

Beginnings or Principles: Commentaries and Glosses on the Notion of Mabādi' in Ibn al-Ḥāḥib's *Mukhtaṣar al-Muntahā**

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Abstract: This paper explores the influence of the Aristotelian theory of science and the philosophical tradition of writing prolegomena upon a classical legal theory text. Through investigation of commentaries and glosses on preliminary topics in the introduction of *Mukhtaṣar al-Muntahā*, an Islamic legal theory textbook, we will see how the conception and presentation of Islamic disciplines was influenced by the theory of science. The Aristotelian theory of science propounded that each scientific discipline comprises three elements: subject matter, principles, and problems. Meanwhile the philosophical tradition advocated for writing a proper prolegomenon, which included introducing a work with several preliminary topics, elucidating its subject matter and defining its purpose. The paper shows how these two influences, the Aristotelian theory of science and the tradition of writing prolegomenon, intersected in the commentaries and glosses on the initial section of a handbook of Islamic legal theory, the *Mukhtaṣar al-Muntahā* of Ibn al-Ḥāḥib (d. 646/1249), a prominent linguist and Maliki jurist. This text was subject to numerous commentaries and glosses. This paper will focus on those written around the fourteenth century, authored by notable figures such as Qāḍī Bayḍāwī (d. 691/1291-92), Ḍiyā' al-Dīn al-Tuṣī (d. 706/1306-7), Quṭb al-Dīn al-Shīrāzī (d. 710/1311), Jamāl al-Dīn al-Ḥilli (d. 726/1325), Badr al-Dīn al-Tustarī (d. 732/1332), Rukn al-Dīn al-Astarābādī (d. 715/1315), Shams al-Dīn al-Isfahānī (d. 749/1349), 'Aḍud al-Dīn al-Ījī (d. 756/1355), Sa'd al-Dīn al-Taftāzānī (d. 792/1390) and al-Sayyid al-Sharīf al-Jurjānī (d. 816/1413). The analysis herein will focus on their discussion of two preliminary sentences, which reveal a tension between the notions of *mabādi'* as principles and *mabādi'* as beginnings, the former in relation to the theory of science and the latter in relation to the tradition of writing proper introductions. The paper demonstrates that Islamic legal theory was conceptualized and presented in accordance with the philosophical theory of science, as reflected in the commentaries on Ibn al-Ḥāḥib's *Mukhtaṣar*, and that it stimulated a new conception of *mabādi'* that encompasses both its literal and terminological meanings. Ultimately, the debates on this topic gave rise to an argument justifying knowing the aspect of unity of a science and a critique of the theory of science at that time, challenging the idea that the genuine elements of a science are three, asserting instead that they are one.

Key words: *mabādi'*, beginnings, principles, commentaries, *Mukhtaṣar al-Muntahā*, theory of science, aspect of unity, al-Ījī, al-Taftāzānī, al-Jurjānī

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Studies on Islamic intellectual history have increasingly revealed the interactions between philosophical and religious sciences.¹ While these interactions manifest in various fields, one area where the profound impact of philosophy on religious sciences is evident is in the theory of science. Notice can be drawn to the influence of the Aristotelian theory of science, which asserted that demonstrative sciences consist of three essential components: kinds, axioms, and attributes.² This theory was expounded by Muslim philosophers such as al-Fārābī (d. 399/950) and Ibn Sīnā (d. 428/1037).

In his book on demonstration, al-Fārābī interprets Aristotle's viewpoint, stating that all theoretical sciences contain three fundamental elements: (1) subject matter (*mawḍūʿ*), (2) problems (*masāʾil*), and (3) principles (*mabāʾid*). By this, he cemented the Arabic terminology for philosophy of science that would persist until the modern period.³

Ibn Sīnā provides an extensive examination of these topics in the *Burhān* (Demonstration) within his magnum opus, *al-Shifā*. Considering the limits of this article, we primarily explore his succinct presentation of the theory in his *al-Ishārāt wa-l-Tanbihāt*. In the *Ishārāt*, Ibn Sīnā states that each science investigates one or more related entities. These entities are characterized by their states, which serve as essential accidents within that discipline, and the entity under scrutiny is called the subject matter of the science. Ibn Sīnā identifies principles (*mabāʾid*) as a crucial component of every science, encompassing definitions and premises, from which the science's syllogisms or logical arguments are composed. Ibn Sīnā further divides the premises that are principles of a science into three:

- 1 For some studies indicating the interaction between religious and philosophical sciences, see Peter Adamson, *Philosophy in the Islamic World in Context: Philosophy and Jurisprudence in the Islamic World*, Vol. I (Berlin ; Boston: De Gruyter, 2019); Frank Griffel, *The Formation of Post-Classical Philosophy in Islam* (New York, NY: Oxford University Press, 2021); Ayman Shihadeh, "From Al-Ghazālī to Al-Rāzī: 6th/12th Century Developments in Muslim Philosophical Theology," *Arabic Sciences and Philosophy: a Historical Journal* 15/1 (2005): 141–79.
- 2 Aristotle points out that there are three things in the demonstration: "(1) first, the thing that is explained that is the conclusion (*al-natiġa*), and this is the existent for a genus, essentially, (2) second, axioms (*al-ʿulūm al-mutaʾarifa*), they are those things from which are demonstrations, (3) third, the subject genus (*al-jins al-mawḍūʿ*)." Aristotle, *Anālūtiqa al-thāniya or al-Burhān*, in *al-Naṣṣ al-kāmil li-mantiqi Aristū*, ed. Farid Jabr (Beirut: Dār al-Fikr al-Lubnāni, 1999), I, 455. Cf. Aristotle, *Posterior Analytics*, trans. Jonathan Barnes (New York: Oxford University Press, 1993), 12, 15. There are a number of studies on Aristotle's Posterior Analytics. For an excellent recent book see David Bronstein, *Aristotle on Knowledge and Learning: The Posterior Analytics* (Oxford: Oxford University Press, 2016).
- 3 Fārābī, *Kitābu'l-Burhān*, trans. Ömer Türker and Ömer Mahir Alper (İstanbul: Klasik Yayınları, 2008), 36. For a study of Aristotle and Fārābī's theory of demonstration see Ali Tekin, *Varlık ve Akıl: Aristoteles ve Fārābī'de Burhān Teorisi*, (İstanbul: Klasik Yayınları, 2017).

1) those which are indispensable and necessary to accept

2) those which are granted due to goodwill towards the instructor, accepted willingly but not considered inherently necessary

3) and those which are temporarily granted by the student, albeit accompanied with doubt. They are accepted for the purposes of the argument, but their validity is subject to further examination.

As for definitions, they could be either definitions of the subject matter, or component parts or their particulars, or essential accidents. Ibn Sinā describes granted premises and definitions under the concept of *posit* (*mawḍiʿ*). Granted premises, considered independently, are called postulates (*uşûl al-mawḍūʿa*), whereas premises that are granted with doubt are called hypotheses (*muşāḍarāt*).⁴

This theory exerted lasting influence in subsequent centuries, serving as a model for shaping specific disciplines that sought to establish their scientific legitimacy. Recent scholarship has shed light on how this theory influenced the conception of religious sciences, including Islamic legal theory and mysticism.⁵ In this paper, my aim is not only to affirm the theory's impact on the framing of Islamic legal theory as a science, but also to show that the discussions found in legal theory books made substantial contributions to the theory of science itself. These in turn influenced later conceptions of unity within a scientific discipline. To this end, I will examine the discussions surrounding the notion of *mabâdiʿ* (beginnings/principles) within a set of commentaries and glosses on the *Mukhtaşar al-Muntahā*, a handbook of Islamic legal theory composed by Ibn al-Ḥājjib (d. 646/1249).

The influence of the philosophical theory of science on the formulation and presentation of Islamic legal theory can be traced back to as early as the eleventh centu-

4 İbn Sinā, *İşâretler ve Tembihler*, trans. Ali Durusoy, Muhittin Macit, Ekrem Demirli (İstanbul: Litera Yayıncılık, 2005), 72. Cf. İbn Sinā, *Kitabu'ş-Şifâ: II. Analitikler*, Trans. Ömer Türker (İstanbul: Litera Yayıncılık, 2006), I.12, 57-63. For a study concentrating on Ibn Sina's articulation of elements of a sciences, see Ömer Odabaş, *İbn Sinâ'da Bilimsel Yönteme Giriş: Konu İlke ve Mesele* (İstanbul: Litera Yayıncılık, 2019).

5 Abdurrahman Atçıl, "Greco-Islamic Philosophy and Islamic Jurisprudence in the Ottoman Empire (1300-1600): Aristotle's Theory of Sciences in Works of Uşûl al-Fiḥḥ," *Osmanlı Araştırmaları/The Journal of Ottoman Studies* 41 (2013): 33-54; Asım Cüneyd Köksal, *Fıkḥ Usulünün Mahiyeti ve Gayesi* (Ankara, Türkiye Diyanet Vakfı, 2021); Ekrem Demirli, "The Problem of Periodization in Sufi Studies: The Struggle of Sufism to Become a Discipline Between the Religious Sciences and Metaphysics," *Nazariyat*, 2 (4), (2016): 1-32; Yusuf Daşdemir, "The Influence of the Avicennan Theory of Science on Philosophical Sufism The Concept of the Divine Science in Qunawi and Fanari," *Oriens*, 48 (1-2), (2020): 156-187.

ry. Notably, prominent Muslim jurists such as Juwaynī (d. 478/1085) and his student Ghazālī (d. 505/1111) embraced this philosophical framework while positioning Islamic legal theory as a legitimate science. Juwaynī's contribution is particularly significant, as his introduction to his extensive legal theory work underscores the importance of foundational knowledge prerequisites for students embarking in the study of a discipline.⁶ Ghazālī engaged more explicitly with the philosophical theory of science. His magnum opus in *uṣūl al-fiqh, al-Mustaṣfā*, utilizes a logical framework and importantly for this paper offers a classification of the religious sciences that parallels the classification of philosophical sciences.⁷ In the introduction of his *al-Mustaṣfā*, Ghazālī defines the discipline, positions it among other sciences, and outlines its divisions—in a way that resonates with how philosophers commenced their works.

While Juwaynī's *al-Burhān* and Ghazālī's broader body of work played crucial roles in laying the foundations for conceiving legal theory as a science, the immediate source of this evolving approach, as it is articulated in the book under analysis—the *Mukhtaṣar al-muntahā* authored by Ibn al-Ḥājjib—can be traced back to a landmark work of legal theory entitled *al-Iḥkām fī uṣūl al-aḥkām*, written by Sayf al-Dīn al-Āmidī (d. 631/1233).⁸ The *Mukhtaṣar al-muntahā* represents Ibn al-Ḥājjib's summary of his earlier *Muntahā al-sūl wa-l-amāl fī 'ilmay al-uṣūl wa-l-jadal*, which in turn was a summary of *al-Iḥkām*. All hallmark of the time was to condense comprehensive books in various disciplines. Below, we will delve deeper into the approach which Āmidī took to legal theory and how this influenced Ibn al-Ḥājjib in his *Mukhtaṣar*. It is notable that the *Mukhtaṣar* spawned a lot of commentaries and glosses, thus solidifying its status as one of the most influential handbooks within the field of *uṣūl al-fiqh*.⁹ The commentaries and glosses on the *Mukhtaṣar* which we will examine closely below were composed during the late thirteenth and throughout the fourteenth century. These constitute only a

6 For Juwaynī's expression of the matters that someone who attempts to acquire a science should know, see *al-Burhān fī 'ilm al-uṣūl*, ed. Abd al-'Azīm al-Dīb, (Qatar: Jāmi' at Qatar, 1399), I, 83-85.

7 Ghazālī, *al-Mustaṣfā* (Egypt: Matba' at Muṣṭafā Muḥammad, 1937), p. 4.

8 For a study of *al-Iḥkām*'s content see Bernard Weiss, *The Search for God's Law: Islamic Jurisprudence in the Writings of Sayf al-Din al-Amidi* (Salt Lake City: University of Utah Press, 1992).

9 The *Mukhtaṣar al-muntahā* might have had an unrivaled reception since it was written by a scholar following the Mālikī school but was commented upon by scholars adhering to all major legal schools including Hanafī, Shāfi'ī, Twelver Shi'ī and Zaydi schools of law as well as the Malīkīs. For a list of commentaries and glosses on the *Mukhtaṣar al-muntahā* see Katib Çelebi, *Kaṣḥf al-zunūn* (Maarif Matbaası, 1943), 1853-7; W. Ahlwardt, *Die Handschriften-Verzeichnisse der Königlichen Bibliothek zu Berlin* (Berlin: A. Asher & Co., 1892), nr. 4375-78, 12-14; Abdullah Muhammad al-Ḥabashī, *Jāmi' al-shurūḥ wa l-hawāshī* (Abu Dhabi: al-Majma' al-Thaqāfi, 2004), III, 1575-90.

fraction of the extensive commentary tradition around the *Mukhtaṣar*, a tradition that has continued into the modern era.¹⁰ This paper will focus on the early commentaries and glosses because they serve as illustrative examples of how the philosophical theory of science was incorporated into legal theory.

