

Glossary of Arabic Terms in Issue 32/1

Arabic Term	Definition
<i>'ādāt</i>	All acts performed by an individual are of three types: (i) <i>'ādāt</i> , (ii) <i>'ibādāt</i> , and (iii) <i>mu'āmalāt</i> . <i>'Ādāt</i> are the habits, customs, and all other acts which an individual performs as part of his normal life, e.g., like eating, drinking, bathing, etc. In other words, <i>'ādāt</i> refers to those acts that are not performed as an act of worship (<i>'ibādah</i>). For the definition of the other two types of acts, see below.
<i>aḥādīth</i>	Plural of <i>ḥadīth</i> . For meaning, see below.
<i>amānah / amānāt</i>	<i>Amānah</i> (plural <i>amānāt</i>) literally means trust or being trustworthy. <i>Amānah</i> entails absence of liability for loss except in breach of duty. It also refers to deposits in trust.
<i>awqāf</i>	Plural of <i>waqf</i> . For meaning, see below.
<i>bay' al-ṭinah</i>	Also known as buy-back. This refers to a contractual arrangement between two parties to sell and buy-back a commodity/asset simultaneously. This type of buying/selling is prohibited because the deal can easily be designed as a subterfuge for prohibited <i>ribā</i> .
<i>bay' al-salam</i>	A sale contract in which payment is made in advance by the buyer and the delivery of goods is deferred by the seller. The date of delivery and fairly accurate description of goods must be given in the contract.
<i>bay' al-ṣarf</i>	It means currency exchange. Other than the exchange of modern fiat money, it also includes exchange of gold for gold, silver for silver and gold for silver or vice versa. The rules of <i>bay' al-ṣarf</i> dictate that when both counter values are of the same kind (e.g., gold for gold, silver for silver, dollar for dollar, etc.), both counter values must be the same in quantity and the exchange must be done hand to hand without delay. If however, the counter values are of different kind (e.g., gold for silver, silver for dollar, pound for euro, etc.), then only one condition applies i.e., that the exchange must be done hand to hand without delay.
<i>ḍamān</i>	A contract of guarantee where a person underwrites any claims or obligations that should be fulfilled by a debtor in the event that the debtor contractor fails to fulfill his obligation; any third party can become surety for the payment of debt. It is a covenant/pledge given to a creditor that the debtor will pay the debt or any other liability.
<i>ḍarūrī</i> (pl. <i>ḍarūriyyāt</i>)	Something which is a <i>ḍarūrah</i> (plural <i>ḍarūrāt</i>). It refers to those basic necessities or dire needs without which a person may face death or irreparable loss to life, intellect, progeny, property or religion. It is usually used in the context of the 'Doctrine of Necessity', whereby something otherwise prohibited becomes temporarily permissible.
<i>ḥalāl</i>	<i>Falāḥ</i> means to thrive, become happy or to have success. Technically, it implies success and happiness both in this world and in the hereafter.
<i>fatwá</i> (pl. <i>fatāwá</i>)	<i>Fatwá</i> (plural <i>fatāwá</i>) is a ruling on a point of Islamic law or Islamic way of life given by a religious scholar or recognized authority.

