
Semantics: A Gateway to the Jurisprudence of Diversity and the Rejection of Extremism and Radicalism

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Abstract

This study examines "Semantics" (Dalalat Al-Alfāz) as a primary cause of diversity (Ikhtilaf) among jurists and its role in rejecting extremism (Ghuluw) and radicalism (Tatarruf). It addresses the relationship between Semantic meaning and jurisprudential differences through an inductive, analytical, and comparative methodology. The research defines the concept, explains its types, and clarifies how it impacts divergent perspectives on legal issues. The study concluded that the multiplicity of jurisprudential schools (Madhahib) is a legitimate reality rooted in scientific foundations, primarily differences in "Semantics". This demonstrates the flexibility of Islamic jurisprudence (Fiqh), as diverse methodologies used by mujtahids (independent jurists) in deriving rulings (Istinbat) open broad horizons for understanding Sharia texts. Ultimately, this narrows the circle of blameworthy disagreement that leads to sectarian fanaticism and, subsequently, to extremism and radicalism.

Keywords: Semantics, Jurisprudence, Diversity, Extremism, Radicalism.

Introduction

Islamic jurisprudence is characterized by its vast scientific richness which is clearly manifested in the multiplicity of its jurisprudential schools (Madhahib). These schools have excelled in clarifying and detailing legal rulings (Al-Ahkam al-Shar'iyah) derived from their detailed evidence according to various methodologies, encompassing all regions of the Islamic world despite changes in time and place, and shifting conditions and circumstances.

Semantics (Dalalat Al-Alfāz) in Sharia texts has played a major role in the multiplicity of these schools and the divergence of their methodologies. This is because the Arabic word has many ways of indicating its meaning; including: the General (Al-'Amm), the Specific (Al-Khass), the Absolute (Al-Mutlaq), the Qualified (Al-Muqayyad), the Ambiguous (Al-Mujmal), the Homonymous (Al-Mushtarak), the Equivocal (Al-Mutashabih), the Literal (Al-

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Haqiqah), and the Metaphorical (Al-Majaz). Each type or category has a specific indication of the intended meaning; some are definitive (Qat'iyyah) in their significance, while others are presumptive (Zanniyyah), oscillating between different.

Therefore, research and Ijtihad to reach the true meaning is a necessary and obligatory matter for every jurist seeking to derive the correct legal ruling. It is well known that each has their own method in achieving this, which leads to expand the difference among Mujtahidin.

Hence, the research problematic is posed in this primary question: What is the relationship between Semantics and the Diversity among jurists? And how does this affect the rejection of extremism and radicalism?

Other questions branch out from this:

What is meant by Semantics? What are their types? What are the reasons for Diversity regarding them? And how do these differences affect the variation in jurists' opinions through applied models on Sharia texts?

First: Reasons for Choosing the Topic

The most important reasons calling for the selection of this study's topic are:

1-The scientific status of the subject of Semantics and its great role in understanding the intent of the Sharia texts found in Quran and Sunnah.

2-The close link between the disagreement in Semantics and its impact on the Diversity (Ikhtilaf) of jurists, which narrows the sectarian fanaticism and spreads tolerance and dialogue among Muslims.

Second: Objectives of the Study

This research aims to achieve the following purposes:

1- Defining the concept of Semantics and detailing their types.

2- To recognize the great importance of studying Semantics for the purpose of knowing the reality of the reasons for jurists' diversity (Ikhtilaf).

3- Identifying the methodologies and methods of derivation (Al-Istinbat) among jurists.

4- Studying some applied jurisprudential issues as a model for the different opinions of jurists due to Semantics.

5- Rejecting extremism and radicalism and discarding sectarian fanaticism after understanding the reasons for jurists' diversity.

Third: Research Plan

This research has been divided according to the following axes:

The First Axis: The concept of Semantics, the importance of their study, and their types.

The Second Axis: The diversity (Ikhtilaf) of scholars regarding Semantics as a legitimate and existing reality.

The Third Axis: The impact of diversity over Semantics in Islamic jurisprudence.

Fourth: Research Methodology

This study relied on the inductive, descriptive, analytical, and comparative method; by inducing the particulars of the subject scattered in the books of Jurisprudence (Fiqh) and its Principles (Usul), describing what relates to Semantics, to define their concept and related matters, then analyzing the scientific material while conducting a comparison between the schools of jurists in some of the applied jurisprudential issues researched, to the extent that

clarifies the relationship of Semantics with the Diversity of jurists, and its impact on rejecting extremism and radicalism.

The First Axis: The Concept of (Dalalat Al-Alfāz) "Semantics", Their Importance and Types

The term (Dalalat Al-Alfāz) "Semantics" is a possessive (genitive) compound consisting of two parts: (Al-Dalālāt) the plural of (Dalālah)"Significance", and (Al-Alfāz), the plural of (Lafz)"The Word". Understanding its meaning requires identifying each of its two terms separately:

First: Linguistic and Technical Definition of (Al- lafz) "The Word":

1- Linguistic Definition of (Al- lafz): It means: To throw or cast away something that was in your mouth. The verb is (Lafzu al-Shay') "to utter the thing"; it is said: (lafaztu alshay'a min fami alfizuhu lafzan): I threw it ... and (Lafaẓa bishay'i yalfizu lafzan): He spoke it. The Almighty said: (Mā yalfizu min qawlin illā la-dayhi raqībun 'atīd) [Qaf: 18] It means: He utters no word except that with him is an observer prepared to record. So (Al- lafz) is the singular of (Alfāz), and it is originally an infinitive (Maṣdar) (Ibn Manzūr, n.d., vol. 7, p. 461).

The meaning of the word (lafz) revolves around: "throwing", "casting", and "tossing" in an absolute sense when used for physical objects (Al-Maḥsūsāt). However, if it is attributed to speech, it means: "the word", "articulation", and "saying".

It is stated in Al-Mu'jam al-Wasīṭ: (Lafaẓa Bilkālāmi Lafzan): He spoke it. And it is said: (Lafaẓa bishay'i); thus he is (Lāfiz) and she is (Lāfizah) "an utterer", plural: (Lawāfiz). The object is (Lafiz) and (Malfūz). It is said: (Lafaẓati albilādu ahlāhā): The land expelled its people; (Lafaẓati alḥayyatu summahā): The snake spat venom out; and (Lafaẓa albaḥru alshshay'a): The sea threw the thing out..." (Muṣṭafā et al., 1989, vol. 2, p. 832).

