif Nazri et al., "The Intellectuality of Al – Dihlawi: A Review on His Contribution in Science of Prophetic Tradition," *Mediterranean Journal of Social Sciences* 6, no. 5S1 (2015): 302 – 8, <https://doi.org/10.5901/mjss.2015.v6n5s1p302>.

⁷ Hamid, "Pembaharuan Islam Di India."

⁸ Sayyid Abdul Majid Al – Gauri, "Al – Imam Syah Shah Wali Allah Al – Dihlawi Wa Juhuduhu Fi Al – Qur'an Al – Karim Tafsiran Wa Tarjamatun Wa Ta'silan," *Wahdat Al-Ummah* 7 (2016): 198 – 231.

⁹ Hasan Ahmad Ibrahim, "Al – Syekh Wa Al – Syah : Muqaranat Auliyyatun Fi Al – Irs Al – Fikri Li Muhammad Abd Al – Wahhab Wa Shah Wali Allah Al – Dihlawi," *Majallah Al-Islam Fi Asia Al-Jamiah Al-Alimiyyah Al-Maliziyyah* 13, no. 1 (2016): 1 – 25.

¹⁰ Abdul Azim Islahi, "Shari' Āh Maxims Modern Applications in Islamic Finance," *JKAU: Islamic Economic* 27, no. 2 (2014): 144 – 54, <https://doi.org/10.4197..hlm.65>.

¹¹ (Al – 'Ala, 2016 : 207)

¹² Abdul Djalal, "Shaykh Waliyulah Al – Dihlawi Dan Konsep – Konsep Kunci Dalam Penafsiran Al – Qu'an," *Mutawatir : Jurnal Keilmuan Tafsir Hadis* 8, no. a (2018): 124 – 42.

¹³ Dian Aulia Nengrum, "Tingkatan Kitab Hadis Pertama : Studi Atas Pemikiran Syah Wali Allah Al – Dihlawi Dalam Kitab Hujjah Allah Al – Balighah" (UIN Sunan Kalijaga Yogyakarta, 2018).

¹⁴ Noraini Junoh, Mohd Nazri Mat Zin, and Ibrahim Hashim, "Konsep Nubuwwah Menurut Shah Wali Allah Al – Dihlawi," *Journal of Fatwa Management and Research*, 2018, 265 – 87, <https://doi.org/10.33102/jfatwa.vol13no1.144>.

Noraini Junoh, dkk.¹⁵, Muhammad Ulul Azmi dan Syamsuri.¹⁶, Fatichatus Sa'diyah.¹⁷, M. Ihsan.¹⁸, Johar Arifin dan M. Ridwan Hasbi.¹⁹, Muhammad Rafi.²⁰, Simon Leese.²¹, Munir Mahir al – Syatiri.²², Abdul Gafur, Ansharullah, dan Fahrudin.²³, Ikhsan Nur.²⁴, Nur Shadiq Sandimula.²⁵, Aklily Narmi, dkk.²⁶, Noraini Junoh, dkk.²⁷, Iyad Hamza Hussein al – Akaidi dan Hanaa Mahmoud Ismail al – Janabi.²⁸, Aiman Mahmud Abdullah.²⁹,

¹⁵ Noraini Junoh & Nor Asmira Mat Jusoh, "Falsafah Ibadat Solat Berdasarkan Al – Sunnah: Analisis Pandangan Shah Wali Allah Al – Dihlawi," *Journal of Fatwa Management and Research*, 2018, 139 – 54.

¹⁶ Muhammad Ulul Azmi and Syamsuri Syamsuri, "Pemikiran Al – Irtifaqat Shah Wali Allah Al – Dahlawi Dalam Kembangun Peradaban Ekonomi Umat Islam.," *JESI (Jurnal Ekonomi Syariah Indonesia)* 9, no. 1 (2019): 20 – 29, [https://doi.org/10.21927/jesi.2019.9\(1\).20-29](https://doi.org/10.21927/jesi.2019.9(1).20-29).

¹⁷ Fatichatus Sa'diyah, "Pemikiran Hadis Shbh Walo Allah Al – Dahlawo Tentang Metode Pemahaman Hadis," *Jurnal Studi Ilmu-Ilmu Al-Qur'an Dan Hadis* 20, no. 2 (2019): 163 – 86, <https://doi.org/10.14421/qh.2019.2002-03>.

¹⁸ M. . Ihsan, "Ikhtilaf Sahabat Menurut Syah Shah Wali Allah Al – Dahlawi Dan Pengaruhnya Terhadap Perkembangan Ijtihad Dalam Aspek Hukum Keluarga," *Hukum Islam* 20, no. 2 (2020): 255 – 78, <https://doi.org/10.24014/jhi.v20i2.9760>.

¹⁹ Johar Arifin & M. Ridwan Hasbi, "Klasifikasi Sunnah Tasyri ' Iyah Dan Ghairu Tasyri ' Iyah Perspektif Pemikiran Ahmad Syah Shah Wali Allah Al – Dahlawi," *Aln-Nida* 43, no. 1 (2020): 16 – 36.

²⁰ Muhammad Rafi, "Konsep Nasikh Wa Mansukh Menurut Syah Wali Allah," *Jurnal Ilmiah Mahasiswa Raushan Fikr* 9, no. 2 (2020).

²¹ Simon Leese, "Arabic Utterances in a Multilingual World: Shah Walī – Allah and Qur'anic Translatability in North India," *Translation Studies* 14, no. 2 (2021): 242 – 61, <https://doi.org/10.1080/14781700.2021.1919192>.

²² Munir Mahir Al – Syatiri, "Al – Afkar Al – Iqtisadiyyah Inda Al – Imam Ahmad Bin Abd Al – Rahim Al – Dihlawi Fi Kitabih Hujjah Allah Al – Balighah," *International Journal of Al-Turath In Islamic* 2, no. 1 (2021): 38 – 78.

²³ Abdul Gafur, Ansharullah Ansharullah, and Fahrudin Fahrudin, "Riba Menurut Pemikiran Al – Gaz li, Ar – Razi, Ad – Dahlawi, Al – Maududi," *Journal Of Islamic And Law Studies* 6, no. 2 (2022), <https://doi.org/10.18592/jils.v6i2.8230>.

²⁴ Ikhsan Nur, "Shah Wali Allah Al – Dahlawi Muhdisan," *Al-Muashirah (Media Kajian Al-Qur'an Dan Al-Hadis Multi Perspektif)* 19, no. 2 (2022): 114 – 26.

