
IMPLEMENTATION OF USHUL FIQH AS A LEGAL BASIS FOR SOLVING SHARIA-BASED ECONOMIC PROBLEMS

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Abstract: *The purpose of this study is how models of the application of Usul Fiqh are used as a basic source for solving Sharia-based economic problems. Where Usul Fiqh has always been considered an essential discipline for Muslims, it lies in its position that it can easily understand modern economic laws that are not covered by other sciences. In addition, the science of Fiqh Ushul is considered to help understand and solve problems surrounding furu'iyah or fiqhyyah that continue to develop from time to time and from various uncertain situations and conditions. The method used in this study is qualitative, with a normative approach and analytical content. The primary source of this research is text documents related to this theme. The results of the study concluded that Ushul Fiqh is considered to be a solution to legitimize and provide support for the law regarding every economic activity in every field of the transaction (muamalah), as long as it adheres to the basic principles of law, namely not violating the text and maqhasid al-Sharia.*

Keywords: *implementation, ushul fiqh, problem-solving, sharia-based economy, Islamic law.*

INTRODUCTION

Islamic teachings are very comprehensive and cover all aspects of life, both in this world and the afterlife, including Aqidah, Akhlaq, and Sharia. Muamalah is the scope of sharia which regulates relations between humans or social relations. The field of muamalah fiqh is a complex scope that covers all aspects of dynamic human life [1].

Islamic economics as a science was born through a long process of scientific study, which initially gave rise to a pessimistic attitude towards the existence of Islamic economics in today's society. The reason is, that there is an opinion in society that there must be a dichotomy between religion and science. This includes the economy, but now it is starting to divide. Western economists are starting to realize the existence of Islamic economics as an economic science that gives a cool color to the world economy, where Islamic economics can be an alternative economic system that can remind people of their

welfare, apart from capitalist and socialist economies. a system that has been proven to be incorrect. able to improve public health [2]–[4].

The Islamic economy is built on Islam, therefore it is an inseparable part of Islam. As a derivative of the Islamic religion, Islamic Economics will follow Islam in various aspects. Islam is a system of outlook on life, where Islam has provided various complete rules for human life, including in the economic sector [5]. Economics in Islam is very important because the economy is one of the important factors that leads to the welfare of the people. Ismail al-Furuki's opinion quoted by Ahmad Dimiyati states that the economic activities of the people and prosperity are the ideals that Muslims want to achieve [6], [7].

Islamic economics education, there are several useful Islamic economics textbooks: Muhammad Abdullah Al-Arabi defines Islamic economics, namely a collection of general economic principles taken from the Koran and Sunnah. It is an economic development framework that includes land-based principles appropriate to the period and environment [8].

As is known, the application of ushul fiqh as a legal basis for resolving Sharia economic problems before the Law on Sharia Banking existed, the existence of Sharia Financial Institutions still refers to Law Number 7 of 1992 concerning Banking. 17 Sharia Commercial Banks still refer to Law Number 7 of 1992 concerning Banking. appears even though it does not have a special legal umbrella. The emergence of Sharia Commercial Banks at that time was based on the Policy Package of 27 October 1988 issued by Bank Indonesia [9].

For this reason, the problem in this study is how to apply Ushul Fiqh as a legal basis for solving sharia economic problems. The purpose of this study is to determine the application of Ushul Fiqh as a legal basis for solving Islamic economic problems.

Literature Review

Based on the literature review that has been carried out, several relevant studies were found, including research conducted by Fatkan Karim Atmaja explains that a person can avoid the abyss of taqlid by using the knowledge of ushul fiqh as a mujtahid uses it in concluding furu'. Likewise, what a muttabi' does in returning the furu' to the ushul. Ushul fiqh knowledge is still needed by fiqh experts or people who have studied a little or a lot about fiqh. Efforts to perfect the science of ushul fiqh occurred during the time of the companions and tabi'in through ijtihaad. Additions also occurred, especially during the time of Imam Syafi'i, who began publishing the famous ushul fiqh book known as ar-Risala. This book then became a reference for fiqh scholars in competing to record their ushul fiqh thoughts, starting from cases taught by Madzhab teachers to cases of society [10].

