

# The Concurrence Between Expressions and Logic in the History of Legal Theory: Are 'Āmm Expressions Universal?\*

Osman Said Evdüzen\*\*

**Abstract:** 'Āmm [general] expressions are discussed in the linguistic sections of legal theory. In early periods, discussions on 'āmm expressions involved their definition, presence, and signification (*madlūl*). After al-Ghazālī, however universals as one of the subjects of classical logic also began occurring in these discussions. This article discusses whether or not 'āmm expressions denote universal meanings and also analyzes the theoretical explanations of *usulists* [legal theorists] in the post-classical era regarding the relation between universals and 'āmm expressions. The article argued that al-Ghazālī (d. 505/1111) as the first scholar to argue 'āmm expressions to denote universals and to attribute them to the language being assigned (*waq'*) to mental images (*al-šūra al-dhiniyya*). al-Rāzī (d. 606/1210) and the later period *usulists* argued 'āmm expressions to not denote universal but to instead only have universal meanings among their individuals. al-Qarāfī (d. 684/1285), al-Işfahānī (d. 688/1289), and al-Subkī (d. 771/1370) continued the same idea and considered 'āmm expressions as universal propositions under the influence of Avicenna (d. 428/1037), whereas al-Taftāzānī (d. 792/1390) had considered them to be both whole (*kull*) and universal through the concept of signification (*şulūh*). The *usulists* are shown to have written commentaries and glosses on *Jam' al-jawāmi'*, synthesized the teachings of both different understandings, and argued 'āmm expressions to have three different denotations: whole, universal, and universal proposition.

**Keywords:** Islamic legal theory, logic, 'āmm expressions, universals, al-Ghazālī, al-Rāzī, al-Qarāfī, al-Subkī, *Jam' al-jawāmi'*

\* This article was developed from part of the author's master's thesis titled *Mütekellimîn Usulcülerde Lafız ve Tümel İlişkisi (Cem'u'l-cevâmi' Örneği)* alongside its revised claims. I gratefully thank Prof. Dr. Abdullah Kahraman for contributing to this article's writing with his precious suggestions. I would also like to thank Dr. Imam Rabbani Celik who read the study from beginning to end and commented on it with his valuable criticisms, the anonymous referees of the article who contributed with their revisions, and the journal's editors and assistants.

\*\* Ph.D. Student, Istanbul University, Institute of Social Sciences. Correspondence: evduzenosman@gmail.com

Although post-classical legal theorists (*usulists*) discussed within the linguistic sections of *uṣūl al-fiqh* whether the meaning that an utterance (*lafz*) denotes/refers to/signifies (*dalāla*) is universal or not, the early *usulists* had not subjected universals to their discussions using theoretical statements.<sup>1</sup> *‘āmm* expressions have two different definitions: the one adopted by the Mu‘tazilites, and the other the Ash‘arites adopted; the difference between these definitions is based on principled assumptions. However, the dominant belief of both scholars is that *‘āmm* expressions must encompass every individual (i.e., *istighrāq*). In other word both sets of scholars believed an *‘āmm* expression covered all its individuals, and this understanding did not change in the later period of the evolution of theoretical language. The *usulists* who’d begun using logical notions in the 6<sup>th</sup> century AH began to emphasize the notion of universals and shaped their linguistic debates around the basis of this concept. These discussions were initiated by al-Ghazālī (d. 505/1111), mostly occurred on *‘āmm* expressions (a linguistic aspect of *uṣūl al-fiqh* [principles of Islamic jurisprudence]), and were continued by al-Rāzī (d. 606/1210) and other *usulists*.<sup>2</sup>

After the classical period, Islamic logicians started defining the concept of universals as meanings that do not prevent commonality or that exist among individuals. Originally, the concept was called as *‘āmm*, or *kullī*. When considering that some of the *‘āmm* expressions in *uṣūl al-fiqh* are met with the notion of whole (*kull*) and called *‘āmm*, these two notions can be seen to have both linguistic and semantic similarities.<sup>3</sup> As the two notions belonging to the two different traditions

- 1 The traces of the discussion on universals cannot be followed through the notions that emerged in the later period. Therefore, to say that a relationship between universals and *‘āmm* expressions had not been established in the classical period based on the absence of the notion of universals in the early periods would be a premature judgment. As a matter of fact, al-Suhrawardi assumed that the earlier *usulists* had established a relationship between universals and the *umum*. However, because the subject of this article is limited to al-Ghazālī and does not mention after this period, see Shihāb al-din Yahya b. Habesh al-Suhrawardi, *Kitāb al-Tanqīhāt fī uṣūl al-fiqh* (Istanbul: Suleymaniye Library, Fatih, 1259), 2a-11a.
- 2 Abū al-Husayn Muhammad b. Ali al-Baṣrī, *Kitāb al-Mu‘tamad fī uṣūl al-fiqh*, critical ed. Muhammad Hamidullah (Dimashq: al-Ma‘had al-‘Ilm al-Faransi li al-Dirāsāt al-‘Arabiyya, 1964), I, 203, 204; Abū al-Ma‘ālī Rukn al-dīn ‘Abd al-Malik b. ‘Abdillāh al-Juwaynī, *al-Burhān fī uṣūl al-fiqh*, critical ed. Ṣalāh b. Muhammad al-‘Uwayḍa (Beirut: Dār al-kutūb al-‘ilmiyya, 1997), 120; Abū Ḥāmid Muhammad b. Muhammad al-Ghazzālī, *Mī yār al-‘ilm*, critical ed. Suleiman Dunya (Caro: Dār al-Ma‘ārif, 1960), 75; ‘Ali b. Muhammad ‘Āmidī, *al-Iḥkām fī uṣūl al-aḥkām* (Beirut: Dār Ibn Ḥazm, 2008), 323.
- 3 Abū ‘Abdillāh Muḥammad Kuṭb al-dīn al-Rāzī, *al-Risala fī taḥqīq al-kulliyāt bi uṣūlīhi wa kavāidīhi*, trans. Ömer Türker (Istanbul: Türkiye Yazma Eserler Kurumu Başkanlığı, 2013), 155; Abu'l-fazl ‘Aḍḍ al-dīn al-Ijī, *Sharḥ Mukhtaṣar al-Muntaḥā al-usūli*, trans. Muhammad Hasan Ismail (Beirut: Dār al-Kutub al-Imiyya, 2004), II, 587.

became intertwined over time, a debate emerged as to whether they meant the same thing or not. The main problem at the center of this article is whether or not 'āmm expressions denote universals. In order to reflect the thoughts of the *usulists* on this issue, an answer is sought to the following question: Do the expressions the *usulists* characterize as 'āmm denote directly to a universal meaning, or can an expression that denotes a universal be characterized as 'āmm for them? For example, is the signification (*madlūl*) of the expression “the men (*al-rijāl*),” which is an 'āmm expression, universal or particular (*juz'ī*)? In other words, when the utterance of “the men” denotes the universal male nature, does it encompass all male individuals? All these questions occupied the agenda of *usulists* in the post-classical period. In fact, the first interpretations to resolve the confusion occurred in classical Islamic logic, as will be explained later. However, while this issue was discussed in logic in terms of universal propositions, it was discussed in *uṣūl al-fiqh* in matters of *umūm* [generality].

The concern of the *usulists* was whether an 'āmm expression includes its responsible persons (*mukallafūn*) when it is accepted to denote the universal, for if it does not, then the 'āmm expression cannot be used as a demonstration (*al-istidlāl*) in the jurisprudential issue, and likewise its denotation of a universal is unacceptable. While the problem had not appeared on the agenda of Hanafi legal scholars until Ibn al-Sā'atī (d. 694/1295), it occupied the agenda of Ash'arite speculative theologians, especially the followers of al-Rāzī. The relation of 'āmm expressions to universals as initiated by al-Ghazālī was detailed by al-Rāzī and his followers after al-Suhrawardī (d. 587/1191) and took on a different level after al-Qarāfī (d. 684/1285) in particular. According to al-Ghazālī, 'āmm expressions denote universals. As an example, the utterance “the men” (*al-rajul*) signifies the common male nature and encompasses every male individual. However, al-Rāzī, al-Suhrawardī, and al-Qarāfī did not consider this to be possible. According to them, an expression that denotes a universal does not refer to its individuals. In this case, for example, when the expression “the men” refers to the universal male nature, it does not actually refer to any individual. Therefore, an 'āmm expression cannot possibly denote universals.

Upon elaborating on the problem and detailing its practical consequence through an example, the subject of debate is whether or not 'āmm expressions should be universals. For a *usulist*, an 'āmm expressions denote individuals (i.e., *mukallaf* [the responsible persons]). For example, when the Shāri'ī says, “O people,

pray,” the people (*al-insān*) who are charged (*taklif*) to pray involves an ‘*āmm*’ expression. If one assumes that this expression denotes universal human nature, then no problem occurs according to al-Ghazālī. This is because, according to him, expressions that refer to the universal include all its members and can serve as proof that every human being is responsible for praying. According to al-Rāzī, Suhrawardī, and al-Qarāfī, however, this is impossible. For rather than human individuals, universal human nature instead is being charged to pray. Therefore, individuals cannot be said to be obligated to pray. According to al-Rāzī and al-Qarāfī, though, only one individual would be responsible, and no need exists for other individuals to pray when this individual does. But the ‘*āmm*’ expression loses its generality (*‘umūm*) in this instance. Therefore, ‘*āmm*’ expressions cannot be universal. For this reason, al-Rāzī said the denotation of universals to involve unqualified expressions (*al-lafẓ al-muṭlaq*), whereas ‘*āmm*’ expressions involve the common nature among its members. Al-Qarāfī maintained the same assumptions while using more technical notions and directly claimed ‘*āmm*’ expressions to be particular (*juz’ī*) and to be transformed into universality (*kullīya*) by saying they have no possible ability to signify the whole and the universal.<sup>4</sup> Taftāzānī (d. 792/1390) and some other *usulists* whom he did not name had taken an opposing stance on this issue of ‘*āmm*’ expressions’ ability to be universal and stated that ‘*āmm*’ expressions are universal. Meanwhile, the later commentators and glossators based their ideas on Subkī (d. 771/1370) and attempted to harmonize these two different opinions; they addressed the problem in a hybrid construct, stating ‘*āmm*’ expressions to be both universal and nonuniversal.

Various studies have been written on the connection between vocabulary with universals and other theoretical concepts. For instance, Tuncay Başıoğlu’s study titled *Fıkıh Usulünde Fahreddin Râzî Mektebi* (School of Fakhr al-din al-Râzî in Uşûl al-fiqh) is one of the studies written in the field of *usul al-fiqh* to touches upon language issues. Başıoğlu’s study mentioned the terms Qarāfī used regarding the relation between ‘*āmm*’ expressions and universals and pointed to the relation between *usul* and logic.<sup>5</sup> Imam Rabbani Çelik analyzed the relation between ‘*āmm*’ expressions and universals within the framework of al-Râzî’s *al-Maḥşûl* and stated

4 Throughout the study, the term universal is used for the notion of *kullī* (كُلِّي) in terms of classical logic, the term “whole” is used for the notion of *kull* (كُل) and “universality” for the notion of *kullīye* (كُلِّيَّة), such as universal propositions.

5 Tuncay Başıoğlu, *Fıkıh Usulünde Fahreddin Râzî Mektebi*, (Istanbul: ISAM, 2014), 184.

*‘āmm* expressions to signify quiddity (*al-mahiyya*).<sup>6</sup> Abdulkadir Eligül’s study on the relation of *‘āmm* expressions to universals touched upon many issues regarding the issue’s connections to language and methodology. He examined the terms universal and universality in the context of *‘āmm* and analyzed these notions in line with the works of logic and assignment (*wad’*), arguing that al-Qarāfi had asserted *‘āmm* expressions to signify universals as well as unqualified expressions, with different conditions being included in the universals denoted by *‘āmm* expressions.<sup>7</sup> Yaqoub Kara’s study on *‘āmm* expressions elaborated on many problems related to these and reported *‘āmm* expressions to not denote universals according to al-Qarāfi by focusing on the connections *‘āmm* expressions have with universals and other logical notions.<sup>8</sup> Abdullah Rabi’’s article on the signification of *‘āmm* expressions analyzed the types of denotations in logic, explained the type of denotation *‘āmm* expressions make regarding their individuals, and tried to clarify the dichotomy of whole and universality. Rabi’ stated the *usulists* to have had three different tendencies regarding *‘āmm* expressions: universality, conditional universals (*al-qadr al-mushtarak bi qayd*), and whole and inferred al-Qarāfi to have not adopted universality in the signification of *‘āmm* expressions but to have accepted the signification of conditional universality.<sup>9</sup> As will be explained, however, this claim does not coincide with al-Qarāfi’s thoughts. These aforementioned studies made different inferences regarding the evidentiality of *‘āmm* expressions having universals, and their conclusions were generally limited to al-Rāzi and al-Qarāfi. These studies did not linearly examine the relation *‘āmm* expressions have with universals in the context of the history of *uṣūl al-fiqh*, nor did they focus on the interactions with classical logic.

