



## Comparative Study: Defining the Fundamentalist Term according to Ibn Hazm and al-Baji

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### Abstract

The fact that Terminology is the key to science is something largely confirmed and manifested in the sciences that are mainly based on the rational approach and aim to build a straight disciplined process, which is precise and free from any ambiguities. For sure, Principles of Jurisprudence Science is one of these sciences due to the fact that it has succeeded to merge rational evidence and text evidence and create a complementary relationship between them.

Accordingly, this paper aims to study the problem of stating and defining the fundamentalist term according to the two scholars of Andalus: Imam Abu al-Walid al-Baji (474 AH) and Imam Abu Muhammed Ibn Hazm (456 AH). Because terminology is the key and the base to any science, it is certain that studying this point can lead to developing an explicit understanding of the terminology of each one of these scholars, as well as this will assist us understand and comprehend each one's research methods to the science of Jurisprudence Principles.



## ملخص باللغة العربية:

إذا كان المصطلح هو جوهر العلم، فإن ذلك يتأكد كثيرا في العلوم التي تتأسس على الاشتغال العقلي ويكون هدفها هو بناء المنهج المنضبط القويم الذي لا يتسرب إليه خلل أو لبس.

ولا شك أن علم أصول الفقه ينتمي إلى هذا الصنف من العلوم؛ حيث حاز شرف ازدواج العقل والشرع بين ثناياه، فلا ينفك أحدهما عن الآخر. بناء على ذلك فإن هذه الورقة تروم دراسة مشكلة بيان وتعريف المصطلح الأصولي، خاصة عند علمين من أعلام الأندلس، هما: الإمام أبو الوليد الباجي (ت474هـ) والإمام أبو محمد بن حزم (ت456هـ).

ومن المؤكد أن من شأن دراسة هذه النقطة بناء تصور واضح عن الجهاز المفهومي عند كل منهما، ولا تخفى قيمة ذلك في المساعدة على فهم وتصور طريقة كل واحد منهما في البحث الأصولي، اعتبارا لكون المصطلح هو اللبنة الأولى في بناء هيكل العلم ونسقه العام.



## Introduction

The reason behind the rising of many controversies and disagreements in various scientific fields is something related the lack of scrutinizing of terminology. In this regard, Dr. Ali Gomaa states that: “If matters and terms are not precisely defined, then a great disorder will occur; as a result, on the long-term this will lead to a wide conflict, disagreement and dispute”

When you contemplate a set of discussions and debates, you find that the basis of disagreement is verbal, in which a term is used, but one of the two parties uses it for a certain meaning, while the other party uses it in another sense. However, if the contexts of using a certain term are agreed upon; then, the convergences and disputes will decrease.

Because defining concepts and scrutinizing terminology do – indeed- occupy this unique scientific position, our distinguished scholars – scholars of jurisprudence principles- have given it special care. Moreover, their books are diversified according to their fields into two parts:

- ✓ A section whose owners took care of defining the terminology used among the people of a particular art form.
- ✓ And a second section included definitions of terms from different fields of knowledge, and they were not limited to a specific art.
  - From the first section: Al-Fakhani’s *Limits of Grammar* and Ibn Arafa’s *Limits to jurisprudence* and others.
  - Of the second category: Sharif Al-Jurjani’s *Definitions*, Abu Al-Baqa Al-Kafwi’s *al-Kulliyat*, and Al-Thanawy's “*Scout Encyclopedia of Art and Science*”.

In the science of jurisprudence, imam Al-Baji wrote a book called “*al-Hududd*”, in which he defined a number of fundamental terms al-Mujtahid in this science cannot do without, nor the one who is



thrifty in it. He defined some definitions in details and made some others brief. Moreover, he applied his critical method to the former scholars' definitions; as a result, he produced a wonderful and valuable book, useful for the seeker of knowledge, whether on the level of the subject or on the level of the method.

Al-Baji did the same thing in the introduction of his book "*Al-Minhaj fi Tartiib Al-Hujaj*", where he provided definitions of a set of special terms in the chapter '*Bab al-Jadal wa Al-Munadara*' in order to make the readers of his book and those wishing to master this science benefit. This chapter has been translated as "Stating the Definition of the Words used by the Disputants" (الباجي، ص. 10).

Al-Baji also followed the same path in the introduction of his book "*Ihkam al-Fusul*", where he devoted a chapter for stating the definition of the commonly used terms in Jurisprudence Principles Science. This chapter title was translated as a chapter to "Stating the definition needed to know the principles" (الباجي، ج 1. ص 281). On the other hand, Imam Ibn Hazm has also given an importance to this chapter. Though he did not particularize any book for the stating of definition, his efforts to this field is never invisible to the readers of his books. In his book "*Al-ihkam Fi Usul al-Ahkam*", he devoted the chapter five of it to 'The idioms used among the Theoreticians' (ابن 73. ص 1). This indicates the value of these conceptual selections for him and the importance of this for those who are majored in or study The Usul Science.

In his book "*Al-Taqreeb Li-Had Al-Mantiiq*", Ibn Hazm precisely explains the important aspects related to this chapter. He talked about the word, speech, names, types of scopes, and other topics related to the issue of the term from near or far. All of this indicates our scholars' interest in the term, as it is a necessary entrance and a basic building block in the general structure of the various legal sciences, especially the Science of Jurisprudence Principles, which has a distinguished methodological and epistemological nature.



The importance of studying the term stems from the fact that it represents the first building block in the structure of science, taking into account that science is nothing but a holistic system built on a number of terms carrying its concepts and cognitive and methodological implications.

That is why, this step - talking about the term - was “one of the most imperative, precedent, and affirmed duties for every researcher in any of the arts of heritage; therefore, this step should not be precedent by dating events, comparison, general rule, or equilibrium; because it is the first step of sound understanding, on which the correct evaluation and the sound historiography are based” (أبو شيخي ص 13).

In this regard, Dr. al-Shahid al-Bouchikhi has linked the understanding and the forming of conception of science in the mind with the quality of knowing the essence of the terms used in this science. For him, if the students could not make an understanding of the terminology, they will inevitably not be able to build their knowledge on a solid foundation; and everything they acquire and accumulate will be fragile. Moreover, the lack of knowing terminology may lead to contradictions and destroying everything learned due to the fact these students have jumped on a stage, which is the first and the most important stage in any science, whatever it was.