Research conducted by Nurhayati concluded that in understanding the concepts of sharia, fiqh, law, and ushul fiqh, because nowadays people find it difficult to differentiate between the words sharia, law, fiqh, and ushul fiqh, this research is limited to two main problems, namely: To what extent do you understand sharia, fiqh, law, and ushul fiqh? and what is the difference between sharia and fiqh? [11]. It is concluded that in understanding the concepts of sharia, fiqh, law, and ushul fiqh because currently, people find it difficult to differentiate between the words sharia, law, fiqh, and ushul fiqh, this research is limited to two main problems, namely: To what extent is the meaning of sharia, fiqh, law, and ushul fiqh? and what is the difference between sharia and fiqh?

This research shows that 1) what is meant by sharia is the way of life of Muslims, the decrees of Allah, and the provisions of His Messenger. Laws are regulations that regulate human behaviour in a society, these rules or norms are in the form of facts that grow and develop in society. Ushul fiqh means the origin of fiqh. Fiqh is a science that discusses various provisions and rules that can be used in exploring and formulating Islamic law

from its sources. 2) The difference between Sharia and Fiqh is that Sharia comes from the Qur'an and Sunnah, is fundamental, the law is Qath'i, and there is only one Sharia law, directly from Allah, which is now found in Al-Quran. Meanwhile, Fiqh is the result of human work which can change, is fundamental, laws can change, and there are many variations, originating from the Ijtihad of the fuqaha as a result of human understanding formulated by mujtahids [12]–[14].

Wahyudin's research explains that Ushul Fiqh is the mujtahid's understanding of the texts of the Qur'an and As-Sunnah. Different understandings of texts and different levels of knowledge and special skills have given rise to various schools of thought in the fiqh tradition. The method of understanding used also influences each stream of knowledge. The mutakalimin school emerged from the understanding of the Qur'an and Sunnah as outlined in the rules of fiqh. Meanwhile, the energy school bases its legalization on events that occur in society and is then guided by verses from the Koran and the Sunnah of the Prophet. End-to-end flow combines these two flows so that symbiosis occurs between them. Studying the flow of use of fiqh is interesting to find out more comprehensively how this science was developed and developed by mujtahids [15].

Furthermore, the research was conducted [16]. stated that Ushul Fikih for the Development of Sharia Economic Law is an activity that is vertically related to the creator (hablun min Allah) or commonly referred to as worship, and activities related horizontally to humans (Hablun Min An-Naas) or commonly called Mu'amalah. At the level of mu'amalah, every human being must have different interests, which as a result are prone to causing disputes, especially when it comes to property issues. This has certainly been anticipated by shari'a with rules such as those described in the rules of mawarist fiqh, iqtisadiyyah (economics), and so on, all of which are based on the principles of sharia. The birth of Sharia Economic Law as a follow-up to the enactment of Law Number 3 of 2006 concerning Amendments to Law Number 7 of 1989 concerning Religious Courts is very appropriate to accommodate the interests of Muslims in Indonesia who are beginning to realize the importance of applying sharia principles in every aspect of their lives [17].

Research conducted by Wawan Gunawan Abdul Wahid concluded that Islamic Economics is an entity of thought and practice that is currently growing in Muslim society. Each thought entity certainly has its methodology. Likewise with Islamic economics. Because Sharia economic products from the start were intended to be different from conventional economics, one of the differences is of course from the framework of thought called ushul fiqh. This paper presents the position of ushul fiqh in Islamic economic methodology. To emphasize the importance of this position, several examples of Sharia economic products are displayed which use an overall ushul fiqh perspective, showing products that are different from conventional economic products [18].