This article traces the story of the relationship between *‘āmm* expressions and universals within the history of *uṣūl al-fiqh* from diachronic and synchronic perspectives. The article first summarizes the *usulists*’ thoughts in order to draw a general framework for the definition of *‘āmm* expressions. In the post-classical

6 Imam Rabbani Celik, *Fahreddin er-Rāzi’nin Usūl Düşüncesinde Umūm Lafızların Mahiyeti -el-Mahsūl Örneği-*” (Master’s Thesis, Marmara University, 2014), 63, 64.

7 Abdulkadir Eligül, “İslam Hukuk Metodolojisinde *‘āmm* ve Mutlak Kavramları” (Master’s Thesis, Mardin Artuklu University, 2019), 47, 85

8 Yakup Kara, “Umum-Husus Meselesinin Dil Açısından İncelenmesi (Karāfi Örneği)” (Doctoral dissertation, Marmara University, 2019), 95.

9 Abdullah Rabi’ Abdullah Muhammad, “Taḥqīq al-kalām fi madlūl al-‘āmm,” *Ḥavāḥiyat al-Kulliyat Dirāsāt al-Islamiyya wa al-‘Arabiyya lı al-banına bı al-Qāhir* 27 (2009), 80–81.

period, al-Ghazālī endeavored to incorporate logic into the legal theory and elaborated upon and detailed his arguments on the relationship between *‘āmm* expressions and universals. The article also analyzes the works of Suhrawardī, al-Rāzī, and their followers, especially al-Qarāfi who would influence the later *usulists*, and clarifies the positions of both sides by following the thoughts of al-Taftāzānī, who opposed these thinkers. The article then explains the opinions of the authors who’d addressed the subject in the commentaries and glosses on *Jam‘ al-jawāmi‘*. Āmidī lived in the same period as al-Rāzī and was followed by Ibn al-Hājib, but did not address this issue. The early Hanafi *usulists* did not encounter this debate, nor did it attract the attention of the later Hanafi jurists Sadr al-Sharī‘a (d. 747/1346) or Mullā Khusraw (d. 885/1480). While Mollā Fanārī (d. 834/1431) and Bihārī (d. 1119/1707) did touch upon this issue, they only repeated the statements of the Shāfi‘ī/Ash‘arī *usulists*.<sup>10</sup> Therefore, these *usulists* have been excluded from the scope of the study. Although the article tries to determine the nature of universals in the context of their relationship with *‘āmm* expressions, it does not directly examine the definition of universals. The study is limited to tracing the transformation of the *usulists’* views on the relation between *‘āmm* expressions and universals in the history of *uṣūl al-fiqh*.

## 1. The Definition of ‘Āmm Expressions According to the Speculative Theologians

The *usulists* are divided into two groups based on the definitions they adopted for *‘āmm* expressions. The first group draws on Bāqillānī (d. 403/1013), while the other follow Abū al-Ḥusayn al-Baṣrī (d. 436/1044). Al-Baṣrī’s defined *‘āmm* expressions as “The expressions that encompass all the individuals included in its content;”<sup>11</sup> this definition was not accepted by Ash‘arite theologians until al-Rāzī. The most significant feature of this definition is the emphasis on encompassing (*istighrāq*). A number of post-Rāzī *usulists*, including Taj al-Dīn al-‘Urmawī (d. 653/1255), al-Qarāfi, and Subkī, also emphasized encompassing based on this definition. Among the Ash‘arite *usulists*, al-Bāqillānī’s definition

10 Muhammad b. Hamza Molla Fanārī, *Fuṣūl al-badā‘i‘ fi tartīb al-sharā‘i‘* (Beirut: Dār al-kutub al-‘ilmiyya, 1971), 87–89; Muḥib Allāh b. ‘Abd al-Shakūr, *Kitāb Musallem al-Thubūt* (Egypt: Matabaat al-Husayniyya, n.d.), 192.

11 Abū al-Husayn Muhammad b. ‘Alī al-Baṣrī, *Kitāb al-Mu‘tamad fi uṣūl al-fiqh*, critical ed. Muhammad Hamidullah (Dimashq: al-Ma‘had al-‘ilm al-Farānsī lī al-Dirāsāt al-‘Arabiyya, 1964), I, 203, 204.

of 'āmm expressions, which he defines as expressions that cover two or more individuals,<sup>12</sup> was adopted by al-Juwaynī (d. 478/1085).<sup>13</sup> Meanwhile, al-Ghazālī also adopted al-Bāqillānī's definition, but with slight differences, defining 'āmm expressions as simple expressions that refer to two or more individuals with one reduplicative (*ḥaythiyya*).<sup>14</sup> In the 7<sup>th</sup> century AH, Āmidī (d. 631/1233) and Ibn al-Ḥajīb (d. 646/1249) offered the outline of a similar explanation.<sup>15</sup> Contrary to Baṣrī's definition, theirs did not emphasize encompassing. However, al-Juwaynī, al-Ghazālī, and al-Āmidī all stated the meaning of encompass to be present in the definition of 'āmm expressions.<sup>16</sup>

## 2. Al-Ghazālī: The Identicalness of 'Āmm Expressions and Universals

Although al-Rāzī and later *usulists* accepted universals among the meanings 'āmm expressions denote in the language of theoretical logic, al-Ghazālī's thoughts were the ones that formed the basis of this explanation. As mentioned above, al-Ghazālī followed the outlines of the classical definition of 'āmm expressions and did not adopt a different approach. However, the fact that he regarded classical logic as one of the postulates of the science of legal theory caused him to analyze 'āmm expressions in a different light. By evaluating the problem in the field of language and logic, the relationship he assumed to exist between the two notions and the claims he put forward based on this represent the beginning of the adventure of linking 'āmm expressions with universals in the history of legal theory. However, based on this connection, he did not include universals in his definition of 'āmm expressions.<sup>17</sup>

Al-Ghazālī's discussion of 'āmm expressions divided the levels of existence into three parts and rejected the externalist existence (*al-vujūd al-khārijī*) of universals, as he viewed their existence at the levels of mental (*al-dhihnī*) and linguistic

12 Abū Bakr Muḥammad b. Abi al-Ṭayb al-Bāqillānī, *al-Taqrīb wa'l-irshād*, Ed. 'Abd al-Hamid b. 'Alī Abi Zanid (Beirut: Muassasa al-Risāla, 1998), III, 5.

13 Abū al-Ma'ālī Ruqn al-dīn 'Abd al-Malik b. 'Abdillāh al-Juwaynī, *Kitāb al-Talkhīṣ fī uṣūl al-fiqh*, trans. Abdullah Jawlam al-Nibālī, Shubayr Ahmad al-Omarī (Beirut: Dār al-Bashāir al-Islamiyya, 1996), II, 5.

14 Abū Ḥāmid Muḥammad b. Muḥammad al-Ghazzālī, *al-Mustaṣfā min 'ilm al-uṣūl*, critical ed. Hamza Zuhair Hafiz (Medina: Jamī'a al-Islamiyya, 1992), III, 212.

15 Āmidī, *al-Iḥkām*, 304; 'Uthman b. 'Umar Ibn al-Ḥajīb, *Kitāb Mukhtaṣar al-Muntahā al-uṣūlī* (Cairo: Kurdistān al-'ilmiyya, 1326/1908), 104.

16 al-Juwaynī, *al-Burhān*, 120; al-Ghazālī, *Mi'yāru al-'ilm*, 75; Āmidī, *al-Iḥkām*, 323.

17 al-Ghazālī, *al-Mustaṣfā*, III, 212.



existence. Although he characterized universals without external existence as *'āmm*, this *'āmm* is not the *uṣūl al-fiqh* of a concept,<sup>18</sup> and while he did evaluate encompassing in expressions with *al* based on the *'āmm* expressions in *al-Mustaṣfā* and its denotation of genus (*jins*), he cannot be said to have clearly envisioned a universal meaning of the term.<sup>19</sup> Still, his work *Mi 'yār* on logic elaborates on the problem in contrast to his attitudes on legal theory and connects the comprehension of the generality (*'umūm*) of *'āmm* expressions explicitly to the understanding of universals. According to al-Ghazālī, who addressed the problem in the section where he analyzes the meanings of universals and particulars, the *usulists* disagreed over the nature of *'āmm* expressions because they were not knowledgeable about universal meanings. Under the heading of jurisprudential interest, he explains the basis of the *usulists'* dispute over this issue as follows:

The *usulists* differ as to whether an utterance that is prefixed with the article *al* requires generality (*istighrāq/ umūm*)... Some of these *usulists* think that because the article *al* is a singular noun, it does not by itself imply generality, whereas the generality is understood through the circumstantial evidence (*qarīna*)... However, if you think carefully about the analysis of the meaning of universals, you will realize that they are mistaken because they do not know that universal expressions require generality without any circumstantial evidence.<sup>20</sup>

As can be seen, al-Ghazālī argued utterances with *al*, being accepted as *'āmm* expressions in the science of *uṣūl al-fiqh*, to imply generality based on the denotation of universals. According to him, the *usulists* who argue generality to be realized through circumstantial evidence do not know that the form of existence in the external exists in the mind and that this image (*al-sūra*) in the mind constitutes a universal form in the sense that it corresponds to all existences and possible existents. According to al-Ghazālī's claim, the basis of their mistake stems from their position on the assignment of expressions. According to the *usulists*, expressions are assigned to externalist existence (*a 'yān*), namely to certain individuals in the external world. For example, the assignment of the utterance "human" involves human beings as they exist in the external world. Therefore, according to al-Ghazālī, if these *usulists* had accepted that the expressions are

18 *Ibid*, III, 213-215.

19 *Ibid*, III, 249.

20 al-Ghazālī, *Mi 'yār al- 'ilm*, 75.



assigned to mental images (*al-sūra al-dhiniyya*), they would have been able to accept 'Ämm expressions as denoting universals, and thus the meaning of generality would have been achieved.<sup>21</sup> Al-Ghazālī is understood to have based this view on three premises: a) Expressions denote mental images, b) universals are mental forms, and c) universals imply generality.<sup>22</sup> From this point of view, he argued 'Ämm expressions with the article *al* to denote a universal mental image and thus to express generality. Al-Ghazālī's consideration of how 'Ämm expressions denote universals led to the judgment that expressions that denote universals are 'Ämm expressions. He put forth this assumption in line with the premises he discussed in his work on logic, thus marking a first in the history of legal theory. However, later *usulists* did not follow al-Ghazālī in their explanations of the relation between 'Ämm expressions and universals, instead focusing on al-Rāzī's explanations.

### 3. Al-Rāzī And His Followers' Understanding of 'Ämm Expressions and Universals

Classical logic was very influential on the *uṣūl al-fiqh* understanding of Suhrawardī, al-Rāzī, and their followers, who were the leading figures of legal theory after al-Ghazālī.<sup>23</sup> These *usulists* raised many issues in the context of the relationship between language and universals, and universals were central to the discussion of these issues. For instance, they included universals in issues related to the universality of meaning, the evidentiality of unqualified expression, command (*amr*) and prohibition (*nahy*) of the quiddity, the universality of narration (*al-rivāya al-kullīya*), and the indication of specific reference (*takhsīs al-'Ämm*), thereby providing an understanding and sometimes a justification for issues. One of the

21 *Ibid*, 75.

22 *Ibid*, 76–77. According to al-Ghazālī's claim, the generality of the expressions could be easily understood if one were to adopt the view that the expressions are assigned to mental images and not to external existences. However, al-Subkī, one of the later *usulists*, accepted the utterance to be assigned to beings in the external world, but also considered its assignment to universals to be possible. Although al-Subkī's position seems to contradict al-Ghazālī's, there is actually no contradiction, because what Subkī means by external existence is a common meaning that exists in the external world and in the mind, along with the imagination of the external world in the mind of the author of the language. In other words, he explained the denotations of universals using expressions to be possible by assigning mental images (See Abū Naṣr Ṭāj al-Dīn 'Abd al-Wahhāb b. 'Alī al-Subkī, *Man 'al-mawānī 'an Jam 'al-jawāmi 'fi uṣūl al-fiqh*, critical ed. Sa'd b. Ali (Cairo: Cāmi'a Umm al-Qurā, 1990), 239–240.

23 Başoğlu, " Fıkıh Usulünde Fahreddiin er-Rāzī Mektebi ", in *İslam Düşüncesinin Dönüşüm Çağında Fahreddin er-Rāzī*, Ed. Ömer Türker-Osman Demir (Istanbul: ISAM, 2013), 243.

issues the scholars dealt with in terms of universals and their related concepts was *'āmm* expressions. The scholars excluding al-Suhrawardī, who defined *'āmm* expressions in terms of universals had spoken only in terms of the concept of universal/quiddity up until al-Qarāfi; after al-Qarāfi, they began to compare the whole and universality. In particular, the concept of universality influenced the later *usulists*, who came to explain *'āmm* expressions with this notion.<sup>24</sup>

### 3.1. Rejecting *'Āmm* Expressions as Denoting Universals

In *Ma'ālim*, al-Rāzī adopted the definition of *'āmm* expressions based on al-Bāqillānī-Juwaynī,<sup>25</sup> while in *Maḥṣūl*, al-Rāzī followed al-Baṣrī and rejected the definition of the Ash'arite scholars.<sup>26</sup> However, al-Rāzī redefined *'āmm* expressions through the concept of reality (*al-ḥaqīqa* [universal]) and introduced a third and revised definition that differed from that of the previous *usulists*. According to al-Rāzī, who discussed this definition of *'āmm* expressions while explaining the difference between them and unqualified expressions, an *'āmm* expression is “an expression that denotes reality with an indefinite majority (*al-kathra*),”<sup>27</sup> with reality and majority being two elements that stand out in this definition. This expression denotes the reality that is limited by a majority (i.e., by individuals). Therefore, *'āmm* expressions do not refer directly to universals but to the qualified reality that can be interpreted as particulars. This is because in his view, all expressions have a universal meaning. For instance, even particular proper names denote a nature such as humanity.<sup>28</sup> However, this denotation does not mean an expression is universal because it does not occur through correspondence (*muṭabaqa*). *'Āmm* expressions are also like this. The meanings they denote are not universal; they refer to individuals, and these individuals are united by a common nature (i.e., universal reality [*al-ḥaqīqa ma'a qayd al-kathra*]).

