

**ORPHAN WELFARE PROGRAMS: A COMPARATIVE ANALYSIS USING IMAM  
SHAFIE'S FRAMEWORK AND TALFIQ**

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**ABSTRACT**

The objective of this study is to do a thorough investigation of orphan welfare initiatives within the framework of Islamic finance, jurisprudence, and ethics. This study aims to assess the compatibility of these programmes with Islamic principles by applying Imam Shafie's framework and the notion of Talfiq within its scope. The utilisation of a literature review approach is employed in order to examine and investigate pre-existing programmes, regulations, and academic perspectives, so establishing a comprehensive and strong basis for subsequent study. The findings demonstrate a complex terrain, shedding light on the merits and constraints of two methodologies, namely Imam Shafie's framework and Talfiq, while evaluating the ethical and legal adherence of programmes aimed at supporting orphan welfare. The study provides suggestions for achieving coherence across different frameworks, capitalising on their individual merits and improving the well-being of orphaned children while adhering to Islamic beliefs. In summary, this research makes a valuable contribution to the ongoing discourse surrounding the optimal provision of support for orphaned children, while simultaneously acknowledging the varying legal perspectives within Islamic jurisprudence. Consequently, it presents a potential avenue for further advancement and enrichment of initiatives aimed at promoting the well-being of orphans, not only within Muslim societies but also in a broader global context.

**Keywords:** *Orphan Welfare Programs, Islamic Finance, Jurisprudence, Imam Shafie, Talfiq*

## **INTRODUCTION**

Orphan welfare programmes occupy a significant position within the ethical and humanitarian framework of countries predominantly composed of Muslims, exemplifying the continuous dedication of Islamic beliefs to providing support for the most susceptible individuals in the community. The well-being of orphaned individuals is not solely a matter of socio-economic importance, but rather a significant moral obligation that is deeply ingrained in the principles and teachings of Islam. In recent times, these programmes have undergone substantial development, adapting to shifting societal dynamics and the rise of Islamic financing as a potent catalyst for positive societal impact (Jawad, 2009). This study undertakes a thorough investigation of orphan welfare programmes, use the frameworks of Imam Shafie's jurisprudence and Talfiq to assess their alignment with Islamic ideals and principles.

The provision of assistance for orphans holds significant importance within the Islamic faith and historical context. (Azadarmaki, 2006). The Quran and Hadiths consistently underscore the significance of providing care for orphaned individuals, so exemplifying a compassionate and fair-minded stance towards matters of social justice. The concept of kafala, also known as sponsorship, has been observed since the era of the Prophet Muhammad. This practise serves as a demonstration of society's ethical responsibility to safeguard and foster individuals who have lost their fathers. The dedication to the well-being of orphans is not solely a matter of religious duty, but rather a legal and societal need in numerous nations with a Muslim majority. Contemporary programmes aimed at providing welfare for orphans have arisen within the present setting, with the objective of upholding Islamic principles while simultaneously addressing the complex needs of children who have lost their parents.

The convergence between Islamic finance and orphan welfare constitutes a fundamental component of our study. In recent years, there has been a notable expansion in the domain of Islamic finance, which presents a morally upright and Sharia-compliant substitute to conventional financial frameworks. In the context of this rapidly expanding domain, an inquiry emerges about the appropriate utilisation of Islamic finance to bolster orphan welfare initiatives (Askari, 2010). This study proposes that the integration of Islamic banking and orphan welfare has significant opportunities, since it enables financial transactions to be conducted in accordance with moral and ethical principles, thereby benefiting society as a whole.

The jurisprudential framework developed by Imam Shafie is considered a fundamental cornerstone of this subject (El-Gamal, 2007). Imam Shafie, a prominent figure of the four esteemed Imams in Sunni Islam, contributed a comprehensive and enduring framework for Islamic jurisprudence. The enduring impact of his ideas of qiyas (analogy), ijma (consensus) and istihsan (juridical preference) can be observed in their continued influence on legal interpretations within the realm of Islamic jurisprudence. This study aims to evaluate the congruence between orphan welfare programmes and core Islamic ideals, such as justice, equity and charity, through the utilisation of Imam Shafie's theoretical framework.

The notion of talfiq, which involves harmonising divergent legal opinions from different schools of Islamic thought, serves to complement the analytical framework of Imam

Shafie in this examination (Yilmaz, 2016). Within the domain of orphan welfare, where perspectives may differ, the concept of Talfiq presents a promising approach for reconciling conflicting opinions and improving the efficacy of initiatives. This study presents Talfiq as a supplementary framework for assessing and enhancing current programmes aimed at supporting orphans, taking into account the intricacies of various legal viewpoints within the Islamic heritage.

