

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



Hanafi Usul 101 Lesson 9 Overview

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Lesson 9 — *al-‘Āmm* (The General Term) and *al-Takhṣīṣ* (Specification)

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
... "المؤمن 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 ينفد.."

Introduction

In the study of *‘āmm* (general expressions) in *uṣūl al-fiqh*, the principle of **takhṣīṣ**—specification—plays an essential role in understanding Qur’anic legislation, interpreting prophetic speech, and determining the scope of legal rulings.

Since the general text (*al-‘āmm*) encompasses multiple individuals or categories, the possibility often arises that **not all individuals included by wording are intended by the Lawgiver**.

Thus, the *uṣūlīs* developed a rigorous framework for identifying when, how, and under what conditions certain individuals can be excluded from a general expression.

In the Ḥanafī school in particular, the concept of *takhṣīṣ* has **distinct principles and conditions** that differ significantly from the methodology of the majority (*al-jumhūr*).

This lesson introduces the definitions, pillars, conditions, and rulings related to *takhṣīṣ*, and concludes with examples, applications, and comparative notes.

Definition of Takhṣīṣ

1.1 Linguistic Definition

التخصيص في اللغة: الإفراد والتمييز

“It means singling something out or distinguishing it.”

As in the phrase: “**خَصَّهُ بِكَذَا**” — “He specified him with such-and-such,” i.e., he distinguished him from others.

1.2 Technical Definition

وفي الاصطلاح: بيان أن المراد بالعام بعض أفراده

“In the terminology of uṣūl: It is clarifying that what is intended by a general expression is only some of its individuals.”

Thus, takhṣīs is **a clarifying process**, not a negation or alteration of the original wording.

The Pillars (Arkān) of Takhṣīs

Takhṣīs has two primary components:

2.1 al-Mukhaṣṣiṣ (the Specifying Evidence)

- المخصّص: هو الدليل الأخص الدال على خروج بعض أفراد العام عن حكمه¹

“It is the more specific evidence indicating the exclusion of some individuals of the general statement from its ruling.”

2.2 al-Mukhaṣṣaṣ (the Specified Text)

- المخصّص: هو العام الذي قام الدليل على أنه لم يُردّ به جميع مسمياته²

“It is the general text for which evidence shows that not all categories included by wording were intended.”

Example

(وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا)

- *al-bay*‘ (trade) = **general term** → al-mukhaṣṣaṣ
- *ribā* = originally included under “trade,” then excluded → al-mukhaṣṣiṣ

So the specifying evidence extracts one category from the general ruling of permissibility.

Conditions of Valid Takhṣīṣ (According to the Ḥanafīs)

The Ḥanafī school has **two foundational conditions**, both of which distinguish it from the majority.

Condition One: The Takhṣīṣ Must Not Come After the Time of Need

ألا يكون الدليل المخصّص متأخراً عن الدليل المخصّص

“The specifying proof must not come later than the general text.”

Because:

- التخصيص بيانٌ للمراد
- والبيان لا يجوز تأخيره عن وقت الحاجة

“Takhṣīṣ is a clarification, and clarification cannot be delayed beyond the point of need.”

Thus, if a later text appears to “restrict” an earlier general text, the Ḥanafīs consider it **naskh (abrogation)**, not **takhṣīṣ**.

Condition Two: The Specifying Evidence Must Be Independent

لا تخصيص بالمتصل عند الحنفية

“There is no takhṣīṣ by connected wording (al-muttaṣil) according to the Ḥanafīs.”

Meaning:

- Exceptions (الاستثناء)
- Conditions
- Adjectives
- Phrases directly attached to the general text

...are **not considered takhṣīs**, because they belong to the same statement and are inseparable from it.

Example (Non-Hanafi Takhṣīs, but Not Hanafi Takhṣīs)

(إِلَّا مَنْ تَابَ) (in Sūrat al-Furqān 68–70)

The majority consider it specification.

The Ḥanafīs consider it **part of one unified statement**, not a later specifying proof.

Types of General Texts and Their Rulings (According to the Ḥanafīs)

The Ḥanafīs divide *al-‘āmm* into **two types**:

Type One: A General Text That Has NOT Been Specified

العام الذي لم يخص عنه شيء

“A general expression from which nothing has been specified.”

Ruling:

يُوجب الحكم فيما يتناوله قطعاً

“It definitively establishes its ruling for everything it includes.”

This is a **major disagreement** with the majority, who consider *al-‘āmm* **ẓannī** (probabilistic).

Example:

- (إِنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ)
- (وَمَنْ دَخَلَهُ كَانَ آمِنًا)

These verses include **all** their referents, decisively.

Important Note:

Any later text appearing to “restrict” such a verse is **naskh**, not takhṣīṣ.
Therefore:

The Ḥanafīs do NOT allow specifying this type of verse with

- solitary ḥadīth (khabar al-wāḥid)
- analogy (qiyās)

Type Two: A General Text FROM WHICH Something Has Been Specified

العام الذي حُصِّ عنه البعض

“A general expression from which some categories have been excluded.”

Ruling:

يجب العمل به، لكنه لا يبقى قطعياً بل يصير ظنياً

“It must still be acted upon, but it becomes probabilistic (ẓannī), not definitive.”

Because:

Once the Lawgiver excluded *one* category, every other category becomes only *potentially intended*.

Thus, further specification becomes possible using **ẓannī** proofs.

Example

(وَأَحَلَّ اللَّهُ الْبَيْعَ)

After excluding *ribā*, generality becomes probabilistic.

Therefore:

- **Bay‘ al-gharar** (transaction of excessive uncertainty)



- **Bay‘ al-majhūl** (unknown item)
- **Bay‘ al-ma‘dūm** (nonexistent item)

...can be excluded using *ẓannī* proofs.

The Command (al-Amr) as a Category of the Specific

Since *al-khāṣṣ* includes **command and prohibition**, we include here a brief introduction (expanded fully in later lessons).

Definition

Linguistic Definition

قول القائل لغيره على سبيل الاستعلاء: افعل

“A person’s statement to another, in a manner of authority: ‘Do.’”

A command is **speech**, not an action.

Form of the Command (Ṣiġhat al-Amr)

«صيغة الأمر: «افعل»

“The form of the command is: *Do (such-and-such)*.”

Examples

(وَأَقِيمُوا الصَّلَاةَ)
(أَوْفُوا بِالْعُقُودِ)
(ءَامِنُوا بِاللَّهِ وَرَسُولِهِ)

The form **indicates obligation (wujūb)**.

Other Forms Conveying Command

The Ḥanafīs recognize many other structures that convey obligation:

1. **Ism fi 'l al-amr**
2. **Present tense verb with lām of command**
3. **Maṣḍar substituting for a command**
4. **Maṣḍar as consequence of a conditional clause**
5. **A report (khabar) used with meaning of command**

Glossary of Key Terms

- **al-‘āmm** – general expression
- **al-khāṣṣ** – specific expression
- **takhṣīṣ** – specification
- **al-mukhaṣṣiṣ** – specifying evidence
- **al-mukhaṣṣaṣ** – general text being specified
- **naskh** – abrogation
- **ẓannī** – probabilistic
- **qaṭ‘ī** – definitive
- **ṣīghat al-amr** – the form of the command
- **ism fi 'l al-amr** – a noun used as an imperative