24 Fakhr al-din al-Rāzī, *al-Maḥṣūl fī 'ilm al-uṣūl al-fiqh*, critical ed. Jābir Fayyāḍ al-'Alwānī (Beirut: Muasasa al-Risāla, n.d.), II, 98, 100, 106, 116, 116, 282-284, 314, IV, 270.

25 “العام ما يتناول الشئيين فصاعدا من غير حصر” see Fakhr al-din Muhammad b. 'Umar al-Rāzī, *al-Ma'ālim fī uṣūl al-fiqh*, critical ed. 'Adil Ahmad 'Abd al-Mawjūd, Ali Muhammad Mu'awvaḍ (Cairo: Dār 'ālam al-ma'rifa, 1994), 84.

26 “أللفظ المستغرق لجميع ما يصلح له بحسب وضع واحد” see al-Rāzī, *al-Maḥṣūl*, II, 309-310.

27 “اما اللفظ الدال على تلك الحقيقة مع قيد الكثرة (...) فان لم تكن الكثرة كثرة معينة فهو العام” see al-Rāzī, *al-Maḥṣūl*, II, 314.

28 al-Rāzī, *al-Maḥṣūl*, II, 313, 314. Tabrizi, a follower of al-Rāzī, defined proper names as follows: “An expression that denotes reality with indefinite particularity,” see Amin al-din al-Tabrizi, *Tanqīḥ Maḥṣūl Ibn al-Khaṭīb*, critical ed. Hamza Zuhair Hāfiz (Mecca: Cāmi'a Umm al-Qurā, n.d.), II, 236.

When al-Rāzī stated 'āmm expressions to denote reality, he did not mean anything else. He also explained the signification (*madlūl*) of the unqualified expression which he positions opposite the 'āmm expression as reality in terms of being reality (*al-ḥaqīqa min ḥaythu hiya hiya*). Thus, he indirectly implies that 'āmm expressions do not denote universals.<sup>29</sup> As a result and unlike al-Ghazālī, al-Rāzī did not accept 'āmm expressions to denote universals; on the contrary, he adopted the view that the expressions that fulfil this denotation are unqualified expressions.<sup>30</sup> His statements on this issue are as follows:

Know this: Everything has a reality. A meaning [*mafḥūm*] that is contrary to this reality is, of course, a different one. This does not change whether the contradictory meaning is connected or separate from the essence at issue, whether it be affirmation (*ijāb*) or negation (*salb*). Therefore, a human being in terms of being a human being is only a human being (*al-insān min ḥaythu innahū insān*). The fact that this human being is one or not one, many or not many, are meanings separate from the reality of the human being in terms of being human, even though the meaning of human being is not [ontologically] separated from particularity [*al-vaḥda*]. Once you know what I have said, we can say that the expression that refers to the reality in terms of being the reality without referring to any positive or negative meaning is an unqualified expression, and the expression that denote the reality with the indefinite majority is an 'āmm expression.<sup>31</sup>

29 al-Rāzī, *al-Maḥṣūl*, II, 314. Although Rāzī did not directly mention universals in the definition, he is understood to mean universals through the notion of reality. In fact, the statements of later commentators testify that essence corresponds to universals, and unqualified reality (*al-ḥaqīqa al-muṭlaq*) corresponds to universals in classical philosophical thought. In addition, quiddity was also used instead of reality. In fact, Ṭaj al-Dīn al-'Urmawī (d. 653/1255) and Sirāj al-Dīn al-'Urmawī (d. 682/1283), two of Rāzī's followers, talked about quiddity instead of reality. Tabrizī (d. 621/1224) and al-Qarāfī stated this concept to be directly called universality. In addition, Subkī, one of the later *usulists*, expressed the denotation of the unqualified expression as unqualified quiddity (*al-mahīyya al-muṭlaq*) by stating that quiddities are divided into three parts. In addition, theologians also expressed the concept of quiddity in terms of quiddity (i.e., the concept of unqualified quiddity) to mean universal; see Abū 'Abdillāh Ṭaj al-dīn Muḥammad b. Husayn al-'Urmawī, *Kitāb al-Ḥāṣil min al-Maḥṣūl*, critical ed. 'Abd al-Salām Mahmud Abū Nāji (Benghazi: Cāmi'a Qāryūnus, 1994), II, 502, 503; Abū al-Thanā Sirāj al-dīn Maḥmud b. Abī Bakr al-'Urmawī, *al-Taḥṣil min al-Maḥṣūl*, critical ed. 'Abd al-Ḥamid 'Alī Abū Zanīd (Beirut: Muasasa al-Risāla, 1988), I, 344; Tabrizī, *Tanḳīḥ Maḥṣūl*, II, 236; Shihāb al-dīn Abū al-'Abbās Ahmad b. Idrīs al-Qarāfī, *al-'Iqd al-manẓūm fī al-khuṣūṣ wa al-'umūm*, critical ed. Ali Muhammad Mu'awwad, 'Ādil Ahmad 'Abd al-Mawjūd (Beirut: Dār al-kutub al-'ilmiyya, 2001), 101; Abū Naṣr Ṭaj al-dīn 'Abd al-Wahhāb b. 'Alī al-Subkī, *al-Ibhāj fī Sharḥ al-Minhāj*, critical ed. Ahmad Jamal al-Zamzami, Nūr al-Dīn 'Abd al-Jabbār Ṣaghīrī (Dubai: Dār al-Bukhūth lī al-dirāsāt al-Islamiyya wa ḥiyā al-turāth, 2000), IV, 1227; al-Subkī, *Jam' al-jawāmi' fī* (Beirut: Dār al-kutub al-'ilmiyya, 2003), 53; Mahmud b. Abd al-Rahman Shams al-dīn al-Ḥafāhānī, *Tasḍīd al-qawā'id fī Sharḥ Tajrīd al-'aqa'id* (Kuwait: Dār al-ḥiyya', 2013), I, 382; *Sa'd al-dīn Mas'ūd b. Fakhr al-dīn al-Taftāzānī, Sharḥ al-Maqāṣid*, critical ed. Abdurrahman Amīra (Cairo: al-Maktaba al-azhariyya lī al-turāth, 2016), I, 407–409.

30 al-Rāzī, *al-Maḥṣūl*, II, 313–314.

31 al-Rāzī, *al-Maḥṣūl*, II, 313, 314.

Al-Rāzī's argument is clear: An expression that denotes reality does not denote anything other than its meaning. Therefore, no particulars occur in the subject of the denotation. Meanwhile, *'amm* expressions signify particulars and not universals, because they require generalities (*istighrāq*), and generalities can only be considered in particulars. Al-Ghazālī had stated the opposite. According to him, the meanings referring to the common natures/universals encompass each of the individuals. Al-Rāzī also expressed his claim explicitly about the subject metaphoric expression (*majāz*). In fact, Ibn Jinnī (d. 392/1002) said expression had been assigned (*wudi 'a*) to the genus and should denote all individuals. However, due to the impossibility of referring to all individuals, he interpreted the expression as metaphoric. Al-Rāzī regarded the genus as interchangeable with universals and claimed that universals do not denote particulars, thus opposing Ibn Jinnī's claim.<sup>32</sup> Al-Rāzī, had put forward the same defense for expressions containing the article *al*, defending the denotation of these expressions as universals, which was in parallel with al-Ghazālī's thought. The difference is that, while these expressions denoted a generality according to al-Ghazālī, they did not to al-Rāzī, for universals do not require the meaning of generality. Although both have a common understanding in this respect, they also have their own assumptions in terms of the results required by this understanding.<sup>33</sup>

Suhrawardī lived in the same period as al-Rāzī, but whether they had had any interactions regarding *uṣūl al-fiqh* thought is unknown. Suhrawardī included the relationship between *'amm* expressions and universals in the Introduction to his work similar to but in more detail than al-Rāzī. As will be discussed later, Suhrawardī touched upon many of the issues al-Qarāfī and other legal theorists had addressed. However, the later *usulists* did not refer to him specifically on this issue.

Suhrawardī first presented the concepts of *umūm* and *khusūs* in classical logic and legal theory and the differences between them. He stated *'amm* in logic to not be different than *'amm* as a subject of *uṣūl al-fiqh*.<sup>34</sup> Suhrawardī stated that defining

32 *Ibid*, I, 337. Al-Rāzī's made the following other statements on this issue: "It has become clear that the expression that denotes quiddity does not entail the generality" and "Now you know that quiddity itself does not require generality (*istighrāq*)." Also see al-Rāzī, *al-Maḥṣūl*, II, 370, 384: "Elsewhere he states that quiddity in terms of being quiddity does not entail any number unless the *al-lāzım al-khārījī* are attached to it."

33 Rāzī, *al-Maḥṣūl*, II, 367, 368, 370.

34 Suhrawardī, *al-Tanqīḥāt* (Fatih, 1259), 9b.

expressions by denoting universals such as 'āmm would be a mistake in the sense of the principles of Islamic legal jurisprudence. For example, an expression referring to a universal human being denotes animality (*ḥayvāniyya*) and rationality (*nāṭiqiyya*). While this is true to multiple particulars, it does not denote them, unlike *umūm* in the sense of legal theory.<sup>35</sup> By approaching the problem from the perspective of jurisprudence, al-Suhrawardī stated the divine categorization (*al-ḥukm al-shar'ī*) as charged (*taklīf*) to the unqualified quiddity to not be imputed to responsible persons (*mukallafūn*); therefore, this expression cannot be used as proof (*dalīl*).<sup>36</sup> Suhrawardī stated *umūm* in legal theory to be related to propositions rather than expressions and mentioned another difference between the two notions in terms of commonality (*sharīka*). Although commonality in the definition of 'āmm expressions takes place in universals, commonality for these expressions differ from the commonality of universals and require a generality. Suhrawardī stated this difference to also be realized in existence (*al-vujūd*). The *umūm* of expression that refers to the universal and the *umūm* of the expression that requires generality are based on the relation of opposites ('*aks*). In this case, the existence of the universal does not require the existence of the particular. However, the existence of a particular that is *māsadaq*, requires the existence of the universal. However, this is not the case with āmm expressions that denote generalities: While these expressions require the existence of their particulars, the generality is not understood from their particulars.<sup>37</sup>

Drawing attention to the reason for al-Rāzī's comparison of 'āmm expressions to unqualified expressions, al-Ṭilimsānī explained this with confusion of meaning, because although the expressions that signify generalities are called 'āmm expressions in legal theory, classical logic calls the expressions that denote universals 'āmm expressions. Meanwhile, the expressions in legal theory that denote universals are called unqualified expressions. According to al-Ṭilimsānī, al-Rāzī made this comparison to indicate the difference in the conceptualization of the 'āmm expressions as adopted by the parties of both traditions and thus to prevent the confusion of meaning that arises due to ignorance of the differences. In fact, legal theorists consider the *umūm* to be attached to expressions referring

35 *Ibid*, 18b.

36 *Ibid*, 10a–11b.

37 *Ibid*, 9a–10a.

to generality (e.g., Muslims) and to universal propositions (e.g., every object is possible), whereas the *umūm* of unqualified expressions denoting universals is attached to the meanings used in definitions (*ḥadd*) in the discipline of logic e.g. genus, species [*naw*], differentia (*faṣl*), and general accident ([*al-‘araḍ al-‘āmm*]) and is not used in universal or demonstrative propositions (*al-qaḍāyā al-burhāniyya*). As will be discussed later, Suhrawardī and Tīlmsānī’s explanation of ‘*āmm* expressions as a proposition influenced al-Qarāfī’s recognition of ‘*āmm* expressions as universals (*kulliyya*). Tīlmsānī also mentioned another difference between the two concepts while discussing the majority in al-Rāzī’s understanding of the ‘*āmm*, stating the majority in ‘*āmm* expressions to also exist in universals. However, according to him, this majority is not acceptable based on the definition of universals, whereas with ‘*āmm* expressions, this majority is an essential part (*zātī*) and a necessary element (*muqawwim*).<sup>38</sup>

While Ṭabrīzī, one of Rāzī’s followers, did not add a different course to the discussion by contenting himself with the statements in *Maḥṣūl* denoting ‘*āmm* expressions,<sup>39</sup> Ṭāj al-Dīn al-‘Urmawī accepted under Rāzī’s influence the existence of a universal meaning among the individuals of ‘*āmm* expressions.<sup>40</sup> The difference is that al-‘Urmawī argued this meaning to exist in each individual, whereas Rāzī had argued it to exist among an indefinite majority. In this regard, Sīrāj al-Dīn al-‘Urmawī followed Rāzī,<sup>41</sup> while Bayḍāwī followed Ṭāj al-Dīn al-‘Urmawī.<sup>42</sup>

Al-Qarāfī, one of the commentators of *Maḥṣūl*, objected to al-Rāzī’s definition of ‘*āmm* expressions and thought the assumption of universals being among an indefinite majority to be inconsistent, for the notion of majority is determinate because it expresses infinity. The infinite is distinguished from the finite by negating finitude from itself and becomes determinate. Therefore, according to al-Qarāfī, al-Rāzī probably was referring to an indeterminacy determined by not having an end.<sup>43</sup> Al-Qarāfī directed another criticism against al-Rāzī and al-‘Urmawī’s

38 ‘Abdullah b. Muhammad Ibn al-Tīlmsānī, *Sharḥ al-Ma‘ālim fī*, critical ed. Ali Muhammad Mu‘avvaḍ Ahmad, ‘Ādil ‘Abd al-Mawjūd (Beirut: ‘Ālam al-Kutub, 1999), I, 423, 427.