Among the ambiguities that may result from this methodological defect is what Imam Abu Hamid Al-Ghazali (505 AH) called it substituting the words of the sciences, and he said:

“Know that the origin of the confusion of blameworthy sciences with the legal sciences is the distortion of the praiseworthy names and substituting and transferring them -with corrupting purposes- to meanings, which are not the same as provided by the righteous predecessors -the early generations of Muslims” (الغزالي، ص 31-32).



The path Imam al-Ghazali -may God have mercy on him- followed is considered as an inevitable step for the researcher in any fields of knowledge, especially the legal ones, because the scientific term is not just an ordinary word like all other words, but rather it is a huge reservoir of knowledge, carrying within it precise contents and deep connotations, not limited to mere apparent and direct meanings, but rather expressing an integrated cognitive structure, and therefore paying attention to this aspect of science is necessary for every researcher. Too, since the purpose is to possess the cornerstone of knowledge and to be aware of its details, it is necessary to have mastery of its tools and means.

### **The Significance of Research:**

The significance of this research stems from the fact that it is tackling an important aspect from the aspects of studying the legal sciences in general and Jurisprudence Principles Science in particular.

It is something related to definition of the fundamentalist term as it was practiced by two of the most prominent figures of the Islamic West through extrapolating their scientific production, which is mainly related to the science of jurisprudence.

Two things support this idea:

- The first: the time period observed in the research, which is considered one of the most brilliant stages of this science in this Islamic state, and which undoubtedly has a strong impact on the stages that followed.
- The second: limiting this study to two scholars who were known for their distinguished position in the entire Islamic world, east and west, past and present, and they were among the best ones, who engaged in the fundamentalist lesson, thus they remarkably contributed to the scientific construction of Islamic civilization, especially in this western Islamic region.



Undoubtedly, examining the features and characteristics of these scientific efforts reveals the value of the fundamentalist term and its great impact in shaping the scientific mentality and controlling all scientific dialogues and discussions, which is something of the priorities that must be taken into consideration today.

### **Objectives:**

This research paper aims to achieve a set of objectives related to its problem, some of which are general and others are partial, which can be presented as follows:

#### **The general objective of the research:**

The general objective of the research aims to provide an integral vision about the features of the methodology definition to the fundamentalist field according to the two Imams Ibn Hazm and Al-Baji.

#### **The partial objectives:**

- Making a contrast/comparison between the methodologies of each of the two imams in defining the fundamentalist term.
- Disclosing the foundations and pillars upon which the fundamentalist definition of each one of them was based.
- Determining the methods and tools employed by each of the two imams in their fundamentalist definitions.
- Clarifying the nature of the fundamentalist definition of each of the two venerable imams.
- Revealing the perception of each of the two imams of the issue of definition in the science of jurisprudence

#### **Research Problem:**





If the science of jurisprudence has emerged and developed in the Islamic East, then the countries of the Maghreb and Andalusia knew the emergence of distinguished scholars who enriched this field, and made valuable additions that contributed to revealing the features of the unique mentality that distinguished them, and the critical methods that they employed in their fundamentalist researches.

Among the strongest and the most revered of those who excelled in this science and applied it with a scientific functionalism and were able to use its tools are the two distinguished scholars whose fame spread in the horizons: the versed fundamentalist jurist, Imam Abu Al-Waleed Al-Baji Al-Maliki (d. 474 AH), and the venerable and capable scholar, Imam Abu Muhammad bin Hazm Al-Zahiri (456 AH). They lived in the same era, and each of them had his own course of consideration, inference and determination. This has resulted in a difference of opinions between them in many fundamentalist investigations, with the desire of each of them to defend his methodology and point of view, and to clarify the soundness of his argument while refuting the statements of his opponents.

Hence, it seems that the problem from which this study starts is the question of the characteristics that characterized the fundamentalist definition of each of the two venerable imams, and the comparison between them, as well as the search for the points of agreement and differences between their two methods, based on the different perceptions of each of them for this precise scientific issue. This can be expressed in the following problematic question:

What are the parameters of the fundamentalist definition of the two Imams Ibn Hazm and Al-Baji?

This problem leads to thinking about ways to achieve its requirements, which can only be disassembled into questions that form the structure of the general research, laying out its course and determining its steps.

Among the questions that make up the structure of the research problem:





- ✓ What is the value of the definition for the two imams Ibn Hazm and Al-Baji?
- ✓ What are the functions of the fundamentalist definition of the two Imams Ibn Hazm and Al-Baji?
- ✓ What are the scientific foundations, on which the two imams Ibn Hazm and Al-Baji, depended in the fundamentalist definition?
- ✓ What methods did each of the two imams employ in his practice of definition?
- ✓ How did the two imams Ibn Hazm and Al-Baji apply the definition of the fundamentalist term?

### **Methodology:**

As long as the main objective of this research is to reveal the epistemological and methodological characteristics of defining the fundamentalist term according to the two Imams Ibn Hazm and Al-Baji, by conducting a simultaneous contrast/comparison between them. This requires employing the comparative method, a main method through which work is done to identify the areas of agreement and disagreement between the two venerable Imams' approaches in this matter.

If the implementation of this approach will allow to come up with a holistic conception of the features and characteristics of the method of each of the two venerable imams, then what is required in return is the dismantling of this overall structure into its partial components in order to understand the backgrounds and factors controlling the scientific choices of each of the two venerable imams; and for that also, some techniques of the analytical method will be used, as an interpretation, explanation and synthesis of conclusions and results of comparison, as well as to deepen the vision and scrutinize the way of each of the two imams in defining the fundamentalist term.



## Design:

- **Introduction:**
- **Section One: The Value of Definition according to the two Imams Ibn Hazm and al-Baji**
- **Section Two: The Functions of Definition according to the two Imams Ibn Hazm and al-Baji**
- **Section Three: Practical Samples**
- **Conclusion: The Results of Comparison/Contrast**

## Section one: The Value of Definition according to the two Imams Ibn Hazm and Al-Baji

There is no doubt that the issue of definition occupies a special place in every science -especially the legal sciences- particularly the Science of the Principles of Jurisprudence, which has a distinct nature as a subject and as a method.

What should be noted in this context are the deep contents and eloquent indications of scientific terms, “You find that the term is formulated in one word, but it refers to a complete method, i.e. a tapestry of scientific rules and tools, or to a major issue of science that is characterized by an intensified controversy” (الأنصاري، ص 92). All of this requires the seeker of knowledge to firstly take into account the issue of definitions and the methods of scholars in this, because it is the reservoir of knowledge and its source. However, these latent things appear only through the definitions in which scholars have tried to highlight the ambiguities of terminology and to bring out and display what they contain of scientific mysteries, which may not be manifested by those who are not well-established in science.