2- Technical Definition of (Al- lafz): It is a sound relying on a specific point of articulation (Makhraj) of a letter or more (Ibn Amīr al-Ḥājj, 1999, vol. 1, p. 187).

Al-Jurjānī said: "(Al- lafz) "The word" is what a human or their equivalent utters, whether it is neglected (Muhmal) or used (Musta'mal)" (Al-Jurjānī, 1985, p. 247). It is stated in Mu'jam Lughat al-Fuqahā': "If used in an absolute sense, it is what the tongue articulates of speech" (Qal'ajī & Qunaybī, 1988, p. 393).

Al-Zabīdī said in Tāj al-'Arūs: "And among the metaphorical (Almajāz) uses: (Lafaẓa bilkālām): He spoke it, as in (Talaffaza bihi)" (Al-Zabīdī, n.d., vol. 20, p. 274). Ibn 'Aqīl said, explaining the saying of Ibn Mālik in the Alfiyyah (Kalāamunā lafzun mufidun kaāstaqim wāsmun wafī'lun thumma ḥarfulkalim): "Speech (Al-Kalām) according to the grammarians is an expression for the beneficial word (lafz) that provides a meaning upon which it is good to remain silent. Thus, (Al- lafz) is a genus that includes speech, the word, and the collective word (Kalim)..." (Ibn 'Aqīl, 1985, vol. 1, p. 14).

3-The Relationship Between (Al- lafz) "The Word" and (Ma'nā) "The Meaning":

Scholars have paid great attention to the word and its indication of meaning; because words are servants to meanings; ie: Intense focus on words does not mean neglecting meanings; this is the idea emphasized by Ibn Jinnī in his saying: "Know that since words are

the reins for meanings, evidences for them, connectors to them, and achievers of the intent behind them, the Arabs took care of them and gave them a significant portion of refinement and correction..." (Ibn Jinnī, n.d., vol. 1, p. 312). He means that words are constraints for meanings and tools to regulate them and prevent them from deviating from their intent, as they indicate mental meanings and clarify them, and transfer the meaning from the speaker's soul to the listener.

Therefore, the Arabs' interest was for the purpose of refining and correcting them, because the strength of words requires strength in their meanings. Al-Qalqashandī said: "Words are the outward appearances of meanings; they become beautiful by their beauty and ugly by their ugliness" (Al-Qalqashandī, 1987, vol. 2, p. 222). He means that words are the vessels of meanings; therefore, it is necessary to focus on the precision of these words so they suit the objectives, just as Ibn Rashīq al-Qayrawānī suggested: "The word is a body, and its soul is the meaning, and its connection to it is like the connection of the soul to the body; it weakens with its weakness and strengthens with its strength" (Ibn Rashīq al-Qayrawānī, 1981, vol. 1, p. 124).

From here, the value of "The Word" becomes evident in various specializations among linguists, logicians, psychologists, and others... including: the science of Semantics among Scholars specializing in Principles of Islamic law (Al-Uṣūliyyūn).

Second: Linguistic and Technical Definition of (Al-Dalālah)"Significance":

1- Linguistic Definition of (Al-Dalālah): It is a term derived from (Dalla - Yadullu-Dalālatan/Dilālatan) "to guide/point"; It means: the clarification of something by a sign (Amārah) we learn. And (Al-Dalīl) is the (Dāll): It means The Guide/Indicator. It is said: (Dallahu 'alāttaryqi dalālatan) meaning: he directed him him to the road (Al-Rāzī, 1995, p. 218; Muṣṭafā et al., 1989, vol. 1, p. 294).

2- Technical Definition of (Al-Dalālah): It is the state of a thing such that knowing it necessitates knowing something else (knowing something else depending on the knowlege of an other); the first thing is called (Al-Dāll) " The indicator" and the second is (Al-Madlūl) "The indicated" (Al-Jurjānī, 1985, p. 139). The "Thing" includes the word and other things. The "State" is the relationship between the indicator and the indicated, such as redness indicating shyness, or coughing indicating a chest illness. "Knowing it" means knowing the meaning of the indicated.

Third: Definition of (Dalalat Al-Alfāz) Semantics as a Technical Term for a Specific Discipline:

It is every significance in which the transition to the meaning arises from the word or sound (Al-Bāḥusayn, 2001, p. 61). This science studies the relationship between the word and the meaning and the method of reaching rulings through Sharia texts. Thus, (Dalalat Al-Alfāz) Semantics are: the knowlege of linguistic and foundational rules related to the words of Quran and Sunnah, whose indications are derived from the styles of the Arabic language, helping the Mujtahid reach Sharia rulings.

Forth. The Importance of Knowing Semantics (Dalalat Al-Alfāz): Knowing these indications is of paramount importance in understanding Sharia texts and deriving the ruling from it. Based on this, the intended Sharia ruling is reached, because the Holy Quran and the Prophetic Sunnah are in a clear Arabic tongue, and the Arabic word's indication of meanings varies from one placement to another.

Al-Ghazālī says: "Know that this pillar is the mainstay of the science of (Uṣūlulfiqh) (Principles of Islamic Jurisprudence), because the field of the Mujtahids' effort is in deriving rulings from their origins and picking them from their branches; for the rulings themselves are not tied to the choice of the Mujtahids... the four origins (Quran, Sunnah, Consensus, and Reason) have no choice of servants in their establishment. Rather, the field of the Mujtahid's struggle and acquisition is the use of thought in extracting rulings from their sources. The sources are the auditory evidences with their reference is to the Messenger (Peace and blessings be upon him)... since the Book is also heard from him, and consensus is known through him. and what emanates from him as sources for rulings are three: either a word, or an action, or silence and tacit approval..." (Al-Ghazālī, 1993, vol. 1, p. 166).

Al-Qarāfī says: "If we do not understand (Al-Alfāz) "the words" mentioned in Sharia, we will not be able to obey Allah the Almighty; for the lack of insightful indications of the words, our afterlife will be ruined; for happiness therein is only achieved by obeying Allah Almighty" (Al-Qarāfī, 1995, vol. 2, p. 770).

Al-Shawkānī confirms: "...that (Al-Alfāz) "the words" are the molds for the meanings derived from them..." (Al-Shawkānī, 1999, vol. 2, p. 36).