39 Ṭabrīzī, *Tankīḥ Maḥṣūl*, II, 235, 236.

40 “واللفظ الدال على الماهية مع كل واحد من جزئياتها” Ṭāj al-Dīn al-‘Urmawī, *al-Ḥāṣil min al-Maḥṣūl*, I, 503.

41 Sīrāj al-Dīn al-‘Urmawī, *al-Taḥṣīl min al-Maḥṣūl*, I, 344.

42 Naṣīr al-Dīn Abū Sa‘īd ‘Abdullah b. ‘Umar al-Bayḍāwī, *Minhāj al-wuṣūl ilā ‘ilm al-uṣūl*, critical ed. Shaban Muhammad Ismail (Beirut: Dār al-Ibn Ḥazm, 2008), 121.

43 Abū al-‘Abbās Shihāb al-dīn Ahmad b. Idrīs al-Qarāfī, *Nafāus al-uṣūl fī sharḥ al-Maḥṣūl*, critical ed. ‘Ādil Aḥmad ‘Abd al-Mawjūd, ‘Alī Muḥammad Mu‘avvaḍ (Riyadh: Maktaba al-Nizār Muṣṭafa al-Bāz, 1995), IV, 1755; al-Qarāfī, *al-Iqd al-manzūm*, 90, 95.

definitions. Accordingly, to not explain whether 'āmm expressions are a whole or a universality is ambiguous. Therefore, the meaning of 'āmm should be clarified, and the definition of 'āmm expressions should be constructed based on this certainty.<sup>44</sup> Al-Qarāfi included many alternative definitions of 'āmm expressions in this regard<sup>45</sup> and felt providing certainty by explaining 'āmm expressions as those “assigned universally, provided that the judgment of universals exists.”<sup>46</sup>

### 3.2. Al-Qarāfi: The Acceptance of 'Āmm Expressions as Universal Propositions

In the same line with al-Rāzi's followers, al-Qarāfi did not consider the universal denotation of 'āmm expressions to be possible<sup>47</sup> and based this claim on a hypothetical argument. According to the objection, if one accepts that 'āmm expressions are assigned or signified to universals, they must be unqualified expression; if they are assigned to particulars, they must be proper nouns. The impossibility of both assignments reveals the existence of a different category of assignment regarding 'āmm expressions, which makes classical logic's distinction between universals and particulars problematic. He responded to the objection as follows:

We prefer to assign the notion of umūm (*sīgha al-umūm*) to the particular (*juz'ī*). This [preference] is due to the scholars having defined particulars as an expression in which commonality is prevented. When we conceive of all the individuals of a human being or something else in such a way that no individual of this kind is left out and when all the individuals encompass our mind, to have the mind include any other individual becomes impossible. When having these expressions be dual and plural becomes impossible, so does accepting their commonality become impossible. In this case, the meaning of umūm is imagined as that which prevents commonality. This is the definition of particulars. Therefore, 'āmm expressions are particulars.<sup>48</sup>

As is understood, al-Qarāfi considers having 'āmm expressions denote universals to be impossible as these expressions involve particulars. He also argues these expressions to not denote the whole (*kull*), similar to al-Suhrawardī. Thus,

44 al-Qarāfi, *Nafā'is al-uṣūl*, IV, 1755; IV, 1757; *al-'Iqd al-manzūm*, 90, 91.

45 al-Qarāfi, *al-'Iqd al-manzūm*, 45–47.

46 “والعام هو الموضوع لمعنى كل يقيد تتبعه في محاله”, see Abū al-'Abbās Shihāb al-dīn Ahmad b. Idris al-Qarāfi, *Sharḥ Tanqīḥ al-fuṣūl ilā 'ilm al-uṣūl fī ikhtisār al-Maḥṣūl* (Beirut: Dār al-Fīkr, 2004), 38.

47 al-Qarāfi, *Nafā'is al-uṣūl*, IV, 1731.

48 al-Qarāfi, *al-'Iqd al-manzūm*, 110–111.



al-Qarāfi excludes *‘āmm* expressions from signifying the whole as well as universals and brings up a new category of denoting that had not been seen before in legal theory. He defined this category of universality (*kullīya*) as “the attachment of judgment (*ḥukm*) to each of the individuals of the *‘āmm* expression separately in such a way that no individual is left out,”<sup>49</sup> and this category is interpreted as a universal proposition in classical logic. He explained it as follows: “*‘Āmm* expressions signify neither the whole nor universals but universality.”<sup>50</sup> Repeating this statement in many *usul* works, al-Qarāfi elaborated at length on the differences between them by stating the meanings in question to not be subject to the signification (*madlūl*) of the *‘āmm*.<sup>51</sup> Thus, he evaluated *‘āmm* expressions under particular expressions and interpreted the type of this particular denotation as universality. Al-Qarāfi eliminated the aforementioned types of denotation by equating *‘āmm* with universality (*kullīya* [i.e., universal propositions]) and emphasized *‘āmm* expressions to also be divided into particularities (*juz’iyya* [particular propositions]) based on the distinction of the members of the whole and universal expressions as parts (*juz*) and particulars (*juz’i*).<sup>52</sup> In this case, he regarded each of the individuals of an *‘āmm* expression, which denotes universality, as being separate particular propositions and formulated the relationship between *‘āmm* expressions and the individuals on the basis of universality and particularity. According to him, *‘āmm* expressions are made up of more than one particular proposition. This endeavor by al-Qarāfi, who’d introduced a new concept to *uṣūl al-fiqh* by basing particularity on the particular proposition (*al-qaḍīyya al-juz’iyya*) in logic, was not only contrary to the conception of particularity in classical logic, but also a first in legal theory. As mentioned earlier, however, the bases of his idea and conceptualization can be found in al-Suhrawardī and al-Tilmsānī.

Al-Qarāfi’s comparisons of the denotation of *‘āmm* expressions was probably to avoid the confusion that had arisen due to the linguistic similarity between the concepts of the universal (*kullī*) in classical logic and the whole (*kull*) in Arabic. He first wanted to identify the meanings of the whole, universals, and universality and then discussed which of these meanings had been assigned to *‘āmm* expressions. However, he owed his conceptualization of universality and

49 *Ibid*, 39.

50 “ان مدلول العموم كلية لا كل ولا كل”، see al-Qarāfi, *Nafāis al-uṣūl*, IV, 1731.

51 al-Qarāfi, *al-Iqd al-manẓūm*, 34–43.

52 *Ibid*, 39, 41.

his attempt to compare it to the expressions of the whole and universals to classical logic. Although this conceptualization and comparison had not been utilized in the legal theory literature before him, they had been dealt with in classical logic, albeit in a different context. In fact, this conceptualization and comparison al-Qarāfi used was based on Avicenna, who explained them in *al-Ishārāt* as follows:

Chapter 5 refers to the modality of the realization of affirmative universal propositions. Know that when we say, "Every c is b," we do not mean the universality of c or that the universal c is b. Rather, we mean that b is every individual [kullu wāhīdın wāhīdın] that can be characterized as c.<sup>53</sup>

As can be seen, Avicenna mentioned the three possibilities conceived in the subject matter (*mawḍūʿ*) of a universal proposition and stated that universal propositions refer not to universality and universals but to each individual. Al-Rāzī and Ṭūsī (d. 672/1274) argued about what Avicenna had meant by the concept of universality. While al-Rāzī understood universality to mean the whole, he did not mention to which part the universal belongs.<sup>54</sup> According to him, Avicenna regarded the whole and universals to be impossible and instead endorsed the meaning of each individual, which al-Qarāfi later called universality. Ṭūsī, on the other hand, criticized al-Rāzī and stated that the concept of universality should be understood as the logical universal (*al-kullī al-mantiqī*) and the universal as the mental universal (*al-kullī al-ʿaqli*). In other words, universal propositions cannot denote both mental and logical universals. However, having them signify the natural universal (*al-kullī al-tabīʿī*) is possible on the condition of aspect (*ḥaythıyya*).<sup>55</sup> The chapter in which Avicenna analyses universal propositions in his *al-Shifaʿ* corpus clearly reveals what he means regarding universality occurs in the text of *al-Ishārāt* where he directly states a universal proposition to not refer to the whole and universals, but rather to each individual. However, under which of the mental, logical, and natural parts the universal he denied falls is unclear:

53 Abū ʿAlī b. Ḥusayn b. Sinā, *al-Ishārāt wa al-tanbīhāt maʿa Sharḥ Naṣır al-dīn al-Ṭūsī*, critical ed. Suleyman Dunya (Cairo, Dār al-Maʿārif, 1960), I, 325.

54 Muḥammad b. ʿUmar Fakhr al-dīn al-Rāzī, *Sharḥ al-Ishārāt wa al-tanbīhāt* (Tehran: Danışgāh-ı Tahrān, n.d.), I, 200.

55 Abū Jaʿfar Naṣır al-dīn Muḥammad b. Muḥammad al-Ṭūsī, *al-Ishārāt wa al-tanbīhāt maʿa Sharḥ Naṣır al-dīn al-Ṭūsī*, I, 325, 326; al-Rāzī, *Sharḥ al-Ishārāt wa al-tanbīhāt*, I, 200. The definition of the logical universal is the notion that does not prevent it from commonality; it does not have an external reality. The natural universal is a notion to which the logical universal is attached; its external existence is generally accepted by logicians. The mental universal is the whole of the logical and natural universal, see ʿUbaydulah b. Fazlillah al-Khabīṣī, *al-Tahdhīb Sharḥ ʿUbaydillah b. Fazlillah al-Khabīṣī ʿalā Tahdhīb al-mantiq wa al-kalām* (Egypt: Matbaʿa al-Muṣṭafā al-Bābī al-Khalabī wa awlādihī, 1936), 193–203.

The meaning of our saying every human being is not whole human beings or universal human beings. Rather, it is every individual in such a way that no individual is left out. For judging the whole does not mean judging the individuals. As a matter of fact, many times a judgment given to the whole is not given to the individuals. Likewise, a judgment given to the human universal in terms of being universal does not have to be a judgment given to the particulars of this universal... Rather, the judgment is attached to each of the particulars separately.<sup>56</sup>

While Avicenna's statements in the *Shifā'* do not clarify the notion of universals in the *al-Ishārāt*, they do reveal that he meant the whole to mean universality. Therefore, Ṭūsī's interpretation is invalid. However, whatever Avicenna meant, al-Qarāfi rejected denoting 'āmm expressions as natural universals<sup>57</sup> and borrowed this triple distinction from Avicenna through al-Rāzī's interpretation. The difference is that al-Qarāfi did not use the notion of each individual (*kullu wāḥid*) but instead used the notion of universality and in this way differed from Avicenna and al-Rāzī. As a result, al-Qarāfi used the notion of universality in the same sense that they had used each individual. This preference was probably inspired by the term universality in the phrase universal proposition (*al-qaḍīyya al-kullīyya*). What distinguished al-Qarāfi from both of them was that he conceptualized the meaning of "each individual" that they had used with regard to universal propositions under the term of universality, and alongside this notion, he carried the comparison between the whole and universals over to the denotation of 'āmm expressions. This notion and comparison that al-Qarāfi introduced to legal theory was accepted by the *usulists* over time.

With this attempt, al-Qarāfi equated 'āmm expressions with universal propositions in classical logic. However, to have 'āmm expressions be propositions is a contradiction, for these expressions do not contain the meaning of proposition in legal theory. In this case, is universality a new concept that does not include the meaning of proposition, and is universality the expression of truth (*ḥaqīqa*) to which 'āmm expressions refer? Or is the notion the one in classical logic

56 Abū 'Alī b. Husayn b. Sinā, *al-Shifā'*, critical ed. Said Zayed (Cairo: al-Hay'a al-'amma li-shu'un al-Maṭābi' al-'āmirīyya, 1964), II, 20.