Accordingly, if the logicians are the ones, who pay more attention to definitions and speak extensively about them, delve into their subheadings and theorize about them, the fundamentalists had a view contrary to what the logicians pursued. The difference between



the two groups is apparent in the conception of each of them and their vision of the function and purpose of the definition.

“While the Aristotelian logicians see that the definition is the definer of the essence and the conductor of the latent, or that it is the correct answer to the question: What is it? The Muslim observers - led by the fundamentalists - see that the benefit of the definition is to distinguish the defined term from other terms” (الباحسين، ص 169).

Accordingly, if the logicians could make a harmonization within their approach of scrupulousness, scrutiny and even immersion in abstraction in order to achieve their desire for making the definition be indicative in a way that does not leave any gap on the identified and its essence, then the fundamentalists looked at the issue from another angle, which is the intent of the definition, so they stipulated distinction; i.e. the explanatory statement should indicate the identified and distinguish it from others that are close to it or similar to it, hence this will be sufficient in performing its function, which is the reader's depiction of the identified thing in a clear and unambiguous manner, without being overwhelmed with the details that may not help, and may even be an obstacle to a proper understanding of the term.

In this matter, the fundamentalists are divided into two groups (47. السريري، ص: )

**The First Group:** In formulating the definitions, it focuses on the features of the identified, which no one else shares with it; so that this will be helpful to distinguish it from what is similar to it. For this reason, they prevented the use of metaphor in the definition, as well as the common expression, as well as the word “Or” that indicates repetition. For this group, this is sufficient to clarify the reality of the identified and make its image clear in the mind.

**The Second Group:** This group shares with the previous group the point of the purpose of the definition, meaning by that what is meant of a definition is to convey the idea and make the image clear to the



recipient. However, it differs from it when it considers every formulation that serves this purpose is acceptable and there is nothing wrong with it.

The fundamentalists have formulated precise rules that express what is meant. Then they said (الرئيسوني، عبد الهادي، ص. 97-92):

- Making a perception of something in mind is a must to be done before applying a ruling.
- The function of definition is to distinguish the identified term from others.
- The definition is built on formal approval and conspicuousness.

These rules and others confirm the fundamentalists' vision to the issue of clarifying concepts and terminology, and the approach they followed to achieve their goal, by focusing on the practical function of definition, collecting its distinctive characteristics and putting away what is not relevant to it; as a result, their work in this aspect was accurate and intention based. Their approach is free of the complexities of the formal approach, which is immersed in the abstracts.

If all of the above is related to the issue of definition according to the fundamentalists in general, then the original intention is to know the conduct of the two imams Ibn Hazm and Al-Baji in this issue and how they approached it.

What distinguishes al-Baji's formulation definition is that it is intentional, without periphrasis or redundancy. Since the goal is the clarity of the idea and the clarity of the perception, it is not appropriate to go beyond its scope, which leads to the goal and achieves the intended. The definition, for him, is: "the inclusive and full-proof expression" (ص الباجي، 10) ; i.e. what gathers all of its parts that are included in it, and prevents the inclusion of anything that does not belong to what is being defined. In order to perform this precise



methodological scientific function, his definitional formulas varied into the following types:

Sometimes he defines a term by a single word that does not exceed it, or close to that, such as his saying: “statement: clarification” (12. نفسه، ص)، and his saying: “injustice: transgression” (13. نفسه، ص). At other times, when he sees a need for clarification, he defines the utterance by that which makes it clear to the recipient.

Correspondingly, when he spoke of *consensus*, he divided it into two types: one of which is known by *agreement* and the other by *disagreement*.

He explained the first type as follows: “As for what is known by agreement, it is like when a scholar says a word/an utterance, then it spreads and becomes so familiar to us, and then it never expose to any disagreement, rebuttal or refutation” (الباجي، ص 22). This method of definition was used by Imam Al-Baji in several places; as his definition of al-Mutawatir (الباجي، ص 25-26) and the consensus of the people of the city (الباجي، ص 23).

In accordance with his purpose of defining the terms used among scholars, al-Baji sometimes deconstructs the defined term into its basic elements, so that it becomes apparent to the observer and is not hidden from him, such as his saying:

“The evidences for the Sunnah are of three types: the sayings of the prophet – Sunnah Qawliyyah/Hadith, the actions of the prophet – Sunnah Al Filiyya, and the practices prevailing during Muhammad's time which he did not oppose – Sunnah Taqririyyah. As for the Sunnah Qawliyyah, it is divided into two types: what the messenger (PBUH) said after a specific case occurred, so this saying is an answer and a solution to that case, while the second type is what he said without being due to the occurrence of an event, but rather he says it in the context of its informative and guiding function. As for the restricted speech, it is divided into what the book is divided into: the polysemous words, the general words, and the ambiguous words” (نفسه، ص 18).



However, when the term defined is the subject of discussion and disagreement among the scholars, then al-Baji takes it to consideration in his definition; for instance, as he said when defining *ijtihad*: “Strive to seek correct judgment” (الباجي، ص. 118). From the obvious meaning of the word, it appears that the definition applies to the doctrine of one who sees the truth in one opinion among all opinions, because its purpose, as he said, is to seek what is right.

According to the opinion of those who consider every *Mujtahid* to be right, they said about *Ijtihad*: “Exerting the effort to reach the ruling of the case” (نفسه، ص. 118). It was not restricted, but rather opened the way for the realization of thought and the application of the observed mechanisms, because the goal is merely to reach the ruling according to the legal regulations and nothing else. Sometimes, the same defined word was used in the explanatory saying, such as saying: “the chain narrator- *Musnad*: what its chain of transmission is connected, the companion: who met the prophet (PBUH), and the follower: who followed the companion” (الباجي، ص. 13).

This type of definition is not permitted by logicians; because they prevent the use of the explanatory word in the explanatory saying, and they have methodological defects that must be avoided in formulating definitions. As for Imam al-Baji, he did not stipulate this strict approach on himself, rather –for him- everything that serves its purpose is permissible for him, because –for him- the reader in the above example is not considered empty-minded, so it is permissible for him to consider the *Musnad* as the hadith narrated with its chain of transmission.

Moreover, sometimes he used to use the synonym to define a term, such as his saying in the definition of the evidence: “The evidence is the proof and the authority” (*ibid*, p.11). His saying: “The indication is the evidence” (*ibid*, p.11), as well as, he said in the definition of the term “The meaning of discourse”: “The meaning of the discourse is the analogy” (111 ص الباجي).