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<i>fiqh</i>	Refers to the whole corpus of Islamic jurisprudence. In contrast with conventional law, <i>fiqh</i> covers all aspects of life, religious, political, social, commercial or economic. The whole corpus of <i>fiqh</i> is based primarily on interpretations of the Qur'ān and the Sunnah and secondarily on <i>ijmā'</i> (consensus) and <i>ijtihad</i> (juristic judgment). While the Qur'ān and the Sunnah are immutable, verdicts based on <i>ijtihad</i> may change due to changing circumstances.
<i>fiqhī</i>	Relating to <i>fiqh</i> .
<i>gharar</i>	Literally, it means deception, danger, risk and uncertainty. Technically it means exposing oneself to excessive risk and danger in a business transaction as a result of uncertainty about the price, the quality and the quantity of the counter-value, the date of delivery, the ability of either the buyer or the seller to fulfil his commitment, or ambiguity in the terms of the deal; thereby, exposing either of the two parties to unnecessary risks. In economic terminology its meanings are close to "asymmetric information".
<i>ḥadīth</i> (pl. <i>aḥadīth</i>)	Sayings, deeds and endorsements of Prophet Muhammad (may the peace and blessings of Allah be upon him) narrated by his companions.
<i>ḥājah</i> (pl. <i>ḥājāt</i>)	<i>Hājah</i> Plural <i>ḥājāt</i> , means need.
<i>ḥājī</i> (pl. <i>ḥājīyyāt</i>)	<i>Hājī</i> Plural <i>ḥājīyyāt</i> . It is usually used in the context of the 'Doctrine of Necessity' (see <i>ḍarūrī</i> above) and is different from the term <i>ḍarūrī/ḍarūriyyāt</i> in the sense that <i>ḍarūrī/ḍarūriyyāt</i> refers to those dire needs or essential necessities without which the person faces either death or irreparable loss, whereas <i>ḥājī/ḥājīyyāt</i> refers to those needs without which one can survive but faces immense or undue hardship.
<i>ḥajj</i>	Hajj, is the fifth pillar of Islam. It involves pilgrimage to Makkah and other Holy places around it and performing specified worships between the 8 th and the 13 th day of the Islamic month of Dhul Hijjah (the twelfth month in the Islamic lunar calendar). This duty is compulsory only once during each Muslim's life time provided he/she is financially and physically able to carry it out.
<i>ḥalāl</i>	Things and activities permitted by Sharī'ah.
<i>ḥarām</i>	Things and activities prohibited by the Sharī'ah, e.g., giving or taking <i>ribā</i> , gambling, eating pork etc.
<i>ḥisbah</i>	Technically, it refers to an institution that existed through most of Islamic history for implementing what is proper and preventing what is improper. The main role of <i>al-ḥisbah</i> was the regulation and supervision of markets to ensure proper market conduct by all concerned.
<i>ḥudūd</i>	Plural of <i>ḥadd</i> . Specific punishments ordained by Allah for serious violations of His commandments, e.g., adultery, stealing, drinking wine, etc. These punishments are prescribed for only a handful of the most serious sins. Punishments for all other sins/violations are left at the discretion of the ruler with certain limits and guidelines prescribed by the Sharī'ah.
' <i>ibādah</i> (pl. ' <i>ibādāt</i>)	' <i>ibādah</i> Plural ' <i>ibādāt</i> ; meaning worship or any type of ritual act performed with the intention to gain the pleasure of Allah

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<i>ibāḥah</i>	Permissibility from a Sharī'ah point of view. The term is also used when someone declares that his property/belongings are permissible to use by others (the general public or a set group of people), free of charge.
<i>ijārah</i>	Leasing. Sale of usufruct of an asset. The lessor retains the ownership of the asset with all the rights and the responsibilities that go with ownership. <i>Ijārah</i> also refers to services offered by persons/institutions.
<i>ijtihād</i>	In technical terms, it refers to the efforts by jurist(s) to derive a rule or reach a judgement based on evidence found in the Islamic sources of law, predominantly, the Qur'ān and the Sunnah.
<i>īnah</i>	Short form of <i>bay' al-īnah</i> . For definition, see above.
<i>istiṣnā'</i>	Used as a short form for <i>bay' al-istiṣnā'</i> . Refers to a contract whereby a manufacturer (contractor) agrees to produce (build) and deliver a well-described good or (premises/road etc.) at a given price on a given date in future. As against <i>bay' al-salam</i> (a similar sale contract maturing in future where no manufacturing is involved. For definition see below) in <i>istiṣnā'</i> the price need not be paid in advance. It may be paid in instalments, or partly at the front end and the balance later in accordance with the agreement between the parties.
<i>jahālah</i>	Ignorance, lack of knowledge; indefiniteness or uncertainty in a contract, sometime leading to <i>gharar</i> .
<i>jināyāt</i>	Singular <i>jināyah</i> . It refers to all types of injuries/harm inflicted upon a person or his property.
<i>khalīfah</i>	Vicegerent. According to the Qur'ān, man is the vicegerent of Allah on earth and as such, must follow and implement His laws on earth.
<i>mafsadah</i>	Plural <i>mafāsīd</i> . Anything declared harmful by Sharī'ah, or anything hampering the achievement of the <i>maqāṣid al-sharī'ah</i> .
<i>māl</i>	Anything that can be possessed; includes money such as gold, silver and monetary units, commodities such as clothes and foodstuffs, and immovable properties such as houses and factories, or any established rights.
<i>maqāṣid</i>	Literary means 'objectives'. In Islamic literature it is often used as a short form for <i>maqāṣid al-Sharī'ah</i> . For definition, see below.
<i>maqāṣid al-Sharī'ah</i>	Basic objectives of the Sharī'ah. It refers to a juristic-philosophical concept developed by the classical jurists, who attempted to formulate the goals and purposes of the Sharī'ah in a comprehensive manner to aid in the process of investigating new cases and organizing previous existing rulings. Imam al-Ghazālī defined these objectives to be: protection of faith, life, progeny, property and reason/intellect. While, not questioning the importance of these five, some contemporary writers have argued that there are many more.
<i>maṣlaḥah</i> , (pl. <i>maṣāliḥ</i>)	Literally, it means benefit. Technically, it refers to any action taken to protect the objectives of the Sharī'ah; the five basic ones being: protection of faith, life, progeny, property and reason. Sometimes the term <i>maṣlaḥah</i> is also used as a short form of <i>maṣlaḥah mursalah</i> explained below.