57 al-Qarāfi, *al-'Iqd al-manzūm*, 34-43. Although al-Qarāfi did not explicitly use the notion of a natural universal, his acceptance of the external existence of the universal in the third and fourth part of the passage in which he discusses the difference between 'āmm expressions and universals indicates that universals, which he does not mention in the denotation of the 'āmm, is natural. See al-Qarāfi, *al-'Iqd al-manzūm*, 113; for similar evaluations, see al-Qarāfi, *al-'Iqd al-manzūm*, 44-48, 178-179.

that means universal propositions, and its denotation is metaphoric? A holistic view of al-Qarāfi's thinking shows that this issue had not been on his agenda. As can be seen from his statements, he had constructed it as a new concept without any propositional meaning.<sup>58</sup> In fact, his statement of universality as a different type of denotation apart from the types of correspondence (*muṭābaqa*), inclusion (*taḍammun*), and implication (*iltizām*) is a consequence of his acceptance of the inadequacy of the parts of denotation in classical logic, as well as evidence that he had adopted universality as a new concept.<sup>59</sup> Therefore, no metaphorical denotation is present. However, although he could not view 'āmm expressions as propositions due to the language structure, he did view them as propositions in terms of bringing the sentence in which an 'āmm expression occurs into the form of a universal proposition.<sup>60</sup> Therefore, al-Qarāfi transferred the debate between al-Farābī (d. 339/950) and Avicenna on the difference between possibility and occurrence (*imkān-vuqū'*) to 'āmm expressions and discussed the problem of indicating a specific reference (*takhṣiṣ*) on this basis.<sup>61</sup> Although this issue appeared on the agenda of the *usulists* in the following period, the interpretation of metaphors was generally seen to have been dominant. However, as will be mentioned later, both understandings agreed that 'āmm expressions are universal propositions in force (*fī quvva*). Although the notion of "in force" was analyzed by the later period's *usulists*, al-Qarāfi's above-mentioned inferences imply that he shared this view.

Al-Qarāfi analyzed the distinction between universal and universality, and accordingly, the first difference between these two notions lies in the difference between existence and non-existence. This difference had also been discussed by previous *usulists*. Another difference is the relationship between them regarding the whole and its parts. This is because the denotation of an 'āmm expression is universality. The individuals within the scope of universality must have a common universal meaning. This requires universals to be a part of the denotation (i.e.,

58 al-Qarāfi, *al-'Iqd al-manẓūm*, 39, 43, 123, 124.

59 *Ibid*, 113, 114; in another statement, he also emphasizes 'āmm expressions to be assigned for universality. See *Ibid*, 543.

60 Because of this, he explicitly states 'āmm expressions to be called universal propositions according to logicians. See *Ibid*, 569.

61 *Ibid*, 506, 507, 569, 570.

universality) of the *‘amm* expression.<sup>62</sup> As Suhrawardī also mentioned, the third difference is in the demonstration (*istidlāl*). The difference is that al-Suhrawardī stated the divine categorization (*ḥukm*) that attaches to the quiddity to not attach to any individual, and therefore he did not consider including an expression denoting a universal in a jurisprudential syllogism (*al-qiyās al-fiqhī*) to be possible. According to al-Qarāfī, when a divine categorization is charged upon the universal, the universal is realized (*tahaqquq*) in the external world through the realization of this categorization with a single individual. Consequently, the divine command is acted upon. But in this case, the *‘amm* expression does not include its individuals, and therefore the charge is removed from the other individuals. This invalidates the obligations of another responsible individual with the categorization in question.<sup>63</sup> For example, when the expression “you” in the command “pray” refers to the universal human nature who is charged to pray, the charging is removed from other individuals once a particular person performs this action, because with the particular human being, the universal human nature exists externally, and the charging of other individuals to pray gets cancelled. In this case, the *‘amm* expression cannot provide proof that the rest of the individuals are charged with an action. However, the purpose of the divine command is to hold everyone in charge.

However, this argument from al-Qarāfī on demonstration is valid for affirmative (*ijābī*) cases. For negation (*salbī*) cases, he argues *‘amm* expressions to be able to denote universals, because in this case, the *‘amm* expression includes each of its individuals and thus can be used in a jurisprudential syllogism. For example, the pronoun of “you” understood in the verse “do not marry polytheist men,”<sup>64</sup> signifies those who are charged not to engage in marriage and is an *‘amm* expression. Assuming that the signification of this expression is the universal human being, the charge of not marrying is attached to the nature of the universal human being. The charge can be carried out only if all particulars of the universal don’t marry. Because the non-existence of the universal is only possible with the non-existence of all particulars, everyone in this case is charged with not marrying. Therefore, in negation cases, the *‘amm* expression can denote the universal, but not in affirmative cases. However, even though al-Qarāfī argued for the possibility

62 *Ibid*, 113.

63 *Ibid*, 113.

64 al-Baqarah 2/221.

of 'āmm expressions referring to universals in negative cases, he did not prefer this view and based the 'āmm's signification on particulars in both cases. By analyzing the problem regarding negated universals, al-Qarāfi argued the majority (*jumhūr*) and the Hanafis to differ on this issue:

---

According to the majority,  
the denotation of the 'āmm  
expression occurs → *Through the non-existence of the individuals*

---

According to Hanafi scholars,  
the denotation of the 'āmm  
expression occurs → *Through the non-existence of the universals*

---

According to al-Qarāfi, while the Hanafi scholars had adopted the view that the generality of an 'āmm expression in negative cases is comprehended through the negation/non-existence of the universal, other *usulists* argued this to be understood through the negation of the individuals. Al-Qarāfi discusses the problem in detail in *al-'Iqd al-manzūm*, where he makes the following statements:

There is agreement between us and the Hanafi scholars on the generality (*istighrāq*) of the statement "There is no man" (*lā rajul*), but there is disagreement on the derivation of generality based on negation. This is because [according to them], the negation here is assigned to the negation (i.e., non-existence) of the universal nature, which is the meaning of man. The negation of this nature requires the negation of everyone. For if there is only one individual, man's nature is not negated, because a single individual requires a universal nature. This is the view narrated by the Hanafi scholars.<sup>65</sup>

This difference between the schools has theoretical and practical consequences. According to the Hanafi scholars, the generality in these expressions (i.e., *lā rajul*) is understood by implication, whereas according to the majority, it is understood by correspondence. This is because the generality according to the Hanafi scholars is indirect due to it being provided by the negation/non-existence of the universal nature instead of the negation of particulars united in a universal nature. Moreover, no exception (*istithnā*) is possible in these expressions because these expressions denote universals, and the exception is a situation related to particulars. However,

65 al-Qarāfi, *al-'Iqd al-manzūm*, 179–180.

this idea, which al-Qarāfi and the later *usulists* transmitted,<sup>66</sup> is not mentioned in Hanafi scholars' manuscripts. In fact, al-Qarāfi used the expression "narrated from the Hanafis" without explicitly attributing this narration to a Hanafi *usulist*.<sup>67</sup> This attribution was probably based on the Hanafis' adoption of mental images or, as an example, Abū Hanifa's statement, "*lā ākulu* [I will not eat]" no being able to indicate a specific reference (*takhsīs*) by intention (*al-niyya*), and this is where the practical implication of the issue arises. As al-Rāzī stated while quoting Abū Ḥanifa's opinion, the meaning of this expression is universal, and indicating a specific reference in universals is impossible because the indication is a characteristic of the *'āmm* expression, which denotes generality, whereas universals do not refer to generality. Although the generality is understood though the non-existence of the quiddity, this generality is the implicational (*iltizāmī*) meaning of the expression.<sup>68</sup> The Hanafi scholars saw no indication of the possibility of a specific reference in a generality understood by means of implication.<sup>69</sup> Therefore, the fact that Ḥanafi scholars did not consider the aforementioned expression to be able to indicate a specific reference even if no universal is mentioned shows them to have accepted generality to be realized through implication (i.e., through the non-existence of the universal). Al-Qarāfi's narrative was probably based on Abū Ḥanifa's view, which al-Rāzī had presented using theoretical language.

Iṣfahānī (d. 688/1289), one of the commentators of *Maḥṣūl*, adopted the same idea as his contemporary al-Qarāfi and argued *'āmm* expressions to denote universality, to be called universal propositions in classical logic, and to be in this force (*fi quwwa jumla min al-qaḍāyā*). However, he did not regard it directly as a proposition, probably because the language structure does not allow *'āmm expressions* to be propositions.<sup>70</sup> Iṣfahānī explained the reason for not denoting

66 See Subkī, *al-Ibhāj*, II, 106; Badr al-dīn Muhammad b. Bahā al-dīn al-Zarkashi, *al-Baḥr al-muḥīṭ fi* (Hurghada: Dār al-Safwa, 1992), III, 115; 'Ālā al-dīn al-Marḍāwī, *al-Taḥbīr Sharḥ al-Taḥrīr fi uṣūl al-fiqh*, critical ed. Abd al-Rahmān al-Jibrīn (Riyadh: Maktaba al-Rushd, n.d.), V, 2429–2430.

67 al-Qarāfi, *al-'Iqd al-manẓūm*, 179–181.

68 Al-Subkī also narrated this view from the Hanafis and stated that his father had also adopted this view. However, although he did not explain the basis of this disagreement, he stated that indication-specific reference by intention to be based on this problem. See Subkī, *al-Ibhāj*, II, 106.

69 al-Rāzī, *al-Maḥṣūl*, II, 384; al-Qarāfi, *Sharḥ Tanqīḥ al-fuṣūl*, 146. Ibn al-Sā'atī was the first Hanafi usulist to speak about the relation between *'āmm* expressions and universals. However, he did not address the issue of the non-existence of universals, only stating referring to *'āmm* expressions as universals to be impossible. See Ahmad b. 'Alī b. al-Sā'atī, *Nihāya al-wuṣūl ilā 'ilm al-uṣūl*, critical ed. Sa'd b. Gharīr al-Sulamī (Mecca: Cāmi'a Umm al-Qurā, 1418/1998), I, 28, 29.

70 Muhammad b. Mahmud al-Iṣfahānī, *al-Kāshif 'an al-Maḥṣūl fi 'ilm al-uṣūl*, critical ed. 'Ādil Ahmad 'Abd al-Mawjūd, 'Alī Muhammad Mu'awwad (Beirut: Dār al-Kutūb al-'Ilmiyya, 1998), IV, 213, 214.



universals by saying, “It does not denote any of its particulars by means of correspondence, inclusion, and implication, which are the categories of denotation in classical logic”<sup>71</sup> and interestingly accused al-Qarāfi of defending ‘āmm expressions as denoting universals without mentioning his name. Işfahānī criticized al-Qarāfi’s definition of *umūm* for having been reconstructed by departing from al-Rāzī’s line of thought. According to Işfahānī, al-Qarāfi had defended denoting ‘āmm expressions as universals.<sup>72</sup> Although Işfahānī’s thought on the subject overlapped with al-Qarāfi’s, his allegations against him were either due to a lack of comprehension or a failure to analyze it in detail. When considering al-Qarāfi’s explanations on universals and ‘āmm expressions, the validity of these accusations is unacceptable, and Işfahānī’s attitude and his inconsistent criticisms ignoring al-Qarāfi’s repeated statements reveal a possible one-sided tension to have existed between the two scholars.

Şafiyuddīn al-Hindī, one of al-Rāzī’s followers, emphasized how expressions that denote universal do not mean generality and fall under the category of unqualified expressions. In the place where al-Hindī mentions the relationship between meaning and ‘āmm, he states, “Had any meaning (*ma’nā*) been ‘āmm, having universal meanings be ‘āmm would be more correct, as in this case, the expressions that denote universals would also be ‘āmm. However, this is not true.”<sup>73</sup>

Following the accepted explanation after al-Qarāfi, Subkī argued the what that ‘āmm expressions signify to be universality and rejected them as denoting the whole or universals. In his first two works, he repeated the justification for the reference to universality, the reasons for this rejection, and also its propositional force, quoting verbatim from Işfahānī’s and al-Qarāfi’s manuscripts.<sup>74</sup> The difference is that he criticized al-Rāzī’s distinction between ‘āmm and unqualified expressions using the concept of unqualified quiddity. According to al-Subkī, who stated quiddities to be divided into three parts (i.e., unqualified, *mujarrad* [intangible], and *muqayyad* [qualified]), al-Rāzī mentioned only unqualified quiddity and neglected mentioning

71 *Ibid*, IV, 211.

72 *Ibid*, 212.

73 Şafiy al-dīn Muhammad b. Abdirrahman al-Khindi, *Nihāya al-wuṣūl fī dirāya al-uṣūl* (Mecca: al-Maktaba al-Tijāriyya, n.d.), III, 1231–1232.

74 Ebū Naşr Tāj al-din Abd al-Vahhāb b. Ali al-Subkī, *Raf‘ al-Ḥājjib ‘an Mukhtaşar Ibn al-Ḥājjib*, critical ed. Ali Muhammed Mu‘vvaḍ, Ādil Ahmed ‘Abd al-Mevjūd (Beirut: Dār al-Kutub al-‘ilmiyya, 1999), III, 82; al-Subkī, *al-Ibhāj*, IV, 1196–1200.

the other parts when distinguishing between ‘*amm* and unqualified expressions.<sup>75</sup> Al-Subkī’s contemporary Isnawī (d. 772/1370) stated al-Rāzī to have possessed the definition that al-Qarāfī had put forward through his conceptualization of the universal and did not find the implication that al-Qarāfī had been the first to formulate this definition to be appropriate.<sup>76</sup>

The commentaries and glosses written on al-Subkī’s *Jam‘ al-jawāmi‘*, which summarizes the accumulation of al-Rāzī and his followers in his works, carried the relation between ‘*amm* expressions and universals to a different point, with al-Taftāzānī here being the influential name. In order to deal with the subject in a traceable manner, the article will now first analyze Taftāzānī and the scholars from whom he quoted, followed by the explanations from the aforementioned literature.