Therefore, the Scholars of Usul mentioned that among the conditions that must be met by a Mujtahid is: the knowledge of Semantics, because the validity of Ijtihād and derivation depends on understanding the Arabic language in which the Sharia texts were revealed. Al-Shāṭibī explained this by saying: "The condition for Ijtihād through derivation from texts is understanding the Arabic language..." (Al-Shāṭibī, 1997, vol. 5, p. 437). Imām al-Ḥaramayn said: "As for (Al-Alfāz) "the words", they must be cared because Sharia is Arabic, and a person will not complete the qualities of independence -In looking into Sharia- as long as he is not well-saturated in grammar and language" (Al-Juwaynī, 1997, vol. 1, p. 130).

Fifth: Types of (Dalalat Al-Alfāz) Semantics According to Jurists of Uṣūlulfiqh:

Jurists of Usul (Al-Uṣūliyyūn) see that a word is coined for a meaning, then used in that meaning or another. It then has an indication that varies-in clarity, concealment, manner, and methods-based on the word's ability to reveal the intended meaning by itself or through something else. For this reason, they divided the word in relation to the meaning into four categories:

1-They categorized it-based on the assignment of the word to the meaning in terms of exhaustiveness vs.non-exhaustiveness-into: (al-Khass) "the Specific", (al-'Amm) "the General", and (al-Mushtarak) "the Equivocal/Homonym".

2-Based on the usage of the word in the meaning; they made it: (Ḥaqīqah) "Literal", (Majāz) "Metaphorical", (Ṣarīḥ) "Explicit", and (Kināyah) "Allusive".

3-They also divided it based on the levels of clarity and concealment of the meaning into:

- (Al-Wāḍiḥ) "The Clear": Its types are: (Al-Zāhir) "The Apparent", (Al-Naṣṣ) "The Text", (Al-Mufassar) "The Explained", and (Al-Muḥkam) "The Decisive" according to the Hanafīs; and (Al-Zāhir) and (Al-Naṣṣ) according to the Majority (Al-Jumhūr).

- (Al-Mubham) "The Obscure": Its types are: (Al-Khafī) "The Hidden", "The Problematic" (Al-Mushkil), (Al-Mujmal) "The Summarized", and (Al-Mutashābih) "The Ambiguous" according to the Hanafīs; and (Al-Mujmal), and (Al-Mutashābih) according to the Majority (Al-Jumhūr).

4-They divided it based on the manner of indication and the methods of understanding the meaning from the word into: Significance of : ('Ibārah) "the Expression", (Ishārah) "the Allusion", (Dalālah) "the Indication", (Iqtidā') "the Requirement"-according to the Hanafīs; and based on (Manṭūq) "the Spoken" and (Mafhūm) "the Understood" into: (Mafhūm al-Muwāfaqah) "Concordant Understanding" and (Mafhūm al-Mukhālafah) "Divergent Understanding"-according to (Al-Jumhūr) "the Majority". (Al-Jaṣṣās, 1994, vol. 1, p. 45; Al-Dabbūsī, 2001, vol. 1, p. 114; Al-Bazdawī, 2014, vol. 1, p. 161; Al-Sarakhsī, 1973, vol. 1, p. 163; Al-Bukhārī, 1997, vol. 1, p. 65; Ibn Amīr al-Hājj, 1999, vol. 1, p. 140; Al-Shāfi'ī, 1940, vol. 1, p. 21; Al-Ghazālī, 1993, vol. 1, p. 164; Ibn Qudāmah, 1998, vol. 2, p. 5; Al-Āmidī, 1982, vol. 3, p. 5).

The Second Axis: The Diversity (Ikhtilaf) of Scholars Regarding (Dalalat Al-Alfāz) Semantics is a Legitimate and Existing Reality

First: The Diversity of Scholars is a Mercy and an Honor for Them:

Knowing the causes and points of disagreement (Ikhtilaf) is a necessity for every Mujtahid and researcher in Sharia rulings, as it forms the jurisprudential skill (Al-Malakah al-Fiqhiyyah) that facilitates the methods of derivation as Al-Shāṭibī said: "This is a notification on the knowledge of the positions of disagreement... On the authority of Qatādah: 'Whoever does not know disagreement has not smelled the scent of Fiqh'" (Al-Shāṭibī, 1997, vol. 5, p. 122).

Disagreement in religion is of three types: **First**, regarding the affirmation of the Creator and His Oneness, and denying that is disbelief. **Second**, regarding His Attributes and His Will, and denying them is innovation (Bid'ah). **Third**, regarding the rulings of the branches (Furu') which allow for multiple interpretations; Allah Almighty has made this a mercy and an honor for the scholars, and it is what is intended by the Hadith: "The disagreement of my Ummah is a mercy" (Al-Khaṭṭābī, 1932, vol. 4, p. 151).

Many scholars have endeavored to clarify and limit these causes, and they have authored several works to emphasize that this matter is existing and legitimate reality, and that it is not an innovation, because Allah Almighty created His servants differing (Al-Bāḥusayn, 1994, p. 97; Al-Ṣā'idī, 2011, pp. 65-101; Al-Shāṭir, 2016, pp. 608-609).

Second. (Dalalat Al-Alfāz) Semantics as a Cause of Jurisprudential Disagreement (Ikhtilaf):

Given the multiplicity of the causes of jurisprudential disagreement (Ikhtilaf) and the difficulty of encompassing all of them in detail, this study focuses on one of the most important and influential factors in the distinction of jurisprudential schools-considering the variation in scholars' methodologies and their ways of understanding Sharia texts-which is the disagreement over Semantics.

Significance in the principles of jurisprudence (Uşūlulfiqh) varies between clarity and obscurity, and this variation is what leads to the difference in deriving Sharia rulings. The researcher Muhammad Ousharif Boulouz, in the context of his census of the causes of disagreement in the book *Bidāyat al-Mujtahid*, states: "...Analogy (Qiyās) constitutes the highest percentage of the causes of disagreement, as it reaches a quarter of the issues at a rate of 15.32%. If we divide these causes according to fields, we will find that the highest percentage is captured by Semantics at 38.36%..." (Boulouz, 2012, vol. 1, p. 126).