The paper is divided into four sections, first beginning with an exploration of the source of the issue, starting with Āmidī's *Iḥkām* and Ibn al-Ḥājjib's *Mukhtaṣar*. The sections that follow divide works on the *Mukhtaṣar* into three chronological groups: an early generation of commentaries, a second generation of commentaries, and glosses. This chronological sequencing allows a better understanding of the development of the debate on an important aspect of the theory of science in these works. Early commentators on the *Mukhtaṣar* include scholars such as Nāsir al-Dīn al-Bayḍāwī (d. 719/1319), Ḍiyā' al-Dīn al-Ṭūsi (d. 706/1306-7), Quṭb al-Dīn al-Shirāzī (d. 710/1311), Rukn al-Dīn al-Astarābādī (d. 715/1315), and Badr al-Dīn al-Tustarī (d. 732/1332). A second-generation of commentaries include those from scholars such as Shams al-Dīn al-Isfahānī (d. 749/1349) and 'Aḍud al-Dīn al-Ījī (d. 756/1355). The glosses examined will include those by Sa'd al-Dīn al-Taftāzānī (d. 792/1390) and al-Sayyid al-Sharīf al-Jurjānī (d. 816/1413), two prominent scholars of the Timurid court.

The debates in commentaries and glosses centered around the ambiguity in the first two sentences of the *Mukhtaṣar*, with a particular focus on the division of the work and the concept of *mabādī*. The main problem was whether the word *mabādī* designates its terminological or literal meaning. The word *mabādī* is the plural form of *mabda*, which was used in distinct ways in metaphysical and philosophical texts. In a metaphysical context, *mabādī* referred to *arche* (Greek), signifying the fundamental first principle of existence.¹¹ However, within the field of theory of science, as can be observed in the books of demonstration indicated above, *mabādī* denoted the prin-

10 Already, by the late fourteenth century Muhammad b. Yusuf b. Ali al-Kirmānī (d. 786/1384), who was a student of Ījī, wrote a commentary on the *Mukhtaṣar* that gathered the famous interpretations of other contemporary commentators as well. He particularly mentioned seven commentaries by name which he likened to seven planets. These were commentaries of Quṭb al-Dīn al-Shirāzī, al-Sayyid Rukn al-Dīn al-Mawṣili (d. 715/1315), Jamāl al-Dīn al-Ḥilli (d. 726/1325), Zayn al-Dīn al-Khunajī (d. 707/1307-8), Shams al-Dīn al-Isfahānī (d. 749/1349), Badr al-Dīn al-Tustarī (d. 732/1332), and Shams al-Dīn al-Khatībī (d. 745/1344?). Muhammad b. Yusuf b. Ali al-Kirmānī, *al-Nuqūd wa al-rudūd* (Riyad/Cairo: Dār Ibn al-Qayyim/Dār Ibn 'Affān, 2019), 113.

11 Fārābī notes three kinds of principles (*mabādī*): principles of existence, principles of knowledge, and principles of existence and knowledge. Fārābī, *Kitābu'l-Burhān*, 46. For the ontological sense of principles, see al-Fārābī's *es-Siyāsetü'l-medeniyye* a.k.a. *Mebâdiü'l-mevcûdât* (İstanbul: Litera Yayıncılık, 2021).

principles of a science.¹² Ibn al-Ḥāḥib, in his compendium of legal theory, used *mabādi*’ to refer to the initial section, which encompassed not only the principles in the terminological sense but also preliminary matters which typically introduce a book. Consequently, those familiar with the philosophical theory of science conceived of *mabādi*’ as first principles, elucidated above as one of the three elements of sciences. This led early commentators, many of whom were philosophers, to delve into the theory of science articulated in the books of demonstration such as those of Fārābī and Ibn Sīnā. Later glossators drew distinctions between introducing a science and introducing a book. Along the way to resolving the issue, some influential approaches emerged. These included new definitions of *mabādi*’ aiming to reconcile the terminological and literal meanings, as well as novel arguments for including preliminary matters, such as the definition and purpose of a science, within the scope of constituent parts of the science. The discourse on *mabādi*’ led to arguments for conceiving unity within a science before studying its problems, which notably spawned new discussions.

1. Origins of the Problem in Āmidī’s *Iḥkām* and Ibn al-Ḥāḥib’s *Mukhtaṣar*

While the primary focus of this paper is on commentaries and glosses on the *Mukhtaṣar*, it will help to examine Āmidī’s arrangement of *Iḥkām*, which served as the foundational source. The significance of Āmidī’s work in interpreting the *Mukhtaṣar* is acknowledged by some subsequent commentators and glossators. Āmidī’s emphasis on grasping the definition and purpose of the science exerted a lasting influence, leading to an important argument regarding the comprehension of the aspect of unity (*jihat al-waḥda*) in a science by a commentator on the *Mukhtaṣar*, ‘Aḍud al-Dīn Ījī. This will be elaborated later.

Āmidī divided his *Iḥkām* into four pillars, the first concerning the notion of *uṣūl al-fiqh* and its *mabādi*’, which in this context refers to principles. Āmidī discusses the crucial prerequisites to learning a science as follows:

It is obligatory for each person who attempts to acquire a science among various sciences to first conceive its meaning (*an yataṣawwara ma‘nāhu*) by a definition or description, so that they have an insight into their study, to know its subject matter, which is the

12 See, for instance, İbn Sīnā, *Kitābu’ş-Şifā II. Analitikler*, Trans. Ömer Türker (İstanbul: Litera Yayıncılık, 2006), 57, 102.

entity whose inherent states are investigated in that science, thus, distinguishing it from others, as well as the purpose behind studying it, so that their efforts are not in vain. And [they must know] the problems which are states that are investigated within a science, to conceive seeking them. [They must know] things [sciences] from which the science is derived (*istimdād*), so that when they want to verify certain issues, they can return to them. [Finally] they must conceive the science's principles which must be acknowledged in advance, to establish [the science] upon them.¹³

In this passage, Āmidī highlights indispensable prerequisites to the study of a science. Implicit to this argument is thinking of *uṣūl al-fiqh* as a science, which requires students of *uṣūl al-fiqh* to comprehend its definition, subject matter, purpose, problems, sources in other disciplines, and its underlying principles. Notably in introducing *uṣūl al-fiqh*, Āmidī aligns with the philosophical tradition of introducing a book by providing a definition of the discipline he treats, describing its subject matter, purpose, and so on. Āmidī's usage of *mabādī* also aligns with the terminological sense that was posited by philosophers. Āmidī underscores that the principles within a science are conceptions and assertions that are accepted in that science. Principles are not subject to proof within the science itself; instead, they are either granted as such, as in the case of the highest science, or they are temporarily accepted as hypotheses or postulates (*muṣādara* or *waḍ'*) until they are substantiated in a higher-level science. This reiteration of the philosophical notion of *mabādī* underscores that Āmidī employs the word in a terminological rather than a literal sense, a point made further evident when Āmidī identifies principles of legal theory as being derived from rational theology (*kalām*), Arabic linguistics, and religious norms (*al-aḥkām al-shar'iyya*).¹⁴ Āmidī's introductory treatment of *uṣūl al-fiqh* underscores his adherence to the peripatetic theory of science, the framework of which was articulated by Fārābī and Ibn Sinā, but whose roots can be traced back to Aristotle's *Posterior Analytics*.

As suggested above, in the way in which Āmidī introduces his work, there are traces of commentaries from late Antiquity, which began with a prolegomenon that

13 "حق على كل من حاول تحصيل علم من العلوم أن يتصور معناه أولاً بالحد أو الرسم ليكون على بصيرة في ما يطلبه وأن يعرف موضوعه وهو الشيء الذي يبحث في ذلك العلم عن أحواله العارض له تميزاً له عن غيره وما هي الغاية المقصودة من تحصيله حتى لا يكون سعيه عبثاً وما عنه البحث فيه من الأحوال التي هي مسأله لتصور طلبها وما منه استمداده لصحة إسناده عند روم تحقيقه إليه وأن يتصور مبادئه التي لا بد من سبق معرفتها فيه لإمكان البناء عليها".

Āmidī, *al-Iḥkām fī uṣūl al-aḥkām* (Riyad: Dār al-Ṣumay'ī, 2003), 19.

14 Āmidī, *al-Iḥkām*, 22.

introduced the textbook and the science.¹⁵ This practice was transmitted into the Islamic intellectual tradition, and the introductory section of Arabic philosophical commentaries would discuss preliminary issues including expounding the purpose of the book, the benefits of the science and its chapter divisions, its relation to other fields (referred to as *nisba*), the scholarly rank (*martaba*), the title, author, and the methodology employed. This set of preliminary topics came to be standardized and was known as the eight headings (*al-ru'ūs al-thamāniya*).¹⁶ Over time, the tradition of discussing preliminary matters at the outset of commentaries, with some modifications, was to become a common practice at the beginning of textbooks, whether the sciences discussed were religious or rational. Consequently, later scholars expanded these preliminary elements to encompass a set of ten preliminaries (*al-mabādi' al-'ashar*), a custom that was discussed in numerous works during the late nineteenth and early twentieth century.¹⁷

As mentioned, Ibn al-Ḥājjib's *Mukhtaṣar* can be understood as a summary of Ḍamīdī's *Iḥkām*, which accounts for his comparatively concise treatment of preliminary matters. This concision is evident in the presentation of division of the work into four distinct parts. Ibn al-Ḥājjib, following the framework in Ḍamīdī's *Iḥkām*, presents a fourfold division, explicitly stating that "it is strictly divided into (*yanḥaṣir*) *mabādi'* (preliminaries or principles), authoritative proofs (*adilla al-sam'iyya*), preponderance (*al-tarjih*), and legal reasoning (*al-ijtihād*). The *mabādi'* are its definition, benefit and derivation."¹⁸

15 For a study of prolegomena see Jaap Mansfeld, *Prolegomena: Questions to be Settled before the Study of an Author, or a Text* (New York: E.J. Brill, 1994).

16 For this enumeration of the eight headings see al-Fārābī, *Alfāz al-musta'mala fī l-mantiq* (Beirut: Dar al-Mashriq, 1968) 94-95. For Fārābī's treatment of this issue elsewhere, see *Fi mā yanbaghī an yuqaddam qabla ta'allum al-falsafa* in *Mabādi' al-falsafa al-qadīma* (Cairo: Matba'at al-Muayyad, 1910). For a study of the eight headings through analysis of a particular treatise on the issue, see Robert Wisnovsky, "Yahyā b. 'Adī's Discussion of the Prolegomena to the Study of a Philosophical Text," in Michael Cook, Najam Iftikhar Haider, Intisar A. Rabb, and Asma Sayeed, *Law and Tradition in Classical Islamic Thought: Studies in Honor of Professor Hossein Modarressi* (New York: Palgrave Macmillan, 2013), 187-201. Abu l-Faraj Ibn Ṭayyib's (d. 435/1044) commentaries on Porphyry's *Isagoge* and Aristotle's *Categories* provide a comprehensive example of prolegomenon to philosophical commentaries.

17 For an early twentieth century book that discusses beginnings of eleven sciences see Ali Rajab al-Sālahī, *Risāla Tahqiq mabādi' al-'ulūm al-aḥada 'ashara* (Misr: Matba'at al-Sa'ada, 1907). I would argue that the preferred vocabulary in the later periods to refer to preliminary matters was most likely an influence of the *Mukhtaṣar* and its commentaries. However, there still were scholars who preferred *muqaddima* (prolegomenon), another and perhaps more appropriate title for these matters. As an example see Maḥmūd b. 'Umar al-Jarkasī, *Risāla fī muqaddimāt al-'ulūm* (Cairo: al-Matba'a al-'Ilmiyya, 1311AH).

18 The text reads: وينحصر في المبادئ والأدلة السمعية والاجتهاد والترجيح. فالمبادئ حده وفائدته واستمداده. Ibn al-Ḥājjib, *Mukhtaṣar al-muntahā al-uṣūli* (Cairo: Matba'a Kurdistan al-'Ilmiyya, 1326), 2.