²⁵ Nur Shadiq Sandimula, "Pemikiran Metafisika Syah Shah Wali Allah Al – Dihlawi," *Kalimah: Jurnal Studi Agama-Agama Dan Pemikiran Islam* 20, no. 1 (2022): 36 – 66.

²⁶ Akalily Narni ; Mohf. Zariat Abdul Rani ; Kamariah Kamarudin ; Pabiyah, "Sumbangan Shah Shah Wali Allah Al – Dihlawi Dalam Perkembangan Intelektual Islam Di Malaysia : Beberapa Perkembangan Mutakhir," *Journal of Al-Tamaddun* 17, no. 8 (2022): 97 – 108.

²⁷ Abdul Manam Mohamad Noraini Junoh, Ahmad Mushidi Mustapha, "Metodologi Penyusunan Kitab Hujjah Allah Al – Balighah Karya Shah Wali Allah Al – Dihlawi (1703 – 1762M)," *'Abqari Journal* 27 (2022): 210 – 28, <https://doi.org/10.33102/abqari.vol27no1.391>.

²⁸ Iyad hamza Hussein Al – Akaidi & Hanan Mahmoud Ismail Al – Jannah, "The Grammatical Approach Of Al – Tayyibi (743 Ah) In (Al – Kashif)," *International Journal of Education and Language Studies International Journal of Education and Language Studies*, 2023, 82 – 103, <https://doi.org/10.47832/2791-9323.3-4.8>.

²⁹ Aiman Mahmud Abdullah, "Maqasid Al – Syariah Al – Islamiyyah Inda Al – Syah Shah Wali Allah Al – Dahlawi Fi Bab Al – Saumi Wa Al – Hajji," *Majallah Kuliyyah Dar Al-Ulum Jamiah Al-Fayum* 64 (2023): 308 – 38.

Noraini Junoh, dkk.³⁰, Achmad Subkhan.³¹, dan Misbahullah Abdul Baqi.³², Maria Hermansen, ³³, dan Baljon.³⁴

None of these previous studies specifically discusses the theme examined in the present research. Nevertheless, there are four studies that are closely related to this research, although they differ in their analytical approach, namely as follows:

First, the work of Abdul Azim Islahi entitled "*Nazariyyat al-Irtifaqat 'Inda Shah Wali Allah al-Dihlawi*" in *Muhad}arat fi al-Iqtis}ad wa al-Tamwil al-Islami* explains five forms of wisdom (*hikmah*) within the theory of *al-irtifaqat*: 1) *Hikmah al-ma'ishah*, namely human welfare in life; 2) *Hikmah al-manziliyyah*, namely wisdom related to family life; 3) *Hikmah al-iktisabiyyah*, namely human efforts to fulfill the necessities of life through livelihood and occupation; 4) *Hikmah al-ta'amuliyyah*, namely the exchange of wealth through contracts such as *bay'*, *ijrah*, gifts, *qardh*, *rahn*, and *waqf*; and 5) *Hikmah al-ta'awuniyyah*, namely mutual assistance through contracts such as *kafalah*, *shirkah*, *wakalah*, and *ijarah*.³⁵

The work of Abdul Azim Islahi on al – Dihlawi's theory of *al-Irtifaqat* mainly focuses on its theoretical aspects. However, this theory contains implicit meanings that may be further developed into *qawa'id kulliyah* (universal legal principles). The thoughts of scholars such as Al – Suyuti, Ibn Nujaym, Ibn Rajab, and Al – Qarafi, who employed inductive reasoning in formulating legal maxims, may serve as important references for formulating universal principles in the Islamic economy, with an emphasis on public welfare and balance in accordance with the objectives of Sharia.

Second, the work of Ahmad al – Nadwi entitled "*Al-Ru'yat al-Maqasidiyyah 'Inda al-Imam Shah Wali Allah al-Dihlawi*" in *Muhad}arat fi al – Iqtis}ad wa al – Tamwil al – Islami* discusses the theory of *al-Irtifaqat* and its relationship with *maqasid al-shari'ah*. The study highlights the principle of ease and facilitation in *mu'amalah* in order to achieve objectives such as moderation, prevention of harm, and social welfare.

Third, the work of Muhammad Ulul Azmi and Syamsuri entitled "*Pemikiran al-Irtifaqat Shah Wali Allah al-Dihlawi dalam Membangun Peradaban Ekonomi Umat Islam*" explains that the concept of *al-Irtifaqat* developed by Shah Wali Allah al – Dihlawi contributes to the development of modern civilization by emphasizing economic cooperation, taxation, and the responsibility of the state. Although studies conducted by scholars such as Muhammad Ulul Azmi, Syamsuri, Abdul Azim Islahi, and Ahmad al – Nadwi have highlighted this theory, none of them has specifically connected it to the concept of *qawa'id kulliyah*.

³⁰ Noraini Junoh et al., "The Mid – Century Model of Critical Thinking: Shah Wali Allah Al – Dihlawi," *International Journal of Islamic Thought* 24, no. 1 (2023): 145 – 56, <https://doi.org/10.24035/ijit.24.2023.277>.

³¹ Achmad Subkhan, "Moderatisme Syah Shah Wali Allah Al – Dahlawi (Analisis Pemikirannya Dalam Kitab Al – Inshaf Fi Bayan Asbab Al – Ikhtilaf)," n.d., 1 – 20.

³² Misbahullah Abdul Baqi, "Al – Imam Shah Wali Allah Al – Dahlawi Wa Tarjamatuhu (Fath Al – Rahman Bi Tarjamah Al – Qur'an)," *Majallat Al-Buhus Li Al-Dirasah Al-Qur'aniyah* 6, no. 2 (n.d.): 80 – 83.

³³ Marcia Hermansen, "Sufism and Ethics in the Works of Shah Wali Allah," in *Mysticism and Ethics in Islam*, ed. and Mohammed Rustom Bilal Orfali, Atif Khalil (Beirut: AUB Press, n.d.), 308 – 23.

³⁴ Baljon J, M.S, *Religion and Thought of Shah Wali Allah Dihlawi*, ed. Krijn Peter Hesselin and Katinka Hesselink, 2012.

³⁵ Al – 'Ala, 2016 : 65.