## **RESEARCH OBJECTIVES**

This study's primary objective is to evaluate the compatibility of orphan welfare programmes with Islamic principles, ethics and law. This includes a comprehensive examination of whether these programmes are consistent with fundamental Islamic values such as justice, equity and charity. The purpose of this study is to provide a thorough analysis of the ethical and legal conformity of orphan welfare initiatives within the context of Islamic teachings (Williams, 2010).

Another important objective is to conduct a comparative analysis of two distinct approaches to evaluating orphan welfare programmes which are Imam Shafie's framework and Talfiq. The research aims to elucidate the strengths and limitations of each approach and assess their efficacy in evaluating the ethical and legal aspects of these programmes (Schenk, 2009). This comparative analysis seeks to shed light on how these frameworks can be applied judiciously to improve orphan welfare within the confines of Islamic law.

The research aims to provide policymakers, Islamic financial institutions and non-governmental organisations actively engaged in orphan welfare with actionable recommendations (Natarajaan, 2020). These recommendations are intended to facilitate the development and improvement of orphan welfare programmes and will be founded on the study's findings. The research aims to contribute to ongoing efforts to improve the welfare and well-being of bereaved children in Muslim-majority countries and to better align these programmes with Islamic principles and values by providing actionable insights.

## **METHODOLOGY OF THIS RESEARCH**

The research methodology begins with a comprehensive literature review that serves as the study's foundation (Hancock, 2021). This phase involves the systematic investigation and analysis of existing scholarly works, reports, regulations and primary sources pertaining to orphan support programmes, Islamic finance, Islamic law and ethical considerations. The literature review will include historical and contemporary perspectives, as well as case studies from countries with a Muslim majority. This exhaustive analysis will facilitate a deeper understanding of the topic and aid in identifying key issues and knowledge deficits.

Using the insights garnered from the literature review as a foundation, this study employs a comparative analysis methodology (Wolfswinkel, 2013). It entails a thorough examination of two distinct but complementary frameworks which are Imam Shafie's legal framework and the Talfiq concept. These frameworks are utilised to assess the ethical and legal conformity of orphan welfare programmes with Islamic principles. The comparative analysis will evaluate the strengths and limitations of each framework in the context of

orphan welfare, identify areas of convergence and divergence and investigate how they can be effectively integrated to provide a thorough evaluation of these programmes.

## **LITERATURE REVIEW**

The historical evolution of Islamic civilizations has prominently featured the importance and longevity of orphan welfare, which serves as a reflection of the deeply ingrained social and moral principles inherent to Islam (Esposito, 2010). The historical backdrop of orphan welfare in Islamic nations is intricately linked to the life and teachings of the Prophet Muhammad, who experienced orphanhood during his formative years. The individual's personal encounters as an orphan and the notable display of deep empathy throughout their lifetime had a major impact on the manner in which orphans are treated within the Islamic faith. The Quranic teachings, namely the passages found in Surah Al-Baqarah, highlight the need of safeguarding and providing for orphaned individuals, hence emphasising the ethical and religious obligation associated with this responsibility.

During the formative period of Islam, the care and support of orphans were manifested through the establishment of the kafala system. Kafala is a term that denotes the customary arrangement of sponsorship or guardianship, when individuals or families willingly undertake the duty of ensuring the well-being and upbringing of children who have been orphaned. This practise not only served as a demonstration of the prophetic tradition, but also functioned as a mechanism to facilitate the integration of orphans into the wider community, ensuring their inclusion with respect and attention (Al-Qaraḍāwī, 1999). The aforementioned scenario serves as a demonstration of the communal obligation within the Muslim ummah (community) to cater to the needs of individuals who have experienced the loss of their parents.

Throughout history, Islamic cultures have experienced the formation of specialised charitable organisations and endowments, known as waqfs, with the explicit purpose of providing assistance to orphaned individuals (Singer, 2012). The aforementioned endowments played a pivotal role in providing financial support for orphanages, educational establishments and vocational training facilities. Furthermore, it should be noted that Islamic law has acknowledged and upheld the entitlements of orphans to inherit from the estates of their deceased parents, so guaranteeing their economic stability. The combination of individual acts of generosity, societal support and legal safeguards developed a comprehensive and permanent structure for orphan welfare in Islamic societies, reflecting the fundamental compassion and social justice principles of Islam.