However, this division within the *Mukhtaṣar*, and description of *mabādi'* gave rise to two issues that later commentators and glossators would discuss. The initial concern was whether this division belonged to the book or inherited to the science of *uṣūl al-fiqh*. The ambiguity initially stemmed from the reference to an implicit pronoun in Ibn al-Ḥājjib's statement. While the field of *uṣūl al-fiqh* had been explicitly mentioned in the previous clause, the verb divided (*yanḥaṣir*) could also be read as an implicit reference to the *Mukhtaṣar*. The ambiguity was compounded by Ibn al-Ḥājjib's use of the verb *yanḥaṣir*, whereas Ḍamīdī said the four pillars of his *Iḥkām* included (*mushtamil*) the content.¹⁹ The choice by Ibn al-Ḥājjib to use the verb (*yanḥaṣir*) led to debate as if Ibn al-Ḥājjib used the word intentionally, although the initial focus of the debate was attempting to discern the referent of *yanḥaṣir*.

The second issue that generated a lot of discussion pertained to the notion of *mabādi'* per se. As quoted above, Ibn al-Ḥājjib described *mabādi'* as encompassing the definition of a science, its benefit, and its derivations (*istimād*). However, in his work *Muntahā al-wuṣūl*, he expanded this to include the subject matter (*mawḍū'*) as well. In contrast, Ḍamīdī utilised *mabādi'* more specifically to refer to only one of the several issues included in the first pillar of the *Iḥkām*. Interestingly, when Ḍamīdī summarized his *Iḥkām* in *Muntahā al-sūl fī 'ilm al-uṣūl*, he employed the term *mabādi'* to encompass all of the aforementioned matters.²⁰ This apparent discrepancy in the use of the notion of *mabādi'* led to significant debates in subsequent commentaries and glosses, showing that post-classical scholars were keen on the proper use of terminology, clarification of concepts, and the elimination of ambiguities in a text. Some of these ambiguities were natural in such condensed treatments of a discipline, and the ambiguities arising from Ibn al-Ḥājjib's condensation of the *Iḥkām* in turn generated many commentaries and glosses within the science of *uṣūl*, reflecting the rigorous scholarly engagement of the era. Some commentators and glossators on Ibn al-Ḥājjib's *Mukhtaṣar* attempted to resolve these issues by turning to what Ḍamīdī had said in the *Iḥkām*, while others essayed new definitions and interpretations. We will delve into these discussions, beginning with the early generation of commentaries.

19 al-Ḍamīdī, *al-Iḥkām*, 17.

20 Sayf al-Dīn al-Ḍamīdī, *Muntahā al-sūl fī 'ilm al-uṣūl* (Beirut: Dār al-Kutub al-'Ilmiyah, 2003), 8.

2. Early commentators on the strict division and the notion of *mabādi'* in the *Mukhtaşar*:

2.1. Bayḍāwī, *Mirşād al-ifhām ilā mabādi' al-aḥkām*

Nāşir al-Dīn al-Bayḍāwī's *Mirşād al-ifhām* was among the earliest commentaries written on the *Mukhtaşar*, possibly completed before 684/1285 because within his commentary on the Qur'an, which is believed to have been completed during that year, Bayḍāwī refers to the *Mukhtaşar*.²¹ In the *Mirşād*, without explicitly mentioning the *Mukhtaşar*, Bayḍāwī introduces his treatment of the science of *uşūl* in four sections as does Ibn al-Ḥāġib.²² This would seem to suggest that he viewed the strict division in the *Mukhtaşar* as that of the science of *uşūl*. However, as we will see, others would disagree.

Bayḍāwī's treatment of *mabādi'* indicates that he understood it literally, since he opened with the following warning:

It is obligatory for the student (*min ḥaqq al-muta'allim*) to conceive the science (*fann*) which they attempt (*yuḥāwil*), by definition or description, in order to be insightful in seeking it, and to know its purpose (*ghāya*) so that their efforts are not in vain, and to know things from which it receives help, that is the science upon which it is established, and from which it is branched out so that they can verify what they seek, and base it upon its roots.²³

Bayḍāwī's commentary on the *Mukhtaşar* reflects a synthesis of ideas and concepts from multiple sources, particularly the *Mukhtaşar* itself as well as Āmidī's *Iḥkām*. While Bayḍāwī follows the pattern set by Ibn al-Ḥāġib in discussing the definition, benefit, and derivations of the science (*mabādi'*), his articulation of why students must understand these aspects aligns closely with the content found in Āmidī's work. This indicates that Bayḍāwī likely drew upon the *Iḥkām* as a foundational source for his interpretation of the *Mukhtaşar*. Unlike his *Iḥkām*, Āmidī's *Muntahā al-sūl*, as we have noted, conspicu-

21 al-Bayḍāwī, *Mirşād al-ifhām ilā mabādi' al-aḥkām* (Kuwait: Dār Aldeyaa, 2015), 162.

22 al-Bayḍāwī, *Mirşād al-ifhām*, 236-7.

23 al-Bayḍāwī, *Mirşād al-ifhām*, 238. Bayḍāwī begins his book *al-Gḥāyat al-quswā fi dirāyat al-fatwā*, a manual of Şāfi'ī law, with a similar warning, and provides a prolegomenon in which he presents this discipline with its definition, alludes to its problems, subject matter, benefit, and sources. Bayḍāwī, *al-Gḥāyat al-quswā fi dirāyat al-fatwā*, ed. 'Alī Muḥyi l-Dīn 'Alī Qaradāġhī (Beirut: Dār al-Bashā'ir al-Islāmiyya, 2008) I, 205-224. For a study of this book which notes its introduction to law as unprecedented and reflecting a change in the conception of knowledge and science, along the lines that we mention here, see Nail Okuyucu, "Kādi Beyzāvi'nin Fıkıh Tasavvuru ve Şāfi'ī Fūrū-i Fıkıh Geleneğindeki Yeri," in *İslām İlim ve Düşünce Geleneğinde Kādi Beyzāvi*, ed. Mustakim Arıcı (İstanbul: Türkiye Diyanet Vakfı Yayınları, 2017), 494-500.

ously lacks such a warning. Bayḍāwī's articulation also differs from that of Āmidī in the *Iḥkām*. While Bayḍāwī mentioned

1. Conception of the science by definition and description.
2. Affirmation of its purpose.
3. Affirmation of its derivations.

Āmidī, as noted above, added:

4. Knowing the subject matter.
5. Knowing the problems.
6. Conceiving principles.

It is likely that Bayḍāwī limited his coverage because his commentary on the *Mukhtaṣar*, while longer than the *Mukhtaṣar*, was significantly shorter than the *Iḥkām*. It is worth noting that both Āmidī and Bayḍāwī discuss the prerequisites for studying a science in a way that, in my opinion, contributed to Ījī's argument regarding the recognition of a science through its aspect of unity (*jihat al-waḥda*). However, between Bayḍāwī and Ījī, there were several commentaries—including those by Ḍiyā' al-Dīn al-Ṭūsī, Quṭb al-Dīn al-Shīrāzī, Rukn al-Dīn al-Astarābādī, Ibn Muṭahhar al-Ḥillī, and Badr al-Dīn al-Tustarī,—which, as we explore in the following section, delved extensively into the theory of science. Although Shīrāzī's commentary may have been written a few years earlier than that of Ḍiyā' al-Dīn, we will begin by looking at the latter's commentary since it offers a more concise treatment of the subject of the elements of a science.

2.2. Ḍiyā' al-Dīn al-Ṭūsī, *Kāshif al-rumūz wa muḥzir al-kunūz*

We have limited information about Ḍiyā' al-Dīn al-Ṭūsī, the author of *Kāshif al-rumūz*, a commentary on Ibn al-Ḥājjib's *Mukhtaṣar*. His full name is recorded as 'Abd al-'Azīz b. Muḥammad b. Muḥammad b. 'Alī al-Tabādagānī (?), commonly known as al-Ṭūsī. He is renowned for his commentary on the *Hāwī*, a Shāfi'ī manual of Islamic jurisprudence. It is believed that he taught at the Madrasa al-Najībiyya in Baghdad.²⁴ The manuscript of Ḍiyā' al-Dīn's *Kāshif al-rumūz* which we accessed is dated to the end of Shawwāl 696 (around mid-August 1297). However, a recent edition indicates that it was completed in 679 (1280-81), underscoring its status as one of the early commentaries on the

24 al-Safadi, *al-Wāfi bi l-wafayāt* (Beirut: Dar Ehia al-Tourath al-Arabi, 2000), XVIII, 342.

Mukhtaṣar.²⁵ Notably, this commentary contains a relatively extensive discussion on the elements of sciences while interpreting the concept of *mabādi*' and its implications.

Regarding the contentious matter of the object of Ibn al-Ḥāḥib's division, Ḍiyā' al-Dīn interpreted it as a division of the *Mukhtaṣar*, though he noted that it was possible to interpret that it could also be understood as a division of *uṣūl al-fiqh*. Nonetheless he thought the former was more appropriate (*alyaq*).²⁶ The crucial point here is that Ibn al-Ḥāḥib had not yet defined the science of *uṣūl*, so it would have been premature to divide it into four elements. This argument was emphasized in Jurjānī's gloss on Ījī's commentary, highlighting that Ḍiyā' al-Dīn's commentary, while not as widely accepted as others, was nonetheless consulted by some scholars.

Ḍiyā' al-Dīn delves into a comprehensive discussion of the principles (*mabādi*), summarizing key topics commonly addressed in books of demonstration. He asserts that every science has prolegomena (*muqaddimāt*) as prerequisites for study. These prerequisites, according to Ḍiyā' al-Dīn, include:

1. knowing how the science is defined
2. conceptualizing the motivating factor leading to the study of that science, i.e. the benefit of learning it
3. understanding the subject matter of the science
4. knowing its principles (*mabādi*'), and
5. knowing its problems.²⁷

This framework also echoes Āmidī's previously quoted discussion. However, what is notable here is the differentiation which Ḍiyā' al-Dīn made between prolegomena (*muqaddimāt*) and principles (*mabādi*'). He presented *mabādi*' as one component included in the prolegomena (*muqaddimāt*). Ḍiyā' al-Dīn gave more detail on these and in particular focused on the subject matter and how sciences related to other sciences.

Ḍiyā' al-Dīn enumerates the principles (*mabādi*') within a science as consisting of: the definition of the subject matter of the science and constituent parts, definition of their essential accidents, and knowledge of the premises (*muqaddimāt*) from which

25 Editor's introduction in al-Shirāzī, *Sharḥ al-Mukhtaṣar fī uṣūl al-fiqh*, ed. 'Abd al-Latif b. Sa'ūd b. 'Abdillāh al-Ṣarāmī (Jāmi' at Imām Muḥammad Su'ūd al-Islāmiyya, 2012), 95.

26 Ḍiyā' al-Dīn al-Ṭūsī, *Kāshif al-rumūz wa muḥhir al-kunūz*, MS Fazil Ahmed Pasha 501, fol. 2a.

27 Ḍiyā' al-Dīn, *Kāshif al-rumūz*, MS Fazil Ahmed Pasha 501, fol. 2b.

its syllogisms are constituted. The premises or foundational propositions are called postulates (*awḍā'*). However, those postulates which are only provisionally accepted until proven in another science are called hypotheses (*muṣādarāt*). Ḍiyā' al-Dīn proceeds to clarify that Ibn al-Ḥājjib used the term *mabādi'* to refer to the understanding of a particular science's definition, benefit, and derivations, considered as prerequisites for the beginning (*mabda'*) of study.²⁸ Importantly, Ḍiyā' al-Dīn distinguished between the terminological meaning of *mabādi'*, and the literal sense which Ibn al-Ḥājjib applied in his works. Ḍiyā' al-Dīn asserts that Ibn al-Ḥājjib employs *mabādi'* in a practical sense, not as understood by philosophers, to denote the preliminary knowledge required by a student in order to begin seeking knowledge of a science. This interpretation by Ḍiyā' al-Dīn aimed to clarify the notion of *mabādi'* in the theory of science (as discussed in the books of demonstration) and Ibn al-Ḥājjib's different usage. His perspective would influence some subsequent commentators, notably Taftāzānī.

2.3. Quṭb al-Dīn al-Shīrāzī, *Sharḥ Mukhtaṣar al-muntahā*

Quṭb al-Dīn al-Shīrāzī, a prominent and well-respected scholar, authored an extensive commentary on the *Mukhtaṣar*. Shīrāzī's commentary delves further into the philosophical understanding of sciences and their preliminary matters. This inclination towards philosophical concepts by Shīrāzī is less surprising, given his strong background in the philosophical sciences. Shīrāzī practiced medicine, as well as writing influential works on astronomy. The context of this writing is intriguing because *uṣūl al-fiqh*, as a discipline, emerged from religious sciences, although we should note that in later periods *uṣūl* was classified as a rational science. Another remarkable feature of Shīrāzī's commentary is its length, the most extensive of commentaries on the *Mukhtaṣar*, as one copyist noted in a manuscript. The note states that the most subtle (*adaqquha*) of all commentaries on the *Mukhtaṣar* was that of Ījī (discussed below) and the most extensive (*absatuha*) was that by Shīrāzī.²⁹ The manuscript copy referenced is dated 12 Sha'bān, 701 (April 11, 1302), although the author's original work was finalized on Dhū l-Ḥijja 10, 677 (April 24, 1279).³⁰

28 Ḍiyā' al-Dīn, *Kāshif al-rumūz*, MS Fazil Ahmed Pasha 501, fol. 3b-4a.

