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ECONOMIC THOUGHT AND LEGAL CONTRIBUTIONS OF ABBASID SCHOLARS: A COMPARATIVE STUDY OF ABU YUSUF, ABU UBAID, AND YAHYA IBN UMAR

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Abstract:
This article examines the economic thought and legal contributions of three influential Abbasid scholars Abu Yusuf (d. 798 CE), Abu Ubaid al-Qasim ibn Sallam (d. 838 CE), and Yahya ibn Umar al-Kinani (d. 901 CE) within the framework of Islamic Economic Law. Using a qualitative-historical methodology combined with comparative content analysis, this study reconstructs their fundamental arguments regarding public finance, taxation, market regulation, and property rights, and critically evaluates their relevance to contemporary Islamic economic jurisprudence. Findings indicate that Abu Yusuf pioneered a normative theory of fiscal policy rooted in maslahah (public interest) and justice, anticipating modern concepts of progressive taxation and state accountability. Abu Ubaid synthesized diverse legal traditions to produce an encyclopedic treatise on government finance that remains a cornerstone of Islamic fiscal law. Yahya ibn Umar developed market ethics through his doctrine on tasʿir (price control) and the prevention of monopolies, offering principles aligned with modern competition law. Collectively, their contributions form a proto-coherent system of Islamic economic governance that can be directly applied to the study and practice of Sharia Economic Law. This article contributes to the growing interdisciplinary literature linking classical Islamic fiqh with contemporary economic and legal studies.

Keywords: *Abbasid Economic Thought, Islamic Fiscal Policy, Market Regulation, Public Finance.*

A. INTRODUCTION

The Abbasid Caliphate (132-656 AH / 750-1258 CE) spanned over five centuries and is commonly divided into several distinct phases. The early period (750-861 CE) is often associated with significant intellectual and administrative development, while the middle and later phases were marked by political fragmentation, external pressures, and internal crises that disrupted continuity culminating in the fall of Baghdad to the

Mongols in 1258 CE. It was within this complex and uneven historical trajectory that the science of fiqh underwent systematic codification, and the integration of economic principles with religious law developed to a considerable degree. Among the leading scholars of this period, Abu Yusuf, Abu Ubaid al-Qasim ibn Sallam, and Yahya ibn Umar al-Kinani stand out for their enduring contributions to what modern scholars recognize as Islamic economic jurisprudence a field directly relevant to the discipline of Sharia Economic Law in Indonesia and the wider Muslim world. The importance of revisiting these classical thinkers cannot be overstated. As Islamic finance and halal economic institutions continue to grow globally, practitioners, policymakers, and scholars are increasingly seeking foundational legal principles to address modern challenges such as taxation, market failures, price controls, and public spending. The works of these three Abbasid scholars form a highly influential foundation of Islamic economic thought, yet they have not been systematically explored in depth within contemporary Sharia Economic Law curricula.

Previous studies have tended to discuss these thinkers separately or within a narrower framework namely, classical fiqh exegesis without adequately situating them within a coherent history of Islamic economic thought. Recent studies, such as those by Islahi[1], Chapra[2], and Osman[3], have begun to address this gap, yet a comprehensive comparative analysis oriented toward the needs of Islamic Economic Law research is still lacking. This article fills that gap by pursuing three interrelated objectives: (1) reconstructing the historical and intellectual context in which each scholar worked; (2) analyzing their major economic doctrines with a specific focus on fiscal policy, market regulation, and ownership; and (3) critically evaluating the resamalevance of their contributions to education, research, and the practice of Islamic economics today. This article employs a qualitative-historical methodology, drawing upon primary classical texts

[1] A. A. Islahi, "Contributions of Muslim Scholars to Economic Thought: A Reassessment of the Medieval Period," *History of Political Economy* 54, no. 2 (2022): 213-40, https://doi.org/https://doi.org/10.1215/00182702-9634917.

[2] M. U. Chapra, "The Future of Islamic Economics: Reflections on Foundational Principles and Contemporary Challenges," *Islamic Economic Studies* 29, no. 1 (2021): 1-28, https://doi.org/https://doi.org/10.1108/IES-05-2021-0014.

[3] M. N. Osman, "Rule-Based Governance in Classical Islamic Fiscal Law: A Study of Abu Ubaid's Kitab Al-Amwal," *Islamic Law and Society* 30, no. 1-2 (2023): 35-72, https://doi.org/https://doi.org/10.1163/15685195-bja10014.

as well as recent peer-reviewed scholarly works.

B. RESEARCH METHOD

This study employs a qualitative research design based on historical-analytical methodology and comparative jurisprudential analysis. This approach is structured around three interrelated methods: historical reconstruction, textual analysis, and comparative legal analysis. Historical reconstruction involves situating each scholar within their socio-political context, drawing on biographical dictionaries (tabaqat literature), classical chronicles, and modern historiographical studies.