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<i>maysir</i>	Literally, it refers to an ancient Arabian game of chance with arrows used for stakes in slaughtered animals. Technically, it refers to gambling or any game of chance.
<i>mu`āmalāt</i>	Singular <i>mu`āmalah</i> . Relationships and/or contracts among human beings as against <i>'ibādāt</i> which define the relationship between Allah and His creatures.
<i>muḍārabah</i>	A contract between two parties, capital owner(s) or financiers (called <i>rabb al-māl</i>) and an investment manager (called <i>muḍārib</i>). Profit is distributed between the two parties in accordance with the ratio upon which they agree at the time of the contract. Financial loss is borne only by the financier(s). The entrepreneur's loss lies in not getting any reward for his services.
<i>muḍārib</i>	An investment manager in a <i>muḍārabah</i> contract.
<i>muqāraḍah</i>	A synonym of <i>muḍārabah</i> .
<i>murābaḥah</i>	Shortened term for <i>bay`al-murābaḥah</i> . It means sale at a specified profit margin; deferral of payment is conceptually not necessary. However, in current practice it refers to a sale agreement whereby the seller purchases the goods desired by the buyer and sells them at an agreed marked-up price, the payment being settled within an agreed time frame, either in instalments or in a lump sum. The seller bears the risk for the goods until they have been delivered to the buyer. In current practice, <i>bay`al-murābaḥah</i> is sometimes referred to as <i>bay`al-mu`ajjal</i> , though technically there is a difference between the two.
<i>musāqāh</i>	A contract in which the owner of a garden agrees to share its produce with someone in an agreed proportion in return for the latter's services in irrigating and looking after the garden.
<i>mushārahah</i>	Partnership. A <i>mushārahah</i> contract is similar to a <i>muḍārabah</i> contract, the difference being that in the former both the partners participate in the management and the provision of capital, and share in the profit and loss. Profits are distributed between the partners in accordance with the ratios initially set, whereas loss is distributed in proportion to each one's share in the capital.
<i>muzāra`ah</i>	Share-cropping. A contract whereby one party agrees to till the land owned by the other party in consideration for an agreed share in the produce of the land.
<i>naṣṣ</i> (pl. <i>nuṣūṣ</i>)	Clear texts of the Sharī`ah, i.e. Qur`an and Sunnah.
<i>qarḍ</i>	Legally, <i>qarḍ</i> means to give anything having value in the ownership of the other by way of virtue so that the latter could avail of the same for his benefit, with the condition that same or similar amount of that thing would be paid back on demand or at the settled time. It is that loan which a person gives to another as a help, charity or advance for a certain time. It is also used as a short form of <i>qarḍ ḥasan</i> .
<i>qawā`id</i>	Singular <i>qā`idah</i> . These refer to the universal principles of <i>fiqh</i> formulated in a concise legal form, embodying broad general rulings in cases that fall under their subject.
<i>qimār</i>	<i>Qimār</i> means gambling. Technically, it is an arrangement in which possession of a property is contingent upon the happening of an uncertain event. By implication it applies to a situation in which there is a loss for one party and a gain for the other without specifying which party will lose and which will gain (a zero-sum game).