29 Quṭb al-Dīn al-Shīrāzī, *Sharḥ Mukhtaṣar al-muntahā*, MS Fazil Ahmed Pasha 499, fol. 1a; Shīrāzī, *Sharḥ al-Mukhtaṣar fī uṣūl al-fiqh*, v.1, editor's introduction, 75. Initially I read the relevant sections of MS Fazil Ahmed Pasha 499, then later I accessed the printed edition. Hence, I will cite both texts.

30 Quṭb al-Dīn al-Shīrāzī, *Sharḥ Mukhtaṣar al-muntahā*, MS Fazil Ahmed Pasha 499, fol. 362a.

Shirāzī bases his interpretation of Ibn al-Ḥāḥib’s two contentious statements on the foundational source of the *Mukhtaṣar*, the *al-Iḥkām fī uṣūl al-aḥkām* of Sayf al-Dīn al-Āmidī. Shirāzī highlights that Āmidī’s book was divided into four pillars, and that Ibn al-Ḥāḥib organized the *Mukhtaṣar* to align with this framework given by al-Āmidī. With this context in mind, Shirāzī interprets Ibn al-Ḥāḥib’s division of chapters as pertaining to “*uṣūl al-fiqh* in the *Mukhtaṣar*.” This statement appears unusual, as it suggests an attempt to reconcile differing views on whether Ibn al-Ḥāḥib’s division refers to the science itself or to the book. Shirāzī explains the concept of strict division by reference to a two-fold categorization within “this science,” a view shared by Bayḍāwī. This interpretation considers the subject investigated either as a tool (*wasīla*) for the main objective, *mabādi*’ which are treated in the first chapter, or as the main objective (*maqṣūd*) of the science itself, corresponding to the remaining chapters.³¹ This second explanation indicates that Shirāzī viewed Ibn al-Ḥāḥib’s division as pertaining to the science of *uṣūl* rather than the structure of the book.

Shirāzī, like Ḍiyā’ al-Dīn, offers an overview of the theory of science while elucidating the notion of *mabādi*’. Shirāzī reaffirms the philosophical understanding that each science comprises a subject matter (*mawḍū*’), principles (*mabādi*’), and problems (*masā’il*). Shirāzī provides a lengthy discussion of the issue of subject matter before moving on to the second component, namely principles (*mabādi*’), which he defines as the foundational elements upon which a science is constructed. They manifest as either conceptions or assents. Shirāzī notes that conceptions are definitions of entities investigated within a science. Definitions can take several forms: one could be those of the subject matter of a science, exemplified in natural philosophy with statements such as “body is a substance that is capable of having three dimensions,” or they could be definitions of specific particulars within the subject matter, such as the definition of a “simple body” as “that which is not composed of various bodies that have different forms.” A definition could also describe a component or part of the subject matter, for example defining “prime matter (*hayūlā*)” as “substance.” Or a definition could describe an essential accident of the subject matter as well, for example defining “motion” as the “perfection of the first principle (*kamāl mabda’ al-awwal*) for a potential entity in its state of potentiality.”³² Shirāzī’s examples are drawn predominantly from natural philosophy.

31 Quṭb al-Dīn al-Shirāzī, *Sharḥ Mukhtaṣar al-muntahā*, MS Fazil Ahmed Pasha 499, fol. 2a; Shirāzī, *Sharḥ al-Mukhtaṣar fī uṣūl al-fiqh*, v.1, 11.

32 Shirāzī, *Sharḥ Mukhtaṣar al-Muntahā*, MS Fazil Ahmed Pasha 499, fol. 2b; Shirāzī, *Sharḥ al-Mukhtaṣar fī uṣūl al-fiqh*, v.1, 15-16.

Shirāzī keeps bringing his discussion back to legal theory by bringing in examples of conceptual principles relevant to *uṣūl al-fiqh*, such as definitions of the subject matter of *uṣūl*, or particulars, etc. These examples include statements such as “the proof that is conducive to divine judgment consists of such,” “the consensus is such,” “the seven recitations are such,” and “some of those whose contrary is rare is such (*ba'd alladhī nadara mukhālifahu 'an kadhā*).”³³ Shirāzī distinguishes between real definitions, such as that of the subject matter which must be affirmed prior to analysis of problems, and nominal definitions, such as definitions of essential accidents, which are states that warrant investigation regarding their presence in subject matter or their relations, and thus can at the outset only be defined nominally. Later on, however, once verified, these nominal definitions can be replaced by real definitions. Shirāzī's distinctions here echoes the insights found in Ibn Sinā's discussion in the *Burhān of al-Shifā*.³⁴

Shirāzī proceeds to explore principles that are foundational assertions in the construction of a science. These assertoric principles are either self-evident or require supporting evidence. The latter are either justified within the science, or rest upon another science. Those that are proven within a science should not involve any circularity, in other words a principle taken as proven in a science should not rest on problems or questions that rely on that principle.³⁵ As for principles that are taken from other sciences, Shirāzī notes that they are considered problems within the source science.

Shirāzī's analysis of the term *mabādī'* underscores its terminological sense, a position corroborated by Āmidī's usage in the *Ihkām*. Thus, he asserted that the terminological meaning does not encompass the definition and benefit of the science. Shirāzī acknowledges the possibility of a forced interpretation, where the definition could be considered among the *mabādī'* in a terminological sense but remains skeptical about applying the same rationale regarding the benefit of a science. Shirāzī suggests that if one were to define *mabādī'* as “that thing whose knowledge would help what is in the science” (*mā yufidu ma'rifatuhu ifādatan mā fī l-'ilmi*) then it might be reasonable to consider the definition and benefit of the science among the *mabādī'*.³⁶ Based on this latter definition of *mabādī'*, Taftāzānī would contend that Shirāzī viewed the strict division as that of the book. One certainly could make this case, but as we have seen

33 al-Shirāzī, *Sharḥ al-Mukhtaṣar fī uṣūl al-fiqh*, I, 16.

34 For Ibn Sinā's discussion see, *Kitābu'ṣ-Ṣifā II. Analitikler*, I.5, 19-20.

35 al-Shirāzī, *Sharḥ al-Mukhtaṣar fī uṣūl al-fiqh*, I, 16.

36 al-Shirāzī, *Sharḥ al-Mukhtaṣar fī uṣūl al-fiqh*, I, 18.

above, Shīrāzī's initial discussion indicates otherwise, though certainly there is some ambiguity in his position. This alternative definition would pave the way for reconciling Ibn al-Ḥājjib's usage with the terminological meaning of *mabādi'*. Next, we will look at such an attempt by Rukn al-Dīn al-Astarābādī.

2.4. Rukn al-Dīn al-Astarābādī, *Ḥallu l-'uqad wa l-'uqal*

Rukn al-Dīn was a star student of the famous philosopher Nasīr al-Dīn al-Tūsī. As a philosopher like Shīrāzī, it is not all too strange that he would bring in his philosophical knowledge to interpret the text of legal theory. Although, his interpretations are brief, they are still striking particularly for providing a different sense of *mabādi'* which ultimately contributed to the development of the argument for the aspect of unity. In interpreting the first sentence of Ibn al-Ḥājjib, Rukn al-Dīn, in fact, stated that "legal theory is strictly divided into the said four pillars because each science strictly deals with principles, subject matter, and problems, as established in logic."³⁷ Rukn al-Dīn mentions the terminological sense of *mabādi'*, and then defines them as "everything upon which beginning depends" (*kullu mā yatawaqqafu alayhi al-shurū'*). Rukn al-Dīn further notes that the *mabādi'* in the first sentence refer to the principles of legal theory, and they are matters upon which investigations in it, and beginning it are based.³⁸ It is indeed strange that someone who was well familiar with the philosophical theory of science would consider preliminary matters among the principles. However, Rukn al-Dīn does hint at his reasoning for doing so while interpreting the second sentence, as he notes that the investigations in the science depend on knowing its quiddity and end (*ghāya*).³⁹ From his comments, we can see that Rukn al-Dīn considered matters of beginning a science among the principles in a science. In this way, he included all three matters mentioned by Ibn al-Ḥājjib among the terminological sense of *mabādi'*.

2.5. al-Ḥilli, *Ghāyat al-wuṣūl wa idāḥ al-subul*

Ibn Muṭahhar al-Ḥilli's *Ghāyat al-wuṣūl wa idāḥ al-subul* is another early commentary on the *Mukhtaṣar al-muntahā*. The editor of this text believes that this commentary

37 Rukn al-Dīn al-Astarābādī, *Ḥallu l-'uqad wa l-'uqal fī sharḥ mukhtaṣar muntahā l-sūl wa l-amal*, in "Dirāsa wa Taḥqīq *Sharḥ Mukhtaṣar Ibn al-Ḥājjib*," Abdurrahman b. Muhammad b. Iyād al-Qarnī (Mecca: University of Umm al-Qurā, 2000), 197.

38 Rukn al-Dīn al-Astarābādī, *Ḥallu l-'uqad*, 198-199.

39 Rukn al-Dīn al-Astarābādī, *Ḥallu l-'uqad*, 202.

was completed on a Sunday in Rajab 697 (April 1298), based on a manuscript copy thought to be either written by or dictated by the author.⁴⁰ While this commentary is brief and does not extensively address the disputed issues, it is noteworthy because it is a commentary of a Shi'ite scholar on a legal theory book by a Sunni scholar. This demonstrates that at the time scholarly interactions between these groups, in the form of commenting on each other's works, were not uncommon. Ḥilli may have felt a need to participate in contemporary learned intellectual discussions.

Ḥilli's commentary attempts to reconcile the apparent discrepancy between Ibn al-Ḥājjib's use of the term *al-mabādi'* and its content, by aligning with the terminological meaning of the word. Ibn al-Ḥājjib, we may recall, divided the book into four parts, the first focusing on the *mabādi'*. Ḥilli emphasized a science must have *mabādi'* (principles) which are foundational. Ḥilli reiterated the philosophical understanding of *mabādi'* as either conceptual or assertoric principles, noting that conceptual principles are either definitions of the subject matter of the science, or definitions of the subject matter's parts, particulars or essential accidents. Ḥilli argues here that Ibn al-Ḥājjib considered the definition of a science as a conceptual principle. Assertoric principles are the premises upon which a science is established, here referred to "derivations." Ḥilli considers benefit as the purpose or objective of a science, although acknowledging that considering benefit among the principles is a matter of debate.⁴¹

Ḥilli's interpretation of the notion of *mabādi'* follows a common thread with those of Shirāzī and Ḍiyā al-Dīn, because they all drew upon on a shared philosophical discourse, which can also be observed in the commentaries of the next generation of scholars such as Isfahānī and Ījī. In Ḥilli's interpretation we find an attempt to reconcile the content of Ibn al-Ḥājjib's section on *mabādi'* with the terminological understanding of *mabādi'* i.e. the philosophical understanding of principles of a science, reflected in his identification of definition of legal theory with conceptual principles and its derivations with assertoric principles. Although Ḥilli like Shirāzī acknowledges that inclusion of benefit among principles is debatable and may not neatly fit this framework. Next, we will look at the commentary of al-Tustarī, who goes further in his attempt to include benefit among the principles and thought that the alternative definition of *mabādi'* proposed by Shirāzī was unnecessary.

40 'Allāma al-Ḥilli, *Ghāyat al-wuṣūl wa iḍāḥ al-subul*, ed. A. Mardānīpūr (Qum: Mu'assasat al-Imām al-Sādiq, 1430), 30.

41 al-Ḥilli, *Ghāyat al-wuṣūl*, I, 42-43.

2.6. Badr al-Dīn al-Tustarī, *Majma' al-durar fī sharḥ al-mukhtaṣar*

Badr al-Dīn al-Tustarī was a prolific author who mastered both religious and rational sciences, like his predecessors. His extensive writings, which include philosophical books and commentaries, indicate he was well trained in the philosophical theory of science. This makes it surprising that he attempted to reconcile Ibn al-Ḥāḥib's usage of *mabādi'* with the terminological sense, although this attempt may reflect a desire to be more charitable in his interpretation rather than a critical objector, as indicated in the preface of his commentary on the *Mukhtaṣar*. Tustarī states at the outset that *mabādi'* refers to the foundational matters upon which problems of a science depend (*mā yatawaqqaf 'alayhi masā'ilu l-'ilmi*). This aligns with the terminological definition of *mabādi'*, corroborated by Tustarī's division of *mabādi'* into conceptions which are essentially definitions, and assertions, which are premises from which arguments within a science are constituted.⁴²

Tustarī provides a division of the content of the *Mukhtaṣar* to explain Ibn al-Ḥāḥib's strict division, noting that it can be stated as follows: "what is contained in the *Mukhtaṣar* is either intended primarily or not, the first is authoritative proofs, the second is either that upon which authoritative proofs are built or not, the first is principles (*mabādi'*)..."⁴³ Tustarī notes that this is a common division, but it is not definitive, as one could think of other classes. This division of Tustarī and his position precedes al-Ījī's similar analysis, thus potentially indicating an influence.