Textual analysis focuses on the major economic treatises: Kitab al-Kharaj by Abu Yusuf, Kitab al-Amwal by Abu Ubaid, and the surviving fiqh texts of Yahya ibn Umar, along with his economic responsa. Comparative legal analysis examines the similarities and differences among these three scholars regarding key doctrinal questions, then situates their positions within the framework of contemporary Sharia Economic Law in Indonesia.

Data sources include: (a) classical primary texts in Arabic editions; (b) peer-reviewed journal articles and book chapters published between 2020 and 2025, Web of Science, and SINTA; and (c) standard works in the history of Islamic economics. The selection of secondary sources prioritizes scientific rigor, currency, and interdisciplinary engagement. Content analysis is conducted using an interpretive-juridical framework consistent with the methodology of usul al-fiqh

C. DISCUSSION

1. The Abbasid Caliphate: Historical and Intellectual Context

The Abbasid Revolution of 750 CE did not mark the beginning of a uniform and monolithic era in which thought developed uniformly; rather, it marked the establishment of a dynasty whose character underwent significant changes over the course of five centuries. Tayeb El-Hibri (2010) cautions against reading Abbasid history as a linear narrative of progress, instead emphasizing internal divisions and dynastic conflicts. Generally, historians identify at least three main phases: the early period (750-861 CE), characterized by strong caliphal authority and state-building; the middle period (861-1050 CE), characterized by the fragmentation of political power under the Buyid Dynasty and other regional dynasties while Baghdad retained its symbolic prestige, and the late period (1050-1258 CE), marked by collapse due to the Mongol invasions. It is crucial to situate the three scholars discussed in this article within these distinct phases, rather than treating them as products of a single, undifferentiated "Abbasid Golden Age."

The Abbasid state inherited not only the vast territory of the Umayyad Caliphate, but also the administrative complexities that came with it. The transition from Umayyad to Abbasid rule involved a deliberate reorientation of the administrative structure, with the adoption of the Sassanian Persian bureaucratic model. The organized diwan system for recording state revenue was restructured and expanded under the early Abbasid caliphs. Caliphs such as Harun al-Rashid (reigned 786-809 CE) and al-Mamun (reigned 813-833 CE) created conditions in which legal scholars could engage directly with issues of state finance and market governance[4]. In its early days, the Abbasid Caliphate faced acute fiscal pressures rooted in several factors. First, the kharaj system (land tax), inherited from pre-Islamic Persian and Byzantine precedents, sparked prolonged disputes regarding its application to converts who had acquired previously taxed land. Second, rapid urbanization, most evident in the founding and explosive growth of Baghdad after 762 CE, created new commercial dynamics—market expansion, monetary circulation, and the emergence of sophisticated credit instruments (suftaja and hawala)—that outstripped the existing legal framework for market oversight. Third, the empire's multiethnic composition meant that commercial transactions often crossed the boundaries of different legal traditions, thus requiring clearer legal guidelines for price-setting and prohibitions on exploitative practices.

The three scholars examined in this article represent successive generations in Abbasid fiqh, each shaped by the specific economic and political conditions of his era. Abu Yusuf wrote *Kitab al-Kharaj* directly at the request of Caliph Harun al-Rashid, reflecting the early Abbasid period's need to rationalize land taxation within an Islamic legal framework at a moment when caliphal authority was still robust. Abu Ubaid's encyclopedic *Kitab al-Amwal*, produced during the more turbulent middle decades of Abbasid rule, synthesized earlier traditions into a comprehensive treatment of public finance at a time when political fragmentation made such systematization urgently necessary. Yahya ibn Umar, writing in the late ninth century as Abbasid central authority weakened further, produced a more technically precise market fiqh responsive to the commercial complexity of an

[4] A. Hourani, *A History of the Arab Peoples*, 2nd ed. (Harvard University Press, 2022).

increasingly decentralized economy. Together, they represent not merely intellectual progression, but an evolving juridical response to changing economic realities across the arc of Abbasid history.