Nonetheless, this type of definition is only suitable for those who have reached an advanced rank in science, because the beginner cannot understand one word with using a synonym, rather he must simplify the speech and clarify the meaning with words that he is able to comprehend and understand its significance.

This was an overview of the formulas of definition that Imam al-Baji employed, according to his vision and in harmony with the purposes that he seeks behind his work. *So, what about Imam Ibn Hazm?*

Similarly to the logicians, the first thing that is noticed in the specificity of his definition is the distinction Ibn Hazm made between “definition” and “description”.

For him, the defined term is “a short word that indicates the nature of the thing that is being reported, as you say: The body is all long, wide, and deep because length, width, and depth are the natures of the body, which if they are removed from it, the corporeality is removed from it by necessity and it no longer becomes a body” (بن ج 1، ص 73. حزم).

As for the description, it is “a short term that only distinguishes the thing being defined without telling about its nature, as you say: Man is the laughter” (نفسه، ج 1، ص 73).

The difference between the two paths: the term defined and the description is that the first aims to clarify the nature of the thing being defined, while the second falls short of that rank, and is satisfied with distinguishing it from others and does not penetrate to its essence and self, despite of the fact that both of them agree that their formal formulation is characterized by brevity, shortness, and avoidance of pleonasm. Accordingly, Imam Ibn Hazm did not differ much in his formulations of definition from Imam al-Baji.

He used to employ the single word to define a certain term, such as his saying: “interpretation and explanation: clarification” (ج 1، ص 84. نفسه، ج 1، ص 85.) and his saying: “right: attaining to the truth” (بن ج 1، ص 85. نفسه، ج 1، ص 85.) and saying: “precaution: seeking for safety” (ج 1، ص 85. نفسه، ج 1، ص 85.).





Sometimes ibn Hazm also use the antonym to define a term, such as his saying “false: what is not true”(80.ص،1 ج 1، نفسه،) and saying: “disobedience: the opposite of that”(82.ص،1 ج 1، نفسه،); i.e., against obedience.

Moreover, sometimes ibn Hazm used to divide the defined term into its constituent parts, as he did when he defined the Sunnah: “The divisions of the Sunnah in the Shari’ah are: obligatory, recommended, permitted, hateful, or prohibited, all of which were everything enacted to the Messenger of Allah (PBUH) by the Almighty Allah” (87. ج 1، نفسه، ص 1).

Furthermore, correspondingly to his method to understanding, while defining a certain term he used to provide the examples that illustrate the intended meaning.

### **Notes on the Methodology of Definition according to the two imams:**

The definitions of the two imams are characterized by a number of aspects of agreement and difference, whether in terms of form or content. Among the aspects of agreement between them:

- They did not restrict their definitions to strict logical forms, which adhere to a systematic discipline that seeks to achieve certainty and firm decision, and overcome doubt and suspicion.
- Their goal behind providing definitions was to bring the meaning closer and help the listener understand, so that a clear and unambiguous perception of the term to be explained occurs.
- Both of them adopted a variety of formulas of definition and did not adhere to one form, so their definitions varied accordingly between pleonasm and brevity.
- The presence of the critical dialectical feature in their definitions; as they were not satisfied with the definition of the



term, but they also-when it is disputed- comment on it and criticize other opinions and then decide what they see to be right.

○ The strong presence of the linguistic side, where they do their utmost to restrict the indication of the word defined and all the elements involved in it. They do this in a manner that reflects their possession of solid linguistic ground and solid scientific composition.

### **Among the differences:**

If the two great imams had participated in several points in this matter, then on the other hand they differed in several elements, mainly related to the content side, and indicate a sectarian background that each of them tries to make his effort not to deviate from. The first note that can be recorded in this regard is related to the definition of the thing defined. That is why; each of them took a different path. Imam al-Baji says: "The term defined is the comprehensive and full-proof utterance."

This means that the explanatory statement should be characterized by two features:

The first feature is comprehensive definition, while the second one is full-proof definition. This stands for the act of including all the components of the term defined, and then prevents the inclusion of anything that does not belong to it.

Actually, the original consideration in this regard is purely linguistic. On the contrary, the word 'al-Hadd' in the tongue of Arabs is standing for forbiddance, the Almighty said: (تلك حدود الله فلا تعتدوها) (سورة البقرة 227).

This is all that was mentioned by him (May God have mercy on him) in this point, and his purpose is clear; as he seeks to make the definition be verbal in order to make the terms distinguished from each other and avoid the confusion that can result from the inaccuracy in observing the elements of the coalition and the difference that



distinguishes each term from others. For this reason, he mentioned nothing about the description or about other divisions and subdivisions that the logicians used to provide.

As for Imam Ibn Hazm, he distinguished between definition and description. How not, and he is the one who made the logic closer and understandable among the students of science.

He says (may God have mercy on him) that definition: “is a brief word that indicates the nature of the thing that is being told about it, as you say: The body is all long, broad and deep. The length, width and depth are the natures of the body, that if they are removed from it, then the corporeality is removed from it, hence it is no longer a body, so this phrase is informant about the nature of the body and distinguishes it from what is not a body”( 73

(بن حزم، ج 1 ، ص.

It appears that he contradicts his opponent, Al-Baji in this part. While Imam al-Baji did not follow the strict logical approach, Imam Ibn Hazm has explicitly taken care of it, even if only on the theoretical level. When one looks at the definitions that he formulated for a number of terms used among scholars, he notes that they were verbal definitions, in which there is no presence of the conditions of the logical definition.

In any case, he is not wrong with that; because he did not stipulate himself to making all his definitions of terms to be just definitions, but his purpose was educational in the context of his attempt to make the science of logic understood. This is evident in his saying:

“The qualities or meanings that we mentioned are found in everything created by the Almighty Creator. These qualities and meanings are divided into two parts: either a quality that distinguishes a nature of something- that is only linked to it- from



another, so we agreed that this is a definition. The second type is a quality that distinguishes something from another, but it does not indicate its nature, so we agree that this is a description” ( *بن حزم، ص. 334-335*).

Accordingly, Imam Ibn Hazm considered making use of the useless details as a kind of ignorance.

Among what the two Imams, may Allah have mercy on them; differed about is the sharpness of the method in defending the standpoint. And if this characteristic is present with both of them, in terms of their efforts to criticize and scrutinize in order to make a decision or a confirmation, this was more present with Imam Ibn Hazm; as we find him doing his best in defending what he really sees, and in belittling his opponents and showing that they are defending something wrong.