Tustarī explains Ibn al-Ḥāḥib's division of the part on *mabādi'* into definition, benefit, and sources of legal theory, stating:

The science either depends on *mabādi'* regarding [1] its conception or [2] not, the former [1] is its definition, as for the second [2], the science either depends on it with regard to [2.1] beginning (*al-shurū'*) or [2.2] not, the first [2.1] is its benefit, and the second [2.2] is that upon which it does not depend regarding its essence or beginning but rather regarding its existence, these are the derivations (*istimād*).⁴⁴

As we can see, Tustarī presents all three items mentioned in the first chapter of the *Mukhtaṣar* as things upon which the science is somehow based in order to show that they are among the *mabādi'* in its terminological sense. Tustarī then offers justi-

42 Badr al-Dīn al-Tustarī, *Majma' al-durar fī sharḥ al-mukhtaṣar* (Beirut: Dār Ibn Ḥazm, 1439/2018), 114.

43 al-Tustarī, *Majma' al-durar*, 115.

44 al-Tustarī, *Majma' al-durar*, 116.

fications for considering these among the *mabādi'*. According to Tustarī, definition is among the *mabādi'* because knowledge of the problems of a science necessitates conception of a science. In other words, knowledge of the problems of a science is contingent on knowing the definition of a science. The benefit is also considered a *mabādi'* because study of a science depends on conceptualizing the purpose and aim (*ghāya*) of investigation. Without conception of the purpose of a science, study cannot begin. Therefore, conceptualizing the benefit of a science is foundational before learning the problems.⁴⁵ Tustarī argues that derivations (*istimdād*) from other sciences are among the *mabādi'*, reasoning that a science often relies upon other sciences, which provide the background and knowledge necessary to achieve the objective of study. These derivations are instrumental in verifying the objectives and issues within a science.

Tustarī asserts that there is no need to redefine *mabādi'* as “that whose knowledge is beneficial to what is in the science” (*mā ma'rifatuhu tufīdu ifādata mā fi l-'ilm*). This is an implicit criticism of Shīrāzī. Tustarī believes that *mabādi'* includes definition and benefit, since a science consists of three elements, that is subject matter, principles, and problems.⁴⁶ Tustarī's attempt at reconceptualizing the *mabādi'* in a way that was inclusive of the definition and benefit of a science influenced later scholars, as we will see traces of his interpretation in Taftāzānī and Jurjānī's glosses. However, the latter scholars did not go so far as to agree with Tustarī that *mabādi'* in the terminological sense would include definition and benefit of the science.

3. Second Generation of Commentators on the Notion of Mabādi' in the Mukhtaṣar

3.1. Shams al-Dīn Isfahānī, *Bayān al-mukhtaṣar*

Shams al-Dīn Isfahānī's significance as a fourteenth-century scholar is evident in his widely acclaimed commentaries on handbooks, extensively studied in madrasas. Notably, his commentary on Baydāwī's philosophical theology, titled *Maṭāli' al-anzār fi ṭawālī' al-anwār*, and his interpretation of Ibn al-Ḥājjib's *Mukhtaṣar al-muntahā*, titled *Bayān al-mukhtaṣar*, highlight his scholarly depth and rigorous approach. The enduring impact of his commentaries is reflected in the numerous manuscript copies found in Turkish

45 al-Tustarī, *Majma' al-durar*, 116.

46 al-Tustarī, *Majma' al-durar*, 117.

libraries, along with the substantial number of glosses written on them. Isfahānī, recognized as a widely learned and rigorous scholar, deserves attention for his interpretations of the two issues in the *Mukhtaṣar*, comparable if not superior to the work of Ījī.

As noted earlier, the first issue for commentators was to clarify the ambiguity in the statement from Ibn al-Ḥājjib that “it is strictly divided into principles, authoritative proofs, preponderance, and legal reasoning.” Did the division refer to the book, or to the science discussed? This discussion emerged due to a discrepancy between the terminological sense of the *mabādi*’ and the content of the relevant section of the *Mukhtaṣar*. According to Isfahānī, the division was that of “the *Mukhtaṣar* and not the *uṣūl*.” In other words, it is a division of the book and not the science treated in the book, because, as Isfahānī contends, the sense in which Ibn al-Ḥājjib refers to *mabādi*’ in this work would not allow it to consider them as part and parcel of the *uṣūl*.⁴⁷ Isfahānī is countering the view that the strict division is that of the *uṣūl*. As we have seen, Baydāwī leaned toward this interpretation, and Shīrāzī’s interpretation was vague. This maybe contra Baydāwī and Shīrāzī, but according to the editors of Isfahānī’s commentary, the said interpretation belongs to al-Sayyid Rukn al-Dīn al-Mawṣilī.

Unlike Rukn al-Dīn and Tustarī, Isfahānī does not try to extend the terminological meaning of *mabādi*’ in order to reconcile it with Ibn al-Ḥājjib’s usage. Isfahānī offers two meanings of *mabādi*’ in order to disambiguate Ibn al-Ḥājjib’s strict division of the work into four chapters. Isfahānī notes that in logical jargon, *mabādi*’ refers to matters preliminary to the main goal or objective, required to reach the objective. Although his explanations are similar to those of Shīrāzī, Isfahānī provides a concise analysis of the issue as follows:

The *mabādi*’ are either concepts, and these would be conception of the subject matter, its parts, its particulars, its essential accidents, which are called definitions. Otherwise they are assents. These are premises out of which syllogism of the science would be constituted. If they are obvious are called axioms (*qaḍāyā al-muta’arafa*), and as such are the absolute principles (*mabādi*’). If not obvious, then if they are charitably accepted (*musāmaḥa*) and from assuming well of the teacher then they are called postulates (*uṣūlan mawḍū’a*), however, if they are accepted with doubt and rejection then they are called hypothesis (*muṣādarāt*). *Mabādi*’ in this sense are amongst the elements of sciences. However, they are also taken to have another meaning, and that is that by which one begins prior to the objective (*maqṣūd*) since its essence depends on it, or its conception, or beginning. And in this sense, they do not become one of the elements of sciences.⁴⁸

47 al-Isfahānī, *Bayān al-mukhtaṣar* (Cairo: Dār al-Salām, 2004), 51.

48 al-Isfahānī, *Bayān al-mukhtaṣar*, 52-53.

We can see that Isfahānī first presents the terminological sense of *mabādi'*, clearly reminiscent of Ibn Sinā's presentation in the *Ishārāt*, as mentioned at the beginning. However, Isfahānī draws a distinction between this widely known terminological sense of *mabādi'* and a different sense which echoes Tustarī's explanation, indicating that he read Tustarī but disagrees with his analysis. Isfahānī concludes that by *mabādi'*, Ibn al-Ḥājjib refers to the second sense above, since conception of the science, conception of its purpose, and explaining the other matters which assist it, are not included in the meaning of *mabādi'* in the first sense, rather they would be *mabādi'* in the second sense, since beginning and conceiving the science is dependent on them.

Isfahānī concludes that if three things that are said to be *mabādi'* by Ibn al-Ḥājjib are not among the elements of sciences, then they cannot be an element of *uṣūl al-fiqh*, even if they are an element of the *Mukhtaṣar*.⁴⁹ This is his rejoinder to those who claim that the strict division is that of the *uṣūl al-fiqh*. Isfahānī notes the discrepancy between the terminological sense of *mabādi'* and the content of the part of the book in the *Mukhtaṣar* which includes things that are considered introductory material. It is suggested that *mabādi'* in the terminological sense are part of the science whereas *mabādi'* in the sense of introductory material are not necessarily part of a science; thus he differs from Tustarī's position. However, next commentator, Ījī would interpret that section of the *Mukhtaṣar* in a way that again attempted at reconciling it with the terminological sense.

3.2. 'Aḍud al-Dīn al-Ījī, *Sharḥ Mukhtaṣar al-muntahā*

'Aḍud al-Dīn al-Ījī stands out as one of the most influential figures in postclassical Islamic intellectual history, thanks to his concise handbooks covering various subjects, such as '*Aqā'id* on creed, *Risālat al-waḍ'* on positing words for a meaning, *Ādāb* on argumentation, *Akhlāq* on ethics, and *Mawāqif* on rational theology. These handbooks became integral in classical madrasa education. His commentary on Ibn al-Ḥājjib's *Mukhtaṣar* also gained significant acclaim, leading to numerous glosses; particularly noteworthy are those by Taftāzānī and Jurjānī. Jurjānī's gloss, in turn, spurred numerous super glosses. The debates surrounding the concept of *mabādi'* in the preliminary remarks of the *Mukhtaṣar* prompted Ījī to formulate an argument emphasizing the importance of proper beginnings by appealing to the aspect of unity within a science. This argument

49 al-Isfahānī, *Bayān al-mukhtaṣar*, 53.

proved highly influential in subsequent discussions, particularly evident in commentaries and glosses on, among other subjects, the prolegomena of handbooks in logic.⁵⁰

In the early commentaries, there was a disagreement regarding whether Ibn al-Ḥājib's division pertained to the book itself, the *Mukhtaṣar*, or to the discipline covered in the book, namely *uṣūl al-fiqh*. Ījī suggests both as possible objects of division, leaving the reference of the pronoun ambiguous—an approach notably different from others who generally considered it a division of either the *Mukhtaṣar* or the science. Shīrāzī's commentary, which influenced Ījī, might have contributed to this ambiguity. While Ījī initially articulates the division as that of the book or the science, he later leans towards interpreting it as a division of the book. To justify the latter understanding, he defines *mabādi'* (principles) as matters which are not the objective per se (*wa hiya mā lā yakūnu maqṣūdān bi l-dhāt*), but crucial for the objectives. Ījī indicates that these principles are considered part of the science, albeit in a generalizing manner (*wa 'adduhā juz 'an min al- 'ilmi taḡlibān lā yab 'ad*).⁵¹ This suggests that he may not perceive *mabādi'*, in the context used by Ibn al-Ḥājib, as an essential element of a science. Alternatively, Ījī challenges the established view that *mabādi'* in the terminological sense is a fundamental element of a science, proposing that the actual core of a science is its problems, which represent the objectives of the discipline.

Ījī's differentiation between objectives and principles appears again as he reconsiders the division of chapters of the *Mukhtaṣar* in a rational rather than inductive classification, although he believes that this is a mistake if it is believed that one could have an ultimate rational division. Ījī attempts a rational division which clarifies and eases induction. He believes *uṣūl* as well as the book contain things that are not predetermined, which can only be known by looking at what passes as *uṣūl* and what is contained in the book. Ījī believed that one could divide “what is contained in the book” into that which either is the objective (1), or not (2). The second (2) is principles (*mabādi'*) since the objectives must be based on principles, otherwise they wouldn't be necessary. Ījī then divides the first (1) i.e. the objectives, of the *Mukhtaṣar*, as follows: since the purpose is deducing judgments (*istinbāt al-ahkām*), the investigation would be either on deduction itself (1a), which is legal reasoning (*ijtihād*), or that from which deductions are made

50 For a study of commentaries and glosses on prolegomenon of a logic handbook which also entails debates on the classical theory of science, see Kenan Tekin, “The Conception of Science in Postclassical Islamic Thought (647–905/1250–1500): A Study of Debates in Commentaries and Glosses on the Prolegomenon of al-Kātibī's *Shamsiyya*,” *Journal of Islamic Philosophy* 13 (2022): 83-123.

51 al-Ījī, *Sharḥ Mukhtaṣar*, 8.

either by means of comparing and contrasting (*ta'arūḍiha*) (1b), which would be preponderance (*tarjih*), or not (1c), and these are authoritative proofs (*adilla al-sam'iyya*).⁵² Despite an earlier assertion that the division of chapters might be a division of both the book and the science of legal theory, Ḫji here indicates the former.

Ḫji then delves into the content of *mabādi'* in Ibn al-Ḥājjib's *Mukhtaṣar*. At this point, his influential argument for understanding the aspect of unity in a science emerges. As a reminder, Ibn al-Ḥājjib listed the *mabādi'* as the definition, benefit, and derivations of the science. Since Ḫji views *mabādi'* as fundamental to the objectives of the discipline, he seeks to justify why students must grasp the definition of the science before delving into its actual problems or objectives. Rather than asserting this as a customary practice to be accepted, he employs a method of verification, providing an argument for why such an approach should be adopted. Given its significant impact on subsequent discussions, it is worthwhile to provide a full translation of Ḫji's argument.