According to Ahmad Faisal et al, the prolonged economic recession due to the COVID-19 pandemic had a major impact on the quality of credit payments due to the decline in customers' ability to pay. To address problematic financing, the Indonesian government announced the implementation of restructuring to assist economic recovery through the provisions of Bank Indonesia (BI) and the Financial Services Authority (OJK) [19].

Furthermore, research conducted by Syahrifa Dwi Fitri, and Priyonggo Suseno, confirmed the Analysis of Fiqh and Islamic Business Law on the Management of Islamic Pension Funds. in the application of pension funds based on the Fatwa DSN MUI that has been issued, has explained that the management of Islamic pension funds in Indonesia is good from the perspective of fiqh and Islamic business contract law considering its basic purpose of mutual assistance and is complemented by the concept of sharia annuity in the form of tanahud so that it is allowed in its use as long as it is by the provisions in the fatwa. Then, to increase the development of Islamic pension funds in Indonesia, greater

support from the Government is needed, as well as the level of public literacy regarding Islamic financial instruments [20].

METHODOLOGY

The analysis of this article uses a qualitative approach through a review of relevant literature. The secondary data used is information from reference books and various electronic journal articles related to the study topic, namely Islamic law. In analyzing the data, the author uses analytical descriptions and interpretations based on data results obtained from literature studies [21]–[23].

This type of research method is also used to examine the application of Usul Fiqh as a legal basis for solving Shari'ah-based economic problems can involve several important stages. First, this research requires an in-depth analysis of the principles of Usul Fiqh that are relevant to economic issues, such as the principles of qiyas (analogy), istihsan (preference), maqasid al-shariah (the purpose of Shari'a), and others [12], [13], [24].

Second, this research will involve a literature study to collect data on the application of Ushul Fiqh in solving Shari'ah economic problems in various contexts and countries. This will include research into fatwas issued by clerics and fatwa institutions, as well as case studies on the implementation of the principles of Usul Fiqh in the economic life of Muslim communities.

Furthermore, this research method will involve field research, such as interviews with fiqh experts, practitioners of shari'ah economics, and other relevant stakeholders to gain a deeper understanding of how ushul fiqh is applied in solving shari'ah-based economic problems in the field [25]–[27].

In addition, this study will also use a comparative approach to compare the application of ushul fiqh in solving shari'ah economic problems in different countries or Muslim communities, to find common patterns and differences in these approaches.

Finally, data analysis will be conducted to evaluate the effectiveness and relevance of the application of Ushul Fiqh in solving Shari'ah economic problems, as well as to identify challenges and opportunities in implementing these principles more broadly. The conclusion of this study is expected to provide deeper insight into the role of Ushul Fiqh in shaping the legal framework for the Shari'ah economy as well as provide recommendations to improve its implementation and development in the future [13], [28], [29].

Table 1. Stages of Qualitative Research on Ushul Fiqh and Sharia Economics

Research Phase	Description
Identify the Problem	- Define the economic problem to be studied.
	- Compiling a conceptual framework based on the principles of syari'ah economics.
	- Determine the scope of research and the goals to be achieved.
Library Research	- Collect literature and sources related to the economic law of shari'ah and ushul fiqh.
	- Analyze theories and approaches in ushul fiqh that are relevant to the problem of the studied economy.
Research Methods	- Determine the research approach (qualitative, quantitative, or combined).

Research Phase	Description
	- Formulate data collection techniques (observation, interviews, documentation studies).
	- Identify respondents or research objects (umara', fuqaha', shari'ah economists).
Data Collection	- Make direct observations of Shari'ah-based economic practices.
	- Conduct interviews with related parties such as scholars and practitioners of shari'ah economics.
	- Collect secondary data from literature and related documents.
Data Analysis	- Analyze qualitative and quantitative data using the ushul fiqh approach.
	- Interpret the results of the analysis taking into account the principles of syari'ah economics.
Withdrawal of Conclusion	- Conclude research findings based on data analysis and theory of jurisprudence.
	- Presenting the implications of research results on solving Shari'ah-based economic problems.
Recommendations	- Provide recommendations for the application of shari'ah economic law in practice.
	- Present suggestions for further research development.