Fourth, the work of Munir Mahir al-Syatiri entitled "*Al-Afkar al-Iqtisadiyyah 'Inda al-Imam Shah Wali Allah bin 'Abd al-Rahim al-Dihlawi fi Kitabihi Hujjah Allah al-Balighah*" concludes that Shah Wali Allah al-Dihlawi emphasized the importance of understanding *maqasid al-shari'ah* in the Islamic economy, including issues related to *zakat*, *riba*, *al-Irtifaqat*, and other Islamic economic policies. He also discusses the concepts of *isharah idariyyah*, *maliyyah*, and *iqtisadiyyah* in Hujjah Allah al-Balighah. However, al-Syatiri does not relate these concepts to *qawa'id Kulliyah*, even though such principles could deepen the understanding of the objectives of Sharia in the Islamic economy and strengthen *maqasid* for the development of Islamic economic civilization.

Studies on the thought of Shah Wali Allah al-Dihlawi in Hujjah Allah al-Balighah have developed quite extensively through various approaches. In general, these studies may be classified into three main tendencies. *First*, the theological and intellectual-historical approach, which focuses on the dimensions of Sufi ethics and theology, as carried out by Marcia Hermansen and J. M. S. Baljon, who emphasize the integration of Sufism, Sharia, and rationality within al-Dihlawi's intellectual framework and situate his thought within the broader context of Islamic intellectual history.

Second, the *maqasid* and normative economic approach developed by Abdul Azim Islahi and Ahmad al-Nadwi, which examines the theory of al-Irtifaqat and its relevance to the objectives of Sharia and social welfare. *Third*, the socio-economic and civilizational approach, as reflected in the works of Muhammad Ulul Azmi, Syamsuri, and Munir Mahir al-Syatiri, which highlights the contribution of al-Dihlawi's thought to the economic development of the Muslim community and to Islamic economic policy.

Although these studies have made important contributions, several significant academic gaps remain. *First*, most of the existing studies are still conceptual and descriptive in nature and have not yet formulated al-Dihlawi's thought into *qawa'id kulliyah* that are universal and operational. *Second*, there has been no systematic attempt to connect al-Dihlawi's philosophical ideas with the concrete structure of *mu'amalah* contracts in the contemporary Islamic economy. *Third*, the dimension of the philosophy of Islamic economic law—which includes the ontological, epistemological, and axiological aspects of contracts—has not yet been employed as the primary analytical framework in examining Hujjah Allah al-Balighah.

This article explicitly extracts the philosophical dimensions of economics from Hujjat Allah al-Balighah, which have thus far been relatively neglected. The study operationalizes these ideas into the form of *qawa'id kulliyah* that can be employed as analytical principles in *mu'amalah* contracts. Accordingly, the novelty of this research lies in two main aspects. *First*, it transforms al-Dihlawi's thought from a conceptual-philosophical framework into *qawa'id kulliyah* that are normative and operational within Islamic economic law. *Second*, it specifically focuses on the analysis of contemporary *mu'amalah* contracts—such as *murabahah* and *ijarah*—by using these *qawa'id Kulliyah* as evaluative tools to examine the conformity between Islamic economic practices and the principles of *maqasid al-shari'ah*. Through this approach, the study is not merely historical-descriptive, but also constructive-analytical in addressing the ethical and formalistic problems found in modern Islamic economic practices.

This article argues that the *qawa'id kulliyah* formulated by Shah Wali Allah al-Dihlawi in Hujjah Allah al-Balighah provide an ethical-teleological framework for *mu'amalah* contracts that not only transcends the legal-formal approach in Islamic

economic law, but is also capable of bridging the gap between fiqh norms and the objectives of *maqāṣid al-shari'ah* in contemporary economic practice.

METHODS

This study is a normative Islamic legal research employing conceptual and philosophical approaches. The philosophical approach in this study is not merely understood as an abstract inquiry, but is operationalized through an analysis of the intellectual structure of Shah Wali Allah al-Dihlawi in his works *Hujjah Allah al-Balighah* and *Al-Budur al-Bazighah* by using a combination of content analysis and a contextual hermeneutical approach. Content analysis is employed to identify, classify, and extract key concepts related to *qawa'id kulliyah* in *mu'amalah* contracts, while the hermeneutical approach is used to understand the meaning of the texts within al-Dihlawi's historical-intellectual context and simultaneously open the possibility for reinterpretation within contemporary contexts.

Technically, the philosophical analysis in this study is conducted through three stages. *First*, the stage of textual exploration, namely tracing and identifying universal legal maxims scattered throughout al-Dihlawi's works, whether explicit or implicit. *Second*, the stage of conceptual abstraction, namely formulating these principles into universal legal maxims through inductive reasoning by referring to the classical tradition of legal maxims, such as that developed by Al-Suyuti and Ibn Nujaym. *Third*, the stage of philosophical-prescriptive analysis, namely examining these principles within the framework of the philosophy of Islamic economic law, which includes ontological aspects (the nature of contracts), epistemological aspects (the sources and methods of legal determination), and axiological aspects (the objectives and values of public welfare).

The contextualization of al-Dihlawi's eighteenth-century thought into contemporary issues is carried out through an applicative hermeneutical approach, namely by connecting the formulated principles of *qawa'id kulliyah* with modern *mu'amalah* contract practices, such as *murabahah* and *ijarah*. In this regard, the text is not only understood within its historical context, but is also projected as a normative framework for analyzing actual problems in the Islamic economy, particularly those related to the tendency toward legal formalism and the insufficient emphasis on justice and *maqāṣid al-shari'ah*. Thus, this study does not stop at the historical reconstruction of thought, but moves toward the reinterpretation and actualization of concepts in responding to the challenges of the contemporary Islamic economy.

RESULT AND DISCUSSION

RESULT

Qawa'id Kulliyah of Shah Wali Allah al-Dihlawi in *Hujjah Allah al-Balighah* Concerning *Mu'amalah* Contracts

The *qawa'id kulliyah* formulated by Shah Wali Allah al-Dihlawi in *Hujjat Allah al-Balighah* provide an ethical-teleological framework for *mu'amalah* contracts that not only transcends the legal-formal approach in Islamic economic law, but is also capable of bridging the gap between fiqh norms and the objectives of *maqāṣid al-shari'ah* in contemporary economic practice. The following is the explanation:

*The First Qa'idah Kulliyah : The original principle in mu'amalah contracts is that when human needs become extensive and require a more complete system of fulfillment, it becomes difficult for each individual to independently fulfill and regulate those needs.*³⁶

The fundamental principle in *mu'amalah* contracts is that when human needs become increasingly complex and require greater perfection in their fulfillment, it becomes difficult for individuals to satisfy and manage them independently. This *qa'idah kulliyah* states that the greater the diversity of human needs, the greater the possibility of mutual assistance through contracts such as sale (*bay'*) and leasing (*ijarah*). The terms *mubadalah* and *mu'awadah* reflect the principles of reciprocal exchange and mutual benefit. Urgent necessity (*darurah*) may also affect the permissibility of certain contracts, even when they deviate from the standard principle of *qiyas*, as explained by Al – Suyuti.³⁷