Ḫji states:

It is obligatory for all seekers of a multiplicity (*kathra*) that is held together by an aspect of unity, to know [multiplicity] by that aspect, since if they rush into seeking it prior to comprehending it [aspect of unity], they will not be sure of not missing things they intended [to seek] and spending time on things which they did not intend. There is no doubt that for each science there are multiple problems that are held together by an aspect of unity, it is with respect to [that aspect] they are considered one science, individuated by composition and teaching. The definition is taken from that aspect. If this [definition] is the essence (*ḥaqīqa*) of the signified [the named of the name], then this will be the real definition (*ḥadd*). If not, then it must necessitate its distinction [from other sciences], in which case it would be its description (*rasm*). Therefore, each seeker of a science (*ṭālīb al-'ilm*) must first conceive it (*yataṣawwarahu*) by its real definition or description so that they are insightful (*'alā baṣīra*) in their seeking, for whoever does not conceive in this manner [it is as though he] had mounted a blind animal and traced arbitrarily as the camel in the dark.⁵³

Ḫji here argues that in approaching a complex subject, understanding its multiplicity requires recognition through a unifying aspect. This ensures that nothing essential is overlooked, and time is not wasted on irrelevant matters. This principle applies to

52 al-Ḫji, *Sharḥ Mukhtaṣar*, 8. This division is reminiscent of Shirāzi's above division, with the difference being that Shirāzi divided the legal theory while Ḫji divided the content of the book.

53 al-Ḫji, *Sharḥ Mukhtaṣar*, 8.

the study of sciences, each consisting of multiple problems. Before delving into any science, Ījī asserts that it is essential to conceptualize it through a definition derived from the unifying aspect linking its various problems. This aspect of unity can yield either a real definition or a description of the science. Consequently, students have the flexibility to grasp the essence of what they are pursuing through either form. In justifying the common practice of introducing the definition in the prolegomenon of books or classes, Ījī argues that understanding the definition of a science is paramount. This preliminary comprehension is crucial for students to navigate the intricacies of a discipline, ensuring a focused and purposeful pursuit of knowledge.

Ījī briefly mentions the significance of knowing the second item in Ibn al-Ḥājjib's list of *mabādi'*, namely the benefit (*fā'ida*) of the science which Ījī tells us is crucial for avoiding vain or idle work and incentivizes seeking the science. As for knowing derivations (*istimdād*) of the science, Ījī notes that this could be accomplished either in a general manner, by mentioning the sciences from which it derives so that one could go back to those sciences for verification, or in detail, by mentioning things that are necessary to conceive, to grant, or to verify since the problems of the science are based on them.⁵⁴ Ījī seems to be referring to postulates and hypothesis drawn from other sciences. Ījī thus conceives a more expansive notion of derivation (*istimdād*), which contains a terminological sense of *mabādi'*.

Other scholars, including Āmidī and Baydāwī, had previously emphasized the significance of understanding a science through its definition or description, as well as recognizing its benefit. Ījī's noteworthy contribution lies in explicitly framing this point within the context of seeking anything that is multiple. This nuanced addition, absent from Āmidī and Baydāwī's discussions, enhances the argument.⁵⁵ It is conceivable that Rukn al-Dīn and Tustarī's insights into the inclusion of the definition and benefit of the science among the principles influenced Ījī's more comprehensive and detailed articulation of the importance of knowing the definition or description of a science before embarking on its study. In any case, Ījī's thorough verification of this matter gained widespread acceptance, although subsequent criticisms emerged, particularly in Taftāzānī's gloss, as we will explore further.

54 al-Ījī, *Sharḥ Mukhtaṣar*, 8.

55 A different version can be seen in Ḥillī's commentary on the *Shamsiyya*, however, considering their varying vocabulary, it is unlikely that it had an immediate influence on Ījī's articulation. For a discussion of Ḥillī's version, see Tekin, "The Conception of Science in Postclassical Islamic Thought," 99.

4. Glosses on Ījī's Commentary on the *Mukhtaṣar*

Ījī's commentary spawned several glosses, of which two are relevant to this paper. Those are Taftāzānī and Jurjānī's glosses, whose interpretations of Ījī's commentary diverged on the notion and content of *mabādi'* in the *Mukhtaṣar*.

4.1. Taftāzānī, *Ḥāshiyat Mukhtaṣar al-muntahā*

Sa'd al-Dīn al-Taftāzānī was another prolific scholar of the fourteenth century, well-known for his influential commentaries on handbooks of morphology, rhetoric, logic, theology and legal theory. In the latter field, he is known for two commentaries, one on Ṣadr al-Sharī'a's *al-Tawdīh*, and another on Ījī's *Sharḥ al-Mukhtaṣar*. In both glosses, Taftāzānī defends the Aristotelian theory of science against critiques by Ṣadr al-Sharī'a and Ījī.⁵⁶ Most relevant here are his perspective on Ibn al-Ḥājjib's preliminary remarks and Ījī's commentary.

Taftāzānī saw no ambiguity in the way Ibn al-Ḥājjib used the word *mabādi'*, which he thought referred to the *mabādi'* of the book, in the literal sense of beginning rather than the terminological sense of the word as principles. Taftāzānī makes an interesting argument to show that the strict division is that of the book, and not the science of *uṣūl*. He states, "most scholars considered the subject matter of the *uṣūl* to be authoritative proofs (*al-adilla al-sam'iyya*) because it investigates their states in order to establish judgments (*ithbāt al-ahkām*) by them via legal reasoning (*ijtihād*), after making a preference when there is conflict."⁵⁷ Taftāzānī here asserts that the elements of *uṣūl* are indicants (*adilla*), legal reasoning (*ijtihād*), and preponderance (*tarjih*). Taftāzānī notes that some scholars thought investigations about establishing (*ithbāt*) entailed considerations of states of judgments, so those scholars made the subject matter of this science "indicants and judgments." That would mean there were four elements of *uṣūl*. Taftāzānī adds, "there was a custom to begin the books of *uṣūl* with topics that were outside the just mentioned objectives, which they called *al-mabādi'* (preliminaries) which were part of the book and not the science (*juz' al-kitāb dūna l-'ilm*)."⁵⁸ Taftāzānī notes that the ma-

56 For Ṣadr al-Sharī'a critique of the classical theory of science regarding the issue of subject matter and Taftāzānī's defense of that theory, see Kenan Tekin, "Reconsidering Avicennan Theory of Science: Ṣadr al-Sharī'a and Taftāzānī's Discussions of the Issue of the Subject Matter", *Beytulhikme An International Journal of Philosophy* 13/3 (2023): 17-38.

57 al-Taftāzānī *Ḥāshiyat Mukhtaṣar al-muntahā* (Bulaq: Matba'at al-Kubrā al-Amiriyya, 1316), 5-6.

58 al-Taftāzānī, *Ḥāshiyat Mukhtaṣar*, 6.

majority of commentators held that Ibn al-Ḥājjib was dividing the *Mukhtaṣar* into four parts and not the science itself, indicating Quṭb al-Dīn al-Shirāzī as an example, who believed that what was being divided was the *Mukhtaṣar*, since the *mabādi*’ that are mentioned are elements of the book and not the science. Humbly, I believe Shirāzī was vague in his initial interpretation, although he certainly thought the *mabādi*’ as mentioned by Ibn al-Ḥājjib referred to the non-terminological meaning, which suggests that he ultimately may have viewed the division as that of the book. Taftāzānī points out that Ījī considered it a possibility (*jawwazahu*) that the division at stake might be that of the science of *uṣūl* based on generalizing (*taghlīb*), since there are some things among the *mabādi*’ which are indeed an element of the science such as conceptions and assents which provide assistance from other sciences. Taftāzānī in other words suggests that due to some elements that are expressed in the *mabādi*’ that are indeed considered among the elements of sciences, one could in general consider the whole chapter as part of the science. Taftāzānī mentions another possibility, that the word *mabādi*’ be considered by definition to refer to beginnings, as one begins with these matters before delving into the main objectives.⁵⁹ This last point was already addressed by Ḍiyā’ al-Dīn.

Taftāzānī was not convinced that what was enumerated, regarding *mabādi*’, reflect the sense in which they could be a part of the science. He asserts that the elements of *uṣūl* are conceptions and assertions or matters that, for instance, are related to authoritative proofs (*al-adilla al-sam‘iyya*), and not those things themselves, which were mentioned by Ibn al-Ḥājjib. In other words, what is included in the *uṣūl* as a science is either conceptions or assertions, or subject matter and things related. In this regard, authoritative proofs, the subject matter of *uṣūl*, could encompass other matters such as “negation of evidentiality of Companions’ statements, preference (*istiḥsān*), and public goods (*masāliḥ al-mursala*), and in *ijtihād* the topic of imitation and giving and receiving *fatwā* could be included, and in the preponderance (*tarjih*) judgment on abstaining (*ḥukm al-waqf*) and choosing (*takhyir*) could be included.”⁶⁰ Taftāzānī believes it would not be far-fetched to consider the strict division to be that of the science or the *Mukhtaṣar*, if the division is one of the universal into particulars.

Considering Āmidī’s *al-Iḥkām fī uṣūl al-aḥkām* as a source of the *Mukhtaṣar* Taftāzānī draws attention to his use of *mabādi*’ in the terminological sense, meaning those concep-

59 al-Taftāzānī, *Ḥāshiyat Mukhtaṣar*, 6.

60 al-Taftāzānī, *Ḥāshiyat Mukhtaṣar*, 6.

tions and assertions which are foundational to problems of a science.⁶¹ Taftāzānī notes that the author (probably referring to Ibn al-Ḥājjib) did not discuss the subject matter insofar it is the subject matter (*mawḍū' iyyat al-mawḍū'*), due to lengthy discussions, even though it is a matter external to the science itself, which means it belongs among the preliminary issues. According to Taftāzānī definitions of subject matters of legal theory such as the *Kitāb* (literally the Book, i.e. the Qur'an), the *Sunna* etc. were each addressed in the relevant parts of *uṣūl* due to their strong connections with its problems. Taftāzānī suggests that Ījī interpreted derivation (*istimdād*), which Ibn al-Ḥājjib mentioned among the *mabādi'*, in a way to include the terminological meaning of *mabādi'*. This allows for the assertion that the strict division is that of the science, because the *mabādi'* on this interpretation include matters which are part of the literal meaning of the term, as well as matters that are part of its terminological meaning, principles of sciences. Taftāzānī and Shīrāzī correctly refer to Āmidī's *Iḥkām*, but both overlook that Āmidī employed the notion of *mabādi'* differently in *Muntahā l-sūl*, his own summary of the *Iḥkām*. This variance might explain why Ibn al-Ḥājjib employed the term loosely.

Taftāzānī departs from Ījī's perspective by considering the *mabādi'*, as used by Ibn al-Ḥājjib, not as essential components of a science, but rather as external topics that offer insight.⁶² Taftāzānī softens Ījī's assertion that a book contains either the main objective or not, with the latter considered as *mabādi'* or principles upon which the objective must rely. In contrast to Ījī, Taftāzānī challenges the use of the term outside its terminological context by Ibn al-Ḥājjib. While Ibn al-Ḥājjib listed the *mabādi'* as definition, benefit, and derivations of the science, Ījī did not challenge this usage whereas Taftāzānī consistently disputes this use, suggesting that in this context, *mabādi'* refers to "things with which one begins before getting into the main objective of the science."⁶³ This departure implies that, in this context, *mabādi'* does not denote principles on which the objectives depend, as in its terminological sense but rather denotes literal starting points.

Taftāzānī, like Ḍiyā' al-Dīn, differentiates the *mabādi'* of the book from those of the science as he says that if they are external to the science, they are called *muqaddimāt* (prolegomena), such as knowledge of definition, purpose, and explanation of the subject matter and derivations (*istimdād*). However, if these preliminaries preceding a

61 al-Taftāzānī *Ḥāshiyat Mukhtaṣar*, 6.

62 al-Taftāzānī *Ḥāshiyat Mukhtaṣar*, 7.

