

Index of Arabic terms

- Adat* Customary law
Ahadith The most verified and widely accepted saying of the prophet Mohamad
Akrah Stated pillars of contract
Al-Bay Exchange
Al-Faraid Binding/mandatory
Al-Ghorm Bil Ghuni The principle that one is entitled to a gain only if one agrees to bear the responsibility for the loss – for example, if someone gives finance to someone else, he is only entitled to a share in the profit resulting from the use of that finance if he is also prepared to bear any resultant loss
Al-Juz Portion
Al-Khalafiyah Property right, acquired through inheritance
Al-Kharaj Bil Daman The principle in Islamic jurisprudence that entitlement to return or yield (*al-kharaj*) is for the one who bears the liability (*daman*) for something, say an asset, and one who does not bear the liability has no claim to the yield
Al-Mal Mutaqawwin Trade in lawful property
Al-Marhom The late
Al-Milk Ownership right
Al-Qatl Homicide
Al-Ridha Consent
Al-Uqud Muawadah Contract of exchange
Al Bai Bithaman (BBA) Sales contract where payment is made in instalments after delivery of goods – sale could be for long term, in which case there is no obligation to disclose profit margins
Al Baqarah Chapter from the Quran – the meaning of the chapter is ‘The Cow’
‘Aqdl/Uqud Contract
Aqil Someone in full possession of mental capacity
Asabah Nasaby Residuary by reason of blood
‘Asabah Sababy Residuary by special reason
Ashabul Furud Possessions of obligatory share, meaning the rights associated with position holders’ having to have some holdings
Asl Direct purpose
Attawal Ludu Du Minal Mamluk Multiplication
Awlad Family
Awqaf or Waqf Endowments

Bai Al Bithamin (BAB) Deferred payment contracts
Baligh Adult
Barakah Blessing or blessing of wealth
Bathil Invalid (contract)

Bay Al-Inah The sale of something to someone at a given price (usually on credit) and then the purchase back from the buyer, at the same time, at a different price (usually lower but cash) – this kind of sale and buyback is prohibited because it effectively means exchanging a given amount of money with a different amount of money, which amounts to *riba*: it can be used as a subterfuge for *riba* dealings

Bay' Bima Yanqati Bihi Si'r Sale concluded at market price

Bayt Al-Mal Public treasury

Commenda Mudharaba contract

Commodity *Murabaha* Reverse commodity resale

Convertible *Sukuk* A *sukuk* contract in which the issuer has stipulated a term to call back the issue after a period of time from issue date

Daman Guaranty, possession of. It also means the one who bears the liability (*daman*) for something

Dharurah (adj.: *daruriat*) Necessity (usually used for the 'Doctrine of Necessity', whereby something otherwise prohibited becomes temporarily permissible)

Dhawl-I-Arham Distant kindred

Falah Success

Faraid Islamic inheritance law/religious laws pertaining to wealth distribution

Fasad Mischief, troublemaking, corruption

Fatwa Religious verdict by *fuqaha* (a person of authority based on knowledge on the subject being decided)

Fiqh Corpus of Islamic jurisprudence

Fiqh Muamalat Islamic law of transaction

Fuqaha (plural is *faqih*): Jurist who gives rulings on various juristic issues in the light of the Quran and the Sunnah

Gharar Risk or uncertainty, forbidden if excessive and avoidable

Green *Sukuk* *Sukuk* based on *Shariah* compliant environmental credentials

Hadith A collection of the sayings of the Prophet as authenticated through a process of verification for evidence

Halal Permissible

Haq Maliy Property rights

Haram Things or activities prohibited by *Shariah*

Hawl Specified holding period for paying *zakat*

Hijrah The Prophet's migration from Makka to Yathrib (later called Madina)

Hilah Legal trick or device to avoid the imposition of a law in a particular case

Hirman Depriving

Hurr Free person

Hybrid *Sukuk* A combined *sukuk* structure

I'ta Granting

Ibtal Exchange

Idkhal Reasons or characteristics behind a *Shariah* ruling such that, if a particular reason or characteristic is found in other instances, the same ruling will apply

Ihrazul Muhabat Showing affection

- Ijara* Lease ending in ownership
Ijarah Manfaa Sukuk Mode of payment to investors is not fixed but variable
Ijarah Tawilat Al-Ajjal Long lease right
Ijarah Thuma Al-Bay Lease then sale
Ijarah Wa Iqtina Hire-purchase agreement
Ijma Consensus on legal opinion
Ijtihad The process of coming to a decision after thorough discussion using intellect and legal principle to depart from an established way of doing things, when change is needed – it is like the Catholic religion’s provision to refer a matter to a select group. In Islam there is no one permanent body
Ikhrāj Addition
Ikhtiar Effort
Infāq Spending – in the literature of Islam economics, it usually refers to spending in the ways of God
 Innovative *Sukuk* Contracts consistent with the basic principles of *sukuk* but considered by scholars to be innovative
Institute Du Monde Arabe Illah Arab World Institute
Istibdal Substitution
Istihsan Judicial preference
Istisna Commission to manufacture
Istisna Sukuk Project based *sukuk*
- Jualah* Performing a given task for a prescribed fee in a given period
- Kafala* Guaranty offered on behalf of some party
Kaffarat Cleansing – or an act of prescribed atonement or penitence one has to do for making an error which will then blot out that mistake
Kalalah A deceased who left no male ascendant or descendent or heirs for the assets to be inherited
Kasb Work
Khultah The mixing of properties from different owners
- Maal (Mal)* Asset, property
Mahzab There are four major schools of thought, each with minor differences in aspects of theological practices
Maisir Gambling or any game of chance
Majlis Council
Manfa’ah Usufruct of a property
Maqasid The objective of *Shariah* meaning the furtherance of good on earth in one’s life as revealed in the scriptures
Maslaha Public or private benefit
Maslahah Al-Amnah Well-being of society
Mata’ Property
Matizab/Mahzab Schools of thought
Maulaul Mawala Successor by contract
Mawquf’alaih Beneficiaries
Mawquf’ Waqf property
Milkiyah Manfa’ah To benefit from legal ownership
Milkiyyah Ownership

