

# **CLOSSARY**

## Glossary

'*Ādah*: custom, tradition, and norm.

'*Aql*: reason.

'*Ilm Nazarī*: theoretical knowledge, inferential knowledge.

'*Irq*: moral dignity

'*Umūm Ādī*: Customary generality, referring to a general text that is used based on the consideration of customs.

'*Umūm Ma'nawī*: connotative '*Umūm*

'*Urf*: custom, referring also to one of the sources of the Islamic law.

*Ahl al-Ḥadīth*: people of *Ḥadīth*, referring to the ancient Muslim school that existed in Madinah and made an excessive use of the *Ḥadīth* of the prophet (S.A.W)

*Ahl al-Ḥall wal 'Aqd*: people possessing power, knowledge and wisdom.

*Ahl al-Ra'y*: people of opinion, referring to the ancient Muslim school that existed in Iraq and made an excessive use of reason in the legal field.

*Ahl al-Sunnah wal Jamā 'ah*: people taking hold to the prophetic path and that of the majority of Muslims.

*Ahliyyat al-Wujūb*: legal capacity for acquiring rights but not for incurring obligations.

*Al-'Umūm al-Isti 'mālī*: practical generality, referring to the consideration of a general text based on how it is utilized not how it is literally uttered.

*Al-Ashhur al-Ḥurum*: the four sacred months in the Muslim calendar, which are *Zu al-Qi 'dah*, *Zu al-Ḥijjah*, *Muḥarram* and *Rajab*.

'*Ālim*: knowledgeable, well versed in a particular discipline, especially in religious sciences.

*Al-Taqṣīr wa al-Jam'*: shortening and combining prayers in a journey.

'*Āmm* (n. '*Umūm*; pl. '*Umūmāt*): general text, unspecified.

'*Aqīdah*: set of beliefs, creeds.

'*Arad* (pl. A '*rād*): attribute, accident, something other than the essence of a particular substance (Phil.)

**Ash 'ariyyah:** the school of thought and 'Aqīdah that stemmed from the views of Abū al-Ḥasan al-Ash 'arī during the formative period of the Islamic thought

**Aṣl:** the foundation, also referring to the major premise in the juristic analogical deduction.

**'Awā'id:** See 'Ādah.

**Awāmīr** (pl. of *Amr*): commands

**Awaliyyāt:** Primaries (Phil.)

**Bay 'al-Juzāf:** sale of things of uncertain quantity or undetermined quantity.

**Bayān:** clarification.

**Bid 'ah:** heresy, innovation in Religion.

**Bulūgh:** puberty, adulthood, sexual maturity.

**Burhān:** demonstration.

**Dābbah:** an animal using four legs to walk (customary word)

**Dalālāt:** methods of interpreting the legal text.

**Dalīl:** proof, evidence.

**Dalīl Shar 'ī** (pl. *Adillah*): the legal proof, a particular verse or a *ḥadīth*.

**Ḍarūriyyāt:** necessities, referring to the five necessities, Religion, self, mind, progeny and wealth.

**Dawarān:** rotation, referring to the causal relationship between the cause and effect (Phil.) or between the legal rule and its effective cause ('illah)

**Dīn:** Religion

**Du 'ā':** supplication, prayer.

Epagoge:

**Fanā':** annihilation (Phil. And Sufism)

**Far ':** subordinate, referring to the second premise in the juristic analogical deduction.

**Fatwā:** religious decree; a non-binding legal opinion.

**Fiqh:** jurisprudence, referring to the legal rules derived from the detailed evidences of *Qur'an* and *Sunnah*.

**Fuqahā':** jurists.

**Ghā'ib:** absent.

- Gharar:** Aleatory sale, a sale involving a prejudice usually to the buyer.
- Ghaybah:** Occultation, referring to the Shi 'ah doctrine pertaining to the disappearance of the twelfth Imām.
- Ghayr al-Wāḍiḥ:** unclear, referring to the unclear text that needs specification or qualification before a legal rule is enacted thereof.
- Ḥadasiyyāt:** intuitions.
- Ḥadd:** definition (logic).
- Hadhy:** raving.
- Ḥadīth Āḥād:** solitary narrative report, referring to the type of the prophetic *ḥadīth* reported by a single person or by odd individuals.
- Ḥadīth Mashūr:** a *ḥadīth* that was reported as a solitary *ḥadīth* than spread widely like a *Mutawātir ḥadīth*.
- Ḥajjiyyāt:** exigencies, referring to the second class of utilities upon which Shari'ah has built its injunctions.
- Ḥajr:** interdiction; temporarily seizing the property of someone showing improper spending such as the bankrupt and the imprudent.
- Ḥaqīqah:** reality, referring to the original sense of a particular legal text.
- Ḥayd:** menstruation.
- Ḥudūd** (pl. of *ḥadd*): fixed punishments for certain crimes mentioned in *Qur'an*, or *Sunnah* or both.
- Ḥujjah:** proof, authenticity, authority.
- Ḥulūl:** pantheism
- 'Ibādah:** worship
- Ibāḥah:** permissibility.
- 'Iddah:** waiting period for a divorced woman or a widow.
- Iḥtimāl:** probability
- Ijmā':** consensus of opinion, referring to the third source of the Islamic law.
- Ijtihād:** independent reasoning, referring to the faculty by which a jurist is able to derive legal rules from the primary sources (*Qur'an* and *Sunnah*).
- 'illah:** effective cause or *ratio legis* of a particular ruling.

**'Ilm al\_Kalām:** Muslim theology, a science that tends to prove the themes of Muslim creeds by way of reason.

**'Ilm Ḍarūrī:** necessary knowledge.

**Īmā':** gesture, referring to one of the methods by which 'illah is realized in the juristic analogy.

**Iqrār:** Confession.

**Iskār:** intoxication.

**Isrā'iliyyāt:** stories of ancient Jews.

**Istihādah:** abnormal menstruation.

**Istiḥsān:** juristic preference. Departing from one *Qiyās* (apparent) to another (hidden) to achieve the intended objective of *Sharī'ah*

**Istiqrā':** induction.

**Istiṣḥāb:** presuming the continuation of the original status.

**Iḥlāq:** absoluteness, freedom.

**Iṭṭirād:** constancy.

**Jawhar:** essence, core.

**Jawhar al-Fard:** the doctrine of atomism.

**Jumhūr:** the majority of Muslim jurists.

**Juz'ī:** particular (opposite to *kullī*).

**Kaffārah:** expiation, penance.

**Khalā':** Vacuity, blankness.

**Khalwah:** close proximity between a man and a woman.

**Khamr:** intoxicant drinks.

**Khāṣṣ:** specific, a word or a text that conveys a specific meaning (in contrast with 'Āmm)

**Khiṭbah:** marriage engagement.

**Khuffayn:** socks.

**Kullī** (pl. *Kulliyyāt*): universal, collective (in contrast with *juz'ī*).

**La Ḍarara wa lā Ḍirār:** Harm is neither inflicted nor tolerated in Islam (one of the legal maxims in Islamic jurisprudence)

*Lafzī*: textual.

*Ṭahārah*: Legal purity.

*Luzūm*: concomitance.

*Maḍarrah*: harm, impairment, mischief.

*Māddah*: substance, content.

*Madhāhib* (pl. of *Madhhab*): a particular school of thought, namely of jurisprudence.

*Mafsadah*: detriment, harm, and damage.

*Mahdiyyah*: the emergence of al-Imam *al-Mahdi*.

*Mahr*: dower, the prescribed amount of money to validate a marriage contract.

*Maḥram*: an unmarriageable relative.

*Maḥsūsāt Zāhirah*: the apparent tangibles (Phil.).

*Majāz*: metaphor, figure of speech.

*Māl*: wealth, property.

*Mala fide*: bad faith.

*Mandūb*: recommendable, referring to one of the five legal rules.

*Manfa 'ah*: benefit, advantage.

*Maqāṣid al-'Arabīyyah*: the objectives of Arabic language.

*Maqāṣid al-Sharī 'ah*: the objectives of Sharī 'ah.

*Maqāṣid Khāṣṣah*: the particular objectives of Sharī 'ah.

*Maqbūlāt*: plausible propositions.

*Maqṣad Juz'ī*: an objective related to a specific verse or a *ḥadīth*.

*Maqṣad Kullī*: an objective related to a universal meaning of Sharī 'ah.

*Al-Maṣādir al-Mukhtalaff Fīhā*: the disagreeable sources of the Islamic Law such as al-

*Maṣlaḥah al-Mursalah* (public interest) and *Sadd al-Dharā'ī* '(blocking the means).