63 al-Taftāzānī *Ḥāshiyat Mukhtaṣar*, 12.

science are internal to the science, they are called *mabādi*’, such as the conception of the subject matter and its essential accidents, and those assents which constitute syllogisms of the science. This is the terminological meaning of *mabādi*’. Taftāzānī warns that thus if the terminological meaning is intended, then those would not properly include definition, benefit, and derivation.⁶⁴

Taftāzānī engages with Ījī’s argument regarding the necessity of knowing the definition of a science through one of its aspects of unity. Taftāzānī subtly criticizes Ījī by asserting that this knowledge is not essential but rather enhances insight.⁶⁵ This critique challenges Ījī’s assertion that understanding the definition of a science is among the *mabādi*’, principles or preliminary matters. From Taftāzānī’s perspective, where *mabādi*’ are considered principles and constituents of a science, he emphasizes that grasping the definition of the science offers insight but is not a prerequisite for acquiring it. Furthermore, Taftāzānī questions Ījī’s statement that each science consists only of problems, asserting that each science comprises subject matter, principles, and problems, highlighting the omission by Ījī of the other two constituent elements.⁶⁶

Now we shall look at Taftāzānī’s explanation of the notion of the aspect of unity from which definition and description of the science is derived. Besides criticizing Ījī’s discussion of the topic, it includes a fine distinction between the essence (*ḥaqīqa*), and what we may call the existence (*dhāt*), of a science. He states:

It should be known that the aspect of unity for a science per se and essentially (*bi l-dhāt wa l-ḥaqīqa*) is the subject matter (*al-mawḍū*), and nothing else. That is because there is no meaning for *this* being a science and *that* being a science other than *this* investigating the states of one thing and *that* investigating states of another thing. From this, it follows that for *this* one there would be a definition, a purpose, and a proprium (*khāṣṣa*), and for *that* one there will be another definition, or purpose, or proprium. The real definition [of a science] would be that which is taken from the subject matter by saying that ‘it is a science that investigates states of such and such a thing.’ And this is the conception (*taṣawwur*) of the notion (*mafḥūm*) of the science and its essence (*ḥaqīqa*). However, its existence (*dhāt*) and identity (*huwiyya*, ipseity) is affirmation of the problems (*al-taṣḍīq bi l-masāil*) one by one (*‘alā al-tafṣīl*). It is not a hidden fact that the

64 al-Taftāzānī, *Ḥāshiyat Mukhtaṣar*, 12. Taftāzānī here criticizes Ījī’s use as being vague and problematic in either sense of the term by noting that if the author, i.e. Ibn al-Ḥājjib’s loose usage is meant, then Ījī’s use of the word “of” is unnecessary, since they all together constitute what are *mabādi*’ in that context.

65 al-Taftāzānī, *Ḥāshiyat Mukhtaṣar*, 14-15.

66 al-Taftāzānī, *Ḥāshiyat Mukhtaṣar*, 15.

aspect of unity (*jihat al-waḥda*) does not have to be predicable (*maḥmūla*), such as the subject matter and the purpose, neither an implicate proprium which is evident (*wa lā khāṣṣa lāzima bayyina*). If the commentator [Ījī] intended a strict division of the aspect of unity into full definition and description, then that is not right. However, if he meant a strict division of definition (*ta'rif*), which can be taken from it [aspect of unity], into the two [full definition and description] then the argument (*taqrīb*) is incomplete since the need for knowing the aspect of unity does not necessitate the need for conception by full definition (*ḥadd*) and description (*rasm*) because it can be known by another aspect, and insight can be gained in that regard.⁶⁷

Taftāzānī aligns with Ījī on the significance of understanding the aspect of unity in a science. He adds clarification on the role of subject matter in comprehending the complete definition of a science. Taftāzānī, however, distinguishes the essence (*haqīqa*) of a science from its ipseity (*huwiyya* or external existence). While acknowledging that a full definition provides knowledge of the essence, he asserts that actual knowledge of the science comes from assenting to its problems individually. Taftāzānī disagrees with Ījī's limitation of knowing a thing solely through definition (*ḥadd*) and description (*rasm*), advocating for the possibility of other means. This insight becomes particularly relevant in the modern era, where interdisciplinary fields emerge, and sciences unify through factors beyond subject matter. Institutions, for instance, can serve as the unifying aspect that binds together problems in a discipline, shaping the recognition of what constitutes a science.

4.2. al-Sayyid al-Sharīf al-Jurjānī, *Ḥāshiyat Mukhtaṣar al-muntahā*

al-Sayyid al-Sharīf al-Jurjānī, a contemporary of Taftāzānī, was known for his glosses, marking a shift from the handbooks of Ījī and the commentaries of Taftāzānī. Jurjānī's gloss on Ījī's commentary on the *Mukhtaṣar* became a focal point for later engagements, leading to the emergence of super glosses instead of traditional commentaries.⁶⁸ This shift in scholarly engagement marked a significant development in the history of

67 al-Taftāzānī, *Ḥāshiyat Mukhtaṣar*, 16-17.

68 Jurjānī, according to Veliyuddin Carullah Efendi, an Ottoman scholar of the eighteenth century, wrote two glosses on the *Mukhtaṣar*, the old and the new gloss. The one that drew attention of later scholars was the new gloss which must have been written after Taftāzānī's gloss since it includes criticism of the latter who was an intellectual rival. For Carullah's note, see MS Carullah 471, fol. 16a. This manuscript includes Ījī's commentary and several glosses on it including those of Ali al-Tūsi, Afdalzāda, Samsūnī, Mullā Khusraw, Khalkhālī, Arabshāh, Khatibzāda, Bālī Pasha, Yāqub Pasha, Khayālī Chelebi.

commentarial tradition in general and the *Mukhtaṣar* commentaries specifically. In the modern scholarship, commentaries and glosses were considered banal and thus were neglected for a long time. However, even in the preliminary debates which we have analyzed so far, we have observed that commentaries in fact contain important philosophical arguments beyond explicating the text. I would argue that the gloss genre was even more appropriate for presenting original thought since it allowed an author to focus on selected topics rather than being obliged to interpret the whole text.⁶⁹ In this section we will see an example of this as we explore Jurjānī's interpretation of the contentious division, the concept of *mabādi'*, and his stance on the aspect of unity. Jurjānī generally supports Ījī's commentary, countering Taftāzānī's critical glosses. While they share some common ground, Jurjānī delves deeper into potential divisions or classifications and provides a nuanced analysis of the prolegomenon, emphasizing the preliminary steps required to pursue a science.

Taftāzānī, as noted above, had reservations about Ījī's understanding of Ibn al-Ḥājjib's strict division as either pertaining to the science of *uṣūl* or the *Mukhtaṣar*. Although Jurjānī acquiesces to the possibility of the division being either of the two, he also seems to believe that it is that of the *Mukhtaṣar*, as the other choice demands a forced justification (*i'tidhār*).⁷⁰ Like Ḍiyā' al-Dīn, Jurjānī also believes that if it was a division of the science, then it would have been better to precede the definition of the science. The assumption is that definition of a thing has priority over its division.

Jurjānī delves into the nature of the division at play, aiming to clarify how an inductive classification may be perceived in a manner that resembles deductive reasoning. He posits that Ibn al-Ḥājjib's strict division involves breaking down a whole into its constituent parts, regardless of the specific interpretation chosen. This division, as Jurjānī sees it, entails analysis and separation. In this context, the divided object cannot be affirmed of its individual parts, as the whole cannot be predicated of a part insofar as it constitutes only a portion of the whole. Each part is included in the essence of the divided object (*maqsim*).⁷¹ This is an inductive division.

Jurjānī contemplates the prospect of a deductive division as well. He suggests this can be achieved by conceptualizing the object of division as either "what is contained in

69 There is a growing interest in the genre of gloss. For some recent contributions see articles in *Oriens* 41 (2013).

70 Sayyid Sharif al-Jurjānī, *Ḥāshiyat Mukhtaṣar al-muntahā* (Bulaq: Matba'at al-Kubrā al-Amiriyya, 1316), 6.

71 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 6.

the book or the science,” resulting in a division of a universal into its particulars. This process includes the addition of distinct conditions.⁷² If these added restrictions are non-overlapping, indicating clear distinctions, then the strict division (*haṣr*) would be a real (*haqīqī*) division. Conversely, if there is overlap among divisions, then it becomes a perspectival division (*i'tibārī*). Thus far, Jurjānī includes two types of classification: the division of a whole into its parts, and those of a universal into its particulars.

Jurjānī also underscores the distinction between rational and inductive divisions. In rational division, the process involves oscillating between affirmation and negation. This type of classification is typically considered rational, representing an absolute method where reason allows no other possibility. The logical structure is characterized by statements like “A is either B or non-B. The latter is either C or non-C. The latter is either D or non-D,” continuing until all existing classes are exhausted, leading to the conclusion that “the non-D is E.” In this rational division, the intellect gains certainty through conceptual considerations alone. On the other hand, inductive division requires investigation and induction, either of the particulars or the parts.⁷³ Jurjānī's conclusion is that the four matters mentioned by Ibn al-Ḥājjib are part of the *Mukhtaṣar* and particulars of “what it contains.”⁷⁴

Jurjānī acknowledges two meanings of *mabādi'*, one of which is “that upon which the existence (*dhāt*) of the thing that is aimed depends, I mean, conceptions and assents on which proving problems of it [the science] depends.” This is the terminological meaning of the *mabādi'*, which Jurjānī states, “could be considered (*qad tu'addu*) among the elements of sciences.” This passive voice demonstrates that Jurjānī, like Ḥājjī, does not believe that principles belong to the elements of a science. Jurjānī is more explicit about this position in his gloss on Quṭb al-Dīn's commentary on the *Shamsiyya*.⁷⁵

The second meaning of *mabādi'* expressed by Jurjānī, is “that thing upon which its [the science's] existence (*dhātan*), or conception, or beginning depends.”⁷⁶ This meaning, as we have seen reflects Tustarī's explanation of how definition, benefit and derivations of a science could be considered among the *mabādi'* in the terminological sense. Tustarī held that in this sense, they could be considered a part of the science, while others such

72 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 6.

73 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 9.

74 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 7.

75 Tekin, “The Conception of Science in Postclassical Islamic Thought,” 119-120.

76 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 7.

as Taftāzānī who entertained this notion of *mabādi*’ did not agree. Jurjānī concurs that the conception of a thing (*taṣawwur al-shay*’) and knowledge of its purpose are matters external to the science. However, Jurjānī allows the possibility of considering these two among the *mabādi*’, since they are put together with derivations (*istimād*) which are a part of *mabādi*’, and thus metaphorically belong to the elements of sciences.

The notion of helpful derivations (*istimād*) becomes useful in reconciling the terminological and the literal meaning of *mabādi*’ in the *Mukhtaṣar*. Jurjānī rejects Taftāzānī’s two-fold distinction of derivations (*istimād*), according to which one of them is not internal to a science. Jurjānī considers it a fantasy (*tawahhum*).⁷⁷ Jurjānī again defends Ījī’s articulation against Taftāzānī, pointing out that Ījī uses the word *mabādi*’ with its general meaning, and thus the word “of” indicates some, since the author, Ibn al-Ḥājjib in the *Muntahā* accounted four elements (including *mawḍū*’), and in the *Mukhtaṣar*, three. Jurjānī notes a different response to Taftāzānī’s criticism, that the subject matter was not mentioned among the *mabādi*’, since its conception (*taṣawwur*) is included within the derivations (*al-istimād*), “I mean *mabādi*’ in the stricter sense (*bi l-mā ‘nā l-akḥaṣ*),” and affirming it that it is the subject matter (*taṣḍīq bi-mawḍū ‘i-yyatihi*), is of the prolegomenon to begin (*muqaddimāt al-shurū*’), which is satisfied by definition. Jurjānī further notes that the issue of whether the subject matter exists is indeed a component of the elements of sciences. However, in this case, it was not explicitly addressed, as the existence of the Kitāb (Qur’an) and the Sunna (traditions of the Prophet) are inherently accepted by Muslims. Similarly, matters related to *ijmā*’ or consensus are explained in their respective chapters.⁷⁸

Jurjānī’s nuanced interpretation of the aspect of unity demonstrates his ability to explore various facets of the base text. Jurjānī notes that “seeking (*ṭalab*) is a voluntary action, and therefore cannot come about except with a will that is directed at the sought-out object specifically, which depends on distinguishing it from other things.”⁷⁹ This process relies on the ability to distinguish the sought-out object from others. Jurjānī outlines potential challenges in the conception of the sought-out object. If one fails to conceive it at all, the seeking becomes impossible. Alternatively, if the conception is based on a more

77 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 7.

78 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 13-4. A somewhat similar defense is provided by Sayf al-Dīn al-Abḥarī, another scholar who wrote a gloss on Ījī’s commentary. See Sayf al-Dīn al-Abḥarī, *Ḥawāshī Sharḥ al-‘Aḍud* (Ann Arbor, University of Michigan, Special Collections Research Center, Isl. Ms. 38), fol. 9a. Accessed online at <https://babel.hathitrust.org/cgi/pt?id=mdp.39015079105501&seq=1>

79 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 14.

general matter encompassing the desired object and others, there is a risk of being led to an unintended particular, resulting in a waste of time on irrelevant matters.