Ibn Nujaym states that the contracts of *bay' al-salam* and *bay' al-istisna'* are permissible even though they appear to contradict the principle of *qiyas*, due to considerations of necessity and human need. In *bay' al-salam*, payment is made in advance while the goods are delivered later, whereas *bay' al-istisna'* relates to the ordered manufacture of specific goods. Ibn Nujaym also maintains that the contract of *bay' al-wafa* is valid as a means of avoiding *riba* practices.³⁸

Although Shah Wali Allah al – Dihlawi did not specifically compose works on legal maxims (*qawa'id fihiyyah*) in the same manner as classical scholars, his thoughts concerning legal principles, including *qawa'id kulliyah*, were influenced by the works of earlier scholars. The term he employed, *Qawa'id Kulliyah*, possesses a substance that is essentially similar to the concept of *Qawa'id Fiqhiyyah Kulliyah*.

The Second Qa'idah Kulliyah : The principal sources of livelihood are agriculture and livestock herding, followed by trade as a means of obtaining the various necessities required by society.

This *qa'idah kulliyah* explains that lawful livelihoods, such as agriculture, trade, and craftsmanship, possess virtuous value. Shah Wali Allah al – Dihlawi emphasizes that diligent labor, such as farming and cultivation, carries greater merit, in accordance with the prophetic tradition stating that the best income is that earned through one's own hands. Scholars, however, differed regarding the most virtuous occupation. Al – Mawardi and Ibn Hajar al – Asqalani regarded agriculture as the most excellent form of livelihood, while the Shafi'i school generally viewed trade as the best occupation.³⁹

The *qa'idah kulliyah* proposed by Shah Wali Allah al – Dihlawi seeks to complement the meaning of the prophetic tradition by positioning the products of human labor as objects of commercial activity. In other words, whatever is acquired through lawful effort may become an object of exchange or reciprocal compensation (*al-mubadalah*) in order to fulfill human needs and sustain social life.

*The Third Qa'idah Kulliyah : The more the soul is purified and the more individuals restrain themselves from excessive pleasure and luxury, the greater the margin of benefit and gain they will attain.*⁴⁰

³⁶Al – Dihlawi, 2005, 1 : 90.

³⁷ Jalaludin Al – Suyuti, "Al-Asybah wa al-Nazair fi Qawaid wa Furu' Fiqh al-Syafi'iah" (1), Cet – 2 (Riyad – Makkah al – Mukarramah: Riyad : Maktabah Nazar Mustafa al – Baz, 1997).

³⁸ Nujaim, 1999 : 78 – 79.

³⁹ Al – Asqalani, n.d., 4 : 304.

⁴⁰ Al – Dihlawi, 2005, 1 : 91.

This *qa'idah kulliyah* emphasizes the importance of contracts that are not merely aimed at pursuing worldly pleasure, but are also grounded in sincere intentions and the avoidance of hedonistic tendencies. Shah Wali Allah al – Dihlawi, although recognized as a reformer, did not oppose moderate Sufism. In fact, in his work *Izalah al – Khafa 'An Khilafat al – Khulafa*, he discusses Sufism through three principal teachings: righteous deeds, the cultivation of the heart and faith, and spiritual or supernatural dimensions that remain socially oriented and concerned with the welfare of society.⁴¹ In addition, other Sufi themes are also elaborated in his other work, such as *Al – Tafhimat al – Ilahiyyah*.⁴², "*Al-Qawl al-Jamil fi Bayani Sawa al-Sabil*".⁴³, "*Fuyud al-Haramain*".⁴⁴, "*Lamahatun*".⁴⁵, "*Al-Taf al-Qudsi fi Ma'rifat Lataif al-Nafsi*".⁴⁶

Through this *qa'idah*, Shah Wali Allah al – Dihlawi explains two important dimensions of opportunity. *First*, a strong inner capacity, namely the ability to resist one's desires, engage in self – reflection, and uphold responsibility. *Second*, external agreement or capacity, such as access to resources or specialized skills possessed by an individual. Al – Dihlawi emphasizes the balance between fulfilling worldly needs and preparing for the hereafter. Those who are able to maintain this balance will attain profit, which is not only related to business outcomes but also to a way of life that avoids excessive attachment to worldly pleasures. Such benefit leads to a good life in both this world and the hereafter.

The Fourth Qa'idah Kulliyah : The exchange of goods for goods is known as the contract of sale (bay'), while the exchange of goods for benefits is known as leasing (ijarah).

This *qa'idah kulliyah* explains the concept of reciprocal exchange (*mubadalah*), such as sale and lease contracts. A sale refers to the exchange of goods for money, while leasing refers to the exchange of goods for benefits, using money as the medium of exchange. Shah Wali Allah al – Dihlawi emphasizes that such contracts should be conducted with mutual affection, familiarity, and compassion. Although scholars use various terms for these contractual forms—such as *mubadalah*, *muqabalah*, and *mu'awadah*—al – Dihlawi prefers the term *mubadalah*, as these two forms of exchange are the most commonly practiced in social and economic life.

The Fifth Qa'idah Kulliyah : Familiarity and social closeness often require giving assistance to those in need without expecting any reciprocal compensation.

This *qa'idah kulliyah* explains the concept of *ulfah* contracts, such as *'ariyah* (lending) and *hibah* (gift), which aim to strengthen social bonds without any form of compensation from the recipient. In contrast to *mubadalah* contracts, *ulfah* contracts are more focused on fostering intimacy, solidarity, and social cohesion. Shah Wali Allah al – Dihlawi also refers to *muwasah* contracts, such as *ṣadaqah* (charity), which are intended to express empathy and support for those in need.

Classical jurists define *hibah* as the transfer of property without any compensation. The scholars of the Ḥanafī, Maliki, Shafī'i, and Ḥanbali schools present similar definitions, although some add that *hibah* refers to property that can be utilized without any counter – value. Ibn Qudamah distinguishes between *hibah*, *ṣadaqah*, and *hadiyah* based on their

⁴¹ Al – Dihlawi, 2013b, IV : 7 – 9.

⁴² Al – Dihlawi, 1936.

⁴³ Al – Dihlawi, n.d. – d.

⁴⁴ Al – Dihlawi, n.d. – b.

⁴⁵ Al – Dihlawi, n.d. – c.