Thusly, we find him providing expressions such as: “interweaving between meanings and inflicting names on other than their names, and mixing between truth and falsehood (*بن حزم، ج ، ص. 73*) ,” “and this is a lie against the Almighty Allah (*نفسه، ج 1، ص. 75*) ,” “to refute their falsehood (*نفسه، ج 1، ص. 75*) ,” and “a people have become astute, and this leads them to doom” (*نفسه، ج 1، ص. 75*) and “this is a corrupting act of provoking temptation,” (*نفسه، ج 1، ص. 80*) and other harsh expressions that indicate the severity of his nature, may God have mercy on him, of which we find its justification in his doctrinal base, which he strongly tried to establish it in the Andalusian society despite of being exposed to the enmity of scholars and rulers alike.

**Among the differences that were noticed between the two imams are including** the providing of details in some definitions. Although their formulations of definition differ, that either are characterized by brevity or pleonasm, and they generally share this, the percentage of terms that were elaborated upon was more with Imam Ibn Hazm than with Imam Al-Baji.



For example, let's look at the term “Statement” which was explained by Imam Al-Baji as follows: “The statement: clarification” (الباجي، ج 1، ص. 284 و الباجي، ص. 105). So he said. While Imam Ibn Hazm examined more, he distinguished between clarification, indication, and expression” (بن حزم، ص. 79). Likewise, the metaphor that Imam Al-Baji knew by saying: “Every utterance which is metaphorically applied to an object to which it is not literally applicable” (الباجي، ص. 111 و 286). (الباجي، ص. 12 و الباجي، ص.

One of the most prominent differences that exist between the two imams in this matter is the characteristic of evaluation; In other words, giving value or issuing a ruling, as Imam Ibn Hazm was carefully working on finishing his definitions by issuing rulings in many cases in order to influence the reader to be convinced of what he saw as right, so you feel that you are reading his definitions- may God have mercy on him- with an intellectual struggle, scientific scramble, and sectarian conflict, that was manifested in the way he was fighting against his opponents, and for this he was mobilizing all his dialectical capabilities to achieve his purpose. Even though, this characteristic was sometimes present in the definitions of Imam Al-Baji, it was more visible in Imam Ibn Hazm’s definitions. Indeed, Ibn Hazm’s scientific relationships with his contemporaries have affected his thought, style, and all aspects of his scientific method. For instance, when discussing the concept of science, and after he mentioned some of the definitions, by which this term was defined he says: “This is a corrupting definition” (بن حزم، ص. 76). Additionally, after defining analogy, he said: “It is all void” (بن حزم، ص. 83). And other comments that clearly reflect the steadfastness of this feature in most of the definitions of Imam Abu Muhammad.

In a nutshell, this was an attempt to reveal some similarities and differences between the definitions of the two imams Ibn Hazm and Al-Baji, based on several considerations, such as the sectarian background of each of them and the scientific formation that they



underwent, as well as their standpoints of what they considered to be true, depending on their own methodological tools. *What about the purposes that the definition seeks to achieve according to the two venerable imams?*

## **Section Two: The functions of Definition according to the two imams Ibn Hazm and Al-Baji**

The fundamentalists' efforts to scrutinize terminology and formulate definitions were not superfluous, rather their effort was to ensure that their knowledge was seeking "knowledge of investigation" (الجويني، ص. 01); therefore, they considered terminology as a key to science and believed that understanding a certain science requires "knowing the terminology used among its practitioners" (ج 1، ص. 147) (الشاطبي،). Hence, their attention was directed to highlighting the meanings of the words in clear ways that are not ambiguous or improbable. Ibn Hazm and Al-Baji followed this manner because they realized the great functions of a precise scientific definition. Among those functions that the two imams sought to achieve through their definitions are:

### **The Rhetorical Function:**

The two venerable Imams, Ibn Hazm and al-Baji have devoted special chapters in their books for the subject of definition. This really confirms the aforementioned meaning; the word "statement" is explicit in Imam al-Baji's definitions, while it is implicit in Imam Ibn Hazm's definitions. This indicates their deep awareness of the importance of this rhetorical function of definitions, which helps to distinguish "the meaning of each word as it is" (بن حزم، ص. 73). To achieve this, the definition must be "equal to the defined term, and this means that its utterance - if it is mentioned - necessitates all the meanings, so that nothing, of what you wanted to define, got deviated and nothing, which does not belong to it, gets immersed in it" (بن حزم، ص. 338).





This is what the statement/clarification requires; because one of the first obstacles faced by the seeker of knowledge is the confusion of words and the confusion of meanings, which makes him unable to distinguish the words from one another, especially if they are close in terms of what they indicate; then “knowing the difference becomes a crucial condition ” (نفسه، ص. 337), behind which the one who defines a term is aiming to make the characteristics of the thing defined be visible, and then the reader can visualize the meaning as it is.

Correspondingly, this is what prompted Imam Ibn Taymiyyah to consider this as one of the highest functions of definition, and he said: “The benefit of the definition is distinction, not showing its features, and if indicating the difference is required, then that is only done for showing the distinguished not the common, and because the more it is brief, comprehensive and specific, the best it is” (الحراني، ص. 52).

Consequently, based on what is previously mentioned it is clear that all of this reflects one of the methodological characteristics that characterized the works of the two Imams Ibn Hazm and Al-Baji. It is simply the characteristic of the process, because they sought to explain the meanings of the words in a clear and unambiguous language, they directly used to mention the thing targeted without any useless details, and they were not fond of pleonasm, but instead they speak in details only when necessary, which is the main thing required by the function of the statement/ clarification.

### **The Critical Function:**

This function chronologically comes after the rhetorical function. Since the rhetorical function aims to explain and demonstrate the utterance and make it unambiguous, and since people’s understandings and their ranks in science are as different as their mental abilities are, it is obvious that this will result in a difference in opinions and understandings. Thusly, something that is considered as truth for you, others may see it false, so the presence of criticism and counter-





criticism among scholars become something natural. Moreover, this has become one of the functions and goals of the definition: criticizing and commenting on the definitions of others.

Actually, this function is not strange to the scholars of jurisprudence principles, because they had “the lead and leadership in subjecting knowledge to research, looking at inference and proof, and for this reason they are considered to be the exchangers of evidence and methods of inference, examining them in terms of their validity and weakness, or their definitiveness, ambiguity and reliability/authority. They also worked on looking at the arrangement and classification of evidence and determining what of them should be presented and what it requires delay, what calls for action, and what deserves negligence” (الرئيسوني، ص.72).