Third. Causes of Disagreement (Ikhtilaf) in (Dalalat Al-Alfāz) Semantics:

If it is established that words vary in their indication of meanings according to what they were coined for-in terms of clarity, vagueness, comprehensiveness or lack thereof, modality of use, and methods of indicating rulings-then this diversity leads to disagreement in the branches of Sharia rulings. This was clarified by Ibn Rushd: "In general, their diversity branch issues in this chapter is due to these aforementioned issues, and due to their disagreement in the significance of the words used for swearing; as some of them are ambiguous (Mujmal), some are apparent (Zāhir), and some are texts (Nuşūs)..." (Ibn Rushd, 2004, vol. 2, p. 179).

He further details this in another place, saying: "As for the causes of disagreement (Ikhtilaf) in genus, they are six: **First:** The ambiguity of words between these four paths: I mean between the word being general intended as specific, or specific intended as general, or general intended as general, or specific intended as specific, or whether it has a textual implication (Dalīl Khiṭāb) or not. **Second:** The homonymy (Ishtirāk) in words, whether in a single word- like the word (Alqur') which applies to both 'purity' and 'menstruation'- and likewise the word 'command' (Amr), whether it implies obligation or recommendation, and the word 'prohibition' (Nahy), whether it implies prohibition or dislike. As for the compound word, such as the Almighty's saying: {...except those who repent...} [An-Nur: 5], it is possible that it refers back to the transgressor only, and to the transgressor and the witness; thus, repentance would remove the transgression and permit the testimony of the slanderer. **Third:** Difference in grammatical inflection (I'rāb). **Fourth:** The ambiguity of the word between being taken literally or taken as a type of metaphor (Almajāz)- which are: either omission (Ḥadhf), addition (Ziyādah), advancement (Taqdīm), or delay (Ta'khīr)-or its ambiguity between literal truth or metaphorical (Isti'ārah). **Fifth:** The absolute use of the word at times and its restriction at others, such as the absolute mention of 'a slave' (Raḡabah) in manumission at times and its restriction by 'faith' at others. **Sixth:** Contradiction (Ta'ārūd) in two things across all categories of words from which Sharia receives rulings, with one another; likewise that occurs in actions or tacit approvals, or between analogies (Qiyāsāt) themselves, or the contradiction resulting from these three categories: I mean speech to

action, or to approval, or to analogy; the contradiction of action to approval or to analogy; and approval to analogy" (Ibn Rushd, 2004, vol. 1, p. 12).

The multiplicity of the causes of disagreement (Ikhtilaf) in (Dalalat Al-Alfāz) Semantics has had a significant impact on the diversity of jurists. This includes: "The disagreement in the indication of the concept (Al-Mafhūm), whether it is accordance (Muwāfaqah) or divergence (Mukhālafah); in the requirement (Al-Muqtaḍā) and whether it possesses generality; in the indication of the general (Al-‘Āmm) and its contradiction with the specific (Al-Khāṣṣ); the permissibility of using the homonymous (Al-Mushtarak) in all its meanings if there is no contradiction between them; the permissibility of using a word in both its literal (Ḥaqīqī) and metaphorical (Majāzī) meanings simultaneously; the disagreement in carrying the absolute (Al-Muṭlaq) over the restricted (Al-Muqayyad) in some of its forms; the disagreement regarding the command (Al-Amr) and its true implication- and what is its ruling if it occurs after a prohibition? Does the absolute command imply a single instance or repetition? Is it to be carried out immediately or may it be delayed? And the disagreement regarding the prohibition (Al-Nahy) and its true implication- and does the prohibition necessitate invalidity (Fasād) and nullity (Buṭlān) or not?" (Al-Bāḥusayn, 1994, p. 97).

Due to the abundance of these causes, this study is limited to mentioning some of them as applied models through which their impact on the disagreement (Ikhtilaf) of jurists becomes apparent, as detailed below.

The Third Axis: The Impact of Disagreement (Ikhtilaf) Over (Dalalat Al-Alfāz) Semantics in Islamic Jurisprudence

The disagreement in Semantics plays a major role in the divergence of jurisprudential schools (Madhahib). To clarify this, the research presents some applied issues as models, according to the classifications of the word in its indication of meaning, as follows:

First: Applications of divergence of jurisprudential schools (Madhahib) Due to the Modality of Significance:

It is well known that considering the modality or methods of the word's indication, the scholars of Usul divided it into: Expression (Dalalat al-Ibarah), Allusion (Dalalat al-Isharah), Textual Implication (Dalalat al-Nass), Necessity (Dalalat al-Iqtida’); according to the Hanafis (Salih, 1993, vol. 1, p. 466). As for the Majority (Al-Jumhur), they divided it into: the Explicit (Al-Mantuq) and the Implicit (Al-Mafhūm), then they subdivided the Implicit into: The Concept of Accordance (Mafhūm al-Muwafaqah) and the Concept of Divergence (Mafhūm al-Mukhalafah) (Al-Zuhayli, 2006; Salih, 1993, vol. 1, p. 591).

Their disagreement regarding these foundational rules (Al-Qawa'id al-Usuliyyah) had many effects on branch jurisprudential issues (Al-Mulla, 2001, p. 5). The Hanafis adopted a methodology different from the Majority (Al-Jumhūr) regarding the ways words indicate rulings, and they considered other methods to be "corrupt attachments" (Tamassukat Fasidah), such as the Concept of Divergence (Mafhūm al-Mukhalafah). It is stated in the book *Kashf al-Asrar*: "...The fourth division, which is the category of derivation (Al-Istithmar): it is either that the ruling is proven through the structure (Al-Nazm) or otherwise. The first, if it was intended by the speech, is the Expression (Al-Ibarah); if not, it is the

Allusion (Al-Isharah). The second, if it is understood linguistically, is the Significance (Al-Dalalah); if it is understood legally (Shar'an), it is the Necessity (Al-Iqtida'). If it is understood neither linguistically nor legally, then these are corrupt attachments" (Al-Bukhari, 1997, vol. 1, p. 46).

Thus, the disagreement in methodology had a great impact on the diversity of jurists in many legal rulings. Among the most prominent issues is the Concept of Divergence (Mafhūm al-Mukhālafah); while the Hanafis do not recognize it, the Majority (Al-Jumhūr) adopt it according to specific conditions. In fact, disagreement may occur even among those who recognize it. Therefore, it has been chosen to demonstrate its impact on the diversity of jurists.