The table above provides a general framework for how a study on the application of Ushul Fiqh in Shari'ah economic law can be planned and implemented. Each stage has an important role in ensuring the quality and validity of the research.

RESULTS AND DISCUSSION

Definition of Ushul Fiqh

The two words that make up fiqh are ushul and fiqh. Etymologically, the word "ushul" comes from the word "ashl," which means "dash," "foundation," or "root." According to Arabic tradition, these two texts - ushul and fiqh - are referred to as Itti idlafah. This means that the two texts together provide insight into the ushul in fiqh, and can also be seen as one of the names of the basic principles of sharia. Ashl means "foundation" or "root". Al-Quran in Surah Ibrahim verse 24 [30].

Etymologically, fiqh is more closely related to the threshold of science. In the Al-Qur'an fiqh is mentioned in around 20 verses, including as explained in Surah Al-Taubah verse 122. This means: It is not appropriate for the believers to mobilize all their energy (on the battlefield). Why not set out from each group among them some people to deepen their knowledge of the religion and warn their people when they have returned to them so that they can protect themselves [31], [32].

Likewise in the Qur'an, Surah Hud verse 91: They said: "O Shu'aib, we do not know much about what you say and indeed we view you as the weakest among us; If it were not for your family we would have stoned you, and you would not be someone who has authority with us".

In connection with the meaning of fiqh mentioned above, in the Hadith of the Prophet Muhammad. It is also found, among others: Whoever Allah wishes to obtain goodness, He will give knowledge in religion. As for fiqh, according to the terminology as stated by Jamaluddin al-Asnawy (d.772 H), namely: the science that explains the practical laws of Sharia which are developed from detailed postulates. Contemporary ushul scholars, including Abd al-Wahhab Khallaf, provide an exclusive definition of fiqh, namely: A collection of practical Sharia laws derived from detailed postulates [32], [33].

Based on the above understanding, the definition of ushul fiqh in terminology, according to Abd al-Wahhab Khallaf, namely: A collection of laws of Shara" which are practical obtained from detailed arguments. terminology, according to Abd al-Wahhab Khallaf, namely: The science of qawaid (provisions) and discussions that are used as a means of obtaining shara'a laws regarding actions from detailed arguments [34], [35].

In the study of legal principles, consideration is also given to possible contradictions between the letter and spirit of the law. In addition, it discusses those who are hesitant and weak in their endeavours to enforce Sharia law. From the discussion of ushul and fiqh above, it can be seen that ushul fiqh is the science that discusses various kinds of disputes that must be resolved by a Muslim to determine and apply Sharia law based on the issue in dispute.

Purpose and Usefulness of Studying Ushul Fiqh Science

The goal that Ushul Fiqh has not fully realized is the application of the rules and the study of the relevant arguments to determine the applicable Sharia law that needs to be interpreted. With the help of the rules and studies of ushul fiqh, one can understand the texts of sharia and the applicable laws. In addition, with the help of its rules and studies, we can understand the reasons behind the sometimes obscure differences between them, as well as the difficulties that arise when there is a dispute between them [36].

With the rules and discussions of ushul fiqh science, you can understand the texts of sharia and the laws they contain, and with the rules and discussions, you can also find out the things that cause the disappearance of unclear (vague) propositions among the propositions, knowing also which propositions are won when there is a conflict between the propositions. Conversely, there are events for which there is no legal provision in the text that can be determined through aqliyah legal arguments, such as istihsan maslahat murlah, or other legal arguments. And you can also compare the results of the ijthad of the mujtahids with each other [37], [38].