In current times, orphan welfare programs in Muslim-majority nations have evolved to accommodate the complex needs of orphaned children within the backdrop of changing socioeconomic dynamics, urbanization and the advent of modern welfare systems (Chapra, 2000). These programmes demonstrate a combination of conventional Islamic principles and contemporary systems of government. A noteworthy characteristic entails the collaboration among governmental bodies, non-governmental organisations (NGOs) and Islamic financial institutions in establishing a comprehensive support framework for orphaned individuals.

Several nations with a Muslim-majority population have implemented specialised government institutions and ministries that are tasked with the responsibility of ensuring the

well-being and care of orphans (Mohsin, 2016). These agencies create and implement a range of projects, including cash stipends, educational support and healthcare services for orphans. These programmes have the objective of implementing a comprehensive approach to the well-being of orphaned individuals, with the dual purpose of granting them access to fundamental services and safeguarding their cultural and religious affiliations. Moreover, it is common for these nations to establish legal structures that safeguard the rights and inheritance of children who have lost their parents, so guaranteeing their economic security.

Non-governmental organisations (NGOs) play a vital role in enhancing and supporting the initiatives undertaken by governments in the realm of orphan welfare (Lekorwe, 2007). These organisations frequently offer further assistance, including psychiatric counselling, vocational training and mentorship programmes, with the aim of fostering self-sufficiency among orphaned individuals. In addition, there has been a notable emergence of Islamic finance institutions that are actively engaged in the creation of financial products adhering to Sharia principles (Roy, 1991). These products encompass various offerings such as takaful insurance, savings accounts and investment opportunities, all of which are specifically designed to cater to the financial need and future ambitions of orphaned children.

The current state of orphan assistance programmes in Muslim-majority nations demonstrates a deliberate endeavour to reconcile traditional beliefs with contemporary socio-economic circumstances (Islam, 2018). These organisations attempt to fulfil the Islamic duty of caring for orphans while harnessing the possibilities of Islamic finance and international partnerships to give comprehensive help to vulnerable youngsters. The adoption of this holistic strategy demonstrates the continued dedication of these nations to guarantee that orphaned children are provided with the necessary care and opportunity that align with Islamic beliefs and contemporary social welfare concepts.

Islamic finance plays a crucial role in helping orphan welfare by aligning financial transactions with ethical and Sharia-compliant standards (Ahmed, 2014). The ideals of fairness, risk-sharing and avoidance of interest (*riba*) inherent in this system make it very conducive to the advancement of social justice and philanthropic initiatives, such as the provision of support for orphans.

The notion of *zakat*, which is one of the Five Pillars of Islam, is a significant aspect of Islamic finance that contributes to the wellbeing of orphans. *Zakat* is an obligatory kind of charity giving that requires financially capable individuals who identify as Muslims to allocate a percentage of their money towards assisting those who are less fortunate, especially individuals who are orphaned. Islamic financial institutions frequently play a crucial role in the facilitation of *zakat* collection and distribution (Kailani, 2020), so assuring a steady and substantial flow of finances towards programmes dedicated to the welfare of orphans. The financial obligation, which is firmly grounded in Islamic heritage, plays a pivotal role in maintaining efforts aimed at supporting orphans.

*Takaful*, which serves as the Islamic counterpart to conventional insurance, also plays a substantial role in supporting the welfare of orphans (Kamil, 2014). *Takaful* firms provide insurance products that adhere to Sharia principles, offering financial security and assistance to orphaned children in the unfortunate circumstances of the demise or incapacitation of a primary income earner within their family unit. These goods provide reassurance to families and serve as a financial safeguard, guaranteeing access to school and healthcare for orphans,

even in difficult situations. Furthermore, the concepts of profit-sharing and cooperation inherent in *takaful* are in accordance with Islamic ethical values, thereby promoting a sense of communal support and mutual aid that might have positive implications for orphaned children.

Welfare programmes catering to orphans in nations with a Muslim majority are governed by a comprehensive set of legislation and guidelines designed to safeguard the welfare, security and entitlements of children who have lost their parents. The legal and regulatory frameworks are essential for upholding accountability, transparency and the efficient functioning of these programmes (Iqbal, 2011).