⁴⁶ Al – Dihlawi, n.d. – a

respective intentions, with *hibah* generally intended to express affection and love. Although these three contracts differ in purpose, they are generally considered recommended (*sunnah*), except for obligatory charity such as zakat. Shah Wali Allah al-Dihlawi agrees with the classical jurists' views regarding *hibah* and *ṣadaqah*, which differ fundamentally from *mubadalah* – based contracts.

The Sixth Qaidah Kulliyah : A person who is under pressing necessity may be unable to complete their livelihood without assistance from others.

This *qa'idah kulliyah* explains contracts related to mutual cooperation in fulfilling human needs, which Shah Wali Allah al-Dihlawi refers to as '*uqūd al-mu'awanah* (cooperative contracts), such as *muzara'ah*, *muḍarabah*, *ijarah*, *shirkah*, and *wakalah*. The contract of *wakalah* can function either as a gratuitous contract (*tabarru'*) without compensation or as an exchange – based contract (*mu'awadāh*) when a fee is agreed upon. Al-Dihlawi emphasizes that justice in *wakalah* contracts is essential to prevent betrayal (*khiyanah*) and injustice (*zulm*).

*The Seventh Qa'idah Kulliyah : The existence of needs related to debt and credit transactions makes it necessary to provide testimony, written records, and documentation.*⁴⁷

This *qa'idah kulliyah* explains *muḍayanah* (debt – based contracts), which include *rahn* (collateralized debt), *kafalah* (guarantee of payment by a third party), and *hiwalah* (transfer of debt). These contracts require witnesses, written evidence, or other instruments of trust reinforcement. *Rahn* specifically requires an asset as collateral, while *kafalah* and *hiwalah* generally rely on witnesses or written documentation to ensure legal certainty and prevent disputes.

Shah Wali Allah al-Dihlawi states that the seven *qawa'id kulliyah* are, from a philosophical perspective, aimed at harmonizing worldly (*dunyawi*) and otherworldly (*ukhrawi*) transactions. His approach is influenced by Sufism, philosophy, and theology, and is more oriented toward *ḥikmah* (wisdom and underlying meanings) and spiritual insight rather than purely formal fiqh rulings.

The first principle discusses the original ruling of *mu'amalah*, the second concerns the most virtuous professions, and the third addresses the balance between worldly and hereafter – oriented life. Meanwhile, the fourth to seventh principles elaborate on the main types of *mu'amalah* contracts commonly practiced in society. This approach is similar in character to the work of Ali al-Jurjawi in his "*Hikmat al-Tashri' wa Falsafatuhu*", which emphasizes the wisdom and philosophical dimensions underlying Islamic legal rulings.

DISCUSSION

Ibn Manzur explains that the term *al-falsafah* is understood as *al-ḥikmah* (wisdom). A person who engages in philosophy is called *al-faylasūf*, and its plural form is *al-falasifah*.⁴⁸ Louis Ma'luf defines the term *al-ḥikmah* as elegance and intellectual precision in scientific matters. Meanwhile, the word *al-falsafah* originates from Greek, derived from *philia* meaning love, and *sophia* meaning wisdom. Thus, *al-falsafah* is understood as the love of wisdom (*maḥabbat al-ḥikmah*).⁴⁹

⁴⁷ Al-Dihlawi, 2005, 1 :91.

⁴⁸ Manzur, n.d., IX : 273.

⁴⁹ Makluf, n.d.: 593.

Juhaya S. Praja explains that the term *philosophy* originates from the Greek word *philosophia*, which means "love of wisdom." This term was later absorbed into Arabic as *falsafah*, which carries the meaning *ḥubb al-ḥikmah*—that is, the love of wisdom.⁵⁰ Juhaya S. Praja states that the object of Islamic legal philosophy is divided into two categories: theoretical and practical objects. One of the theoretical objects is Islamic legal maxims (*qawa'id fiqhiyyah*). Meanwhile, one of the practical objects concerns questions such as why humans engage in *mu'amalah*, and what meanings, secrets, and wisdom (*ḥikmah*) are contained in contracts such as *bay'* (sale) and *ijarah* (leasing).⁵¹

This study focuses on the principles found in Hujjat Allah al – Balighah, particularly the *qawa'id kulliyah*, as well as the underlying secrets and wisdom (*ḥikmah*) contained in *mu'amalah* contracts as expressed within those principles. Both the theoretical and practical objects of Islamic legal philosophy are considered in this study; however, the research is specifically limited to the theoretical aspect related to these *qawa'id*.

In this study, the term *Islamic legal philosophy* refers specifically to the philosophy of Islamic economic law, particularly in relation to *mu'amalah* contracts within the *qawa'id kulliyah* of Shah Wali Allah al – Dihlawi. His work Hujjah Allah al – Balighah is well known for containing the underlying wisdom (*asrar al-shari'ah*) and the objectives of Islamic law (*maqasid al-shari'ah*), a perspective that is further supported by his other work Al – Budur al – Bazighah.

The philosophy of Islamic economic law emphasizes the unity of the relationship between God, human beings, and nature within a harmonious framework. Islamic economics is grounded in divine and human values that give rise to economic behavior oriented toward public welfare (*maṣlaḥah*), justice (*'adl*), and mutual benefit.⁵²

From a philosophical perspective, Islamic economic procedural law must be integrated with and aligned to substantive Islamic economic law, both in terms of principles, legal maxims, norms, and the underlying values that form its foundation.⁵³

The Islamic economic system has a philosophical foundation that differs from both conventional liberal and socialist economic systems. Islamic economic law contains a divine dimension aimed at achieving *falah* (well-being in this world and the hereafter) through Islamic economic values. These values are formulated into four main ethical axioms, namely *tawḥid* (unity), balance, freedom of will, and responsibility.⁵⁴

⁵⁰ Praja, 1995 : 1.

⁵¹ Praja, 1995 : 15 – 16.

⁵² Tobroni Hisam Ahyani, Memet Slamet, "Building the Values of Rahmatan Lil ' Alamin for Indonesian Economic Development at 4 . 0 Era from the Perspective of Philosophy and Islamic Economic Law Abstract : Keywords : Abstrak : Kata Kunci ;," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 16, no. 1 (2021): 111 – 36, <https://doi.org/http://doi.org/10.19105/al-lhkam.v16i1.4550>.

⁵³ Sofyan Hasan Cik Basir, Joni Emirzon, Muhammad Syarifuddin, "Reconstruction of Sharia Economic Procedural Law in Indonesia and Comparison of Sharia Economic Cases in Malaysia and Indonesia," *Nurani : Jurnal Kajian Syari'ah Dan Masyarakat* 24, no. 1 (2024): 17 – 36, <https://doi.org/https://doi.org/10.19109/nurani.v24i1.22625>.