The Urgency and Position of Ushul Fiqh Science

Principles and Application of Ushul Fiqh Every ulama agrees that ushul fiqh holds a crucial position in the study of sharia. In Al-Muwafaqat Imam Asy-Syatibi (d. 790 H) stated that studying useful fiqh is something that is dharuri (very important and very rarely needed) because through this knowledge the content and meaning of each fiqh can be understood. (Al-Qur'an and Hadith) and how to apply them. According to Al-Amidy in the book Al-Ihkam fi Ushulil Ahkam, whoever does not master the science of ushul fiqh, then his knowledge is doubtful because there is no way to know God's law except with the science of ushul fiqh [39].

Similarly, Imam Al-Ghazali said that the science of Ushul fiqh is one of the three sciences that must be mastered by every mujtahid scholar, the other two sciences are hadith and Arabic language. Prof Salam Madkur (Egypt), quoting Al-Razy, said that the science of ushul fiqh is the most important science that every mujtahid scholar must have [40].

In the science of ushul fiqh, various objects of study are studied, such as [41]:

- 1 The methods of ushul fiqh kulliyah are used in calculating the law and how to use it. By studying ushul fiqh, an Islamic economics scholar will know the ijthihad method of the scholars.
- 2 Sources of Islamic law; Al-Quran, Sunnah, Ijma' and methods of formulating Islamic law.
- 3 The concept of Ijthihad and the requirements of being a mujtahid scholar, as well as the concept of fatwa.
- 4 The concept of Qth'I and zhanniy in the Quran and Sunnah,
- 5 Prioritization of the validity of shara'i arguments, etc.

These things cannot be known without studying the science of Ushul Fiqh. Therefore, the purpose of studying Ushul Fiqh is to be able to know how to apply its rules and discuss the arguments in detail to obtain a decision on Islamic law, and to be able to understand the texts of sharia and the laws that it contains. In addition, it is also important to know how the law applies to events for which there is no legal provision in the text [\[42\]](#), [\[43\]](#).

Scope of Ushul Fiqh

Understanding the ruling of an argument is a global issue and is not limited to one particular argument in the Science of Ushul Fiqh for each individual. In this article, the main macro and micro postulates, sharia, provisions, and related levels are discussed. The study of law is done worldwide; it is not discussed in detail for each transaction. The topics discussed regarding law include types of law and their definitions; persons subject to law; stages of law; and objects subject to the law.

Knowledge of the four types of rulings, so can be used to understand the rulings of each of the four types of rulings, including the proofs and rulings of practice. Studying Islamic rulings requires a specialized discussion, rules for those who practice them, the behaviour of those who can practice them, and the legal requirements for doing so. The entire collection of knowledge regarding the use of rules and restrictions or rules is what later became the Science of Ushûl Fiqh. The purpose of the use of studying Ushul Fiqh with the existence of rules in Ushul Fiqh Science is to be applied to the detailed arguments of Islamic law and as a reference to the fiqh law resulting from the ijthihad of the scholars [\[44\]](#).

By applying the rules to the detailed arguments of shara', the contents of the Shara' texts can be understood and the rulings indicated can be known so that the law of action or action can be obtained from the texts [\[20\]](#). By applying these rules a path can also be determined as the solution (attitude) taken when faced with conflicting texts, so that the legal action of the text or texts can also be determined according to the solution taken. Similarly, the application of rules to propositions such as qiyas, istihsan, istishlah, istishab, and so on, can be obtained laws on actions that are not found in the Qur'an and Sunnah. From this point of view, it is clear that the purpose of Ushul Fiqh Science is to derive Sharia laws regarding actions from detailed evidence, as stated in the definition of Ushul Fiqh Science explained above [\[45\]](#).

Such uses of the science of ushul fiqh are still very popular. It is necessary, one might even say it is the main use because although the previous scholars have tried to issue laws on various issues, with the continuous change and development of times, as well as variations in the natural environment and social conditions in various regions, these factors are very likely to be the cause of the emergence of new legal issues; whose legal provisions are not found in the Qur'an and As-Sunnah and have never been considered by the previous scholars. To be able to make a legal judgment on such issues, one must know the rules and be able to apply them to the evidence [\[46\]](#).