#### 4. Taftāzānī: Returning to the Identicalness of ‘*Āmm* Expressions and Universals

Contrary to al-Rāzī and his followers, Ash‘arite theologians such as ‘Āmidī, Ibn al-Ḥājjib, and ‘Ījī did not discuss the relation of ‘*amm* expressions to universals. Moreover, they did not directly include the notion of universals in their ‘*amm* definitions. However, Ibn al-Ḥājjib used the notion of meaning (*amr*) instead of universal and said, “The meaning common to it (*amr al-isharakat fihī*).”<sup>77</sup> According to him, the individuals share a meaning common to the ‘*amm* expression. In this respect, Ibn al-Ḥājjib’s definition is no different from al-Rāzī and his followers’ definition of ‘*amm*. However, while al-Rāzī and his followers expressed the existence of universal meaning in the individuals of the ‘*amm*, Ibn al-Ḥājjib and his commentators did not include this expression until al-Taftāzānī.

In a manner unprecedented in his previous *U-ūl al-fiqh* manuscripts, al-Taftāzānī defined the signification (*~ulūh*) of ‘*amm* expressions toward their

75 al-Subkī, *al-Ibhāj*, IV, 1227. This criticism of al-Subkī, who regarded the classification as inadequate for failing to mention the intangible and the qualified quiddities, is open to objection. Firstly, al-Rāzī’s characterization of the denotation of ‘*amm* expressions as the indefinite majority common to universal quiddity implies that he had mentioned the second part (i.e., qualified quiddity), because quiddity is qualified (*quyyīda*) by particulars (i.e., *kathra*) in this case. Secondly, al-Rāzī’s aim was to establish the meanings to which the expressions refer through the notion of quiddity, not to explain the parts of quiddities.

76 Abū Muhammad Jamāl al-dīn ‘Abdurrahīm b. al-Ḥasan al-Isnawī, *Nihāya al-ṣūl fī Sharḥ Minhāj al-wuṣūl* (Mecca: al-Maktaba al-Tijāriyya, n.d.), II, 320, 321

77 Ibn al-Ḥājjib, *Mukhtaṣar al-Muntahā*, 104.

individuals as both the whole and universal in his gloss *al-Talwih*, and only universals in his later gloss on *al-Mukhtaṣar*.<sup>78</sup> He stated the following in *al-Talwih*: “Because we say that by the notion of ‘signification,’ the author meant the universal to its particulars and ‘the whole’ to its parts.”<sup>79</sup> As can be understood from these statements, he interpreted the signification of ‘*āmm* expressions as the whole and universals. However, he reported that a similar interpretation in *al-Talwih* had been raised as an objection in the gloss on *al-Mukhtaṣar*. He answered the objection by rejecting the meaning of the whole and considering only the denotation of the universal as possible:

The two objections below are raised. If every individual signified by the ‘*āmm* expressions is interpreted as a particular [*juz'īyyāt*] of its meaning, then the expressions “men” (*rijāl*) and “the Muslims” (*al-muslimūn*) that signifies the whole of its parts (*juz*) are excluded from the definition of ‘*āmm* expressions. If the parts of its meaning are meant, then expressions which have particulars but not parts (e.g., *al-rajul* [*the men*] and there is *lā rajul* [no man]) are excluded from the definition of ‘*āmm* expressions. Therefore, “signification” should be interpreted as more general than the whole and universals... The answer can be given as follows: What is meant by signification is that it signifies only the particulars of the universal. The generality of expressions such as Muslims and men is in terms of the communities [*jamā'āt*] they cover and not in terms of the individuals.<sup>80</sup>

As can be seen from the objection, a group of scholars was seen to defend the denotation of ‘*āmm* expressions to the whole and universals. They claimed ‘*āmm* expressions to be divided into two parts, singular (*mufrad*) and plural (*majmū*), with the singular denoting universals and the plural denoting the whole. Taftāzānī, who defended this view in *al-Talwih*, did not consider any meaning other than universals without distinction in *al-Mukhtaṣar*. Thus, he considered ‘*āmm* expressions to consist of plural expressions such as men and Muslims to mean the whole in *al-Talwih* and universals in the gloss on *al-Mukhtaṣar*. Nevertheless, the meaning that al-Taftāzānī attributed to the notion of the whole is incompatible with al-Qarāfi's conception, and al-Taftāzānī was probably unaware of the narrative on ‘*āmm* expressions. As a matter of fact, while al-Qarāfi had distinguished between the

78 Sa'd al-din Mas'ūd b. Fakhr al-din al-Taftāzānī, *Hāshiyā* (in *Sharḥ Mukhtaṣar al-Muntahā al-uṣūlī*) (Beirut: Dār al-Kutub al-'ilmīyya), II, 578, 579.

79 *Ibid*, I, 57.

80 al-Taftāzānī, *Hāshiyā*, II, 578–579.

whole and universality, al-Taftāzānī understood universality through the whole. His final view of ‘*āmm* expressions as universals is contrary to post-classical *usulists* and incompatible with his contemporaries, al-Subkī and al-Iṣnawī. In addition, this generality (*umūm*) that he’d constructed through universals requires covering all individuals not individually but through communities (*jamā‘at*). This is different from al-Qarāfī’s idea of universality, which refers to each individual individually.

In conclusion, two different ideas were found regarding the conceptualization of ‘*āmm* expressions by al-Taftāzānī and some of the *usulists* whose views he quoted. The first is the interpretation of the ‘*āmm* as universal, which al-Taftāzānī defended. The second is the acceptance of both the whole and universals, which was voiced by some *usulists* whom he did not name and which he himself had initially agreed with. The later *usulists* who wrote commentaries and glosses on *Jam‘ al-jawāmi‘* acted on the second view and synthesized it with the understanding of al-Rāzī’s school, which rejected denoting ‘*āmm* expressions through universals.

## 5. The Synthesized Approach: The Aspects of Conception and Judgment (*Jiha al-Taṣawwur wa al-Ḥūkm*)

While taking al-Rāzī and his followers’ explanations on the relation between the ‘*āmm* expressions and the universal as a basis, the *usulists* who wrote commentaries and glosses on *Jam‘ al-jawāmi‘* did not ignore al-Taftāzānī’s comments and quotations in this context. Zarkashī (d. 794/1392), one of the commentators of *Jam‘ al-Jawāmi‘*, completely quoted al-Subkī’s statements in his commentary on *al-Tashnīf*. Although he elaborated on the problem in *al-Baḥru al-muḥīṭ*, he did not go beyond al-Qarāfī’s or Iṣfahānī’s explanations.<sup>81</sup> Another commentary on *Jam‘ al-Jawāmi‘*, Maḥallī’s (d. 864/1459) *al-Badr al-ṭāli‘*, is the work with the greatest number of glosses among the commentaries. Maḥallī followed the accumulation of tradition in terms of the relation between universals and ‘*āmm* expressions and interpreted the universal that is negated from the denotation of an ‘*āmm* expression as a quiddity in terms of being quiddity. This expression corresponds to the natural universal in classical logic. In other words, ‘*āmm* expressions cannot denote natural universals. Maḥallī also restricted ‘*āmm* expressions from being

81 Badr al-Dīn Muḥammad b. Bahā‘ir al-Zarkashī, *Tashnīf al-masāmi‘ fī Sharḥ Jam‘ al-jawāmi‘*, critical ed. Sayyid ‘Abd al-‘Azīz, ‘Abdullah Rabī’ (Egypt: Maktaba Qurṭuba, 2006), II, 84–87; Zarkashī, *al-Baḥr al-muḥīṭ*, III, 25; Zarkashī’s statements are as in the following: “مدلول الصيغة العامة ليس أمرا كلياً وإلا لما دل على”، see Zarkashī, *al-Baḥr al-muḥīṭ*, III, 25.

able to denote universality with the conditions being in terms of judgment (*min ḥaythu ḥukm*) and composition (*fī al-tarkīb*).<sup>82</sup> In a sense, the condition for denoting universality according to him involves being the subject of judgment and being included in the expression. Although he did not explain the reason for introducing these restrictions, they can be regarded as the beginning of the two-way distinction in denoting 'āmm expressions, as will be explained later. As a matter of fact, the later *usulists* considered referring to universals to be possible in 'āmm expressions by envisaging two aspects (*jīha*).

Ghūrānī (d. 893/1488) criticised Maḥallī's statements about universals. According to Ghūrānī, interpreting universals as "quiddities in terms of being quiddity" is a serious mistake. For particularity (*juz'īyya*) and universality (*kullīya*)<sup>83</sup> are external or mental accidents (*al-'awārīḍ al-khārijī va al-khuḥnī*) attached to quiddity. Quiddity cannot be characterized by either of these, and therefore the universal here should be explained as the logical universal that does not exclude the mere conception from commonality, which is the terminology of the logicians. Therefore, according to his interpretation, 'āmm expressions do not denote logical universals. Ghūrānī explained the impossibility of this denotation by presenting reasons similar to Suhrawardī's demonstration. According to Ghūrānī, demonstration is only possible in universality because divine categorizations are related to the responsible individuals whose reality is present in the external world. On the other hand, universals relate to mental individuals with no external reality. What exists in the external world is necessarily particular and cannot be universal.<sup>84</sup>

After this period, al-Ghūrānī and most of the later *usul* glossators followed al-Qarāfī's teachings regarding the denotation of 'āmm expressions. However, they were also influenced by al-Taftāzānī's explanations on the subject, who defended the opposite view. As a result, they exhibited a synthesized approach by endorsing both opinions. The first *usulist* to interpret two different ideas in the same context was Ghūrānī. After quoting Taftāzānī regarding the problem of whether 'āmm expressions are the whole or universals, Ghūrānī stated this problem to be difficult to solve; according to him, however, Taftāzānī did not answer it.<sup>85</sup> Meanwhile,

82 Jalāl al-dīn al-Maḥallī, *al-Badr al-ṭālī 'fī ḥal Jam 'al-jawāmi'* (Dımashq: Muassasa al-Risāla nāshirūn, 2005), I, 338–339.

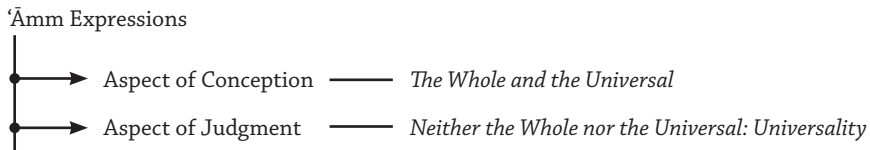
83 A different meaning is used here than the one used in the article. What is meant is the logical universal.

84 Ahmad b. Uthman al-Ghūrānī, *al-Durar al-lavāmi 'fī Sharḥ Jam 'al-jawāmi'*, critical ed. Ilyas Kaplan (Istanbul: Maktaba al-Irshād, 2007), 292.

85 Ghūrānī's claim that al-Taftāzānī does not answer the problem is not true. As a matter of fact, as mentioned, al-Taftāzānī believes that the problem can be solved when the signification's is interpreted as universal.

Ghūrānī argued the problem to be answerable by understanding both the whole and the universal meanings from the signification (*sulūh*).<sup>86</sup> According to him, what the ‘āmm signifies in this case is the universal and the whole. However, his assumption contradicts his first statements about ‘āmm expressions not denoting the whole or universals. However, he did not indicate the presence of any conflict and probably had distinguished between the meaning (*ma‘nā*) and the denotation of ‘āmm expressions.

Zakariyyā al-Anṣārī (d. 926/1520) was aware that accepting the views put forward by al-Taftāzānī in the same context with al-Qarāfī’s views led to inconsistency. He had interpreted the seemingly opposing views of the two thoughts by making a distinction in the specific case of ‘āmm expressions in order to resolve the inconsistency and thus stated that the hybrid acceptance did not cause a contradiction. He justified this distinction by assuming two different aspects regarding what ‘āmm expressions denote. ‘Āmm expressions have two aspects: conception and judgment. In terms of judgment (*jiha al-ḥukm*), he regards the denotation of universality as possible while regarding the denotation of the whole and the universal to be impossible; in terms of conception (*jiha al-taṣawwur*), he regards the denotation of the whole and the universal to be possible.<sup>87</sup> Thus, Anṣārī harmonized the teachings of both al-Qarāfī and al-Taftāzānī in such a way that no contradiction was present between them. This idea influenced the later scholars as well, and from then on, the two mentioned aspects were explicitly respected in the denotation of ‘āmm expressions.



‘Abbādī (d. 994/1586) maintained the aspects of conception and judgment in the denotation of ‘āmm expressions as laid down by al-Anṣārī.<sup>88</sup> However, he considered the whole and universals to be impossible in terms of judgment and took

86 Ghūrānī, *al-Durar al-lavāmi*, 290.

87 Zakariyyā b. Muhammad al-Anṣārī, *Ḥāshiyā al-Shaykh al-Islām Zakariyyā al-Anṣārī*, ed. ‘Abd al-Hafīz b. Ṭāhūr Hilāl al-Jazārī (Riyadh: Maktaba al-Rushd, 2007), II, 262, 274.