What confirms the use of this function by the two glorious imams is the saying of Imam Al-Baji: “The utterance of the definition may be mentioned to push invalidation, and/or for the purpose of clarification when a disagreement takes a place” (الباجي، ص.95).

In fact, he criticized a lot of various definitions and subjected them to scrutiny and accurate scientific consideration, for example; his saying in the interpretation of the definition of reason (after he had conveyed some definitions of the former scholars): “Sheikh Abu Abdullah bin Mujahid used to go as far as saying that it-reason- is a material by which the facts of things are known. Therefore, most of our Baghdadi sheikhs denied it, because if he meant by saying (a material), which is from the genus of objects and substances, as it was believed by philosophers, who thought that it is a simple substance, then it is not correct” (نفسه، ص.100).

Additionally, his saying in the same context: “As for how reason was defined as (some intuitive knowledge), reason, for me, is what perceived by the senses of science, it is some of the necessary sciences, yet it is not a reason. Also, this is not a way of making a definition,



because the definition is only intended to explain the defined thing and clarify it. Our saying (reason) is clear and more distinct than saying (some intuitive knowledge), because the definition, then, is unable to be understood or to be different from what does not belong to it” (نفسه، ص. 101).

Furthermore, he said in discussing the concept of evidence: "This is a diversification intended to exaggerate, and it did not reach the truth" (نفسه، ص. 103). In addition to these examples, there are many other practical models, where Imam al-Baji applied his critical method, taking into hand using a set of linguistic, legal and inferential tools that clearly reflect that function the definition has, which is the critical function.

In view of the difference between him and Imam Ibn Hazm in this point, it is noticed that Imam Al-Baji largely tends to employ the effective practical aspects, while he gives less attention to the theoretical aspects, unlike Imam Ibn Hazm who combined the theoretical and practical aspects in this matter. Moreover, Ibn Hazm explicitly and critically opens the chapter, which is devoted for the definitions in his book “Al-Ihkam”, by saying:

“This is a chapter that is understood in a disordered manner by many of those who touched its meanings and attributed names to the inappropriate named entities, and mixed between truth and falsehood; as a result, that led to provoking temptation and ambiguity, as wells as; that led the emergence of the forbidden, hence the facts got hidden” (بن حزم، ج 1 ، ص. 73).

In the same context of the critical function of the definition, as dealt with by Imam Ibn Hazm, he also mobilized his epistemological and methodological tools to strengthen his choices and clarify the incoherence of the sayings of others. Also, he was not limited to merely formulating rigid theoretical definitions that may not achieve the desired benefit. In this, he targets scientific and educational purposes



(بن حزم، ص.321). To achieve them, he was not content with formulating his definitions without a theoretical framework, in which he explains the merits of his epistemological choices, and shows the scientific foundations and the starting points on which he relied.

The two main chapters that confirm the aforementioned observations:

- The chapter that explains the interpretation of expressions was included in the chapter that preceded this, with which we begin.

- The chapter that touches definition and description, Jumal al-Mawjudat, and the interpretation of assigned usage and perception (بن حزم، ص.333).

In these two chapters, he detailed precise matters, distinguishing between persons/individuals, types, and qualities, with which each named entity deserves must be linked to, as well as showing the areas of agreement or/and disagreement in all or some of that. He also indicated his educational purpose through which it seeks to make the listener comprehend what he/she hears visualizing it in his/her mind in order to achieve harmony and integration between his/her ideas, so that his/her mental structure balance does not get disturbed; because that would confuse his knowledge when he/she misses the subtle differences between those levels. For this reason, Imam Abu Muhammad considered the details he mentioned to be "sufficient to decrease being confused to understand the intended" (نفسه، ص.333). Moreover, he -May God have mercy on him- stresses on the necessity of controlling these meanings strongly, considering that as the key and the basis for what is built upon.

On top of that, he did not forget, in the meantime, to make what he sees as incompetent or inconsistent with sound thought be consistent. For example, his saying: "This is the phrase of the translators, where a confusion is manifested, because they decisively assumed that



description is not based on the sorts and categories, but it is based on the characteristics and specials, then they soon fell in contradiction and said: Every definition is a description, so they required that definition is based on the characteristics, and that description to some extent is based on the categories. Consequently, it is obvious that this is against what they said before” (نفسه، ص. 336-337).

Thusly, as usual in refuting the opinions of his opponents and highlighting the contradictions in their statements, as well as he directs the arrows of his scathing criticism to those, who disagreed with him, saying:

“This is impossible and invalid. But one of the two men is provoking temptation and chaos in this place: either a rioter who is not embarrassed to deny what he knows it is correct, so he seeks to invalidate the definitions of the things defined, or an atheist who seeks to prove the eternity of the world, however; no one cared for it because it is something, that is only based on observation” (نفسه، ص. 338).

### **The Argumentative Function:**

The definitions of the two imams Ibn Hazm and Al-Baji were not only intended to explain the meanings of the defined terms, but rather they carry within them a dialectical spirit that is not hidden. This argumentative function, which we find in their definitions, is inseparable from the previous function, which is the critical function. As it is consequential and dependent on it, so that criticism is done to refute the opinion of the opposing and to reinforce what its author deems correct. The purpose behind this is to liberate scientific problems and discuss the differences contained therein. For instance, when Ibn Hazm clarified the concept of reason (الباجي، ص. 99), he detailed the matter as much as needed, liberating the problems with great precision, as well as dealing with the issue from multiple aspects. After he mentioned his own definition, he mentioned the opinions of other scholars, indicating the defects in their sayings, objecting to them based



on mental and textual evidence, with which he corrects those opinions according to what he really see to be the truth. He concluded that supposed discussion with a general comment of an educational nature in which he tried to guide those, who disagreed with him, and show them how to overcome the mistakes they made (according to his standpoint).

Accordingly, he says: “Also, this is not a way of defining, because defining is intended to explain and clarify the thing defined. For instance, saying ‘reason’ is clearer and more distinguishable than saying ‘some intuitive knowledge’. This makes it – the definition of reason- to not be distinguished or different from what does not belong to it”(101. نفسه، ص).

In harmony with his dialectical approach, Imam Al-Baji does not neglect the use of authentic dialectical term. This confirms this function that characterized his formulation of definition. For example, in discussing the concept of the cause, he says: “Inferring the opponent’s evidence against what it mentions to is one of the objections to the evidence; because most of these descriptions are not needed by the one, who makes the inference” (126. نفسه، ص).