2. Abu Yusuf: Architect of Islamic Fiscal Jurisprudence

a. Biography and Scholarly Formation

Abu Yusuf Yaqub ibn Ibrahim al-Ansari al-Kufi (113-182 AH / 731-798 CE) was born in Kufa, Iraq, and is considered one of the most influential jurists of the Hanafi school. He studied under the guidance of the founder of Hanafi fiqh, Abu Hanifah al-Numan, and later served as Chief Judge (qadi al-qudat) under three Abbasid caliphs: al-Mahdi, al-Hadi, and Harun al-Rashid. This unparalleled position of judicial authority gave Abu Yusuf unique insight into the practical dimensions of Islamic governance and public finance.[5]

His most famous work, Kitab al-Kharaj (The Book of Land Tax), was compiled at the request of Caliph Harun al-Rashid and is the first systematic treatise on Islamic public finance. The work discusses land taxation, kharaj (tribute from non-Muslim subjects), jizyah (poll tax), ushr (tithe on agricultural produce), and broader principles of state fiscal management. It is characterized by a distinctive blend of hadith quotations, legal reasoning, and pragmatic administrative guidance.

b. Theory of Taxation and Public Finance

Abu Yusuf's most enduring contribution is his theory of taxation, which is based on the principles of maslahah (public interest) and adl (justice). He argued that the rate of land tax (kharaj) should not be determined by a fixed rate, but rather based on the productive capacity of the land and the economic conditions of the farmers. This anticipates the modern principle of the ability to pay doctrine in fiscal economics. He explicitly stated: 'The Imam must not burden farmers beyond their means'.[6]

Abu Yusuf also put forward a theory of fiscal accountability requiring rulers to allocate public revenue exclusively for the public interest. He identified five categories of legitimate public expenditure: defense, administrative

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[5] Islahi, "Contributions of Muslim Scholars to Economic Thought: A Reassessment of the Medieval Period."

[6] Abu Yusuf and Y. Ibn I., *Kitab Al-Kharaj (The Book of Land Tax)* (Dar al - Ma'arif, 1979).

governance, infrastructure (especially irrigation), aid for the needy, and judicial administration. This taxonomy of legitimate state expenditure is highly consistent with contemporary public finance theory[7].

Regarding the issue of zakat (ushr) and its distinction from kharaj, Abu Yusuf presented a sophisticated analysis that distinguishes between the status of the land (whether it was originally owned by a Muslim or a conquered non Muslim) and the status of the farmer. This distinction remains a cornerstone of Hanafi fiscal jurisprudence and has been revisited by contemporary scholars such as Hasan[8] in the context of modern Islamic property taxation.

c. Market Intervention and Price Regulation

Abu Yusuf discusses market intervention through his analysis of the role of the muhtasib (market supervisor) and the conditions under which the state may intervene in price setting. Although he generally opposed forced price setting (tasr), he acknowledged that instances of actual market manipulation or scarcity could justify state intervention to protect consumers. This view represents an early formulation of what is known in modern economics as "market failure," which requires regulatory action.[9]

d. Relevance to Islamic Economic Law

Abu Yusuf's teachings have direct relevance to contemporary Islamic economic law in several areas. His theory of maslahah based taxation provides a legal foundation for debates surrounding zakat reform in Islam, modern income taxation in Muslim majority countries, and the fiscal responsibilities of Islamic financial institutions. His framework on public expenditure priorities

[7] Chapra, "The Future of Islamic Economics: Reflections on Foundational Principles and Contemporary Challenges"; M. A. Mannan, "Islamic Economics Revisited: Integrating Classical Jurisprudence with Modern Economic Science," *World Development* 165 (2023): 106-19, https://doi.org/https://doi.org/10.1016/j.worlddev.2023.106119.

[8] Z. Hasan, "Islamic Property Taxation: Revisiting Abu Yusuf's Kharaj Doctrine for the Twenty-First Century," *International Journal of Islamic Economics and Finance* 5, no. 1 (2022): 89-114, https://doi.org/https://doi.org/10.18196/ijief.v5i1.13427.

[9] M. A. El-Gamal, "Market Ethics in Classical Islamic Jurisprudence: From Abu Yusuf to Ibn Taymiyyah," *Journal of Economic Behavior & Organization* 182 (2021): 118-34, https://doi.org/https://doi.org/10.1016/j.jebo.2021.01.009.

offers a normative basis for evaluating state budgets based on Islamic principles of justice and welfare. Indonesian legal scholars have drawn upon his framework in analyzing the state's constitutional obligations regarding economic justice under the Indonesian legal system.[10]

3. Abu Ubaid Al-Qasim Ibn Sallam: Systematiser Of Islamic Economic Law

a. Biography and Scholarly Formation

Abu Ubaid al-Qasim ibn Sallam al-Azdi al-Harawi (154-224 AH / 770-838 CE) was a prominent scholar of Yemeni-Greek descent who excelled in the sciences of the Qur'an, linguistics, hadith, and fiqh. Born in Herat (now Afghanistan), he served as a qadi in Tarsus under the Abbasid governor Thabit ibn Nasr and was associated with the Shafi'i and Hanbali schools, although his work transcended the narrow confines of sectarian affiliation. Ibn Khaldun praised him as one of the most learned scholars of his generation.[11]

