

Language, Islamic Law, & Scripture — Imām al-Juwaynī's *al-Waraqāt*: Arabic Language, Theology, & Law – Usul al-Fiqh

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Abstract / Short Summary

This document provides a concise academic overview of *Usul al-Fiqh* (Islamic legal theory) through the lens of Imām al-Juwaynī's *al-Waraqāt*, a foundational primer studied across Sunni legal schools. It outlines the historical emergence of legal methodology from the Qur'an, the Prophet's practice, and the interpretive efforts of the Companions, before tracing the formalisation of the discipline through Imām al-Shāfi'ī's *al-Risālah*. The summary highlights the two major methodological traditions — the rationalist *Mutakallimūn* and the juristic *Fuqahā'* — and notes later attempts to synthesise these approaches.

Key concepts introduced in *al-Waraqāt* are briefly surveyed, including categories of knowledge ('ilm, ḡann, shakk), linguistic analysis (ḥaqīqah, majāz), commands and prohibitions, general and specific expressions, mujmal and mubayyan, the legal significance of the Prophet's actions, consensus (ijmā'), reports (akhbār), analogy (qiyās), and the role of maslahah and maqāṣid in juristic reasoning. The summary also touches on the qualifications of the muftī, the responsibilities of the mustaftī, and the nature of ijtihād.

Overall, this short overview captures the intellectual architecture of *Usul al-Fiqh* as presented in *al-Waraqāt*, emphasising its enduring relevance as a pedagogical text and its role in shaping Islamic legal epistemology.