⁵⁴ Tri Hidayati, Masyithah Umar, and Fathurrahman Azhari, "Political Reorientation of Indonesian Sharia Economic Law : Legal Politics of Trade Law on Sharia Multilevel Marketing," *Mazahib : Jurnal Pemikiran Hukum Islam* 21, no. 2 (2022): 245 – 90, <https://doi.org/http://doi.org/10.21093/mj.v21i2.4971>.

Islamic economic procedural law is a part of civil procedural law that functions to enforce substantive Islamic economic law through the religious courts and to ensure that disputes are resolved fairly in accordance with Sharia principles.⁵⁵

Islamic economic law permits business activities that are grounded in Islamic values and ethics, including social responsibility toward business actors, society, and the environment, in order to achieve fair and sustainable welfare.⁵⁶

One area of study in the philosophy of Islamic economic law concerns contemporary economic justice, which emphasizes the fair distribution of wealth, opportunities, and resources.⁵⁷

From the perspective of Islamic economic law, this issue is not only related to the validity of contracts (*'aqd*), but is also closely connected to *maqāṣid al-shari'ah*. It concerns how economic transactions can ensure justice, protect consumers, and avoid practices that are close to elements of gambling (*maysir*) and other prohibited elements.⁵⁸

Syukri Albani Nasution explains Islamic legal philosophy as a philosophical study of the nature, sources, principles, and benefits of Islamic law. This philosophy is divided into three parts: *First, falsafat al-shari'ah*, which discusses worship (*'ibadah*), transactions (*mu'amalah*), the secrets of law, and its legal consequences. *Second, falsafat al-tashri'*, which covers the sources, objectives, and legal maxims of Islamic law. *Third, hikmat al-tashri' wa falsafatuhu*, which is a deeper study of the application of law in practice. Islamic legal philosophy thus seeks to uncover the underlying wisdom of law through a philosophical approach, encompassing both ontological and epistemological dimensions.⁵⁹

Moh. Mufid states that the philosophical meaning of *mu'amalah* contracts is closely related to *maqāṣid al-shari'ah*, particularly in the effort to preserve wealth (*ḥifẓ al-mal*). The primary objective of these contracts is to create human welfare by balancing the circulation of wealth, rather than merely accumulating wealth in the hands of the wealthy.⁶⁰

Linking *mu'amalah* contracts to philosophy strengthens the understanding of the divine purpose in legislating these contracts. For example, a sale contract (*bay'*) fulfills human needs, both material and spiritual, based on the philosophical principle of reciprocal exchange. For this relationship to be legally valid, the contract must be concluded through offer (*ijab*) and acceptance (*qabūl*).⁶¹

⁵⁵ Cik Basir, Joni Emirzon, Muhammad Syarifuddin, "Reconstruction of Sharia Economic Procedural Law in Indonesia and Comparison of Sharia Economic Cases in Malaysia and Indonesia."

⁵⁶ Resty Okta Iman Sari Fauziah, Muhamad Harun, "Corporate Social Responsibility Programs in the Principles of Sharia Economic Law," *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 22, no. 2 (2012): 251 – 60, <https://doi.org/https://doi.org/10.19109/nurani.v22i2.14148>.

⁵⁷ Abdur Rozaki Suaidi, Ali Sodikin, "A Critique of Contemporary Economic Justice and Sharia Economic Law on The Tompangan Tradition," *Jurnal Hukum Islam* 22, no. 2 (2024): 249 – 80, <https://doi.org/https://doi.org/10.28918/jhi.v22i2.01>.

⁵⁸ Iwan Setiawan et al., "Legal and Ethical Analysis of Mystery Box Transactions in E – Commerce Platforms : A Sharia Economic Law Perspective," *El-Mashlahah* 15, no. 2 (2025): 325 – 46, <https://doi.org/10.23971/el-mashlahah.v15i2.9786>.

⁵⁹ Syukri Abdullah Nasution, *Filsafat Hukum Islam*, Edisi 1 Ce (Jakarta: Rajawali Pers, 2016).

⁶⁰ Moh. Mufid, *Filsafat Hukum Ekonomi Syariah (Kajian Ontologi, Epistemologi, Dan Aksiologi Akad-Akad Muamalah Kontemporer)*, Cet – 1 (Jakarta: Prenamedia Group, 2021).

⁶¹ Beni Rahmad, "Filsafat Hukum Islam Dalam Bidang Muamalah," n.d., 1 – 14.

Discussion of philosophy in contracts (*'aqd*) cannot be separated from the construction of the contract itself, which involves fundamental questions regarding the nature of the contract and the underlying wisdom (*hikmah*) that can be aligned with human reason. The philosophy of law in contracts is based on three principles. *First*, everything on earth belongs to Allah. *Second*, human beings as vicegerents (*khalifah*) have rights and responsibilities to utilize the earth's resources. *Third*, belief in the Day of Judgment encourages self-restraint to avoid harmful actions such as wastefulness and corruption.⁶²

Philosophy of law in contracts is rooted in fundamental principles: Allah as the sovereign of the universe, *tawhīd* which affirms that there is no deity except Allah, and faith in the Day of Judgment (*al-yawm al-akhir*).⁶³

Ridwan categorizes the philosophical construction of *mu'amalah* contracts into three types. *First*, exchange contracts (*'uqūd al-mu'awadāh*), such as *bay'* and *ijarah*, which are based on mutual interdependence among human beings. *Second*, partnership contracts (*'uqūd al-ishtirak*), such as *shirkah*, *muḍarabah*, and *muzara'ah*, which emphasize cooperation and mutual assistance in business and agriculture. *Third*, trust-based contracts (*'uqūd al-amanah*), such as *wadi'ah*, *rahn*, *wakalah*, *kafalah*, and *hiwalah*, which focus on mutual assistance and the safeguarding of trust.⁶⁴

The philosophy underlying *mu'amalah* contracts in the Compilation of Sharia Economic Law aims to pursue what is lawful (*halal*) and avoid what is prohibited (*haram*) in order to achieve public welfare (*maṣlaḥah*) in religion, life, intellect, lineage, and property.⁶⁵

The philosophy of the First *Qa'idah Kulliyah* explains that *mu'amalah* contracts are permitted to fulfill human necessities, which, if unmet, may lead to hardship in life. This aligns with the concept of public interest (*maṣlaḥah*) in *maqāṣid al-shari'ah* at the level of *ḥajiyat*, which in certain conditions may rise to the level of *ḍarūriyyat*.