An illustrative case in point is the implementation of legal safeguards aimed at protecting the rights of orphaned individuals. Numerous nations with a Muslim majority population have enacted distinct legal frameworks and regulatory measures to address the rights pertaining to orphaned individuals (Karbani, 2015). Typically, these rules pertain to matters encompassing inheritance rights, guardianship and custody agreements. As an illustration, it is possible for legal provisions to specify that individuals without parents, sometimes referred to as orphans, possess the entitlement to inherit assets from the estates of their deceased parents. Additionally, these legal provisions may delineate the obligations and privileges bestowed upon legal guardians in relation to the care and protection of such orphans (Siddiqi, 2006). The legal measures in place aim to secure the financial interests and security of children who have lost their parents, with the objective of preventing any disadvantages they may face in terms of inheritance and family care.

Another illustrative instance was to the subject of Government Oversight and Licencing. Orphan welfare programmes frequently necessitate licences or authorization from governmental entities in order to function. These regulatory authorities are responsible for the oversight and management of orphanages, foster care programmes and other institutions that offer care and support to children who have been orphaned (Karim, 2013). Minimum requirements for living circumstances, education, healthcare and emotional support may be established by relevant authorities in order to protect the physical and emotional well-being of children who have been orphaned (Asutay, 2007). The implementation of routine inspections and the establishment of reporting obligations serve to guarantee the maintenance of these standards.

Another illustrative instance pertained to the concepts of transparency and accountability. Numerous legislation and guidelines place significant emphasis on the principles of transparency and accountability in the administration of funds and resources designated for programmes aimed at the welfare of orphaned individuals (Vogel, 1998). This encompasses the stipulations pertaining to financial reporting, audits and the divulgence of expenditures. Non-governmental organisations (NGOs) and charitable organisations engaged in the welfare of orphans are frequently obligated to uphold meticulous documentation of donations and expenditures. This practise serves to substantiate the efficient utilisation of funds for the betterment of children who have been deprived of parental care (Kuran, 1986). These approaches facilitate the establishment of confidence among funders and stakeholders, as well as guaranteeing the efficient utilisation of resources (Wajdi Dusuki, 2008).

## **THE FRAMEWORK OF IMAM SHAFIE IN THE CONTEXT OF ORPHAN CARE**

The framework developed by Imam Shafie, which is firmly grounded in Islamic jurisprudence, offers a systematic and principled methodology for evaluating programmes aimed at promoting the well-being of orphans within the framework of Islamic ethics and legal principles. Imam Shafie, a notable figure in the realm of Sunni jurisprudence, played a pivotal role in shaping the understanding and implementation of Islamic law, leaving a lasting imprint on this field (Hallaq, 2009). The framework proposed by the author encompasses several fundamental concepts, namely *qiyas* (analogy), *ijma* (consensus) and *istihsan* (juridical preference). These principles serve as a basis for assessing the conformity of orphan welfare programmes with Islamic values (El Shamsy, 2008).

*Qiyas*, also known as analogical reasoning, is a method employed in Islamic jurisprudence to apply legal concepts derived from the Quran and Hadith to novel situations that lack specific guidance in the Islamic writings. *Qiyas*, when employed in the context of orphan welfare programmes, facilitates the discernment of pertinent Islamic principles and their subsequent adaptation to contemporary circumstances (Kamali, 1991). One such use involves utilising the concept of *qiyas* to assess the compatibility of a specific financial arrangement or support system for orphans with the established principles of justice and equality as delineated in Islamic scriptures.

*Ijma* is a term that pertains to the collective agreement reached by Islamic scholars over a specific matter (Alkali, 2006). In the realm of orphan welfare, the concept of *ijma* can be employed to ascertain the presence of a consensus among scholars over the permissibility of specific practises or policies. For instance, if there exists a scholarly consensus about the significance of imparting education to orphaned individuals as a crucial aspect of their well-being, then orphan welfare initiatives that prioritise educational assistance would be in accordance with this consensus.

*Istihsan* entails the application of juridical preference, wherein a legal scholar may exhibit a preference for a particular opinion or interpretation over another, grounded in the overarching purposes of Islamic law, known as *maqasid al-sharia* (Kayadibi, 2019). In the sphere of orphan welfare, the utilisation of *istihsan* can be employed as a means to prioritise the overall welfare and optimal outcomes for children who have been orphaned. In situations where there exist diverse legal perspectives concerning the allocation of an orphan's inheritance, the principle of *istihsan* may be employed as a means to select the interpretation that optimises the well-being and monetary stability of the orphan.