History of Development and School of Ushul Fiqh

Ushul fiqh is the main component in producing legal products called fiqh because ushul fiqh is a provision or rule that must be used by mujtahids in producing fiqh. However, in reality, the preparation of fiqh was carried out earlier in the science of ushul fiqh. Therefore, it is necessary to understand the history of the growth and development of the science of ushul fiqh so that this is not expected to happen. will experience difficulties in understanding the relationship between fiqh and the science of ushul fiqh [47].

Ushul fiqh emerged at the same time as fiqh science, although in its formulation fiqh science preceded ushul fiqh. In essence, the existence of fiqh must be preceded by ushul fiqh, because ushul fiqh are the provisions that must be followed by mujtahids when producing their fiqh. However, its formulation as a scientific discipline then came from fiqh [48].

Based on a study of various events in the life of the Prophet Muhammad SAW. The conclusion is that he could carry out ijthihad and give a fatwa based on the personal opinion of the Apostle without revelation, especially in matters that were not directly related to legal issues. It's just that if the Prophet's ijthihad was wrong, then Allah revealed His revelation as truth or did not confirm it as a warning. Like the case of the Badr prisoners of war, the prophet chose the opinion of Abu Bakar Ash-Shiddiq to accept the ransom money and rejected the opinion of Umar bin Khattab by killing the prisoners of war, then a revelation came down that confirmed Umar's opinion, as depicted in Surah Al-Anfal verse 8. However, if revelation does not come down means the prophet's ijthihad is correct, and then the prophet's ijthihad becomes sunnah [49].

Ushul fiqh is the science of ijthihad regarding several problems that come and go in every era, sometimes cases arise that have never existed before, in other words, new problems that have no law in the Qur'an and Sunnah. Everyone is capable of ijthihad, of course, there are differences between ijthihad friends and ijthihad tabi'in and so on. It is the level of knowledge that can give weight to opinions that are determined to be accountable, if someone does the right ijthihad then he gets good prayers, if his ijthihad is wrong then he gets good. This means that Islam is a religion full of grace for the people of the Prophet Muhammad SAW [50].

The science of ushul fiqh has always developed in every era, starting from the time of the Companions until now. Mujtahids put forward strong arguments to each other as long as they do not conflict with Sharia. There were additions and even refinements to the science of ushul fiqh in the ijthihad of the companions and mujtahids after the companions, especially when Imam Syafi'i began writing the famous book of ushul fiqh with the title ar-Risala. as a reference for fiqh scholars competing to publish ushul fiqh thoughts ranging from things taught by Madzhab teachers to community cases [51].

The emergence of the science of ushul fiqh cannot be separated from the dynamics of Islamic legal thought in the 2nd century AH, especially those related to the discourse on Islamic legal istinbath methods. Some ulama reflects a disregard for the spirit of at-tasyri' or maqashid al-syari'ah, while other groups of ulama only rely on the spirit of at-tasyri' or maqashid al-syari'ah. Literal understanding in understanding the verses of the Koran and Sunnah. There are concerns that ijthihad will develop with an uncontrolled level of freedom of thought [52].

Ushul fiqh, also known as Islamic law or Islamic jurisprudence, is one of the most important branches of Islamic knowledge. This literature focuses on the application and interpretation of Islamic Sharia law in everyday life. Since the arrival of Islam, the field of ushul fiqh has experienced significant development. In the early stages, the followers of the Prophet Muhammad SAW were the first generation of Muslims who studied Sharia law secretly by observing and understanding hadith in various forms. After the death of

the Prophet Muhammad SAW, the prophet's followers continued to study and apply Islamic sharia law in their daily lives [53].

After that, ushul fiqh began to decline gradually in two generations of Muslims, namely tabi'in. Currently, the tabi'in have started to use the qiyas method. Some of them also began to develop methods used in the interpretation and application of Islamic law. In the following period, the growth of Islamic law accelerated with the emergence of Islamic scholars such as Imam Abu Hanifah, Imam Malik, Imam Al-Syafi'i, and Imam Ahmad bin Hanbal who wrote books on fiqh. Their stories were then made into a book to this day [54].

