

## Glossary

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<i>Adl</i>	Justice.
<i>Ahadith</i> (pl. of <i>hadith</i> )	Statements of the Prophet.
<i>Ahd</i>	Promise.
<i>Ahdname</i>	A statement of promise.
<i>Ahilik, Ahis</i>	A medieval Turkish/Islamic order closely associated with craft guilds.
<i>Akçe</i>	Ottoman silver-based coin.
<i>Al-aqilah</i>	Ancient Arab custom considered to be the essence of modern Islamic insurance.
<i>Al-diyah</i> or <i>diyah</i>	Compensation for harm inflicted or a return paid for a favour.
<i>Al-mafalis</i>	Bankrupt.
<i>Aman</i>	Security granted by a Muslim conqueror to the conquered peoples.
<i>Amanah</i>	Entrustment.
Anatolia	Turkey in Asia.
<i>Aqad izin</i>	The authorization granted by depositors to <i>Tabung Haji</i> to invest their deposits.
<i>Awqaf al-nuqud</i>	Cash waqfs.
<i>Bai' Bithaman Ajil</i>	A controversial financial instrument utilized by some Islamic banks.
<i>Bai' inah</i>	Sale on credit for payment at a future time. <sup>1</sup>
<i>Bancatakaful</i>	Insurance ( <i>takaful</i> ) marketing through Islamic banks.
<i>Bay' al-dayn</i>	A controversial pre-Islamic sale contract involving an exchange of credit for credit. <sup>2</sup>
<i>Bayt al-mal</i>	Public treasury.
<i>Ber vech-i malikâne</i>	In the manner of <i>malikâne</i> .
<i>Berat</i>	A document of permission, a document attached to <i>esham</i> shares.
<i>Bi'at</i>	Mutual agreement between a ruler and subjects.
<i>Bona fide</i>	Genuine, real.
<i>Bumiputra</i>	Endogenous Muslims of Malaysia.
<i>Caveat</i>	Warning.
<i>Caveat emptor</i>	The principle that the risk of a purchase belongs to the buyer alone.

<i>Ceteris paribus</i>	Assuming that other conditions are held constant.
<i>Conditio sine qua non</i>	An indispensable condition.
<i>Consol</i>	Fully transferable and negotiable English annuities.
<i>Consolato del Mare</i>	European mercantile law borrowed from the world of Islam.
<i>Corpus</i>	Capital of a waqf, main body of.
<i>Dar al-Islam</i>	The world of Islam.
<i>Darrura</i>	Compulsory, necessity, a dire need.
<i>Defterdar</i>	Ottoman Minister of Finance.
<i>Denarius</i>	Ancient Roman coin, eventually borrowed by Muslims.
<i>Dhimma</i>	Islamic concept similar to judicial personality.
<i>Dominium eminens</i>	Originally the Roman element of land ownership claimed by the state.
<i>Erfelijke rente</i>	The traditional Flemish perpetual hereditary rent.
<i>Esham</i>	(plural of <i>sehm</i> meaning share) Ottoman institution of <i>riba</i> free domestic borrowing.
<i>Fatwa</i>	Verdict of a Muslim judge.
<i>Fellahin</i>	Egyptian peasants.
<i>Fi sanduq wahid</i>	Capital pooling in a single box.
<i>Fi sebilallah</i>	Charitable fund.
<i>Fiqh</i>	Collection of Islamic juridical opinions regarding the application of the <i>Shari'ah</i> .
<i>Fructus</i>	The element of land ownership claimed by the peasant actually cultivating it.
<i>Fütüvvetname</i>	Rules of conduct for the Anatolian <i>ahi</i> orders.
<i>Ganimah</i>	Booty.
<i>Gelire Endeksli Senet</i>	Modern Turkish bonds indexed to the revenues to be generated by certain state economic enterprises or projects.
<i>Gharar</i>	Deception, a certain type of uncertainty or risk.
<i>Gruş</i>	Ottoman coin.
<i>Habs</i>	To keep, to preserve.
<i>Hadith</i> (pl. <i>ahadith</i> )	The statements of the Prophet.
<i>Hakimiyah</i>	Governance.
<i>Halal</i>	Permitted.
<i>Hamish jiddiyah</i>	Security deposit.
<i>Haram</i>	Prohibited.
<i>Hawala</i>	Transfer of revenue.
<i>Hiba</i>	Gift.
<i>Hifz al-aql</i>	Protection of the mind.
<i>Hifz al-din</i>	Protection of religion.
<i>Hifz al-mal</i>	Protection of property.