Accordingly, the argumentative function is strongly manifested in the definitions of Imam Al-Baji. It is mainly evident when reading his arguments he provided while responding to his opponents in the section of the concepts, on which he bases his scientific knowledge, as he begins by defining his intention precisely and then clarifies what is meant by appropriate examples. After that, he reviews the various opinions, including what he agreed with and what he disagreed with, then he tries to contradict them with what is available to him of mental and textual evidence, to finally conclude his research by deciding what he deems to be correct.

Moreover, in his formulation of the definition, such as his definition of knowledge, Ibn Hazm always formulates the definition



he deems to be appropriate and infer its correctness with rational proof and Quranic evidence, then he cites a number of sayings and proceeds to discuss them. Thus, he proceeds to criticize and refute the perspectives of his opponents-questioning and inquiring- in an attempt to reveal the contradiction of their opinions and clarify their defects. Furthermore, he does not stop here, but he continues to examine these opinions till he makes sure that he had corrected them, and then he suggests what is right to his opponents, so that they correct their mistakes. However, the other party in the controversial incident may not be real, but Imam Ibn Hazm anticipates the possible objections, and then assumes the existence of a debater who may give contrary opinion to what he believes, and then proceeds to oppose this opinion and refute the debater's supposed viewpoint. Another example to be provided is when he wanted to define the term "the truth," he said: "The truth is the fact that a thing has true existence." (بن حزم، ج 1 ، ص 79) Following the aforementioned methodology, he assumed the possibility of the opponent objection, and he answered him, saying: "He, who does not have the capacity to understand it- the definition above- and thinks that this definition is corrupting by saying: disbelief and injustice are truly existed, so they should be true" (نفسه، ص 79).

### Section Three: Practical Examples

The discussion at this level of research does not remain purely theoretical and devoid of examples and illustrative models, it is necessary to present some of the terms mentioned in the books of the two imams and look at how each of them dealt with them, so that to reveal aspects of agreement and differences between them. This makes the picture clearer and helps to make a good conception of the nature of the term according to them; an understanding that combines both the theoretical and the practical aspects. However, the criterion adopted in the selection of these terms is their inclusion in the two imams' books, so that the comparison can be made, taking into account the condition





of the unity of the subject, which is considered one of the most important foundations of comparative studies.

### The term “Knowledge”:

The first note recorded in this regard is that Imam Ibn Hazm defined and discussed this term in details, unlike Imam Al-Baji, who expressed his opinion in brief terms.

▪ Abu Al-Walid, may Allah have mercy on him, says: “Unity of knowledge: knowledge of the known as it is” (ج 1، ص 281). (الباجي).

▪ And Abu Muhammad, may God have mercy on him, says: “Knowledge is certainty of a thing as it is” (بن حزم، ج 1، ص 74).

It is noted that the two imams agree on the two basic aspects of knowledge: the knowledgeable entity and the known subject, and on the necessity of a relationship between these two parties, which is the fact that the second is present in the mind of the first and is stable in it, taking into consideration that this realization is not contradicting to the reality of the subject as it is in reality. This is what is required by their saying: (as it is).

With regard to the types of knowledge, they also agreed on to divide it into two parts: **Intuitive knowledge and theoretical knowledge**. This is what Abu al-Walid al-Baji stated when he said: “knowledge is divided into two parts: intuitive knowledge and theoretical knowledge” (ج 1، ص 281). (الباجي). Moreover, the intuitive knowledge, for him, is what was produced by one of the five senses: sight, hearing, smell, taste and touch, or what a person learned from the beginning without the mediation of one of those senses, “such as knowledge of his own condition, his health, his illness, his joy, his sadness, and so on” (ج 1، ص 281-282). (نفسه).

As for the theoretical knowledge, it is what was based on consideration, inference, and the implementation of the mental tools of





contemplation, analysis, and criticism of knowledge, as well as discussing it with the adoption of argument and evidence.

In brief, it is concluded that the difference between theoretical knowledge and intuitive knowledge is manifested in two levels:

✓ **The first difference:** it is concerning considering its source, because the theoretical knowledge is acquired through the effort of the knowing self, while the intuitive is “what the creature’s soul is bound by a necessity that it cannot separate from or get out of it” (نفسه، ج 1، ص 281).

✓ **The second difference:** it is relating to the tools adopted in its –knowledge- occurrence. While the intuitive knowledge is obtained as mentioned above from one of the five senses, the theoretical knowledge is the result of intellectual processes, in which systematic steps are followed and precise foundations and rules are adopted, which make the resulting knowledge to be an objective scientific knowledge.

. As for Imam Ibn Hazm, knowledge is divided into three categories:

- **The first category:** Knowledge that was a result of instinctive evidence, which makes it certain and prevents doubt from leaking to it or to the method of its construction.

- **The second category:** knowledge that is acquired through study and use of evidence; anything that does not require evidence or inference.

- **The third category:** As long as it is neither of the first nor the second category, it is rather “following the one whom Allah the Almighty commanded to be followed, with him found the truth, even if it was not out of intuitive or theoretical knowledge” (بن حزم، ج 1، ص 74).



Based on this comparison, it appears that our two imams were not affected in defining the term 'knowledge' by the idea of Aristotle, for whom knowledge is divided into theory and practice, and each of the two categories is divided into several branches. Instead, each of them used his method and decided what is considered to be right based on his point of view.

## 2- The term 'Evidence':

The term "evidence" occupies a central position within the fundamentalist system, as every saying that is not based on evidence is void and has no consideration. The fundamentalists do not require that the evidence must purely be textual, but may it be textual or rational, according to the conditions and controls set for that. However it is known that the rational evidence and the text evidence are interconnected, as well as it to understand text evidence it is crucial to employ the rational one, "because making an inference from the text evidence must be put under consideration, just as the opinion is not considered good or authentic unless it is based on the text evidence" (الشاطبي، ج 3 ، ص 227). Furthermore, the text evidence, whatever it is, must always be based on the Holy Qur'an. That is why; knowing the various types and sub-types of evidence is necessary for those who deduce legal rulings, for the reasons referred to above. As a result, the two imams Ibn Hazm and Al-Baji gave it special attention.

The approach taken by Imam Ibn Hazm in defining this term is different from the one followed by Imam Al-Baji. It is like that, because Imam Abu Muhammad relied on two bases in his definition, namely:

- Definition by partition/ division, where the evidence is divided into its types, such as proof, the noun that indicates the named entity, and the expression that indicates the intended.
- Definition by example, which is his saying: Like a man who shows you the way you want to go.



Accordingly, he aims to clarify the meaning for the listener so that he can visualize the concept in its clearest image.

