

Imām al-Ḥaramayn al-Juwaynī on *Jadal*:

Theological-Juridical Dialectic in the 10th-11th Century Islam

Abstract

This dissertation focuses on the concept of *jadal* (i.e. the ethics and rules of disputation) in Imām al-Ḥaramayn al-Juwaynī’s legal and theological works. I argue that Imām al-Ḥaramayn’s theory of *jadal* and its application in his legal and theological works are able to build a strong intellectual foundation for dealing with religious conflicts and disagreements, eliminating the tension between theologians and jurists, and contributing significantly to the formation of of Sunnī orthodoxy in the tenth-eleventh century. By developing and employing the art of *jadal* (can translated, the art of dialectic), Imām al-Ḥaramayn builds what Aristotle calls a new “*endoxa*” (the most acceptable opinion) by examining logical consistency (*ṣiḥḥat al-naẓr*) and rational certainty (*al-yaqīn*) of his opponents and of the existing acceptable theological and juridical thoughts, especially within Ash‘arī theology and Shāfi‘ī legal school. As a result, excessive disagreements in *fiqh* and *kalām* thoughts are successfully minimized and a new *endoxa*, which is the synthesis between theology (*kalām*) and (*fiqh*), starts to be widely accepted. Furthermore, Imām al-Ḥaramayn’s *jadal* theory and practice also show the precedence of a civilized and elegant way to handle religious-sectarian disagreements, in which the logic of non-violence is more efficacious than the logic of violence.