<i>Hifz al-nasl</i>	Protection of the future generations.
<i>Hifz al-nefs</i>	Protection of life.
<i>Hijrah</i>	The migration of the Prophet and his followers from Mecca to Medinah.
<i>Hisbah</i>	The Qur'anic principle of 'Commanding good and forbidding evil'.
<i>Homo-economicus</i>	The Western rational man/person.
<i>Homo-Islamicus</i>	Islamic man/person.
<i>Hudud</i>	Punishments prescribed in the Qur'an and the <i>Sunnah</i> .
<i>Hujjat al-Islam</i>	A learned judge.
<i>Hums al-ganaim</i>	One fifth of the booty.
<i>Hutbah</i>	Public sermon after the Friday or <i>Bayram</i> prayers.
<i>Ibdal</i>	Exchanging the original capital of a waqf with cash, selling the waqf property.
<i>Ijara tawilah</i>	Long-term rent.
<i>Ijaratayn</i>	Double rent.
<i>Ijtihad</i>	Independent reasoning by an Islamic scholar of law.
<i>Itizam</i>	Ottoman tax farming.
<i>Imdad-ı seferiye</i>	Extra taxes imposed during wartime.
<i>Imtiyazat</i>	Privileges/protection granted to foreign/non-Muslim merchants.
<i>Inan</i>	A classical Islamic partnership, where both partners contribute to the capital.
<i>Inter vivos</i>	Gift among the living.
<i>Iqta'</i>	Assignment of land as private property or military fief.
<i>Iqta' al-qabala</i>	A land grant for the payment of a fixed amount of tax.
<i>Istibdal</i>	Exchanging the original waqf property with another.
<i>Istiglal</i>	A sale/lease/buy-back contract used by Ottoman cash waqfs.
<i>Iştirak</i>	Participation.
<i>Istishab</i>	Existence of a thing established by evidence. Thus a practice once proved to be widespread may be presumed to be both ancient and continuing.
<i>Istisna</i>	A contract to purchase now, for a definite price, something that may be manufactured later according to agreed specifications, an exception.
<i>Jağird</i>	Tax farmer in India.
<i>Jehad</i>	Struggle, struggle for survival.
<i>Jizya</i>	Poll tax.
<i>Jugum</i>	The Roman unit of land that could be cultivated by a pair of oxen in a day.

<i>Juros</i>	Spanish <i>rentes</i> .
<i>Juros de heredad</i>	Hereditary <i>rentes</i> , shares.
<i>Kadi</i>	Islamic judge.
<i>Kafala</i>	See kefalet.
<i>Kalimah</i>	A statement every Muslim must make to the effect that 'there is no God but <i>Allah</i> and that Prophet Muhammad is His messenger'. A non-Muslim converts to Islam by making this statement.
<i>Karz</i>	Loan.
<i>Karz hasene</i> ( <i>qard hasan</i> )	A beautiful loan (without charging interest).
<i>Kazeruniyya</i>	A Sufi order.
<i>Kefalet</i>	Surety, guarantee.
<i>Kefil</i>	A person who stands as surety, a guarantor.
<i>Kharaj al-mukasamah</i>	An agricultural tax imposed according to the productivity of land.
<i>Kharaj al-muvazzafa</i>	A fixed amount of tax imposed on the size as well as the location of the land.
<i>Kharaj</i>	Land tax.
<i>Khoms</i>	One fifth.
<i>Kulliyah</i>	A complex of buildings and functions, a complete system. Usually used for a college campus and is believed to be the original word for college.
<i>Kurum</i>	Establishment, institution.
<i>Liffrent</i>	The Flemish life-rent.
<i>Madhab</i>	An Islamic school of thought, a sect.
<i>Maisir</i>	Gambling.
<i>Malikâne</i>	Ottoman tax-farming system, important primarily during most of the eighteenth century.
<i>Maqasid al-Shari'ah</i>	Objectives and purposes of the <i>Shari'ah</i> .
<i>Mare liberum</i>	A free ocean to trade, the Indian Ocean.
<i>Masalih mursalah</i> ( <i>Maslaha</i> )	Public interest.
<i>Mazlama</i>	Injustice, usurpation.
Medieval	The long period in European history from the fall of the Western Roman empire during the fifth century to roughly the fall of the Eastern Roman empire during the middle of the fifteenth century. Thus a period of roughly one thousand years. When the term is used for the Islamic world, it covers the period from the seventh century to the fifteenth.
<i>Monte Vecchio</i>	'Mountain of debt'.

