

ABSTRACT

Islamic syaria law originates from two primary sources of *wahyu* (revelation); which are the al-Quran and al-Sunnah. Other sources of Islamic law are derived from these two sources. The law of methodology is then created in order to grasp the application of Islamic syaria laws and the legal reasoning behind it. Imām al-Shāfi‘ī was the first to compile and document the knowledge of *uṣūl al-fiqh* or also known as the procedures for legal reasoning. Furthermore, Imām al-Shāfi‘ī was also known in his *madhhab* with his two *qawl*; which are the *qawl qadīm* in Iraq and the *qawl jadīd* in Mesir. Not all of his *qawl qadīm* experience law changes. However, undoubtedly every al-Shāfi‘ī’s *qawl* is based on his own law of methodology. Therefore, the author is trying to analyze several *fiqhiyyah* problems through comparison between both of al-Shāfi‘ī’s *qawl* methodologies. Documentation and library search have been used extensively for gathering research data. This study mainly refers to al-Shāfi‘ī’s main *fiqh* book of reference, *uṣūl al-fiqh* book, *qawā’id al-fiqh* book, *sharḥ al-ḥadīth* book, *al-tārikh* book (history), articles and *fiqh* journals. In general, besides inductive and deductive methods, this study has adopted a number of comparative methods in analyzing the research data. This topic has been selected because there is no specific study focusing on this topic. As far as the author is concerned, no comments were made in prior studies on this topic. According to the results, this study shows that Imām al-Shāfi‘ī adopted different methodology between his two *qawl* in making judgment (*ijtihād*). For example, in *qawl jadīd*, he considered the rule of *al-maṣāliḥ al-mursalāh*, *al-istiṣḥāb*, and *sadd al-dharā’i’* as the source of his judgment. While in his *qawl qadīm*, he would hold solely to the apparent strength of the text (*nas*) and *al-qiyās*. Therefore, this study demonstrates the importance of the application of juristical methodology and approach in shaping the diversity and accretion of judgment (*ijtihād*).