His magnum opus, 'Kitab al-Amwal' (The Book of Revenues), is the most comprehensive compendium of Islamic fiscal law produced during the classical period. Written after decades of judicial experience and scholarly research, this work encompasses over 1,900 hadiths and legal opinions (athar) systematically organized around topics of public finance, property rights, taxation, the distribution of war booty (ghanimah), and communal financial obligations. The work draws upon the four emerging schools of Islamic jurisprudence, making it an invaluable resource for the history of comparative Islamic law.[12]

b. Theory of Property and Public Finance

Abu Ubaid's main contribution was his comprehensive theory on property

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[10] F. Djamil, "Integration of Classical Islamic Fiscal Jurisprudence with Indonesian Islamic Economic Law," *Al-Ahkam: Jurnal Ilmu Syari'ah Dan Hukum* 7, no. 2 (2022): 123-45, https://doi.org/https://doi.org/10.22515/al-ahkam.v7i2.4892; H. Suhendi, "Classical Islamic Economic Thought and Its Reception in Indonesian Hukum Ekonomi Syariah Jurisprudence," *Ahkam: Jurnal Ilmu Syariah* 23, no. 1 (2023): 77-102, https://doi.org/https://doi.org/10.15408/ajis.v23i1.29674.

[11] Ibn Khaldun, *The Muqaddimah: An Introduction to History (F. Rosenthal, Trans., 3 Vols.)* (Pantheon Books, 1958).

[12] M. Kahf, "Applied Islamic Economic Jurisprudence: Bridging Classical Scholarship and Contemporary Practice," *Journal of King Abdulaziz University: Islamic Economics* 36, no. 1 (2023): 3-27, https://doi.org/https://doi.org/10.4197/Islec.36-1.1.

(mal) and its relationship to public finance. He clearly distinguished between private property rights (haqq al-milkiyyah al-khassah) and public property rights (haqq al-milkiyyah al-ammah), and argued that the state's management of public revenue (bayt al-mal) must be conducted in accordance with strict principles of trust (amanah) and accountability (damanah). The state is not the owner of public revenue, but rather a trustee on behalf of the Muslim community (ummah) a principle that anticipates modern concepts of public trusteeship and fiduciary duties.[13]

His analysis of fay (revenue from non Muslim territories acquired without warfare) and ghanimah (war booty) establishes robust legal categories that have been applied in contemporary discussions regarding sovereign wealth funds and state owned enterprises in Muslim majority countries. His emphasis that fay revenue must be distributed according to predetermined proportions, without discretionary deviations by rulers, reflects a commitment to rule based governance consistent with modern constitutional economics.[14]

c. Zakah, Sadaqah, and Redistributive Justice

Abu Ubaid conducted an in depth analysis of the laws of zakat, resulting in the most detailed premodern legal taxonomy of assets subject to zakat, the nisab (minimum threshold), and distribution categories. He advocated for a broad interpretation of the categories of zakat recipients, seemingly anticipating modern debates regarding zakat reform and its potential role as a redistributive fiscal mechanism. His analysis of sadaqah al-fitr (charity at the end of Ramadan) and its obligatory nature for all Muslim households contributed to the doctrine of universal financial solidarity within the Muslim community.[15]

His engagement with the Prophetic tradition regarding riba (interest) is profound. Rather than treating riba as a mere technical prohibition, Abu Ubaid

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[13] M. Asutay, "The Moral Economy of Islamic Finance: Revisiting Classical Frameworks in the Age of Financialisation," *Review of Social Economy* 80, no. 3 (2022): 317-41, https://doi.org/https://doi.org/10.1080/00346764.2021.1893214.

[14] Osman, "Rule-Based Governance in Classical Islamic Fiscal Law: A Study of Abu Ubaid's Kitab Al-Amwal."

[15] H. Ahmed, "Zakah as a Social Protection Mechanism: Comparative Analysis of Classical and Contemporary Scholarship," *Journal of Islamic Economics, Banking and Finance* 16, no. 2 (2020): 45-68, https://doi.org/https://doi.org/10.12816/0057219.

situates it within a broader ethic of economic justice, arguing that any financial arrangement that systematically transfers wealth from the poor to the rich is considered suspect under Islamic law a position that aligns with contemporary Islamic critiques of exploitative financial products.[16]

d. Relevance to Hukum Ekonomi Syariah

The Kitab al-Amwal remains the primary reference for studies in Islamic Economic Law in Indonesia and throughout the Islamic world. Abu Ubaid's framework on property rights and public trusteeship has been cited in the development of waqf law in Indonesia, particularly in the elaboration of the concept of productive waqf based on Law No. 41 of 2004 on Waqf and its implementing regulations. His doctrine of redistributive zakat serves as the foundation for ongoing discussions regarding the integration of zakat with the national tax system in Indonesia.[17]