88 Shihāb al-dīn Ahmad b. Qāsim al-‘Abbādī, *al-Āyāt al-bayyināt ‘alā Sharḥ Jam‘ al-jawāmi* (Beirut: Dār al-kutub al-‘ilmiyya, 2012), II, 353.

the denotation of universality as the basis while considering the whole in terms of conception.<sup>89</sup> In addition, this distinction was not due to the contradiction. In fact, he either did not realize or ignored such a contradiction. What distinguished 'Abbādi was that he was the first to claim the universality denotation to be a metaphor. Although he himself did not prefer this view, when he mentions the existence of such a view, he explains the argument for this view by stating universality to be an attribute of the proposition (*vaṣf al-qaḍīyya*).<sup>90</sup> In other words, predicating (*ḥaml*) universality to 'āmm expressions is impossible because this assumption requires 'āmm expressions to be propositions. In spite of this, propositions exist within 'āmm expressions and their subject matter (*mawḍū*). Aware of the problem, 'Abbādi stated this denotation to be a metaphor. However, this was not his view, as he considered thinking of a meaning of universality to be possible in which the proposition's meaning was removed. He pointed out that this meaning does not cause any problems and rejected the metaphorical denotation. He based his thought on al-Qarāfi's conceptualized meaning and stated 'āmm expressions to be "in force" (*fī quwwa*), even if they are not propositions.<sup>91</sup> However the later *usulists* followed 'Abbādi's interpretation of metaphors, which he considered problematic. Therefore, 'āmm expressions in their last period in the history of legal theory were metaphorically accepted as universal propositions.

Al-Rāzī and the later *usulists* who accepted the existence of universals in 'āmm expressions but not in their denotation did not discuss the priority of denoting universals. 'Abbādi discussed the problem for the first time and argued two different approaches to exist to this issue. The first is based on 'āmm expressions being denoted to individuals without prioritizing a universal meaning. In contrast, the second is based on universals before denoting individuals. 'Abbādi considered this view as the *taḥqīq* of the first view and claimed that, in parallel with the classical logicians' acceptance of universal propositions, *usulists* such as al-Qarāfi, Iṣfahānī, al-Subkī, and Ibn al-Humām had adopted the first view. Therefore, 'āmm expressions that are united in universal meaning and universal propositions primarily (*ibtidāen*) denote individuals without reference to their universal meaning. In this case, the signification (*madlūl*) of universal propositions

89 *Ibid*, 343, 353–358.

90 *Ibid*, 353.

91 *Ibid*, 353.



and ‘*āmm* expressions is the individuals themselves without them preceding the universals. ‘Abbādi discussed the second idea using the arguments of al-Dawwānī (d. 908/1502), the commentator of *Tahdhīb*, and emphasized universals as being denoted primarily and individuals being denoted secondarily (*bi al-‘araḍ*) through the universal meaning. For example, the expression “human beings” primarily denotes the nature of the universal human being and refers to all individuals through this nature. According to this view, what an ‘*āmm* expression denotes is the universal quiddity shared by individuals. In contrast and according to the first view, the individuals are the ones in the universal quiddity. ‘Abbādi analyzed the *tahqīq* of denotation and argued the statements of the *usulists* who defend the first view to be interpretable in this way, especially with al-Qarāfi’s definition of the ‘*āmm* being close to this *tahqīq*. Despite all these analyses, he also emphasized how this analysis does not make sense to the *usulists*. According to him, ‘Ījī and al-Taftāzānī had also disregarded this analysis.<sup>92</sup>

‘Abbādi touched upon the definition of universals being negated by the denotation of the ‘*āmm* and criticises criticized al-Gūrānī. Based on Maḥallī’s interpretation of quiddity, he also stated the universal that is negated by the denotation of the ‘*āmm* is the unqualified quiddity.<sup>93</sup> He also claimed that al-Ghūrānī had negated the idea of universals and individuals. He based his criticisms on the following arguments:

Now you know that what the *usulists* mean by the universal in their statement, “[‘*āmm* expressions] do not denote universal,” is the quiddity in terms of being quiddity without the conception of individuals, as the commentator Maḥallī had said. As for them to exclude the quiddity imagined in individuals from the signification of the ‘*āmm* expression makes no sense. First of all, you know that this is the *tahqīq* in the sense of universality. Secondly, the essence of this statement is that the judgment is only for individuals, as is understood from the implication of the *usulists*’ statements. Thirdly, to reject the universal is inconsistent, which means by saying individuals, ‘*āmm* expressions refer to the quiddity imagined with individuals (*al-māhiyya bi al-nazar ilā al-afṛād*), because the universal in this context already refers to individuals.<sup>94</sup>

‘Abbādi’s comments based some of his criticisms on al-Dawwānī’s thoughts of *tahqīq* on universality and show that he had read al-Ghūrānī’s criticism as detached

92 *Ibid*, 357, 358–359.

93 In this context, he also included different expressions: What is meant by the negated universal is that the judgment is related to nature (*tabī‘a*). See *Ibid*, III, 16.

94 *Ibid*, II, 359.

from its theoretical origin. For al-Ghūrānī's aim was to show that accidents ('*awārīd*) such as universality or particularity do not attach to the quiddity in terms of being quiddity, and he did not claim that the universal, which he rejected from denotation of '*āmm* expressions, attached to individuals. Therefore, 'Abbādī addressing his arguments in a different context is inconsistent. In addition to these criticisms, he also accused al-Ghūrānī of confusing the terminology of legal theory and logic, as he considered legal theory to be able to have a different meaning for universals or that it has a metaphorical narrative.<sup>95</sup>

**Table 1.***'Āmm Expressions in the History of Legal Theory*

<i>Uṣūlists</i>	The Logical Expression of the Denotation	Its reflection on Uṣūl al-fiqh
Ghazzālī	' <i>Āmm</i> expressions are universal.	They cover all individuals ( <i>istighrāq</i> )
Al-Rāzī	' <i>Āmm</i> expressions are not universal. Its individuals are united in a universal nature.	They cover all individuals ( <i>istighrāq</i> )
Al-Qarāfī, Iṣfahānī, Subkī	' <i>Āmm</i> expressions are neither the whole nor universal; they are particular expressions. Its individuals are united in a universal nature.	They become universal propositions ( <i>kullīya, istighrāq</i> )
Taftāzānī	' <i>Āmm</i> expressions are the whole and universal	They cover all individuals ( <i>istighrāq</i> )
Anṣārī, Bannānī, 'Aṭṭār	' <i>Āmm</i> expressions are the whole and universal in terms of conception	They are neither the whole nor universal in terms of judgment. They become a universal proposition ( <i>kullīya, istighrāq</i> )

As can be seen in Table 1, Bannānī (d. 1198/1783) followed Anṣārī's view and took two aspects as the basis for what '*āmm* expressions denote. The first is the aspect of judgment, and the second is the aspect of the vocable (*lafz*/aspect of conception]). According to him, '*āmm* expressions cannot denote either the whole or the universal aspects of judgment. Universality is required, whereas both the

95 *Ibid*, 359.

whole and the universal have been assigned to the aspect of the vocable.<sup>96</sup> He also accepted ‘Abbādi’s narrative on metaphor, which he considered weak, and accepted that ‘*amm* expressions should be interpreted as a universal proposition. However, this acceptance requires what ‘*amm* expressions denote to be metaphorical:

The meaning of universality is the universal proposition. In other words, the ‘*amm* expression constitutes the proposition together with the predicate with which the judgment is realized. Therefore, the author’s statement contains metaphor, because universality is the signification of the proposition and not the subject of the signification of the ‘*amm* expression.<sup>97</sup>

Thus, Bannāni interpreted the notion of universality al-Qarāfi had conceptualized as a proposition and remained ignorant of this conceptual change in legal theory.

‘Aṭṭār (d. 1250/1834) also observed two aspects regarding the denotation of ‘*amm* expressions. According to him, the first aspect is to encompass (*tanāwul*/ aspect of conception), and the second is judgment. Accordingly, while universals and the whole are referred to in terms of encompassing, universality is referred to in terms of judgment.<sup>98</sup> ‘Aṭṭār also did not consider al-Qarāfi’s conceptualization of universality to be a new concept and stated having ‘*amm* expressions be universal propositions to be metaphorically possible.

## 6. Conclusion

When discussing universals in the language and interpretation sections of legal theory, the similarity of ‘*amm* expressions with these notions, both semantically and linguistically, attracted the attention of the *usulists* because the meaning that both concepts denote alludes to the content of individuals. In parallel with this, universals are expressed under the notion of ‘*amm* in classical logic. Before coming

96 Abdurrahman b. Ca’d Allāh al-Bannāni, *Ḥāshiya al-‘Allāma al-Bannāni ‘alā Sharḥ al-Jalāl Shams al-dīn Muhammad b. Aḥmad al-Maḥallī ‘alā Matn Jam ‘al-Jawāmi‘* (Beirut: Dār al-Fikr, n.d.), I, 399; Bannāni also explained the aspect of “vocable” as the aspect of essence (*zāt*) and conception. See: Bannāni, *Ḥāshiya*, I, 404.

97 Bannāni, *Ḥāshiya*, I, 405.

98 Hasan b. Muhammad al-‘Aṭṭār, *Ḥāshiya al-‘Aṭṭār ‘alā Jam ‘al-Jawāmi‘* (Beirut: Dār al-kutub al-‘ilmiyya, n.d.) I, 506; ‘Aṭṭār also expresses it as the *istighrāq* of the all and the universal instead of *tanāwul*, see ‘Aṭṭār, *Ḥāshiya*, I, 506.

to the legal theorists, logicians also felt the need to demonstrate that universals are different from the whole and from universal propositions. While the Asharite/theologian *usulists* included this issue after classical logic had begun to influence legal theory, the agenda of the Hanafi scholars came much later, just before the 8<sup>th</sup> century AH with Ibn al-Sā'ati.

Al-Ghazālī was the first scholar in the history of legal theory to study the relationship between *'āmm* expressions and universals as the subject of his study. He criticized a group of *usulists* who'd argued that expressions with *al* among the *'āmm* expressions could only denote generality by circumstantial evidence and accused them of ignoring universals. According to al-Ghazālī, an expression that denotes a universal meaning expresses generality without the evidence. The main reason why these *usulists* were wrong about generality was that they had assumed expressions to be assigned to external things instead of mental images. If they had adopted a mental image, they would have considered the possibility of expressions denoting universals and therefore would be able to say that they express generality. Although al-Ghazālī's explanations formed the beginning of the relationship between *'āmm* expressions and universals in the history of legal theory, al-Rāzī and later *usulists* did not follow his explanations on this issue. For the first time, al-Rāzī explained *'āmm* expressions by centering on universals and was the first to state that, contrary to al-Ghazālī, *'āmm* expressions do not denote universals and that the expressions that correspond to this denotation are unqualified expressions. According to al-Rāzī, even if a universal meaning existed among the individuals of the *'āmm*, this meaning would not be the subject of its denotation. Al-Qarāfi compared *'āmm* expressions to universals as well as to the whole and to universal propositions under the influence of al-Rāzī in legal theory and Avicenna in classical logic before him. According to al-Qarāfi, *'āmm* expressions are particular and have the status of universal propositions. Using the concept of universality instead of universal proposition, al-Qarāfi abstracted this concept from the meaning of proposition and developed it as a novel concept. These ideas influenced many *usulists*, especially Isfahāni and al-Subki.

In the later period, al-Taftāzāni opposed this view and stated *'āmm* expressions to denote both the whole and universals through the concept of signification (*ṣulūḥ*). Anṣārī, Bannāni, and Aṭṭār, who'd written glosses on *Jam' al-jawāmi'*, treated both al-Qarāfi's and Tafāzāni's opinions to a synthesized approach and stated both views to not be contradictory. They considered two aspects (i.e., conception and judgment)

in 'āmm expressions, and thus considered this expression to have no ability to denote the whole or universals while considering these expressions to be universal propositions in the aspect of judgment, whereas they accepted these expressions as both the whole and universals with regard to the aspect of conception.