### **TALFIQ**

*Talfiq*, within the realm of Islamic jurisprudence, encompasses the process of harmonising discrepant legal viewpoints or verdicts originating from diverse Islamic schools of thought (*mazhabs*) in order to attain a practical resolution for a specific matter or legal inquiry (Jamaludin, 2016). The act of amalgamating or merging legal viewpoints from many *mazhabs* is based on the acknowledgment that Islamic law is not uniform, but rather encompasses a range of juridical perspectives. *Talfiq* is seen as a procedural tool aimed at facilitating consensus and accommodating adaptability in the implementation of Islamic jurisprudence, particularly in cases where a singular viewpoint from a certain school of thought fails to offer

a suitable resolution.

The application of talfiq can be observed in diverse domains of Islamic jurisprudence, encompassing family law, contractual matters and financial transactions, among others (Khan, 2013). In the specific domain of orphan welfare, the utilisation of Talfiq can be employed as a means to reconcile divergent legal viewpoints pertaining to the equitable allocation of inheritances among heirs, particularly those who are orphaned. In cases when divergent perspectives exist among mazhabs about the distribution of inheritance shares for orphans, the application of Talfiq can serve as a means to arrive at a harmonious and pragmatic resolution that upholds the fundamental tenets of fairness and equality within the framework of Islamic jurisprudence.

Although Talfiq possesses the potential to offer flexibility and adaptability within the realm of Islamic jurisprudence, it is not exempt from generating debate and encountering some restrictions (Yilmaz, 2003). There is a contention among scholars and jurists on the potential consequences of Talfiq, wherein it is argued that this practise may compromise the authenticity of specific mazhabs and introduce discrepancies in legal judgements. There are other apprehensions regarding the possibility of Talfiq being misused or misapplied, particularly in instances when it is not utilised with prudence or employed as a means to circumvent explicit and unequivocal decrees found in the Quran and Hadith. Hence, the utilisation of Talfiq necessitates meticulous deliberation and is commonly utilised in situations when there exists a legitimate necessity to harmonise divergent viewpoints in a manner that aligns with the overarching goals (maqasid) of Islamic jurisprudence and the well-being of the society.

## **COMPARATIVE ANALYSIS**

An examination of the framework proposed by Imam Shafie and the concept of Talfiq, within the specific context of orphan welfare programmes, offers significant insights into the relative merits and limitations of these approaches. The framework developed by Imam Shafie places significant importance on principles such as qiyas, ijma and istihsan (Abdal-Haqq, 2002). This framework provides a methodical and organised approach to evaluating the conformity of orphan welfare programmes with established Islamic law. This framework offers a systematic approach for legal scholars and practitioners to assess these programmes in accordance with a clearly defined set of principles, so assuring their alignment with fundamental values such as justice, equity and compassion. Nonetheless, the paradigm proposed by Imam Shafie may exhibit limited adaptability in addressing unconventional or distinctive circumstances, since it heavily relies on established legal precedents and consensus, which may not always offer direct applicability to present-day complexities in the realm of orphan welfare.

In contrast, Talfiq presents a more versatile and adjustable methodology, facilitating the harmonisation of divergent legal viewpoints originating from different Islamic jurisprudential traditions (Sadiki, 2004). The utilisation of this approach can prove to be highly advantageous in effectively tackling intricate and dynamic challenges encountered in orphan welfare programmes, characterised by the presence of varying interpretations of Islamic law. The flexibility of Talfiq allows for the exploration of practical resolutions that consider the unique requirements and situations of orphaned children, without being



constrained by inflexible legal precedents. Nevertheless, it is crucial to take caution when employing Talfiq, as it presents the potential for inconsistency and may be interpreted as deviating from the authenticity of specific mazhabs. Moreover, the implementation of Talfiq may present difficulties due to the necessity of a comprehensive comprehension of the diverse mazhabs and their respective legal concepts.

The comparative research reveals that both Imam Shafie's framework and Talfiq provide significant methodologies for assessing and improving orphan welfare programmes within Islamic societies. The framework proposed by Imam Shafie offers a robust basis for assuring the compliance of these programmes with established Islamic jurisprudence (Qoyum, 2018). Additionally, the concept of Talfiq provides a means of incorporating flexibility and adaptation to effectively address subtle and developing situations. The selection among these methodologies may be contingent upon the particular circumstances and requirements of children who have lost their parents, as well as the knowledge and resources accessible to scholars and professionals engaged in the field of orphan care. An integrative approach that leverages the respective merits of both frameworks could potentially provide a comprehensive and efficacious strategy for advancing the well-being of orphaned children while adhering to Islamic teachings.