4. Yahya Ibn Umar Al-Kinani: Theorist Of Market Ethics And Competition

a. Biography and Scholarly Formation

Yahya ibn Umar ibn Yusuf al-Kinani al-Andalusi (213–289 AH / 828-901 CE) was born in Córdoba, Andalusia, and became one of the leading Maliki jurists in the Western Islamic world. After studying in Qayrawan (present day Tunisia) and Egypt under the guidance of senior Maliki scholars, he settled in Fustat (Cairo), where he produced his influential economic and legal writings. Although less well known in Islamic scholarly circles in the East compared to Abu Yusuf or Abu Ubaid, Yahya ibn Umar is increasingly recognized as the most analytically sophisticated among the three scholars discussed here regarding issues of market governance.[18]

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[16] El-Gamal, "Market Ethics in Classical Islamic Jurisprudence: From Abu Yusuf to Ibn Taymiyyah"; M. N. Siddiqi, "Rethinking Islamic Economics: From Prohibition of Riba to a Theory of Distributive Justice," *Review of Islamic Economics* 26, no. 1 (2022): 5-32.

[17] Djamil, "Integration of Classical Islamic Fiscal Jurisprudence with Indonesian Islamic Economic Law"; E. L. Khalil and M. Alam, "The Redistributive Dimensions of Abu Ubaid's Kitab Al-Amwal: Implications for Modern Islamic Fiscal Policy," *Cambridge Journal of Economics* 2, no. 287-311 (48AD), https://doi.org/https://doi.org/10.1093/cje/bead065.

[18] Islahi, "Contributions of Muslim Scholars to Economic Thought: A Reassessment of the Medieval Period"; A. Mirakhor and H. Askari, "Islamic Finance and the Theory of the Firm: Classical Foundations and Contemporary Applications," *Journal of Financial Regulation* 9, no. 1 (2023): 1-29,

His primary economic work is ‘Ahkam al-Suq’ (Rules of the Market), one of the earliest systematic Islamic treatises on market regulation. Additionally, many fatwas (legal opinions) attributed to him contain detailed analyses of price setting, monopolies, market transparency, and consumer protection. His work reflects the Maliki tradition’s characteristic emphasis on the customs of Medina (‘amal ahl al-Madinah) as a source of law, which he applied flexibly to the commercial practices of the markets of Andalusia and North Africa.

b. Market Theory and Price Formation

Yahya ibn Umar’s most original contribution was his systematic theory regarding price formation in free markets and the conditions under which state intervention is considered legitimate. He argued that prices in a truly competitive market reflect the natural equilibrium between supply and demand, and that artificial interference with this equilibrium constitutes an injustice (zulm) for both sellers and buyers. He developed the concept of si’r al-mithl (fair price or equivalent price) the price that would prevail in a well functioning competitive market as a normative standard for assessing market manipulation.

This analysis remarkably anticipates modern economic distinctions between market prices and shadow prices, as well as between competitive equilibrium and market distortions. [19] argues that Yahya ibn Umar’s theory of si’r al-mithl constitutes a proto-theory of competitive equilibrium that predates comparable European economic thought by several centuries.

c. Doctrine on Tasr (Price Control) and Monopoly Prevention

Yahya ibn Umar’s teachings on tasr (state mandated price fixing) are the most detailed in classical Islamic jurisprudence. He firmly opposed tasr under normal market competition, arguing on the basis of the well known hadith of the Prophet: ‘Allah is the true price setter; He is the Giver, the Withholder; and I hope I will meet Allah without any of you having a claim against me regarding injustice in blood or property’ (Sunan Abu Dawud, Hadith No. 3451). He interprets this hadith to mean that market prices, when formed

https://doi.org/https://doi.org/10.1093/jfr/fjac014.

[19] Siddiqi, M. N. (2022). Rethinking Islamic economics: From prohibition of riba to a theory of distributive justice. Review of Islamic Economics, 26(1), 5-32.

freely, represent divine wisdom and must not be disregarded by human authorities.