1. The Disagreement (Ikhtilaf) of Jurists Due to the Application or Neglect of the "Concept of Divergence" (Mafhūm al-Mukhālafah):

A. Definition of the "Concept of Divergence" (Mafhūm al-Mukhālafah): It is the word's indication of negating the ruling established for the spoken (Al-Mantūq) from the unspoken (Al-Maskūt), due to the absence of one of the restrictions of the spoken. It is also called: "The Evidence of the Address" (Dalīl al-Khiṭāb); because its evidence is of the same genus as the address, or because the address indicated it, or due to its divergence from the structure and literal wording of the address (Al-Zuhaylī, 2006, vol. 2, p. 154).

Dr. Wahbah al-Zuhaylī provides a comprehensive definition of the Concept of Divergence (Mafhūm al-Mukhālafah), clarifying that it is a method for deducing negation from affirmation; if The Divine Legislator (Alshāri'ū alḥakīm) links a ruling to a specific restriction "such as an attribute or a condition", then the word indicates- by way of the concept- that this ruling is negated for the case where this restriction is absent.

Al-Zuhaylī explains the reason for naming it "The Evidence of the Address" (Dalīl al-Khiṭāb) through three linguistic and jurisdictional considerations: either because the evidence is derived from the nature of the address itself and its context, or because the meaning is understood from the implication of the speech even if not explicitly spoken, or because the ruling in the unspoken case came "divergent" from what was spoken in the apparent address. This means that The Divine Legislator's (Alshāri'ū alḥakīm) silence regarding one case while restricting another is not mere vanity, but is intended to establish the opposite of the ruling when that restriction is absent (Al-Zuhaylī, 2006, vol. 2, p. 154).

B. The Ruling of the "Concept of Divergence" (Mafhūm al-Mukhālafah) and its Types: Al-Qarāfī stated: "Know that the Concept of Divergence necessitates that the spoken ruling is not established for the unspoken. Thus, is the rule regarding it- when judging that the unspoken ruling necessitates- to establish the 'contrary' (Al-Ḍidd) of the spoken ruling or its 'contradictory' (Al-Naqīḍ)?" (Al-Qarāfī, n.d., vol. 1, p. 36).

Then Al-Qarāfī moves from theoretical assertion to applied induction, emphasizing that the "contradictory" (negation) is the upright scale in all ten types of concepts he mentioned, saying: "The second is the truth; that one should limit oneself to the absence of the ruling established for the spoken, and not address the establishment of a ruling for the unspoken at all. It is divided into ten types, all of which are upright with the 'contradictory' only:

Concept of the Cause (Mafhūm al-‘Illah): such as: 'Whatever intoxicates in large amounts is forbidden'; its concept is: whatever does not intoxicate in large amounts is not forbidden.

Concept of the Attribute (Mafhūm al-Şifah): 'Zakat is due on pasturing sheep'; its concept is: that which is not pasturing has no Zakat due on it.

Concept of the Condition (Mafhūm al-Shart): 'Whoever purifies himself, his prayer is valid'; its concept is: whoever does not purify himself, his prayer is not valid.

Concept of the Preventative (Mafhūm al-Māni‘): 'Nothing drops Zakat except debt'; its concept is: that whoever has no debt, it is not dropped from him.

Concept of Time (Mafhūm al-Zamān): 'I traveled on Friday'; its concept is: that he did not travel on Thursday.

Concept of Place (Mafhūm al-Makān): 'I sat in front of you'; its concept is: that he did not sit to your right.

Concept of the Extent (Mafhūm al-Ghāyah): 'Complete the fast until the night'; its concept is: it is not obligatory after the night.

Concept of Limitation (Mafhūm al-Ḥaşr): 'Water is only from water'; its concept is: that it is not obligatory from other than water.

Concept of Exception (Mafhūm al-Istithnā‘): 'The people stood except Zayd'; its concept is: that Zayd did not stand.

Concept of the Title (Mafhūm al-Laqaḅ):- which is linking the ruling to the names of entities- such as: 'Zakat is due on sheep'; its concept is: it is not obligatory on other than sheep- according to those who hold this concept- and it is the weakest of them" (Al-Qarāfī, n.d., vol. 1, p. 36).

This text represents the peak of precision for Imam al-Qarāfī; he does not speak here merely as a theoretical jurist, but as a judge seeking the practical effect of the ruling. He clarified that the primary function of the Concept of Divergence is the "removal" of the spoken ruling from the unspoken case. However, he poses a fundamental question regarding the jurisprudential result of this removal: does it necessitate establishing the "contrary" or the "contradictory"? He decides that the truth is to limit it to the "contradictory" (i.e., pure negation). For example, if the The Divine Legislator (Alshārī‘u alḥakīm) obligates Zakat on "pasturing" sheep, the concept negates this "obligation" from the "stall-fed" sheep only; this does not mean establishing the "contrary" (which is prohibition), but rather the stall-fed sheep- after the removal of the obligation- remains unspoken regarding its ruling, thus being referred back to original non-liability (Barā‘at al-Dhimmah) or permissibility. This is because the concept is a "demolishing" evidence for the spoken ruling, not a "building" evidence for a new existential ruling (like prohibition or dislike). This precise distinction prevents the judge or Mujtahid from decreeing additional rulings to which the word did not transition, but rather suffices with negating what the text spoke in the place of dispute.

The Mutakallimūn consider the Concept of Divergence (Mafhūm al-Mukhālafah) as one of the semantic significance through which rulings are derived, while the Hanafīs forbid it and do not recognize it- at all- in Sharia texts. They do not derive rulings through it, calling it "that which is specific by mention" (Al-Makhşuş bi-al-Dhikr). They refuse to adopt it and

label the concepts of divergence as "corrupt inferences" (Istidlālāt Fāsīdah). Therefore, a great disagreement occurred between the Mutakallimūn and the Hanafīs in this regard, despite the many types within the Concept of Divergence; examples of this include the following.