## References

- 'Abbādī, Shihāb al-Dīn Ahmad b. Qāsim. *al-Āyāt al-Bayyinat 'alā Sharḥ Jam 'al-Jawāmi'*. 2nd ed. Beirut: Dār al-Kutub al-'Ilmiyya, 2012.
- Āmidī, Ali b. Muhammad. *al-Iḥkām fī Uṣūl al-Aḥkām*. Beirut: Dār Ibn Ḥazm, 2008.
- Anşārī, Zakariyyā b. Muhammad. *Hāshiya Shaykh al-Islam Zakariyyā al-Anşārī 'alā Sharḥ al-Imām al-Maḥalli 'alā Jam 'al-Jawāmi'*. Critical ed. 'Abd al-Hafīz b. Ṭāhīr Hilāl al-Jazāiri. Riyadh: Maktaba al-Rushd, 2007.
- 'Aṭṭār, Hasan b. Muhammad. *Hāshiya al-'Aṭṭār 'alā Jam 'al-Jawāmi'*. Beirut: Dār al-Kutub al-'Ilmiyya, n.d.
- Bāqillāni, Abū Bakr Muḥammad b. Abi al-Ṭayb. *al-Taqrīb wa al-Irshād*. Critical ed. 'Abd al-Hāmid b. 'Alī Abi Zanid, Beirut: Massa al-Risāla, 1998.
- Başri, Abū al-Ḥusayn Muhammad b. 'Alī. *Kitāb al-Mu'tamad fī Uṣūl al-Fiqh*. Critical ed. Muhammad Hamdullah. Dumashq: al-Ma'had al-'Ilm al-Faransi lı al-Dirāsāt al-Arabiyya, 1964.
- Başoğlu, Tuncay. *Fıkıh Usulünde Fahreddin er-Râzî Mektebi*. Istanbul: ISAM, 2014.
- "Fıkıh Usulünde Fahreddin er-Râzî Mektebi". *İslam Düşüncesinin Dönüşüm Çağında Fahreddin er-Râzî*. ed. Ömer Türker-Osman Demir. 243-263. Istanbul: ISAM, 2013.
- Bannāni, Abū 'Abdillāh Muhammad. *Hāshiya al-'Allāma al-Bannāni 'alā Sharḥ al-Jalāl Shams al-dīn Muhammad b. Ahmad al-Maḥalli 'alā Matn Jam 'al-Jawāmi'*. Beirut: s.n., 2013.
- Bayḍāwī, Nāşir al-Dīn Abū Sa'id 'Abdullah b. 'Umar. *Minhāj al-wuṣūl ilā 'Ilm al-Uṣūl*. Critical ed. Shāban Muhammad Ismail. Beirut: Dār Ibn Ḥazm, 2008.
- Bihārī, Muḥib Allāh b. 'Abd al-Shakūr. *Kitāb Musallam al-Thubūt*. Egypt: Matabaat al-Husayniyya, n.d.
- al-Juwayni, Abū al-Ma'ālī Rukn al-dīn 'Abd al-Malīk b. 'Abdillāh. *Kitāb al-Talkhiş fī Uṣūl al-Fiqh*. Critical ed. 'Abdullah Jawlam al-Nibālī-Shubbayr Ahmad al-'Amri. Beirut: Dār al-Bashair al-Islāmiyya, 1996.
- al-Burhān fī uṣūl al-fiqh*. Critical ed. Şalāh b. Muhammad al-'Uwayḍa. 2nd ed. Beirut: Dār al-Kutub al-'Ilmiyya, 1997.
- Çelik, Imam Rabbani. « *Fahreddin er-Razi'nin Usul Düşüncesinde Umûm Lafızların Mahiyeti -el-Mahsûl Örneği* » Master's Thesis, Marmara University, 2014.
- Eligül, Abdulkadir. « *İslam Hukuk Metodolojisinde Âm ve Mutlak Kavramları* » Master's Thesis, Mardin Artuklu University, 2019.
- al-Ghazālī, Abū Ḥāmid Muhammad b. Muhammad. *al-Mustaşfā min 'Ilm al-Uṣūl*. Critical ed. Hamza Zuhair Hāfiş. Madina: Jāmi'a al-Islāmiyya, 1992.
- Mi'yār al-'ilm*, Critical ed. Suleiman Dunya. Cairo: Dār al-Ma'ārif, 1960
- Ghūrāni, Aḥmad b. Uthman. *al-Durar al-Lavāmi 'fī Sharḥ Jam 'al-Jawāmi'*. Critical ed. İlyas Kaplan. Istanbul: Maktaba al-Irshād, 2007.
- Khabīşī, 'Ubay Allāh b. Faḍl Allāh. *al-Tahdhib Sharḥ 'Ubaydulah b. Faḍl Allāh al-Khabīşī 'alā Tahdhib al-Mantiq wa al-Kalām*. Egypt: Matba'a al-Mustafa al-Bāb al-Khalabī wa Awlādih, 1936.
- Ibn Sinā, Abū 'Alī b. Husayn. *al-Shifā*. Critical ed. Said Zayed. 2nd ed. Cairo: al-Hay'a al-'Āmma lı-Shu'un al-Maṭābi' al-'Āmiriyya, 1964.

- al-Ishārāt wa al-Tanbihāt ma'a Sharḥ Naṣir al-Dīn al-Ṭūsī*. Critical ed. Suleyman Dunya. Cairo: Dār al-Ma'ārif, 1960.
- Ibn al-Ḥājjib, 'Uthman b. 'Umar. *Kitāb Mukhtaṣar al-Muntaḥā al-uṣūli*. Cairo: Kurdistan al-'Ilmiyya, 1326/1908.
- Ibn al-Sā'ati, Aḥmad b. 'Ali. *Nihāya al-Wuṣūl ilā 'Ilm al-Uṣūl*. Critical ed. Sa'd b. Gharir al-Sulamī. Mecca: Jāmi'a Umm al-Qurā, 1418/1998.
- 'Ījī, Abū al-Fazl 'Aḍuḍ al-dīn. *Sharḥ Mukhtaṣar al-Muntaḥā al-Uṣūli*. Critical ed. Muhammad Hasan Ismail. Beirut: Dār al-Kutub al-'Ilmiyya, 1424/2004.
- Iṣfahānī, Mahmud b. 'Abd al-Rahman Shams al-dīn. *Tasdid al-Qawā'id fī Sharḥ Tajrid al-'Aqāid*. Kuwait: Dār al-Ḍiyā, 2013.
- Iṣfahānī, Muḥammad b. Mahmud. *al-Kāshif 'an al-Maḥṣūl fī 'Ilm al-Uṣūl*. Critical ed. 'Ādil Ahmad 'Abd al-Mawjūd, 'Ali Muhammad Mu'awwaḍ. Beirut: Dār al-Kutub al-'Ilmiyya, 1998.
- Isnawī, Abū Muhammad Jamāl al-Dīn 'Abdurrahīm b. al-Ḥasan, *Nihāya al-Ṣūl fī sharḥ Mūnḥāj al-wuṣūl*. Mecca: al-Maktaba al-Tijāriyya, n.d.
- Hindī, Safiy al-Dīn Muhammad b. Abdurrahman. *Nihāya al-Wuṣūl fī Dirāyāt al-Uṣūl*. Mecca: al-Maktaba al-Tijāriyya, n.d.
- Kara, Yakup. "Umum-Husus Meselesinin Dil Açısından İncelenmesi (Karâfi Örneği)." PhD Thesis, Marmara University, 2019.
- Qarāfi, Abū al-'Abbās Shihāb al-Dīn Ahmad b. Idris. *al-'Iqd al-Manzūm fī al-Khuṣūṣ wa al-'Umūm*. Critical ed. Ali Muhammad Mu'awwaḍ, 'Ādil Ahmad 'Abd al-Mawjūd. Beirut: Dār al-Kutub al-'Ilmiyya, 2001.
- Nafāis al-Uṣūl fī Sharḥ al-Maḥṣūl*. Critical ed. 'Ādil Aḥmad 'Abd al-Mawjūd, 'Ali Muḥammad Mu'awwaḍ, Riyadh: Maktaba al-Nizār Mustafa al-Bāz, 1995.
- Sharḥ al-Tankīḥ al-fuṣūl ilā 'Ilm al-Uṣūl fī Ikhtisār al-Maḥṣūl*. Beirut: Dār al-Fıkr, 2004.
- Quṭb al-Dīn al-Rāzī, Abū 'Abdillah Muḥammad. *al-Risāla fī Taḥqīq al-Kulliyāt bī Uṣūlilḥi wa Qawā'idih*. trans. Ömer Türker. Istanbul: Türkiye Yazma Eserler Kurumu Başkanlığı, 2013.
- Maḥallī, Jalāl al-Dīn. *al-Badr al-Ṭālī 'fī Ḥal Jam' al-Jawāmi'*, Dhimashk: Muassasa al-Risāla Nāshirūn, 2005.
- Mardāwī, 'Alā' al-dīn. *al-Taḥbīr Sharḥ al-Taḥrīr fī uṣūl al-fiqh*. Critical ed. 'Abd al-Rahman al-Jibrin. Riyadh: Maktaba al-Rushd, n.d.
- Molla Fanāri, Muhammad b. Hamza. *Fuṣūl al-Badā'ī 'fī Tartīb al-Sharā'ī'*. Beirut: Dār al-Kutub al-'Ilmiyye, 1971.
- Muhammad, Abdullah Rabi' Abdullah. "Taḥqīq al-Kalām fī Madlūl al-'Āmm." Ḥavliyya Kulliya Dirāsāt al-Islāmiyya wa al-'Arabiyya lī al-Banīn bī al-Qahira 27 (2009): 647-726.
- al-Rāzī, Muḥammad b. 'Umar Fakhr al-Dīn. *al-Maḥṣūl fī 'Ilm al-Uṣūl al-fiqh*, Critical ed. Jābir Fayyaḍ al-'Alwānī. Beirut: Muassasa al-Risāla, n.d.
- Sharḥ al-Ishārāt wa al-tanbihāt*. Tahrān: Danishgāh al-Tahrān, n.d.
- al-Ma'ālim fī Usūl al-Fiqh*. Critical ed. 'Ādil Ahmad 'Abd al-Mawjūd-Ali Muhammad Mu'awwaḍ. Cairo: Dār al-'Ālam al-Ma'rifa, 1994.
- Subkī, Abū Naṣr Ṭāj al-dīn 'Abd al-Wahhāb b. 'Ali. *Jam' al-jawāmi' fī uṣūl al-fiqh*. Beirut: Dār al-Kutub al-'Ilmiyya, 2003.
- al-Ibhāj fī Sharḥ al-Mūnḥāj*. Critical ed. Ahmad Jamal al-Zamzami-Nūr al-dīn 'Abd al-Jabbār Ṣaghiri. Duba: Dār al-Bukhūth lī al-Dirāsāt al-Islamiyya wa Iḥyā al-Turāth, 2000.
- Man' al-Mawānī 'an Jam' al-Jawāmi' fī Uṣūl al-Fiqh*. Critical ed. Sa'd b. 'Ali. Cairo: Jāmi'a Umm al-Qurā', Kulliya al-shari'a, 1990.
- Raf' al-Ḥājjib an Mukhtaṣar Ibn al-Ḥājjib*. Critical ed. Ali Muhammad Mu'awwaḍ, 'Ādil Ahmad 'Abd al-Mawjūd. Beirut: 'Ālam al-Kutub, 1999.

- Suhrawardî, Shihâb al-Din Yahya b. Habash. *Kitâb al-Tanqihât fi Uşûl al-Fiqh*. İstanbul: Süleymaniye Library, Fatih, 1259.
- Tabrizi, Amin al-Din Muzaffar. *Tankih Maḥşûl Ibn al-Khaṭib fi Uşûl al-Fiqh*. Hamza Zuhair Hafız. Mecca: Jami'a Umm al-Qurâ, n.d.
- Taftâzânî, Sa'd al-din Mas'ud b. Fakhr al-Din. *Hâshiya* [in *Sharh al-Mukhtaşar al-Muntahâ al-uşûli*]. Beirut: Dâr al-Kutub al-İlmiyya, 2004.
- Sharḥ al-Maqâşid*. Critical ed. 'Abd al-Rahmân Amira. Cairo: al-Maktaba al-Azhariyya lı al-Turâth, 2016.
- Sharḥ al-Talwih 'ala al-Tawḍih li-Matn al-Tanqih fi Uşûl al-Fiqh*. Beirut: Dâr al-Kutub al-İlmiyya, n.d.
- Tılımsânî, 'Abdullah b. Muhammad. *Sharḥ al-Ma'âlim fi uşûl al-fiqh*. Critical ed. Ali Muhammad Mu'awwad, Ahmad Adil 'Abd al-Mawjüd. Beirut: 'Âlam al-Kutub, 1999.
- Ṭūsî, Abû Ja'far Naşir al-din Muhammad b. Muhammad. *al-Ishârât wa al-Tanbihât ma'a Sharḥ Naşir al-Din al-Ṭūsî*. Critical ed. Suleiman Dunya. Cairo: Dâr al-Ma'ârif, 1960.
- 'Urmawî, Abû 'Abdillâh Ṭâj al-din Muḥammad b. al-Ḥusayn. *al-Hâşıl min al-Maḥşûl fi Uşûl al-fiqh*. Critical ed. Abdusselam Mahmud Abû Nâji. Benghazi: Câmia Qaryunus, 1994.
- 'Urmawî, Abû al-Thanâ Srâj al-din Maḥmud b. Abî Bekr. *al-Taḥşîl min al-Maḥşûl*. Critical ed. Abdulhamid Alı Abû Zanîd. Beirut: Muessasa al-Risâla, 1988.
- Zarkashî, Badr al-Din Muhammad b. Bahâdr. *Tashniḥ al-Masâmi' bi Jam' al-Jawâmi'*. Critical ed. Abdullah Rabî', Sayyid Abd al-'Aziz. 2nd ed. Egypt: Maktaba al-Qurtuba, 2006.
- al-Baḥr al-Muḥiṭ fi Uşûl al-fiqh*. 2nd ed. Hurghada: Dâr al-Şafwa, 1992.