To what extent can it be said that Imam Syafi'i is the founder of ushul fiqh? There is even a theory that says that ushul fiqh has existed since fiqh was known because fiqh could not have emerged without the existence of sources and methods that can be used to understand it. It should be noted that after the death of the Prophet Muhammad SAW, the companions continued to try to compile and develop Islamic law based on the revelations received by the Prophet SAW. Next emerged the ulama and imams of the madzhab (school of fiqh) who then began to develop a more complex system of thought for understanding and applying Islamic law. The system developed includes ijthid (open and creative thinking) and qiyas (analogy). Until now, ushul fiqh continues to develop as a science that studies the basics of fiqh thought. He is an important part of Islamic studies and continues to make major contributions to understanding and applying Islamic law in everyday life [55].

Schools of Ushul Fiqh Science

Ushul fiqh as a technique in istinbath al-Ahkam was born from the womb of Islam with the knowledge of the mujtahids about the texts of the Qur'an and Sunnah. Various understandings of the text with different levels of experience and competence will give birth to various schools of ushul fiqh. Each of these schools is then influenced by the understanding approach adopted. For example, the mutakamin school is the result of knowledge of the Qur'an and sunnah which is expressed in fiqh norms. Then the ahnaf school relies on making decisions on events that occur in society so that it boils down to the words of the Qur'an and Sunnah. Furthermore, the Thariqatul Jam'i school connects the two schools, then creates a symbiotic relationship between the two [56].

The Ushul Fiqh School is certainly very interesting to study further. Moreover, this is about the comprehensive approach in which this discipline grew and was developed by the mujtahids. The closing of the door to ijthid resulted in a decline in the field of fiqh. This additional decline can be seen in works that no longer give rise to new schools of jurisprudence. However, unlike fiqh, ushul fiqh is increasingly imperfect. Historians then recorded and systematized Syafi'i's ushul fiqh [57].

As is known, the validity of fiqh is determined by its conformity with ushul fiqh as an ijthid approach. Because at that time this information was very important, especially as this knowledge was used as a weapon in scientific arguments in the field of fiqh. As previously mentioned, the Ar-Risala book has a fairly detailed description of ushul fiqh. Therefore, the scholars who emerged after the era of Imam ash-Shafi'i, both from the Shafi'iyah and from other schools, were responsible for expounding the basics of ash-Shafi'i's ushul fiqh [58], [59].

One thing that is important to remember is, that although ushul fiqh has experienced different evolutions and depends on the school of thought, the four main postulates emphasized by ash-Shafi'i, namely the Qur'an, sunnah, ijma', and qiyas, are everything. However, the usage threshold is adjusted to individual needs. As mentioned previously, the evolution of Islamic law has led to the emergence of two major madrasas: Thanqa/madrasah Asy-Syafi'iyah, also known as thariqah/madrasah mutakallimin, and Tariqah/madrasah Hanafiyah, also known as thariqah-Fuqaha [60], [61].

Legal Basis for Solving Sharia Economic Problems

The basis for judges in resolving Sharia economic cases is the basis of their legal authority to judge using Law Number 7 of 1989 concerning Religious Courts as amended by Law Number 3 of 2006 and Law Number 50 of 2009 jo [\[62\]](#).

The increasingly attractive and complex growth of the Sharia economy is starting to produce results. Sharia economic products, encouraging economic cooperation, of course, have an impact on alternative causes or solutions to the increasingly diverse Sharia economy. The causes of the collapse of the Sharia economy include default, the law of committing an act, loss to one of the parties, the presence of parties who are dissatisfied with the response which causes losses, and other causes as well as compelling circumstances. There is a strong hope that the Sharia economy will operate by its principles; However, this does not eliminate the possibility of discrepancies with expectations; Therefore, there must be clear and precise regulations to ensure the selection process does not occur. The settlement has the potential to provide legal protection to every organization [\[63\]](#), [\[64\]](#).