Arabic Term	Definition
<i>ribā</i>	Literally, it means increase or addition or growth. Technically, it refers to the ‘premium’ that must be paid by the borrower to the lender along with the principal amount as a condition for the loan or an extension in its maturity. Interest as commonly known today is the most famous type of <i>ribā</i> .
<i>ribā al-faḍl</i>	That kind of <i>ribā</i> which relates to exchange of some specified commodities mentioned in a <i>ḥadīth</i> . If items of exchange are of the same specie, the exchange of these commodities should be equal and also instant. Some differences in application details exist among various schools of <i>fiqh</i> .
<i>ṣadaqah</i> (pl. <i>ṣadaqāt</i>)	A charitable act. An act done with the intention of seeking the pleasure of Allah. Plural <i>ṣadaqāt</i> .
<i>ṣakk</i>	Plural <i>ṣukūk</i> . For definition, see below.
<i>ṣalāh</i>	One of the five ‘pillars of Islam’ (compulsory duties). Normally translated as prayers. But it is not in the ordinary sense of ‘asking favors from God’. Technically, it is a specific form of worship that every Muslim must perform at appointed times, five times during every 24 hours.
<i>salam</i>	Short form for <i>bay‘ al-salam</i> , which refers to a sale contract in which payment is made in advance by the buyer and the delivery of the goods is deferred by the seller. The date of delivery and fairly accurate description of goods must be given in the contract.
<i>ṣawm</i> (pl. <i>ṣiyām</i>)	Usually translated as “fasting”. Technically, it is worshipping Allah in a manner specified by the Sunnah. It involves prohibition of some acts from dawn to sunset. Avoiding taking any kind of food or drink is one of those prohibitions (there are others). It is because of this that usually it is translated as fasting. But actually, it is one of the five ‘pillars of Islam’ (compulsory duties). Every Muslim (with some exceptions allowed by Shari‘ah) has to observe this duty during full Lunar month of Ramadan every year. Plural <i>ṣiyām</i> .
Shari‘ah	Refers to the corpus of Islamic law based on Divine guidance as given by the Qur‘ān and the Sunnah and embodies all aspects of the Islamic faith, including beliefs and practices.
<i>sharikah</i>	A contract between two or more persons who launch a business or financial enterprise to make profits. In the conventional books of <i>fiqh</i> , the partnership business has been discussed under the caption of <i>sharikah</i> that, broadly, may include both <i>mushārahah</i> and <i>muḍārabah</i> as well as other forms of partnerships.
<i>ṣukūk</i>	Plural of ‘ <i>ṣakk</i> ’, which refers to a financial paper showing entitlement of the holder in the amount of money shown on it. The English word ‘cheque’ comes close to it. Technically, <i>ṣukūk</i> are financial instruments entitling their holders to some financial claims.
Sunnah	The Sunnah is the second most important source of the Islamic faith after the Qur‘ān and refers to the Prophet’s (may the peace and blessings of Allah be upon him) example as indicated by his practice of the faith. The only way to know the Sunnah is through the collection of <i>aḥādīth</i> , which consist of reports about the sayings, deeds and endorsements of the Prophet (may the peace and blessings of Allah be upon him).
<i>taḥṣīnī</i> (pl. <i>taḥṣīniyyāt</i>)	Plural <i>taḥṣīniyyāt</i> . Complimentaries or Luxuries. <i>Taḥṣīniyyāt</i> refers to that category of goods which, if acquired, add beauty or comfort to life. However, not acquiring these goods does not hinder an individual’s life in any manner.

Arabic Term	Definition
<i>tamattu'</i> (shares)	These are shares that grant the participant compensation in lieu of his shares, whose value is redeemed during the existence of the company, and he is granted <i>tamattu'</i> shares. These shares grant him rights that are available for shares based on capital, except the right to profits and the distribution of assets at the time of winding up, in so far as the <i>tamattu'</i> shares are entitled to profit lesser than that given to the owner of shares based on capital. The owner of <i>tamattu'</i> shares also does not have a share in the assets of the company at the time of winding up until the owners of shares based on capital have been granted the value of their shares.
<i>taṣkīk</i>	The process of issuing <i>ṣukūk</i> is known as <i>taṣkīk</i> or <i>tawrīq</i> .
<i>tawarruq</i>	<i>Tawarruq</i> is a mode for obtaining liquidity through a fake contract involving buying something at a higher price on credit basis and selling it back for cash payment instantly. With a few exceptions, Islamic scholars generally consider this to be an illegitimate mode of transaction. They consider it to be a subterfuge for interest-based borrowing (<i>ribā</i>).
<i>tawrīq</i>	A synonym for <i>taṣkīk</i> .
<i>wa'd</i>	An undertaking by one party to enter into a contract with the other e.g. financial institution for the sale or lease of an asset in the future or to do any other job desired by the other party.
<i>wadī'ah</i>	Deposit for safekeeping without demanding or expecting any compensation for such safekeeping.
<i>wakālah</i>	Contract of agency. In this contract, one person appoints someone else to perform a certain task on his behalf, usually against a fixed fee.
<i>wakīl</i>	Someone acting on behalf of another person.
<i>waqf</i>	Appropriation or tying up a property in perpetuity for specific purposes. No property rights can be exercised over the corpus. Only the usufruct is applied towards the objectives (usually charitable) of the <i>waqf</i> .
<i>zakāh</i>	One of the five 'pillars of Islam' (compulsory duties). It is a financial worship and refers to a special earmarked levy payable by a Muslim on his net worth beyond a minimum level of wealth as a part of his religious obligations. The rates as well as the beneficiaries of this levy are unchangeable. Beneficiaries are mainly the poor and the needy.