The Second *Qa'idah Kulliyah* explains that professions such as agriculture and trade, which are used to fulfill livelihood needs, possess a higher degree of virtue because they involve effort and hard work. This is in line with the prophetic tradition stating that the best form of earning is that which comes from one's own labor.

The Third *Qa'idah Kulliyah* explains the importance of maintaining a balance between worldly affairs related to *mu'amalah* and otherworldly affairs connected to the hereafter. A person who is able to practice both will be considered successful.

The Fourth *Qa'idah Kulliyah* explains that exchange-based contracts such as sale (*bay'*) and lease (*ijarah*) function to fulfill human needs. A person may purchase goods when they have money, or lease them when they do not, while the owner of the goods may benefit by renting them out.

⁶² Ridwan, "Konstruksi Filosofis Akad – Akad Ekonomi Syariah," *IJTIHAD Jurnal Wacana Hukum Islam Dan Kemanusiaan* 15, no. 2 (2015): 257 – 74, <https://doi.org/10.18326/ijtihead.v15i2.257-274>.

⁶³ Ridwan.

⁶⁴ Ridwan.

⁶⁵ Nurhadi, "Filsafat Hukum Islam Akad Kompilasi Hukum Ekonomi Syariah (Analisis Maqasid Syariah Buku II Tentang Akad)," *Al-Amwal* 6, no. 2 (2017): 30 – 45.

The Fifth *Qa'idah Kulliyah* explains that *ulfah* and *muwasah* contracts aim to cultivate social care, prevent stinginess, and strengthen affection among people without distinction of ethnicity, religion, or race.

The Sixth *Qa'idah Kulliyah* states that *mu'awanah* contracts aim to develop the character of trustworthiness (*amanah*) and responsibility, as they are based on trust in cooperative relations among humans, while still grounded in mutual assistance.

The Seventh *Qa'idah Kulliyah* explains that *mudayanah* contracts aim to promote mutual assistance among people, but also require reinforcement of trust through witnesses, documentation, or written evidence as preventive measures to avoid disputes and potential betrayal in the future.

Shah Wali Allah al-Dihlawi also explicitly mentions the term *maqasid al-shari'ah* in his work *Al-Fawz al-Kabir fi Usul al-Tafsir*. In this work, it is stated that every legal ruling has a cause, and that within every command and prohibition there is an element of public benefit (*maṣlahah*).⁶⁶

According to Shah Wali Allah al-Dihlawi, Islamic law in *mu'amalah* contracts is aimed at achieving public welfare (*maṣlahah*), in accordance with *maqasid al-shari'ah*. For instance, the command to document contracts is intended to prevent forgetfulness and disputes, while the prohibition of uncertain sales (*gharar*) serves to prevent harm and financial loss.

Al-Dihlawi also identifies four ways of unlawfully acquiring wealth: 1) without a valid contract, 2) through prohibited contracts, 3) through transactions involving non-beneficial goods, and 4) through goods that cannot be properly delivered. Mutual consent in trade is established through offer and acceptance.⁶⁷

Shah Wali Allah al-Dihlawi cites a statement of 'Umar (ra) as narrated by Malik ibn Anas, which states that a person is not permitted to engage in trade in the market unless he has first acquired knowledge of religion.

Al-Dihlawi explains that the meaning of 'Umar's statement indicates the obligation for anyone intending to engage in business to first study and understand the legal rulings related to sales (*bay'*) and other commercial transactions.⁶⁸

Shah Wali Allah al-Dihlawi emphasizes that business practitioners are obliged to study the knowledge of *mu'amalah* and sales contracts, including matters of ḥalal and ḥaram, *gharar*, and *riba*, because business activities frequently involve contractual transactions. Although learning these rulings is a collective obligation (*farḍ kifayah*), for those who actively engage in business it becomes an individual obligation (*farḍ 'ayn*).

Maṣadir al-shari'ah and *maqasid al-shari'ah* prohibit the consumption of wealth through unlawful means in order to purify the soul, while also emphasizing mutual consent (*taraḍi*) in contracts to ensure their legal validity and binding nature, which can only be annulled through recognized rights of option (*khiyar*).

Hujjah Allah al-Balighah is well known for uncovering the underlying wisdom (*asrar al-shari'ah*) of Islamic law, including the wisdom found in *mu'amalah* contracts. In his work *Al-Budur al-Bazighah*, al-Dihlawi explains two main types of wisdom in *mu'amalah*: *ḥikmah ta'amuliyah*, found in contracts such as *bay'*, *hibah*, *ijarah*, *'ariyah*,

⁶⁶ Shah Wali Allah Al-Dahlawi, *Al-Fauz Al-Kabir Fi Usul Al-Tafsir*, Cet-1 (Damaskus-Suriah: Dar al-Ausani Li all-Dirasat al-Qur'aniah, 2008).

⁶⁷ Al-Dihlawi, 1983, II : 3.

⁶⁸ Al-Dihlawi, 2013, III : 335.

qard, and *rahn*; and *hikmah ta'awuniyah*, found in contracts such as *kafalah*, *muḍarabah*, *shirkah*, *wakalah*, and *ijarah*. These two types of wisdom are elaborated within the framework of the Fourth to Seventh *Qa'idah Kulliyah*.

The seven *qawa'id kulliyah* proposed by Shah Wali Allah al – Dihlawi—except for the Third *Qa'idah Kulliyah* which is closely related to Sufism—remain rooted in the legal maxims developed by classical jurists (*fuqaha*). Al – Dihlawi employs terms such as *mubadalah*, which is conceptually similar to *mu'awadah* in classical fiqh terminology. Nevertheless, his works are more focused on the underlying secrets (*asrar al-aḥkam*), philosophical meanings, and wisdom (*hikmah*) behind Islamic rulings, rather than detailed discussions of legal maxims or specific juristic rulings (*aḥkam al-juz'iyyah*), as highlighted by scholars such as Sayyid Sabiq.

The discussion of the seven *qawa'id kulliyah* formulated by al – Dihlawi in Hujjah Allah al – Balighah cannot be limited to a purely descriptive level, but must instead be critically interpreted within the context of contemporary economic developments.

The first *qa'idah*, which emphasizes necessity (*ḥajah*) as the basis for contractual flexibility, shows that *mu'amalah* law is adaptive to social dynamics. This makes it relevant for explaining the emergence of new forms of transactions in the digital economy such as fintech and e-commerce, although it still requires limits to ensure compliance with *maqāṣid al – shari'ah*.