Settlement of Sharia economic settlements has been regulated with at least two settlement options, first, settlement of Sharia economic settlements through litigation, namely settlements that are resolved through court institutions using various procedural laws. second, non-litigation sharia economic settlement, namely settlement that is resolved outside of court as an alternative settlement which includes APS (alternative settlement) or what is called ADR (alternative dispute resolution), arbitration, and consumer institutions. One form of APS as a resolution of deliberation is a comprehensive explanation of deliberation from the aspect of Islamic law [\[65\]](#), [\[66\]](#).

The definition of deliberation is concept of deliberation is one of the Sharia messages that is highly emphasized in the Quran, its existence in various forms of human life patterns, both on a small scale, namely households consisting of small family members, as well as on a large scale, namely a state consisting of leaders and people. The concept of deliberation is the basis for upholding equal rights and obligations in human life, where leaders and people have the same rights to make binding regulations within the scope of social life. The importance of the concept of deliberation as an alternative to dispute resolution [\[67\]](#), [\[68\]](#).

The importance of the concept of deliberation as an alternative solution to sharia economics is emphasized in the Al-Qur'an that the concept of deliberation is a tradition of Muslims during the time of the prophet which must continue to be preserved in the order of life as it should be. is God's command conveyed to the prophet as one of the foundations of sharia which must continue to be upheld, especially in modern life [\[69\]](#), [\[70\]](#).

There are two non-litigation sharia economic settlements, namely settlements that are resolved outside of court as alternative settlements which include APS (alternative settlement settlement) or what is called ADR (alternative settlement settlement), arbitration, and consumer institutions. Settlement of Sharia economic settlements has been regulated by at least two settlement options, first, settlement of Sharia economic settlements through litigation, namely settlements that are resolved through institutions using various legal procedures [\[71\]](#).

The causes of the collapse of the Sharia economy include default, the law of committing an act, loss to one of the parties, the presence of parties who are dissatisfied with the response which causes losses, and other causes as well as compelling circumstances. The importance of the concept of deliberation as an alternative solution to sharia economics is emphasized in the Al-Qur'an that the concept of deliberation is a tradition of Muslims during the time of the prophet which must continue to be preserved

in the order of life as it should be. There is a strong hope that the Sharia economy will operate by its principles; However, this does not eliminate the possibility of discrepancies with expectations; Therefore, there must be clear and precise regulations to ensure the selection process does not occur [72]–[74].

CONCLUSION

The purpose of studying Ushul Fiqh with the rules in Ushul Fiqh Science is to apply it to detailed Islamic legal postulates and as a reference for fiqh law resulting from ijtihad. People will experience difficulties in understanding the relationship between fiqh and ushul fiqh science. Apart from that, with the help of these rules and studies, we can understand the reasons behind the sometimes unclear (vague) differences between these differences, as well as the difficulties that arise when events occur between these differences. The aim that has not been fully realized by Ushul Fiqh Science is the application of the rules and study of the relevant postulates to determine the applicable Sharia law and the need for peace. In addition, with the help of its rules and studies, we can understand the reasons behind the sometimes-obscure differences between them, as well as the difficulties that arise when there is a dispute between them. In Al-Muwafaqat, Imam Ash-Syatibi (d. 790 AH) stated that the study of ushul fiqh is something that is dharuri (very important and rarely necessary) because, through this knowledge, the content and meaning of every fiqh can be understood. The science of Ushul Fiqh is the application of the rules and the study of the relevant arguments to determine the sharia law that applies and needs to be interpreted in Islamic economic issues.

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Author Contribution

All authors contributed equally to the main contributor to this paper, some are as chairman, member, financier, article translator, and final editor. All authors read and approved the final paper.

Conflicts of Interest

All authors declare no conflict of interest.

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