

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الْحَمْدُ لِلَّهِ وَالصَّلَاةُ وَالسَّلَامُ عَلَى رَسُولِ اللَّهِ وَعَلَى آلِهِ وَصَحْبِهِ أَجْمَعِينَ



Hanafi Usul 101 Lesson 8 Overview

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البحث الأول في كتاب الله — Lesson 8

Uṣūl al-Fiqh — The First Fundamental Source: The Book of Allah

Definition of “Kitāb Allāh”

كتاب الله: هو القرآن المنزل على الرسول ﷺ، المكتوب في المصاحف، المنقول عنه عليه السلام نقلاً متواتراً بلا شبهة.

Translation:

“The Book of Allah is the Qur’an revealed to the Messenger ﷺ, written in the muṣḥafs, and transmitted from him through an uninterrupted, mass-transmitted (mutawātir) chain without any doubt.”

Explanation:

The Qur’an is the **primary source** of Islamic legislation. The scholars of uṣūl emphasize three essential attributes in its definition:

1. **Revelation to the Prophet ﷺ** — distinguishing it from prior scriptures
2. **Its preservation in written muṣḥafs** — distinguishing it from ḥadīth qudsī
3. **Mutawātir transmission** — establishing absolute certainty (qat’iyyah)

Thus, the Qur’an is the only text in Islamic law whose **entirety** is both:

- Qat’ī al-Thubūt (certain in authenticity)

- Qat'ī al-Dalālah in many of its verses

A Note on the Methodological Framework of Uṣūl

اعلم أن للأصوليين مناهج مختلفة في ترتيب وعرض المسائل الأصولية، وقد ابتكر أبو زيد الدبوسي
...منهجاً مختلفاً

Translation:

“Be aware that the scholars of uṣūl have differing methods in organizing and presenting legal theory. Abū Zayd al-Dabūsī introduced a unique method...”

Explanation:

Different schools of uṣūl-al-fiqh developed distinct organizational structures. The **Ḥanafī school**, particularly following Abū Zayd al-Dabūsī, adopted a systematic framework built upon **four stages**:

Ibn Qutlubghā's Foundational Description

(from *Khulāṣat al-Afkār*):

واختاروا هذا التقسيم لاستغراقه الاعتبارات من أول وضع الواضع إلى آخر فهم السامع... فهذه
”مراحل تمر بها الألفاظ”

Translation:

“They chose this categorization because it comprehensively includes all considerations from the speaker’s initial intent to the final understanding of the listener. These are the stages through which words pass.”

Explanation:

Language in uṣūl operates through **four stages**:

1. **Wadʿ (Linguistic placement)** – how words are assigned meanings
2. **Bayān (Indication/clarity)** – how words indicate meanings
3. **Istikhdām (Usage)** – how words are used
4. **Istidlāl (Inference)** – how meaning is extracted

The Ḥanafīs analyze Qurʾanic language by progressing through these stages systematically.

The Four Major Divisions of Ḥanafī Uṣūl

1. Wujūh al-Naẓm Waḍʿan (Aspects of Structure / Placement)

Four categories:

- الخاص (The Specific)
- العام (The General)
- المشترك (Polysemous)
- المؤول (Interpreted to one of its possible meanings)

2. Wujūh al-Bayān (Modes of Indication)

Four clear forms:

- الظاهر (Apparent)
- النصّ (Explicit)
- المفسّر (Clarified)
- المحكم (Definitive)



Four corresponding ambiguous forms:

- الخفي (Hidden)
- المشكل (Problematic)
- المجمل (Vague)
- المتشابه (Ambiguously inscrutable)

3. Wujūh al-Istikhdām (Modes of Usage)

- الحقيقة (Literal)
 - المجاز (Figurative)
 - الصريح (Explicit)
 - الكناية (Implicit / Allusive)
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4. Wujūh al-Istidlāl (Modes of Inference)

- عبارة النص
- إشارة النص
- دلالة النص
- اقتضاء النص

These four form the backbone of Hanafi legal reasoning.