- Milkul 'Ain* Ownership of these properties
- Mithl* Market price
- Mu'ajjal* One-time advance
- Muamalat* Interpersonal transactions
- Mudarabah* Contract between two parties – a capital owner or financier (*rabb al-mal*) and an investment manager (*mudarib*). 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. The investment manager's loss lies in not getting any reward for his labour services
- Mudarib* Originator
- Mufassal* A document that details the benefits or terms of a deed
- Muhtasib* Market supervisors
- Mujmal* The beneficiaries' rights in general
- Mulk Kuddain* Loaned projects
- Munafiqoon* Hypocrites
- Muqarasa* An *istisna sukuk* for funding a special project, e.g. mark-up furniture for hotel
- Murabaha* Sale at a specified profit margin. This term, however, is now used to refer 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 as a lump sum. The seller bears the risk for the goods until they have been delivered to the buyer. Also referred to as *bay' mua'ajjal*
- Murabaha Sukuk* Cost plus or deferred payment *sukuk*
- Musharakah*: Partnership. Similar to the *mudarabah* contract, the difference being that here both 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. Also, this contract is more suitable for longer-term partnership contracts and long-gestating projects
- Musharakah Mutanaqisah* Diminishing partnership
- Musharakah Sukuk* Joint venture *sukuk*
- Mushtabih* Dubious
- Mutawali* A trustee, a manager on behalf of *waqif* (the *waqf* giver)
- Muzakki* Zakat payer
- Muzara'a* Share cropping
- Nass* Text from Quran or Sunnah
- Nazir/Mutawali* Trustee
- Nisab* A level of wealth beyond which a levy is due
- Non-*Halal* Non-permissible or *haram*
- Nuqsan* Decreasing
- Qard* A loan
- Qard Hasan* Benevolent loan/lending
- Qiyas* Juristic inference by analogy
- Quran The holy book of Muslims, consisting of the revelations made by God to the Prophet. Prescribes the rules of social and personal behaviour, compliance with which guarantees social solidarity, economic growth and development

- Razaqnahum* Provision of wealth
Re-takaful Reinsurance
Riba It is unlawful (*haram*) to charge *riba*. It is the excessive premium (interest) that must be paid by the borrower to the lender along with the principal amount as a condition for the loan for an extension of a loan when due
Ridda Wars Conflict against those who evaded *zakat* opportunistically
Rizq Wealth
- Saad Zarla (Sadd Al Dhara)* Principle of blocking the means to harm
Sadaqah Alms, payments to redeem others' rights (also translated as 'charity')
Sahih Valid
Sakk (plural is *sukuk* (legal documents)) Certificates of entitlement. Sometimes termed as Islamic bonds
Salam A sale in which payment is made in advance by the buyer and the delivery of the goods is deferred by the seller
Salam Sukuk A negotiable financial instrument issued on the basis of an asset to be leased. A *salam* sale creates an in-kind debt payable on a future date. *Sukuk al-salam* represents common shares in that debt. Trading *salam* debt for money is controversial among Islamic scholars
Saliheen A term denoting a person who is diligent in his life as a believer following prescribed behaviour
Shalih A faithful and obedient believer
Shariah Islamic law
Shurut Fulfilling conditions
Sukuk Certificates of entitlement/Islamic bonds
Sunnah The practice and the sayings of the Prophet
- Tabbul* Conversion
Tabyin' Definite
Takaful An alternative to the contemporary insurance contract. A group of persons agree to share a certain risk by collecting a specified sum from each. Any loss is met from the collected fund
Tamleek Ownership
Taqdir Assigned faith
Taqhyir Replacement
Tawallud Min Mamluk Process of production
Tawaruq Reverse *murabaha*. Buying an item on credit on a deferred-payment basis and then immediately reselling it for cash at a discount to a third party
Tawaruq Munazam Organized tripartite resale
Tayyib Purification from malignancy – clean/*halal*
- Ummah* Community of believers
Umum Bahwa Public necessity
Urf Custom
Usul Fiqh Interpretation of jurisprudence
- Wa'd* A time-bound promise to deliver on terms contracted
Wajib Mandatory
Wakala Agency

Wakala Sukuk *Sukuk* where investors appoint an agent (*wakala*) to make investment decisions on their behalf

Wakeel A person who represents another person with rightful delegation to be the *wakil*

Waliy (Mutawalli) A trusted person to help carry out an assigned task

Waqf See *Awqaf*

Waqf Ahli Ar Dhurri Familial endowment

Waqf Al-Mushtarak Joint *waqf*

Waqf Ala Al-Nafs Self-dedicated *waqf*

Waqf Khayri Public endowment/charitable

Waqf Waqalah An agent who holds the rights of the real owner of a contract as for example in the case of an equity-based *sukuk* instrument

Waqfiyyah Charter of the *waqf* foundation

Waqif Originator of the *waqf*

Wasiyyah Will/testamentary disposition

Yu'ti To give

Zakat Almsgiving each fasting month of a year as decided by interpretation of commandments and the situation at a given time. It is usually 2.5 per cent of wealth added in a year

Zawi-l-Furud The sharers in a contract of agreement

Ziyadah Increasing