C. Disagreement Regarding the Impurity of the Disbeliever in Light of the Concept of Divergence (Mafhūm al-Mukhālafah):

The issue of the disbeliever's impurity is a matter of disagreement; in summary, one should not initiate the greeting of peace (Salām) to a disbeliever, but if you do shake hands with him, should you wash your hand afterwards or not? (Abd al-Ghaffār, 2008, vol. 2, pp. 45-46). The origin of this issue is based on the Almighty's saying: {Indeed, the polytheists are unclean} [At-Tawbah: 28]. Disagreement occurred between the Majority (Al-Jumhūr) and the Zāhirīs in determining the "locus of impurity": is it an intrinsic physical attribute (physical impurity/Najāsah Ḥissiyyah), or is it a legal ruling related to belief (spiritual impurity/Najāsah Ma'nawīyyah)? Jurisprudentially, this disagreement is built upon the extent of applying the "Concept of Divergence" (Mafhūm al-Mukhālafah) and its strength in diverting the word from its apparent literal truth, within two schools:

The First School: Its proponents see that the disbeliever is impure; if he greets you, you must wash your hand, and if he eats with you, do not eat with him nor borrow anything from him. This is the opinion of Ibn Ḥazm (Ibn Ḥazm, n.d., vol. 1, p. 181). He based his school on the Almighty's saying: {Indeed, the polytheists are unclean}, in addition to what was mentioned in the Ṣaḥīḥayn on the authority of Abū Hurayrah (may Allah be pleased with him), who said: "I met the Prophet (Peace and blessings be upon him) while I was in a state of major ritual impurity (Junub), so I slipped away, performed a ritual bath (Ghusl), and returned. The Prophet (Peace and blessings be upon him) said: 'O Abū Hīr! Where were you?' He replied: 'I was in a state of impurity and disliked to sit with you, so I washed.' He said: 'Subḥān Allah! Indeed, the believer does not become impure'" (Al-Bukhārī, 2001, vol. 1, p. 66; Muslim, 1972, vol. 1, p. 282). In another narration on the authority of Hudhayfah bin al-Yamān: "Indeed, the believer does not become impure," meaning: do not do that, for the believer does not become impure.

Accordingly, the Zāhirīs and those who agreed with them moved toward the opinion of the physical impurity of the disbeliever's body. Their evidence is the "explicit spoken text" (Al-Manṭūq al-Ṣarīḥ) of the verse, as the Legislator established the description of "unclean" (Najasan) for the polytheists. The principle regarding Sharia terms is that they are carried upon their physical realities unless something diverts them. In this path, they do not pay attention to the "Concept of Divergence" (Mafhūm al-Mukhālafah), but rather decree that the ruling is linked to the essence of the polytheist, which resulted in their opinion on the obligation of "washing the hand" from shaking hands with him.

The Second School: The opinion of the majority of jurists -other than the Hanafīs: that the Concept of Divergence is an authoritative evidence (Ḥujjah). However, they say: the Concept of Divergence is not taken into account if it contradicts a spoken text (Al-Manṭūq), and it does not possess generality ('Umūm) as stated by many scholars of Uṣūl. If we say: "The believer does not become impure," its meaning is that the disbeliever carries a spiritual

impurity, not a physical one- meaning an impurity of belief because he worships idols. We specify this concept and do not claim generality for it because the "spoken evidences" in this issue are stronger than the concept. They said: Allah permitted marriage to women of the People of the Book (Kitābiyyāt), and if the Kitābiyyah woman were impure, the believer who married her would touch her with his hand. If we said that every time he kissed, greeted, or embraced her he must wash, that would inflict upon him severe hardship that cannot be endured. Thus, the permissibility of marriage to Kitābiyyāt contains an indication (Ishārah) from the Sharia that the disbeliever is not physically impure (Al-Shawkānī, 1993, vol. 1, p. 41).

Second: Disagreement of Jurists Due to the Indication of Generality (‘Umūm) and Specificity (Khuṣūṣ):

A. Definition of the General (Al-‘Āmm) and the Specific (Al-Khāṣṣ):

Definition of the General (Al-‘Āmm): It is the word that encompasses all that it is suitable for according to a single coining, such as the word: "The Men" (Al-Rijāl); for it encompasses all that it is suitable for (Al-Rāzī, 1992, vol. 1, p. 286).

Definition of the Specific (Al-Khāṣṣ): It is a word coined to indicate a single individual by person, such as "Muhammad"... or one by genus, such as "a man," or multiple restricted individuals, such as: "three," "ten," "a hundred," "a folk" (Qawm), "a group" (Raḥṭ), "a gathering," "a team," and other words that indicate a number of individuals but do not indicate the encompassing of all individuals (Khallāf, 1990, p. 183).

B. The Ruling of Generality (‘Umūm): The ruling of generality is that it is acted upon according to the correct opinion. The rule among scholars is: the general remains upon its generality as long as no specifier (Mukhaṣṣiṣ) comes to specify it.

C. Disagreement Regarding the Indication of the General (Al-‘Āmm): Scholars differed regarding it into two opinions:

The Hanafis said: The indication of the general upon the individuals of the generality is a definitive (Qaṭ‘ī), not a speculative (Zannī) one (Al-Rāzī [Al-Jaṣṣāṣ], 1994, vol. 1, p. 45). This is because no consideration is given to evidence arising from mere probability; thus, its indication of its individuals is definitive. The word "its individuals" refers to those who fall under the general term and who can correctly be intended by the general text.

It was also said: The indication of the general upon its individuals is speculative (Zannī), due to the possibility of an arising probability; and if the probability is arising, the indication is speculative and not definitive. It is stated in Al-Baḥr al-Muḥīṭ: "...The indication of generality upon individuals; they differed: is it definitive or speculative? The second is the well-known view among our companions (i.e., the Shafī'is), and the first is the opinion of the majority of the Hanafis" (Al-Zarkashī, 2000, vol. 2, p. 228; Al-Jaṣṣāṣ, 1994, vol. 1, p. 45).

This has an impact on the disagreement in many branch jurisprudential issues, including:

3. The Ruling on a Slaughtered Animal in which the Slaughterer Omitted the Mention of Allah's Name (Al-Tasmiyah): If a man intended to perform an ‘Aqīqah for his child, took the animal and slaughtered it without mentioning Allah's name, is the meat to be eaten or not? (Abd al-Ghaffār, 2008, vol. 1, p. 128). Scholars differed in this issue on two opinions:

The First Opinion: The view of the Hanafīs (Al-Kāsānī, 1989, vol. 7, p. 137), who say: the indication of the general (Al-‘Āmm) upon its individuals is definitive. They said: the slaughtered animal of one who does not mention Allah's name shall not be eaten. The evidence is the Almighty's saying: {And do not eat of that upon which the name of Allah has not been mentioned} [Al-An'am: 121]. This indication is one of generality, not specificity. The word {of that/mimmā} is among the vague nouns that indicate generality, especially if we intend by "that" here: a slaughtered animal; thus it becomes an indefinite noun in the context of prohibition, indicating generality. Meaning: do not eat every slaughtered animal upon which the name of Allah was not mentioned. This includes the slaughter of a Muslim, a disbeliever, an idolater, and the People of the Book. The indication according to the Hanafīs regarding this is definitive. However, the Hanafīs made an exception, saying: if a Muslim slaughters and forgets to mention the name out of forgetfulness, it is permissible to eat his slaughter, because the one who forgets is ruled as the one who remembers. It was mentioned in the Hadith: "My Ummah is excused for mistake and forgetfulness" (Al-Bukhārī, 2001, vol. 7, p. 93; Al-Albānī, 1985, vol. 8, p. 214). It is as if they deviated from the rule they established previously. As for the Malikis (Ibn Rushd, 2004, vol. 1, p. 440) and the Hanbalis (Ibn Qudāmah, 1985, vol. 9, p. 311), they permitted specifying the verse with the evidence of the legal excuse which excluded the "one who forgets" from this generality, though they say that the intent of the "Hadith" is the removal of the ruling and the removal of the sin.

The Second Opinion: The view of the Shafī'īs and a narration from Ahmad (Al-Shīrāzī, 1995, vol. 3, p. 252; Al-Nawawī, 1996, vol. 8, p. 417; Ibn Qudāmah, 1985, vol. 9, p. 311): That the mention of the name is not obligatory, and if a Muslim slaughters without mentioning the name, a Muslim may eat from that animal. This is because the rule for them is that the indication of the general (Al-‘Āmm) upon its individuals is speculative (Zannī), such as the Almighty's saying: {And do not eat of that upon which the name of Allah has not been mentioned} [Al-An'am: 121]. The individuals of this generality are: the slaughter of a Muslim, a person of the Book, an idolater, and a disbeliever. Its indication upon all of these is speculative, meaning: it is possible to specify this generality because of the possibility of an arising specifier, unlike the Hanafī school. They said: We establish this rule even if those who disagree with us do so; because it was narrated in Al-Bukhārī from ‘Ā’ishah (she said: Some people said: O Messenger of Allah, meat is brought to us by people and we do not know whether they mentioned the name of Allah or not. The Prophet (Peace and blessings be upon him) said to them: "Mention the name yourselves and eat") (Ibn Mājah, 1995, vol. 3, p. 340). The point of evidence is that if the mention of the name were obligatory, eating it while in doubt would not have been permissible, yet the Prophet (Peace and blessings be upon him) told them: "Mention the name yourselves and eat."

Consequently, the Hanafīs considered the general (Al-‘Āmm) as definitive, so a solitary Hadith (Āḥād)- such as the Hadith of ‘Ā’ishah regarding doubt- cannot specify it. Therefore, they held firmly to the strict prohibition of intentionally omitting the mention of the name, and only excluded the one who forgets due to a strong context for them that the "one who forgets" is ruled as the "one who mentions". As for the Malikis and Hanbalis, they agreed with the Hanafīs that the verse is decisive regarding the "intentional" person, but they utilized

the rule of (specifying the general with separate evidence), thus excluding the "one who forgets" by the Hadith of "excusal", while keeping the "intentional" person under the ruling of the verse (prohibition). As for the Shafi'is, they considered the general to be speculative as soon as specification enters it, and they saw that the Almighty's saying: {and indeed, it is grave disobedience/fisq} mentioned at the end of the verse explains the "general" as not intending the mere omission of the name, but rather what was slaughtered for idols. Thus, they made the "specific" Hadith a judge over the "general" and a clarification of it, stating that the mention of the name is not a condition for validity.

It appears through the above that the cause of disagreement between the schools goes back to the variation of opinions regarding the indication of the general (Al-'Āmm)- the intent here is to clarify the aspect of disagreement only, not to weigh between the evidences.

Third: Homonymy (Al-Ishtirāk) in the Word as a Cause of Jurists' Disagreement:

Homonymous words are among the primary causes of disagreement among jurists, as will be clarified through the following:

A. Definition of the "Homonymous" (Al-Mushtarak): It is "what was coined for two different meanings or for meanings of different realities; for example: Jāriyah (maiden/vessel), for it includes the female slave and the ship; and Al-Mushtarī (buyer/Jupiter), for it includes the party to a sale contract and the planet in the sky..." (Al-Shāshī, 1982, vol. 1, p. 36). An example of this is the Almighty's saying: {And divorced women shall wait [as regards] themselves for three Qurū'} [Al-Baqarah: 228]. Qurū' is the plural of Qur', and Qur' is a homonymous term linguistically between two meanings: purity (Al-Ṭuhr) and menstruation (Al-Ḥayḍ). Therefore, scholars differed regarding the waiting period ('Iddah) of a menstruating divorced woman.

B. Disagreement of Jurists Regarding the Waiting Period of the Menstruating Divorced Woman: Ibn Rushd clarified regarding the homonymy of the name Qur' that it is applied- in the speech of the Arabs equally- to blood (menstruation) and to purities (Aṭhār). Both parties aimed to show that the name Qur' in the verse is apparent in the meaning they hold. Those who said it refers to "purities" said that this plural is specific to the Qur' which is purity; this is because the Qur' which is menstruation is pluralized as Aqrā', not Qurū', and they narrated this from Ibn al-Anbārī. They also said that "menstruation" (Ḥayḍah) is feminine while "purity" (Ṭuhr) is masculine; if the Qur' intended were menstruation, "Alhā'" (Tā' Marbūṭah) would not have remained in its plural, because the "Alhā'" does not remain in the plural of the feminine for what is less than ten. They also said that etymology indicates this, because Qur' is derived from: Qara'tu al-mā' fī al-ḥawḍ (I gathered the water in the basin); thus the time of the gathering of blood is the time of purity. This is the strongest evidence the first party held to from the apparent meaning of the verse.

As for what the second party held to from the apparent meaning of the verse, they said that the Almighty's saying: {three Qurū'} is apparent in the completion of each Qur' of them, because the name Qur' is not applied to a portion of it except metaphorically. If the Qurū' were described as purities, it would be possible for the waiting period to be two purities and a portion of a purity, because the divorced woman (according to them) waits during the purity

in which she is divorced even if most of it has passed. If that were so, the name "three" would not apply to it except metaphorically, while the name "three" is apparent in the completeness of each Qur' of them. This only aligns with the Qurū' being "menstruations", because consensus is reached that if she is divorced during a menstruation, she does not count it. Each of the two parties has equal arguments from the aspect of the word Qur'... (Ibn Rushd, 2004, vol. 2, p. 90).