## **DISCUSSION FOR THIS RESEARCH**

The analysis of the research results within the framework of orphan welfare programmes, employing Imam Shafie's theoretical perspective and the concept of Talfiq, unveils a complex and multifaceted terrain. The utilisation of Imam Shafie's framework facilitates a methodical and principle-oriented assessment of these programmes, thereby guaranteeing their compliance with established Islamic law (Hassan, 2016). This analysis illuminates the precise domains in which programmes demonstrate alignment with Islamic concepts of justice, equity and charity. Additionally, it brings attention to any potential deficiencies or areas that may necessitate improvement. In contrast, Talfiq presents a means of accommodating conflicting legal viewpoints, thereby presenting practical resolutions that can effectively cater to the distinctive requirements of children who have been deprived of parental care. Nevertheless, it is imperative to exercise meticulous deliberation in order to prevent any incongruity and uphold the integrity of each specific mazhab.

The research findings have many consequences for the advancement and improvement of programmes aimed at supporting and improving the well-being of orphaned individuals. The initial observation highlights the significance of anchoring these programmes within firmly established Islamic principles and law. By implementing the concepts delineated in Imam Shafie's framework, orphan care programmes can establish a foundation that is firmly grounded in values of justice, fairness and compassion (Kamali, 2015). Consequently, this approach can engender wider community endorsement and enhance the programmes' credibility. Additionally, the study emphasises the potential advantages of integrating flexibility via Talfiq, particularly in addressing current issues and evolving requirements of orphaned children. The prudent application of Talfiq can enable the adjustment of orphan welfare initiatives to evolving conditions while upholding their adherence to Islamic principles.

The research has significant ramifications as it has the ability to contribute to the

harmonisation of diverse legal viewpoints within the context of Islamic law. The examination of Imam Shafie's framework and Talfiq through a comparative analysis suggests that both approaches should not be perceived as contradictory, but rather as supplementary methodologies (Mashhour, 2005). By strategically utilising both methodologies, academics, policymakers and professionals can together strive for a comprehensive and integrated comprehension of the well-being of orphaned individuals within the framework of Islamic legal principles. By including a harmonised approach that acknowledges the range of legal perspectives and mazhabs, it is possible to enhance the efficiency and fairness of orphan welfare programmes. This approach ensures that these programmes are in accordance with the fundamental principles of Islamic law and prioritise the well-being of the orphaned children they seek to support.

## **CONCLUSION**

In summary, this study has explored the significant area of orphan welfare initiatives within the framework of Islamic finance, law and ethical considerations. By conducting a methodical analysis of Imam Shafie's framework and the notion of Talfiq, this study has elucidated the merits and constraints associated with each approach in evaluating the congruence of these programmes with Islamic principles and values.

The framework proposed by Imam Shafie offers a systematic and principled methodology for assessing the effectiveness of orphan welfare programmes, while adhering to the principles and guidelines set forth in Islamic law. These programmes are designed to align with the fundamental concepts of justice, equity and charity as outlined in Islamic teachings. Nevertheless, it is possible that the existing approach may occasionally exhibit a deficiency in adaptability, which is essential for effectively tackling the ever-changing obstacles in the realm of modern orphan welfare.

In contrast, Talfiq presents a notable advantage in terms of its flexibility and adaptability, as it enables the harmonisation of divergent legal viewpoints. The utilisation of this instrument has the potential to be highly advantageous in effectively resolving intricate and multifaceted matters pertaining to the welfare of orphaned individuals. However, it is imperative to exercise caution in its implementation in order to avoid any inconsistencies and uphold the integrity of particular mazhabs.

The amalgamation of these two methodologies exhibits substantial potential for the prospective development of orphan welfare initiatives within nations mostly populated by Muslims. Through a careful integration of the merits inherent in Imam Shafie's conceptual framework and the practise of Talfiq, individuals engaged in scholarly, policymaking and practical endeavours can cultivate more all-encompassing and efficacious approaches to advancing the well-being of orphaned children, all the while upholding the principle of accommodating divergent legal viewpoints within the realm of Islamic jurisprudence. This study makes a valuable contribution to the current discourse surrounding the optimal provision of services for orphaned children in accordance with Islamic principles and values. It presents a potential avenue for further advancement and refinement of orphan welfare initiatives in both Muslim-majority regions and other contexts.

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