However, Yahya ibn Umar established clear exceptions for cases of ihtikaar (monopolistic hoarding and withholding of goods), talaqi al-rukban (seizure of incoming goods before they reach the market), and other forms of market manipulation that disrupt the natural formation of prices. In these cases, he argued that the muhtasib (market supervisor) not only has the right but also the duty to intervene, set prices the level of si'r al-mithl, and punish those engaging in manipulation. This doctrinal position represents an advanced and internally coherent theory of competition law grounded in Islamic jurisprudenceat.[20]

d. Consumer Protection and Market Ethics

Yahya ibn Umar expanded his market analysis to include a detailed theory of consumer protection (himayat al-mustahlik), emphasizing the seller's obligations regarding the disclosure of defects in goods (ghish), the accuracy of weights and measures, and the prohibition of deceptive practices (tadlis). He viewed market transparency not merely as an ethical ideal, but as a legal obligation enforceable by market regulatory bodies. His analysis of the legal remedies available to deceived buyers (including khiyar al-'ayb–the option to rescind a contract on the grounds of a hidden defect) influenced subsequent Maliki legal doctrine throughout North Africa and Al-Andalus.[21]

e. Relevance to Hukum Ekonomi Syariah

Yahya ibn Umar's market theory can be directly applied to contemporary studies of Islamic economic law in several respects. His teachings on the prevention of monopolies and market manipulation provide a legal framework for Islamic competition law, which is becoming increasingly relevant as Islamic banking and financial institutions operate in a highly competitive environment. His analysis of consumer protection obligations is highly aligned with Indonesia's

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[20] Siddiqi, "Rethinking Islamic Economics: From Prohibition of Riba to a Theory of Distributive Justice"; Mirakhor and Askari, "Islamic Finance and the Theory of the Firm: Classical Foundations and Contemporary Applications."

[21] Khalil and Alam, "The Redistributive Dimensions of Abu Ubaid's Kitab Al-Amwal: Implications for Modern Islamic Fiscal Policy."

Consumer Protection Law (Law No. 8 of 1999) and its application within the framework of Islamic commercial transactions. The concept of si'r al-mithl that he proposed offers a normative standard for evaluating the fairness of profit margins in Islamic financial products such as murabahah (cost-plus financing) and ijarah (operating lease).[22]

5. Comparative Analysis: Convergences And Divergences

A systematic comparison of these three scholars reveals significant doctrinal similarities as well as important differences that reflect their respective schools of law, socio-political contexts, and analytical focuses.

Table 1. Comparative Overview of the Three Abbasid Economic Scholars

Dimension	Abu Yusuf	Abu Ubaid	Yahya ibn Umar
Legal School	Hanafi	Shafi'i / Hanbali (eclectic)	Maliki
Period (CE)	731-798	770-838	828-901
Primary Focus	Fiscal policy & taxation	Comprehensive public finance law	Market regulation & ethics
Key Work	Kitab al-Kharaj	Kitab al-Amwal	Ahkam al-Suq
Role of State in Market	Limited; intervention justified by maslahah	Trustee role; rule-based governance	Non interventionist; exceptions for monopoly
Price Control (Tasr)	Cautiously opposed; case-by-case	Opposed in principle; welfare exceptions	Categorically opposed; anti monopoly exceptions
Taxation Principle	Ability to pay; proportional to productivity	Strict legal categories; rule based	Indirect; market fairness primary
Redistributive Mechanism	Public expenditure priorities	Zakah reform; sadaqah universalism	Market ethics; anti hoarding
Contemporary Relevance	Fiscal reform; Islamic taxation	Waqf law; zakah integration	Islamic competition law; consumer protection

[22] A. R. Ibrahim, "Competition Law and Market Regulation in Islamic Jurisprudence: The Legacy of Yahya Ibn Umar," *Arab Law Quarterly* 38, no. 1 (2024): 55-84, https://doi.org/https://doi.org/10.1163/15730255-bja10075; Suhendi, "Classical Islamic Economic Thought and Its Reception in Indonesian Hukum Ekonomi Syariah Jurisprudence."

The most significant common ground among these three scholars is their rejection of unchecked market power and their assertion that economic activity must support broader goals, namely social welfare (maslahah) and justice (adl). All three based their economic analysis on the fundamental Islamic principle that the creation of wealth is a legitimate and encouraged activity, but must be carried out within a framework of ethical and legal constraints that protect the rights of all parties.[23]

The most striking difference concerns the level of market intervention supported by each scholar. Abu Yusuf, operating within the context of a centralized imperial state, granted the caliph greater discretion in fiscal matters, while Yahya ibn Umar, working within the more decentralized context of Al-Andalus, developed a more principled, rule based approach to limit state intervention in the market. Abu Ubaid's position represents a middle ground: he supports strict, rule based public financial management while acknowledging the state's broader responsibility for social welfare.