We notice in this issue how jurists differed due to the homonymous word, and how each party argued using the language and the tongue of the Arabs.

Fourth: Disagreement Due to Carrying the Word Upon the Literal (Ḥaqīqah) or the Metaphorical (Majāz):

A. Definition of "Literal" and "Metaphorical": "The Literal is the word used in what it was coined for, and the Metaphorical is the word used in other than what it was coined for" (Al-Shawkānī, n.d., vol. 1, p. 74).

The scope of disagreement here is: Is the word used in the literal or metaphorical meaning when both are intended in the ruling? An example is the Almighty's saying: {...or you have touched women} [An-Nisa: 43]. The word {you have touched/lāmastum} wavers between the literal and the metaphorical, and both are intended by the ruling, which is the breaking of ablution (Wuḍū'). Based on this, jurists differed in this issue as will be clarified.

B. Disagreement of Jurists Regarding Ablution from Touching Women:

Scholars differed regarding the obligation of ablution from touching women with the hand or other sensitive parts. Some held that whoever touches a woman with his hand directly with no barrier or cover between them must perform ablution, as well as whoever kisses her; because the kiss for them is a touch, whether pleasure was felt or not. This was the view of Al-Shāfi'ī (Al-Māwardī, 1994, vol. 1, p. 191) and his companions, though he once differentiated between the toucher and the touched, obligating ablution on the toucher only, once equated them, and once differentiated between mahrams and the wife. Others held the obligation of ablution from touching if it was accompanied by pleasure or intended pleasure, whether with a barrier or not, using any limb, except for the kiss where they did not stipulate pleasure; this is the school of Mālik and the majority of his companions (Al-Ābī, 1992, p. 30). Some denied the obligation of ablution for whoever touches women, which is the school of Abū Ḥanīfa (Ibn Nujaym, 1993, vol. 1, p. 121), and each has a precedent from the Companions, except for the stipulation of pleasure, for which no Companion is mentioned to have stipulated it (Al-Māwardī, 1994, vol. 1, p. 191).

The cause of their disagreement in this issue is the homonymy of the name "touch" (Al-Lams) in the speech of the Arabs: for the Arabs use it once for touching with the hand, and once as an allusion for intercourse. Some held that the touch necessitating purification in the verse of ablution is intercourse in the Almighty's saying: {...or you have touched women} [An-Nisa: 43]. Others held it is touching with the hand. Among these, some saw it as a general term intended as specific, so they stipulated pleasure; others saw it as a general term intended as general, so they did not stipulate pleasure. Those who stipulated pleasure were led to that by what contradicted the generality of the verse: that the Prophet (Peace and blessings be upon him) used to touch 'Ā'ishah with his hand during his prostration, and

perhaps she touched him. The scholars of Hadith narrated the report of Ḥabīb bin Abī Thābit from ‘Urwah from ‘Ā’ishah that the Prophet (Peace and blessings be upon him) kissed some of his wives then went out to prayer and did not perform ablution. Abū ‘Umar [Ibn ‘Abd al-Barr] inclined toward its authenticity. Al-Shāfi‘ī said: if the Hadith is proven, I do not see ablution in the kiss or the touch. Those who obligated ablution from touching with the hand agreed that "touch" literally applies to the hand and metaphorically to intercourse, and that if the word wavers between the literal and metaphorical, it is better to carry it upon the literal until evidence indicates the metaphor. Those [the other party] may say that the metaphor, if its usage is frequent, is more indicative of the metaphor than the literal, as is the case with the word "voiding" (Al-Ghā’it) which is more indicative of the act of excretion (metaphor) than the "low ground" (literal) (Ibn Rushd, 2004, vol. 1, p. 38).

These are models of the distinction of jurists' opinions due to the disagreement in linguistic significance, and their applications in jurisprudential issues are very numerous and difficult to encompass, confirming that jurisprudential disagreement is legitimate and founded on a precise scientific methodology that cannot be ignored or abolished.

Fifth: The Impact of Knowing Semantics (Dalalat Al-Alfāz) in Rejecting Extremism and Radicalism:

It becomes clear from the above that the knowledge of Semantics (Dalalat Al-Alfāz) - as an entry point to the jurisprudence of disagreement- has a great impact on adhering to the aspect of moderation (Wasatīyyah). The lack of knowledge regarding the causes of disagreement is among the most famous incentives toward extremism and radicalism, leading some to turn away from jurisprudential efforts and resort to creating their own schools under the slogan: "They are men and we are men," or to limit themselves to what came in the Quran and Sunnah, falling into excess or negligence that leads to severity in religious rulings, because he became seeing those efforts as based on whim and considers disagreement in branch issues as a creedal deviation, leading to labeling others as innovators or disbelievers, as happened with many extremist groups that began to denounce everyone who disagreed with them, considering them outside the path of the Salaf.

Therefore, knowing the causes of jurists' disagreement in general- and knowing Semantics (Dalalat Al-Alfāz) in particular- is a necessary and essential matter due to its major role in moderation and the elimination of extremism and radicalism in religious rulings.

Conclusion: This study has reached the following results:

- 1- Diversity (Ikhtilaf) among scholars is a factual and legitimate matter, built upon solid scientific foundations.
- 2- The study showed that the difference in Semantics (Dalalat Al-Alfāz) is one of the most prominent causes for the distinction of opinions among the jurists of the various schools (Madhahib).
- 3- The research clarified that the multiplicity of scholars' methodologies in the ways of deriving Sharia rulings opens wide horizons for understanding legal texts and helps in acquiring jurisprudential skill (Al-Malakah al-Fiqhiyyah).

4- It appeared in the study that jurisprudential diversity is evidence of the flexibility of Islamic Sharia and its lack of restriction on the intellect.

5- It became clear through the research that identifying the causes of jurists' diversity is likely to close the door to extremism and radicalism and narrow the circle of blameworthy school partisanship.

Recommendations: This research recommends the following:

1- Generalizing the teaching of the subject "Causes of Jurists' Disagreement" to all students of Sharia sciences.

2- Approving the teaching of "Comparative Jurisprudence among Schools" to attain jurisprudential aptitude.

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