The First Category: “Considering Words by Their Placement”

...اللفظ باعتبار وضعه للمعنى على أربعة أقسام

The four foundational categories:

1. الخاص (Specific)
2. العام (General)
3. المشترك (Polysemous)
4. المؤول (Interpretable)

In this lesson, we cover *al-khāṣ* and *al-‘āmm*.

al-Khāṣ (The Specific Term)

1. Definition

Linguistically:

Derived from **خَصَّ**, meaning to distinguish or single out.

Ibn Fāris said:

“الخاصُّ الذي يتحلَّلُ فيقع على شيء دون أشياء”

Translation:

“The specific is that which applies to one thing excluding others.”

Terminologically:



اللفظ الموضوع لمعنى معلوم على الانفراد

A term assigned to a **single known meaning**, or to one referent alone.

Relativity of Specificity

...الخاص والعام نسبيان

Explanation with examples:

- “Human” is **specific** as a genus, **general** as a species.
- “Man” is specific as a species, general in terms of individuals.
- “Zayd” is specific as an individual, but general in terms of his parts.

Legal Rule of the Specific

الخاص يتناول مدلوله قطعاً، ولا يحتمل البيان

Meaning:

- The specific term is **definitive** (qat‘ī).
- It **cannot** accept further clarification.
- Any text appearing to “clarify it” is treated as a **separate, potentially conflicting** text.

Hanafi Distinction from the Majority



This principle is one of the **major points of divergence** between the Ḥanafīs and other schools.

Example: rukū' and sujūd

“يا أيها الذين آمنوا اركعوا واسجدوا”

- “Bow” and “prostrate” are inherently clear.
- Thus, no additional “clarification” is accepted.

The hadith of the man who prayed incorrectly:

“...ثم اركع حتى تطمئن” (Muttafaqun ‘alayh)

- Ṭuma'nīnah (stillness) is **additional** to bowing.
- According to Ḥanafīs:
 - Qur'an = stronger text → rukū' = farḍ
 - Ḥadīth = weaker → ṭuma'nīnah = wājib

Subcategories of al-Khāṣ

- **al-Amr (Command)**
- **al-Nahy (Prohibition)**
- **al-Muṭlaq (Unrestricted)**
- **al-Muqayyad (Restricted)**

These will have their own dedicated chapters.

al-‘Āmm (The General Term)

1. Definition

Linguistically:

From “عمّ” meaning to encompass or surround.

Terminologically:

لفظ يشمل جمعاً من الأفراد على سبيل الشمول

A term that includes **multiple individuals comprehensively**.

Forms of Generality (Ṣiyagh al-‘Umūm)

A. Generality Indicated by the Word Itself

1. Singular Noun with Lam of Comprehensiveness

Examples:

إِنَّ الْإِنْسَانَ لَفِي خُسْرٍ ""
"... "المؤمنُ القوي

2. Collective Noun with Lam

إِنَّ الْأَبْرَارَ لَفِي نَعِيمٍ ""
"... "تَرَى الْمُؤْمِنِينَ



B. Generality Indicated by Meaning

Ambiguous / incomplete nouns

Such as:

- من (whoever)
- ما (whatever)
- أين (wherever)
- متى (whenever)

Examples of من

- Conditional: "...ومن يتق الله"
- Interrogative: "...من بعثنا"
- Relative: "...يسجد له من في السماوات"

Examples of ما

- Conditional: "...وما يفعلوا من خير"
 - Interrogative: "...وما تلك بيمينك يا موسى"
 - Relative: "...ما عندكم ينفذ"
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Glossary of Key Terms

- **Khāṣ** – specific
- **‘Āmm** – general
- **Mushtarak** – polysemous
- **Mu’awwal** – interpreted meaning
- **Zāhir** – apparent
- **Naṣṣ** – explicit
- **Ḥaqīqah** – literal usage
- **Majāz** – figurative usage
- **‘Ibārat al-naṣṣ** – direct wording
- **Dalālat al-naṣṣ** – implication of the text