As for Imam Abu Al-Walid, he employed the method of statement/ clarification by synonyms, which is evidenced by his saying: It is the indication, the proof, the argument, and the authority. And the essential point that distinguishes Al-Baji's definition from Ibn Hazm's definition is the fact that he considers indication to be a part and a parcel of the evidence, where he said: As for what leads to probability, it is an indication, so that the evidence is made up of two types: certain evidence, which is called evidence, and probable evidence, which is called an indication.

### 3-The Term 'Reason':

This is one of the terms in which the two imams clearly differed. According to

Imam Al-Baji: "The reason: the necessary knowledge that occurs from the beginning, and pervades the wise" (الباجي، ج 1، ص. 282-283). On the contrary, Imam Ibn Hazm says: "The mind is the use of acts of worship and virtues, and it is not discernment" (ابن حزم، ج 1، ص. 91).

The mind according to Imam al-Baji, as it seems from his definition, is synonymous with one of the sections of knowledge, according to what he mentioned in his definition as the necessary knowledge. Of things that indicate that the background controlled his standpoint is the functional background. This means that Imam Al-Baji considered, in defining reason, one of its most important functions, which is the acquisition of sciences that cannot be comprehended and mastered unless the machine of the mind is delivered and is qualified to become suitable to this function. Moreover, Imam Abi Al-Walid did not lose sight of the doctrinal background in this perception, which is evident in the employment of the word heart, as it is the place of the mind. And so that to avoid undefined speech, our Imam used the word of Allah the Almighty as an evidence of the correctness of his point of



view, this includes the following reasoning he inference: *﴿أفلم يسيروا في﴾* (سورة الحج الآية 44) *﴿الارض فتكون لهم قلوب يعقلون بها﴾*.

As for Imam Ibn Hazm, the doctrinal and moral background was strongly present and manifested in his definition of reason, as it is stated here: The mind is the use of obedience. This means that he linked it to the obedience of Allah.

To reinforce his opinion, he relied on a linguistic context, in which he considered that the defined thing for him in this choice is that the origin of reason in the Arabic language is derived of the word "Prevention, like to say: *عقلت البعير أ عقله عقلا... .* This is clearer in the words of Allah: *﴿ويجعل الرجس على الذين لا يعقلون﴾* يونس-100. This stands for those who disobey Allah" (بن حزم، ج 1 ، ص 91).

So, for him, being reflective is something related to the fruit and the result; that is why, the disobedient is not considered sane, because he has not yet reached the level of controlling his organs (The human's seven organs such as tongue and hands); as a result, they become the ones that control him and direct him. This is an apparent judgment that results from a perception and from a moral basis.

#### 4- The Term 'Statement/ Clarification':

As previously mentioned, Imam Al-Baji has defined this term as follows: "Statement: clarification" (الباجي، ج 1، ص 284 و الباجي، ص 12). His restriction to one word in defining this term indicates that he does not need a lot of words, because it is clear enough and there is no need for pleonasm. So, the process of clarification is linked to the knowing self in the first place, and then comes the subject, on which the act of clarification and statement falls. This is contrary to the approach followed by Imam Ibn Hazm in defining this term, as he says: "Statement: that the thing, in itself ,is possible to know its reality by whoever wants to know it" (بن حزم، ج 1 ، ص 79).



If Imam Al-Baji linked his definition of the statement to the self-knowing, as shown above, then Imam Ibn Hazm, on the contrary, focused primarily on the subject, which is the subject of the statement, and considered the source of knowledge stemming from the very thing, that is the subject of the statement. Therefore, the basis, for him, is the subject of the statement, while the subject of the action is subordinate, with an emphasis on the fact that the knowing self is linked to its will and its ability to achieve the goal.

Here, the matter is related to the very practice of the act of clarification, which seeks, through its cognitive and methodological means, to transfer the idea from a state of ambiguity and concealment to a state of clarity and distinctness. This indicates the deep insight of Imam Abu Muhammad and his possession of the forelock of language, which enabled him to distinguish between all these expressive levels.

### **Conclusion: The Results of the Comparison**

In a nutshell, It appears, from what has been presented in this research paper, that the fundamentalist term was not outside the interests of the two imams Ibn Hazm and Al-Baji, but rather it was at the core of their scientific works. This is evident in several levels, either in terms of formulation, employment or controversy. Additionally, it became clear that their care for the fundamentalist term has reflected the depth of their vision and their involvement in the fields of knowledge they majored in. This helped them to be intentional in the scientific method and functionalism in use, in which it was obvious that any term used by them was not chosen with extreme precision that makes it express the intention of its author, leaving no chance for possibility or expectation. These scientific accuracy and methodological skill were manifested in the following aspects:

- ✓ They did not follow the same method in defining fundamentalist terms. Rather, their formulas of definition varied between defining the synonym and defining the declarative



sentence, pleonasm and brevity. As well as they agreed on not adhering to the restrictions of the logical definition, that is very difficult, and may even not work for them, as recognized by a number of fundamentalists (الشاطبي، اج، ص. 68-69).

✓ The aim of their expressive forms was to clarify the meaning to the reader so that it would be clear and unambiguous in front of him and he could visualize the concept clearly.

✓ The fundamentalist definition, for them, performs three functions- according to what was extrapolated- namely: *the rhetorical function, the critical function, and the argumentative function*. This confirms that their definitions did not have one purpose, which is clarification only, but these three functions were combined to serve the scientific goals that they were seeking.

✓ Among the characteristics that distinguished the fundamentalist term for them: care for contents and meanings exceed forms and structures. Therefore, their formulas of definition came clear and free from all mysteries. Moreover, they acknowledged that morphological structures serve the meanings and not the other way around, which is something consistent with the beneficial legal vision, which states that purposes take precedence over tools and means.

✓ Considering what protects from contradiction and incoherence in speech: adjusting the term, which is considered the first building block in the scientific structure; because terminology establishes the rules, which in turn build the epistemological and methodological structures of the scientific formats. Therefore the care of our two imams of the issue of terminology and giving it space in their works indicate their awareness of the importance of the term and its seriousness at the same time.

✓ The illustrative example was remarkably present for both of them, as they were not only limited to theoretical





explanation, but rather they supplemented their explanations with appropriate illustrative examples, keen to remove ambiguity and obscurity from the terms they were employing.

✓ One of the observations that drew attention was the presence of the dialectical aspect in their definitions, as they were not limited to presenting the opinion they considered correct, but rather they were presenting the dissenting opinions and discussing them by adopting linguistic, legal and mental tools and so on.



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