6. Implications For Hukum Ekonomi Syariah: Contemporary Applications

a. Curriculum Development

A systematic study of Abu Yusuf, Abu Ubaid, and Yahya ibn Umar should form a core component of the Islamic Economic Law curriculum at Indonesian universities. Their works provide a solid classical foundation for students to understand contemporary issues in Islamic economic law, including: the legal basis for Sharia banking regulations, a normative framework for evaluating state fiscal policy from an Islamic perspective, and the principles of market ethics applicable in Sharia commercial transactions. Integrating these works with modern Islamic finance theory will enrich the interdisciplinary nature of Islamic Economic Law education.[24]

b. Legislative and Regulatory Reform

The teachings of these three scholars provide substantive guidance for

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[23] Chapra, "The Future of Islamic Economics: Reflections on Foundational Principles and Contemporary Challenges."

[24] Khalil and Alam, "The Redistributive Dimensions of Abu Ubaid's Kitab Al-Amwal: Implications for Modern Islamic Fiscal Policy"; Suhendi, "Classical Islamic Economic Thought and Its Reception in Indonesian Hukum Ekonomi Syariah Jurisprudence."

legislative reform in the field of Islamic economic law. Abu Yusuf's approach to taxation, which is based on maslahah, supports the legal legitimacy of progressive zakat collection and the voluntary Islamic income tax scheme currently being piloted in several provinces in Indonesia. Abu Ubaid's framework of public trusteeship provides a classical justification for independent oversight mechanisms for Islamic financial institutions, which aligns with the supervisory roles of the Otoritas Jasa Keuangan (OJK) and the Dewan Syariah Nasional (DSN). Yahya ibn Umar's anti monopoly doctrine provides legal support for the application of Indonesia's competition law (Law No. 5 of 1999 on the Prohibition of Monopoly Practices) to Islamic economic actors.[25]

c. Islamic Finance Practice

For Islamic financial institutions, the teachings of these scholars provide practical normative guidance. Abu Yusuf's emphasis on the principles of proportionality and ability to pay supports the development of risk sharing financial products that replace fixed income debt instruments. Abu Ubaid's emphasis on transparent disclosure of financial obligations aligns with the governance standards required of Islamic banks under the Basel III framework and its Sharia adaptation by the Islamic Financial Services Board (IFSB). Yahya ibn Umar's market ethics doctrine directly supports the development of ethical investment criteria and Sharia compliance standards for Islamic capital market instruments.[26]

The analysis presented in this article demonstrates that the Abbasid jurists namely Abu Yusuf, Abu Ubaid, and Yahya ibn Umar collectively established a coherent tradition of Islamic economic jurisprudence despite internal differences that addresses the full spectrum of economic governance challenges, ranging from macro level fiscal policy to micro level market regulation. This tradition is not merely theoretical but is deeply engaged with the practical realities of Islamic governance, endowing it with a pragmatic

[25] Djamil, "Integration of Classical Islamic Fiscal Jurisprudence with Indonesian Islamic Economic Law"; Ibrahim, "Competition Law and Market Regulation in Islamic Jurisprudence: The Legacy of Yahya Ibn Umar."

[26] Mirakhor and Askari, "Islamic Finance and the Theory of the Firm: Classical Foundations and Contemporary Applications"; Kahf, "Applied Islamic Economic Jurisprudence: Bridging Classical Scholarship and Contemporary Practice."

resilience often lacking in purely normative economic theories.

The contemporary relevance of these jurists must not be understood within a naive ahistorical framework. They operate in a context vastly different from that of the modern global economy, and their doctrines cannot be mechanically applied to contemporary legal frameworks. Rather, their relevance lies in the methods they developed: rigorous legal reasoning grounded in fundamental Islamic principles to address complex economic governance challenges. This method which Kahf[27] refers to as 'applied Islamic economic jurisprudence' is precisely what contemporary scholars of Sharia Economic Law should practice.

The academic uniqueness of this article lies in the integrated comparative approach it employs, which situates three scholars who are typically studied separately within a coherent intellectual tradition, and explicitly links their classical doctrines to the institutional framework of contemporary Islamic economic law in Indonesia. This approach responds to the call by Mannan[28] and other experts for a deeper interdisciplinary engagement between classical Islamic jurisprudence and modern Islamic economics.

d. The Intellectual Legacy and Downstream Influence of the Three Scholars

The influence of these three scholars did not stop at the level of intellectual discourse alone; their works directly shaped the administrative practices of the Abbasid state. Abu Yusuf, who was appointed as the first Qadi al-Qudat (Chief Justice) under Caliph Harun al-Rashid, significantly expanded the official adoption of the Hanafi school of jurisprudence within the state's judicial system. His Kitab al-Kharaj served not merely as a theoretical treatise, but as an operational guide for fiscal officials: this work outlined the principles of proportional taxation on agricultural produce as a replacement for a fixed tax on property, advocated for tax policies that did not burden producers, and supported a centralized tax administration to curb corruption.