<i>Muaccele (mu'ajjal)</i>	Lump sum payment made by the <i>malikâneci</i> in a public auction in order to obtain a <i>malikâne</i> .
<i>Mudaraba</i>	Classical Islamic capital–labour partnership.
<i>Mudarib</i>	Agent in a <i>mudaraba</i> .
<i>Mufawada</i>	Classical business partnership where both partners are considered equal.
<i>Muhtesib</i>	Official in charge of markets.
<i>Mültezim</i>	Ottoman tax farmer.
<i>Muqata'a</i>	Tax source to be farmed out.
<i>Murabaha</i>	Cost plus profit sale contract.
<i>Musharaka</i>	Modern term for <i>inan</i> partnership.
<i>Mutawalli</i>	Trustee of a waqf.
<i>Mutawwif</i>	Specially trained <i>imams</i> who help Malaysian pilgrims during the pilgrimage.
<i>Muzara'a</i>	Share cropping, agricultural partnership.
<i>Namaz</i>	Daily prayer.
<i>Narh</i>	Maximum price allowed, price fixing.
<i>Nasihah</i>	Advice.
<i>Nisab</i>	A minimum amount of wealth beyond which a Muslim becomes liable to pay <i>zakat</i> .
<i>Pir</i>	An elderly person, a religious figure, someone believed to be the original founder of a craft guild.
<i>Qabala</i>	Egyptian tax farms.
<i>Qirad</i>	Synonym of <i>mudaraba</i> .
<i>Qirat</i>	A measure of landholding or jewellery, a ship-share.
<i>Qiyas</i>	By way of analogy.
<i>Rab al-mal</i>	A business partner who provides the whole or bulk of the capital.
<i>Raison d'être</i>	The reason why something exists.
<i>Raqaba</i>	See <i>Dominium eminens</i> .
<i>Reaya</i>	Ottoman civilians, ordinary folk, non-military, non-official, tax payer not tax recipient.
<i>Rente</i>	European financial instrument that pays fixed annuities.
<i>Riba</i>	Interest, usury.
<i>Rikaz</i>	Buried treasury.
<i>Rizq</i>	Livelihood.
<i>Sa'</i>	A measure of weight.
<i>Sadaqa jariya</i>	Ongoing charity.
<i>Sadaqa</i>	Alms.
<i>Salam</i>	A sale contract.
<i>Sawad</i>	A region comprising parts of Syria and Iraq.

<i>Sehm</i> (pl. <i>Esham</i> )	A share.
<i>Şeyhülislam</i>	The highest religious official in the Ottoman hierarchy.
<i>Shari'ah</i>	The revelation that Prophet Muhammad received and made practising it the mission of his life. <sup>3</sup>
<i>Shirkat</i>	Company.
<i>Sparkassen</i>	A German bank of savings.
SPV	Special purpose vehicle.
<i>Suftaja</i>	Letter of exchange used for transferring capital across time and space.
<i>Sukuk</i> (pl. <i>sakk</i> )	Certificates of equal value that represent the ownership of an underlying asset.
<i>Sunnah</i>	The deeds and actions of the Prophet.
<i>Ta'amul</i>	Custom.
<i>Ta'bid</i>	Condition of perpetuity of a waqf.
<i>Taawun</i>	Principle of helping one another.
<i>Tabarru</i>	Donation.
<i>Tadawul</i>	Exchange, circulation of money in the economy.
<i>Takaful</i>	Islamic insurance.
<i>Takalif-i örfiye</i>	Customary taxes.
<i>Tamam</i>	Complete.
<i>Tasarruf</i>	See <i>Usus</i> .
<i>Tawarruq</i>	Modern application of the historical <i>wujuh</i> or the so-called <i>Sharikat al-Mafalis</i> . A sale contract.
<i>Tawhid</i>	Unity.
<i>Tawliah</i>	A form of sale.
<i>Tekalif-i örfiye</i>	Ottoman taxes imposed by the state.
<i>Tesis</i>	Establishment.
<i>Thaman hall</i>	Immediate payment.
<i>Thaman muájjal</i>	Deferred payment.
<i>Thawab</i>	Good deeds.
<i>Thawab ba'd al Wafah</i>	Reward after death.
<i>Timar</i>	Ottoman military fief.
<i>Umrah</i>	Visiting Mecca at a time not during the pilgrimage.
' <i>Urf</i>	Custom.
' <i>Urf khass</i>	Special recognized practice.
<i>Ushr</i>	Agricultural tax, usually one-tenth.
<i>Usus</i>	The element of Roman land ownership claimed by the landlord, a commander or a tax farmer.
<i>Vakıf</i>	Waqf.
<i>Vakıflar Bankası</i>	The Turkish Bank of Waqfs.
<i>Völkerwanderung</i>	Peoples' wandering, a major event of primary importance in European history.

<i>Wa'd</i>	Promise to purchase.
<i>Wadia</i>	A gift; in Islamic banking the term refers to deposits that do not earn any return.
<i>Wagnisfinanzierungsgesellschaft</i>	A German institution established to introduce venture capital to Germany.
<i>Wakala</i>	Representation.
<i>Wakil</i>	A person who is authorized to represent.
<i>Waqf</i>	Charitable/philanthropic foundation.
<i>Waqf ahli or khas</i>	Family waqf.
<i>Waqf khayri</i>	Charitable waqf.
<i>Wujuh</i>	See <i>tawarruq</i> .
<i>Yasa</i>	Law.
<i>Zakat</i>	The most basic Islamic tax.
<i>Zimmis</i>	Non-Muslims whose lives and properties were protected.

## NOTES

1. Abdullah 'Alwi Haji Hassan, *Sales and Contracts in Early Islamic Commercial Law* (Islamabad: Islamic Research Institute, International Islamic University, 1994), p. 62.
2. *Ibid.*, p. 65.
3. Auda, *Maqasid al-Shari'ah as Philosophy*, p. xxiii.