If the sought-out object is multiple (*mutakathir*), Jurjānī enumerates the following possibilities. First, the desired multiplicity might not have “an aspect of unity that holds them together, and makes them one thing, differentiates them from other things.” In that case one must conceptualize each one of them separately. However, if the desired multiplicity does have an aspect of unity, then one “must know them by that perspective.” If one does not conceive them in any way, then seeking them would be impossible. If one aims at conceiving each one of them by its particular features, then it will be difficult or impossible to seek them.⁸⁰ If one conceives the multiplicity by way of a more general matter that includes it and other things, then the will won't be directed at its particular. However, if one is provoked to seek the multiplicity with regard to a particular (*juz'ī*) of a general concept (*mafhūm al-'ām*), before it is grasped by an aspect of unity, then it won't be distinct while being sought, and one would not be sure that it would lead to seeking other things, thus missing what one desires, and wasting one's life in unintended matters.⁸¹

Jurjānī also considers whether Ījī's argument concerning seeking multiplicity by its aspect of unity was a rational necessity, a matter of preference (*taḥsīn*), or a customary necessity. He dismisses the first, deems the second inappropriate for the context, and favors the third as a more fitting consideration.⁸² This categorization of customary necessity, though seemingly similar to a matter of preference, is, in fact, Jurjānī's way of implicitly rejecting Taftāzānī's position. Taftāzānī had proposed that prolegomena, such as conceiving the science by its description and affirming its benefit, were insightful but not necessary for studying a science. Jurjānī's introduction of customary necessity challenges this perspective.

Following discursions on the object of the will and the proper conceptualization required to acquire a science, Jurjānī further elaborates on the question of unity with regard to sciences. He puts it as follows:

80 al-Jurjānī, *Hāshiyat Mukhtaṣar*, 14-15.

81 al-Jurjānī, *Hāshiyat Mukhtaṣar*, 15.

82 al-Jurjānī, *Hāshiyat Mukhtaṣar*, 15. Jurjānī's interpretations influenced Ottoman discussions of a similar passage on the aspect of unity by Fenārī. See Kenan Tekin, “Cihet-i Vahde Tartışmaları Bağlamında 18. yy Osmanlı İlim Düşüncesi” in *Sahn-ı Semândan Dârülfünûna Osmanlı'da İlim ve Fikir Dünyası: Alimler, Müesseseler ve Fikri Eserler XVIII. Yüzyıl*, eds. Ahmet Hamdi Furat et al. (İstanbul: Zeytinburnu Belediyesi Kültür Yayınları 2018), 23-45.

(There is no doubt that each science), that is particular sciences that have been written down, (consists of multiple problems) which have an aspect of unity that makes them one thing, that is since all of them [problems] are assents and judgments of some matters upon others. Indeed, each group of these judgments became a particular science by the mediation of a matter which connected them to each other. Thus, the whole [group] became distinct from other groups. If it were not for it [the aspect of unity] then it would not be considered one science, and it would not be appropriate (*lam yustaḥsan*) to individuate it by writing it down (*tadwīn*) and teaching (*ta'lim*). It is rationally conceivable that this matter (*amr*) be either the subject matter (*mawḍū'*) of the science, by way of, for example, having the subject of its problems refer back to one thing, such as *number* for mathematics, or it could be the purpose of it [the science], such as *health* in questions of medicine which investigate states of the human body, medicine, and diet regarding the fact that they are related to health, or they [subject matter and purpose] could come together in one science such as in the *uṣūl al-fiqh* since in it, states of authoritative proofs are investigated in order to reap judgments (*istithmār al-aḥkām*). It can return to the predicates, by putting them under something that collects them, analogous to the subject matter, and other rational possibilities, even if they are not real. The main thing that should be regarded in the aspect of unity is the subject matter, that is because predicates are attributes that are sought for the subject itself (*dhawāt al-mawḍū'*). If it is one thing, then that is it, however, if it becomes multiple, then they must be interconnected by a thing, and united with regard to it, either in an essential matter as in species of magnitude, in geometry, which participate in it [magnitude], or in an accidental matter, such as the subject matters of medicine which are connected to health, and kinds of authoritative indicant in indication for judgments if they are made the subject of this discipline [legal theory]. Hence, you see them say that sciences are differentiated by differentiation of their subject matters.⁸³

From this explanation, it is evident that Jurjānī considers the subject matter and the purpose, either individually or in combination, as threads that unify the problems of a science, setting them apart from other disciplines.

Jurjānī also explores the idea that the unifying factor might be a general predicate to which the predicates of each inquiry in the science refer, or other rational possibilities, even if they are not realized in fact. However, he emphasizes that the prima-

83 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 15-16. This passage also shows that Jurjānī concurs with Ījī that in fact each science consists of problems alone, and other matters such as the subject matter that bring the problems together are matters of preference. This view contradicted the common view that it was one of the elements of sciences. Hence Taṣkōprizāde, in his treatise on the theory of science tried to resolve it. See Taṣkōprizāde, *el-Livāū'l-merfū' fi halli mebhāsi'l-mevzū: İlimlerde Konu, İlke ve Meseleler*, editor and translator Eşref Altaş (İstanbul: İlem Yayınları, 2022), 129-131.

ry consideration regarding the aspect of unity is the subject matter, as predicates are attributes sought for the essences of subject matters (*dhawāt al-mawḍū'āt*). If these subject matters are one, then that is the aspect of unity, however, if they are multiple then they must be related (*tanāsub*) by a matter (*amr*). Concerning the latter situation, Jurjānī states that “their unity with regard to that matter is either *essential* (*dhāti*) as in the species of quantity which participate in it in the science of geometry, or *accidental* such as the subject matters of medicine which are related to health, and divisions of authoritative proof in proving judgments, if they are considered the subject matters of this science [*uṣūl al-fiqh*].”⁸⁴

Jurjānī also considers various possibilities that one might face regarding the benefit (*fā'ida*) of a science. Jurjānī writes:

It is the duty of each seeker of a science to know its benefit which is based on it and intended of it. This could be certain belief (*jazman*) or probable (*ẓannan*). If he does not affirm any of its benefit then bringing it about would be impossible. However, if he believes in an unworthy thing among the things that follow from it, then his effort will be in vain (*'abath*) according to the custom [of scholars]. If he believes in a false [benefit], perhaps this will disappear during his effort which then would be vain without any benefit in his own view.⁸⁵

The benefit of studying a science, as we can see, is the belief of the student regarding what they will accrue by learning. This is sometimes confused with the outcome of learning the science as viewed from other perspectives. Jurjānī provides a note on the difference between *fā'ida*, *ghāya*, and *gharaḍ*, words that could be translated respectively as benefit or utility, end, and purpose. Jurjānī states:

Any benefit or wisdom that follows from (*tatarattab 'alā*) an action is called end (*ghāya*) in so far as it is on the edge and finality (*nihāya*) of the action (*min hayth annahā 'ala ṭaraf al-fi'l*), and they are called benefit (*fā'ida*) in so far as they follow from it. The difference between these words is in respects, and they are true of both voluntary and involuntary actions. Purpose (*gharaḍ*), on the other hand, is that for which the actor brings about his action, and it is called a teleological cause (*al-'illa al-ghā'iyya*). This does not exist in God's actions even if they are filled with benefits. Also it could be different from the benefit (*fā'ida*) of the action as in when one is mistaken in his belief [of the benefit].⁸⁶

84 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 16.

85 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 17.

86 al-Jurjānī, *Ḥāshiyat Mukhtaṣar*, 17.

Jurjānī's discussion on these terms was expressed in his other writings as well, and it was eventually developed into a separate treatise. His articulation differs from Taf-tāzānī's definition of a benefit (*fā'ida*) as the end in so far as it occurs from an action, and purpose (*gharaḍ*) in so far as it is intended (*maqsūda*) by the actor. These two may not necessarily overlap, such as when one attempts at refraining from error in thinking but studies grammar.⁸⁷ Again, we can see that Jurjānī's more detailed discussion indicates his attempt to go beyond the earlier articulations by introducing differing perspectives on issues.

Conclusion

Commentaries and glosses on just two brief sentences with which Ibn al-Ḥāḥib introduced his *Mukhtaṣar al-muntahā*—stating that the work strictly consists of four parts including *mabādi'*, authoritative indicants, *ijtihād*, and preponderance and that the *mabādi'* are its definition, benefit, and derivations—not only demonstrate that Aristotelian theory of science, and the philosophical tradition of writing prolegomenon influenced conceptions and presentations of legal theory as a science but also that these works contained important contributions to the theory. Commentators' engagement with these topics came about due to two issues in Ibn al-Ḥāḥib's statements. The first was related to solving an ambiguity in the first sentence, as it was not clear whether Ibn al-Ḥāḥib intended the division of the book or the science of legal theory into four parts. The second issue was Ibn al-Ḥāḥib's peculiar usage of the notion of *mabādi'*. This did not fit with the terminological notion of *mabādi'*, as seen in the works of Islamic philosophers. Thus, commentaries and glosses reflect an attempt at reconciling the notion of *mabādi'* as used by Ibn al-Ḥāḥib with reference to the preliminary topics together with the terminological meaning as principles which are an element of sciences.

Among the commentators, Ḍiyā' al-Dīn pointed out two meanings of *mabādi'*, i.e. its terminological and literal meanings, and suggested that Ibn al-Ḥāḥib's usage diverged from the terminological meaning. Shīrāzī concurred but he proposed an alternative conception of *mabādi'*, i.e. that which is beneficial for the science, so that it encompasses all three matters mentioned by Ibn al-Ḥāḥib. Ḥillī also noted the discrepancy between the terminological meaning and Ibn al-Ḥāḥib's usage, although he noted that the definition and derivations of the science can be considered among the *mabādi'*

87 al-Taftāzānī, *Ḥāshiyat Mukhtaṣar*, 17-18.

in the terminological sense, while the benefit of the science was debatable. Rukn al-Dīn and Tustarī went even further by interpreting *mabādi'* as things upon which a science somehow depends which could be construed to contain all three matters among its terminological meaning. The alternative definition or interpretation suggested that the definition and benefit of a science are necessary to begin the discipline, hence, they too can be considered a part of the science. Among the second generation of commentators, Isfahānī rejected attempts to expand the notion of *mabādi'* to include definition and purpose among the principles, while Ījī acknowledged the difficulty of considering all three items among the *mabādi'*, but he thought the notion of derivations (*istimād*) referred to principles, and thus that the other two items could be included by extension. Among the glossators who engaged with Ījī's commentary, Taftāzānī maintained the more conservative interpretation of *mabādi'*, in line with Isfahānī, noting its incompatibility with the items mentioned by Ibn al-Ḥājjib, while on this issue Jurjānī aligned with Ījī. The alternative solution for reconciling Ibn al-Ḥājjib's usage with the terminological meaning was that the definition and benefit of a science are necessary to begin the discipline, thus becoming a part of the science.

As for the ambiguity in the first sentence, most commentators—including Ḍiyā' al-Dīn, Isfahānī, and Taftāzānī—asserted that the book was divided into four parts, because the content of the first part on *mabādi'* could not be reconciled with the position that the science of *uṣūl* was the object of division. On the other hand, Tustarī concurred that the division was that of the book, but still, he believed the content of the part on *mabādi'* could be considered a part of the science, pointing out that all three preliminary matters are foundational for a science. In other words, *mabādi'* are those matters which are required for the conception, beginning, or existence of a science. Definition, benefit, and derivations correspond to these three kinds of *mabādi'*, respectively. However, some interpreters such as Bayḍāwī considered the science of *uṣūl* as being divided into four parts, while Ījī and Jurjānī allowed for both possibilities, but both leaned towards the object of division being the book. Among the commentators, Shirāzī in my view was somewhat ambiguous, but later commentators thought he also believed the object of division to be the science of *uṣūl*. What is of most interest to us was not their opinions, but rather the arguments by which they defended their positions, which closely involved an attempt to reconcile the content of *mabādi'* in the *Mukhtaṣar* with the philosophical notion, although some rejected this attempted reconciliation. Besides philosophical arguments, it appears that one other reason for divergent understandings of *mabādi'* was adherence to a teacher's position.

Attempts at reconciling Ibn al-Ḥājjib's usage with the terminological meaning of *mabādi'* ultimately led to Ījī's fully fledged argument for knowing the aspect of unity in a science. Ījī's argument, as we have seen, was based on a semi-developed form in Rukn al-Dīn and Tustarī's commentaries, which are ultimately based on more rudimentary statements of Juwaynī, Āmidī, and Baydāwī. It basically states that one should know definition and purpose of a science prior to undertaking its problems because seeking anything requires conceiving them and anticipating a benefit from them. In their glosses on Ījī's work, Taftāzānī and Jurjānī developed this argument further. While Ījī only mentioned two matters that should be known, Jurjānī articulated more layers that are involved in seeking a thing. All in all, they show that commentators and glossators often serve as catalysts for new ideas, introducing topics or rephrasing issues in a more analytical style and verify the adage that sciences indeed increase by accumulation of ideas.

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