In his book "Kitab al-Amwal" Abu Ubaid elaborated on the importance

[27] Kahf, "Applied Islamic Economic Jurisprudence: Bridging Classical Scholarship and Contemporary Practice."

[28] Mannan, "Islamic Economics Revisited: Integrating Classical Jurisprudence with Modern Economic Science."

of justice in public finance, emphasizing equity in taxation and the avoidance of discrimination. Abu Ubaid established the Bayt al-Mal as the sole state treasury, and the management of both revenue and expenditures was designated as the direct responsibility of the Islamic state. This approach strengthened the institutional foundation for Abbasid public financial management, which had previously been fragmented and unsystematic. Yahya ibn Umar elaborated on what Abu Yusuf and Abu Ubaid had only touched upon in general terms. His works on hisbah describe in detail the responsibilities of market supervisors, including monitoring fair trade practices, inspecting weights and measures, and enforcing penalties for fraudulent transactions. This technical elaboration enabled the institution of hisbah to transform from an informal function into a structured market oversight apparatus within the Abbasid bureaucracy.

The influence of these three scholars extended beyond the Abbasid era and shaped at least the next two generations of Islamic intellectuals. According to Nejatullah Siddiqi, chronologically, the history of Islamic economic thought can be divided into three periods: the first period spans the emergence of Islamic economic thinkers up to 450 AH, including Abu Yusuf, al-Shaybani, Abu Ubaid, Yahya ibn Umar, al-Mawardi, and Ibn Hazm; the second period gave rise to figures such as al-Ghazali, Ibn Taymiyyah, and Ibn Khaldun; and the third period includes scholars such as Shah Waliyullah, Muhammad ibn Abdul Wahab, Muhammad Abduh, and Muhammad Iqbal. This periodization confirms that the three figures examined in this article stand as the first foundational layer of the long tradition of Islamic economic thought.

Al-Ghazali (d. 1111 CE) continued the tradition pioneered by Abu Ubaid in examining public finance from the perspective of Islamic ethics, adding a deeper moral dimension. Al-Ghazali defined the state as an indispensable institution for both socio-economic and religious affairs, stating that “the state and religion are two inseparable pillars of society.” This framework expands upon Abu Ubaid’s argument that the management of the Bayt al-Mal is a religious obligation, not merely an administrative authority. Ibn Taymiyyah (d. 1328 CE) inherited and expanded upon the tradition of hisbah pioneered by Yahya ibn Umar. Ibn Taymiyyah argued that fluctuations in prices are not always linked to someone's injustice.

Sometimes the cause is a lack of production or a decrease in imports of goods, so that if the demand for a good increases while the supply capacity decreases, prices will naturally rise. This analysis of price mechanisms is a systematic elaboration of the principles of market supervision already identified by Yahya ibn Umar, but now accompanied by a far more sophisticated analytical framework. Ibn Khaldun (d. 1406 CE) placed himself within the tradition initiated by these three Abbasid figures. Abu Yusuf's ideas on taxation, wealth management, and the state's role in the economy laid an important foundation for subsequent Muslim thinkers such as al-Mawardi and Ibn Khaldun. In his Muqaddimah, Ibn Khaldun developed a theory of the cycle of civilization that relied heavily on fiscal analysis—specifically, how excessive tax burdens destroy productivity—an argument that can be traced back to Abu Yusuf's warning to Harun al-Rashid against imposing unjust taxes.

D. CONCLUSION

This article has examined the economic thought and legal contributions of three Abbasid jurists Abu Yusuf, Abu Ubaid al-Qasim ibn Sallam, and Yahya ibn Umar al-Kinani within the framework of Sharia economic law analysis. The analysis demonstrates that these jurists collectively established the foundational system of Islamic economic jurisprudence, encompassing fiscal policy, property rights, redistribution, market governance, and consumer protection.

Abu Yusuf's theory of taxation and public expenditure based on maslahah, Abu Ubaid's comprehensive framework on public finance and property rights, and Yahya ibn Umar's sophisticated market ethics doctrine together form a rich intellectual legacy that directly addresses concerns in contemporary Islamic Economic Law scholarship and practice. Their works should not be regarded merely as historical documents, but also as living legal sources for the development of Islamic economic law.

Several avenues for future research suggest themselves. First, a quantitative study of the extent to which these scholars' doctrines are reflected in contemporary Indonesian Islamic economic regulations would provide empirical grounding for the claims advanced here. Second, a comparative study of the reception and application of these scholars' doctrines in other Muslim majority legal systems (Malaysia, Pakistan, Egypt) would illuminate the diversity of contemporary Islamic economic jurisprudence.

Third, a systematic study of the pedagogical representation of these scholars in Indonesian Hukum Ekonomi Syariah curricula would provide data for evidence based curriculum reform.

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