The second *qa'idah*, which prioritizes productive activities such as agriculture and trade, can be understood as a critique of the speculative tendencies in the modern economy that are detached from the real sector.

The third *qa'idah* affirms the importance of ethical and spiritual dimensions in economic activity, which implicitly serves as a correction to contemporary Islamic economic practices that tend to be formalistic while neglecting substantive justice values.

The fourth *qa'idah* on *mubadalah* (exchange) can be extended to analyze digital transactions and non-physical assets, including cryptocurrency, by emphasizing principles of clarity, fairness, and avoidance of *gharar*.

The fifth *qa'idah*, related to *ulfah* and *muwasah*, highlights the importance of social solidarity in Islamic economics, which in the modern context can be linked to digital philanthropic practices such as online zakat and crowdfunding, although it still faces challenges of commercialization.

The sixth *qa'idah* on *mu'awanah* (cooperation) is relevant to collaborative economic models, but at the same time serves as a critical tool against inequality in risk and profit distribution in modern contracts.

The seventh *qa'idah* on *mudayanah* (debt relations) emphasizes transparency and documentation, which in the digital era can be actualized through electronic contracts and digital recording systems.

The discussion of the *qawa'id kulliyah* in Hujjah Allah al – Balighah by Shah Wali Allah al – Dihlawi does not stop at a purely normative – descriptive level, but must be contextualized within the dynamics of contemporary Islamic economic law.

From the perspective of legal philosophy, these principles can be read as an epistemological construction that emerges from the integration of revelation, rationality, and social reality, thereby producing a legal paradigm that is not merely textual, but also teleological and contextual.

For example, the principle of *mubadalah* (exchange) does not only explain classical forms of contracts such as sales (*bay'*) and leasing (*ijarah*), but can also serve as a basis

for analyzing modern transactions such as digital trade, fintech, and even cryptocurrency assets, by emphasizing justice, transparency, and avoidance of *gharar*.

Similarly, the principle of *mu'awanah* (cooperation) can be relevant to contemporary collaborative economic models, while the principle of *mudayanah* (debt relations) provides a normative foundation for the importance of written contracts and documentation systems in the digital era.

More broadly, from an axiological perspective, these *qawa'id kulliyah* offer a renewed value framework that integrates ethics, spirituality, and rationality in economic practice, thereby serving as a critique of the tendency toward legal formalism in contemporary Islamic economic systems.

Thus, the perspective of legal philosophy in this study does not merely examine *what* the content of the principles is, but also *how* their epistemological foundations are constructed, *what kind of paradigm* they propose, and *what values* they promote in responding to contemporary economic challenges.

This approach demonstrates that the *qawa'id kulliyah* of Shah Wali Allah al – Dihlawi have practical utility as both an evaluative and constructive framework for developing Islamic economic law that is more adaptive, substantive, and oriented toward *maqasid al-shari'ah*.

CONCLUSION

The study of the seven *qawa'id kulliyah* formulated by Shah Wali Allah al – Dihlawi in Hujjah Allah al – Balighah shows that *mu'amalah* contracts function not only as legal – formal instruments, but also as ethical – teleological means for achieving public welfare (*maṣlaḥah*) that integrates both worldly and otherworldly dimensions.

These principles represent a philosophical framework encompassing ontological aspects (the nature of contracts as socio – economic relations), epistemological aspects (the basis of legal reasoning grounded in *maqasid* and *hikmah*), and axiological aspects (the goals of justice and welfare).

Thus, al – Dihlawi's thought is not merely descriptive of classical *mu'amalah* practices, but also offers a normative paradigm that can be used to evaluate and reconstruct contemporary Islamic economic practices.

The theoretical implication of this finding is the need for a shift in Islamic economic law from a legalistic – formal orientation toward a more substantive philosophical – *maqasidi* approach. The *qa'idah kulliyah* of al – Dihlawi can serve as an analytical framework to bridge the gap between fiqh norms and the realities of modern economic practice, particularly in addressing the complexity of digital transactions and economic globalization.

Meanwhile, the practical implications include several important points.

First, in the field of regulation, institutions such as the National Sharia Council of the Indonesian Ulama Council may consider incorporating al – Dihlawi's philosophical approach as a complement to the normative fiqh approach in formulating fatwas, so that they do not focus solely on the legal validity of contracts, but also on substantive justice and public welfare.

Second, in the field of education, the curriculum of Islamic economic law needs to be developed by integrating the dimensions of legal philosophy and *maqasid al-shari'ah*, in order to produce a more critical and contextual understanding rather than a purely textual one.

Third, in the practice of Islamic financial institutions, these *qawa'id kulliyah* can be used as an evaluative instrument to assess the conformity of financial products and contracts with broader Islamic ethical principles.

Thus, the main contribution of this research is not only the identification of the *qawa'id kulliyah* of Shah Wali Allah al-Dihlawi, but also its actualization as a relevant philosophical framework for the development of Islamic economic law that is more adaptive, ethical, and oriented toward *maqasid al-shari'ah*.

This study recommends further research that is more specific, such as the analysis of the application of al-Dihlawi's *qawa'id kulliyah* in digital contracts, the influence of Sufi dimensions on Islamic business ethics, and the integration of philosophical approaches in the formulation of future Islamic economic policies and fatwas.

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The first author contributed to the formulation of the research idea, conceptual development, literature review, and content analysis. The second author contributed to the research methodology, review of research findings, and formulation of the conclusion. All authors were involved in the revision and refinement of the manuscript, approved the final version of the article to be published, and take full responsibility for the content and integrity of this article.

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DECLARATION OF INTERESTS STATEMENT

The authors declare that they have no personal, professional, or financial interests that could influence the objectivity of the findings or the content of this article. The authors also confirm that there is no conflict of interest in the research process, writing, or publication of this article. The entire content of the article has been prepared independently based on the principles of academic honesty and scientific integrity.

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During the preparation of this article, the authors used ChatGPT solely as an assisting tool to improve translation quality, paraphrasing, and language refinement. All outputs generated with the assistance of AI were carefully reviewed, checked, and edited by the authors to ensure accuracy of meaning, academic appropriateness, and scholarly integrity. The authors remain fully responsible for the entire content, arguments, data, and conclusions presented in this article.

ADDITIONAL INFORMATION

Correspondence and requests for materials should be addressed to:
enanghidayat17@gmail.com

ORCID

Enang Hidayat  <https://orcid.org/0000-0002-5038-794X>

Dadan  <https://orcid.org/0009-0005-7992-7224>

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