*Masālik al-'Illah*: methods of realizing the effective cause in Qiyās.

*Maṣlaḥah* (pl. *Maṣālih*): interest, utility.

*Maṣlaḥah Mursalah*: unrestricted utility, public interest, referring to one of the disagreeable sources of Sharī 'ah.

*Mātūrīdiyyah*: a sect of Muslim theology founded by Abū Maṣṣūr al-Mātūrīdī (d.333 A.H)

*Nawāhī*: prohibitions.

*Nifās*: childbed blood.

*Niṣāb*: the limit of the property value out of which *Zakāt* is paid.

*Niyyah*: intention.

Organon:

*Qadhf*: slander, malign, vilifying.

*Qādif*: the slanderer.

*Qarā'in Istiqrā'iyyah*: the inductive signifiers, referring to the number of signifiers that are inductively traced.

*Qarā'in* (pl. of *Qarīnah*): signifiers, signs.

*Qarīnah Ḥaliyyah*: circumstantial signifier.

*Qarīnah lafẓiyyah*: textual signifier.

*Qaṭ 'iyyu al-Dilālah*: a text that is certain in its meaning.

*Qaṭ 'iyyu al-Thubūt*: a text that is certain in its originality.

*Qaṭ 'ī* (pl. *Qawāṭi 'ī* or *Qaṭ 'iyyāt*): certainty, definitiveness.

*Qawā'id Fiqhiyyah*: the juristic maxims, referring to the axioms that gather under their folds legal rules of the same theme such as *La Ḍarara wa lā Ḍirār* (Harm is neither inflicted nor tolerated in Islam).

*Qiyās al-Shumūl*: comprehensive syllogism (drawing analogy between a universal premise and a particular one)

*Qiblah*: direction of prayer.

*Qiyās*: analogical deduction.

*Qiyās al-Tamthīl*: similitude Syllogism (drawing analogy between two particular premises).

*Raḍa 'āt*: sucks.

*Raf ' al-Ḥaraj*: lifting the hardship.

*Rawāj al-Ta 'ām*: food availability.

*Ribā*: usury.

*Rukhāṣṣ* (pl. of *Rukhṣah*): concessions or concessionary laws.

*Ruwwāt* (pl. of *Rāwī*): transmitters of the prophetic *ḥadith*.

**Sabab al-Nuzūl:** occasion of revelation.

**Sabab:** reason, 'illah

**Al-Sabr wal Taqṣīm:** classification and annulment of the possible causes underlying a particular legal ruling.

**Sadd al-Dharī 'ah:** Blocking the means.

**Safar:** journey.

**Salaf:** the pious ancestors.

**Sanad:** the chain of transmission of a ḥadīth.

**Ṣarīh:** explicit, overt.

**Shabah:** similitude, semblance.

**Shahid:** the present.

**Shakk:** skepticism, doubt, uncertainty.

**Sharṭ:** condition, provision.

**Shay':** something.

**Shī 'ah:** refers to the Shiite in contrast to the Sunnites.

**Shirk:** polytheists.

**Shuf 'ah:** Preemption.

**Shūrā:** consultation.

**Ṣifātiyyah:** Attributists, refers to a sect of Muslim theologians who would tend to unnecessarily ascribe certain attributes to Allah (S.W.T).

**Ṣīghah:** textual expression; statement of a contract or fulfilling an obligation.

**Siyāq:** context.

**Suknā:** accommodation

**Ta 'il:** ratiocination, the realization of the 'illah of the legal ruling.

**Ta'fī:** a variant for *Uff*, an Arabic word usually uttered to express dissatisfaction.

**Ṭāhīr:** pure, clean.

**Taḥqīq al-Manāṭ:** confirmation of the 'illa in the analogical deduction.

**Taḥṣīniyyāt:** facilities, embellishment, refer to the third universal class of utilities after *Ḍarūriyyāt* and *Hājīyyāt*.

**Tajṣīd:** the doctrine of personifying God.



*Takhrīj al-Manāṭ*: the realization of the 'illah in the analogical deduction.

*Takhṣīs*: specification of the legal text.

*Tanqīh al-Manāṭ*: filtration of the possible effective causes ('illal) so that only one is ultimately selected.

*Taqābul*: contrast; opposite configuration of two things.

*Taqīd*: imitation.

*Ṭard*: constancy, fortuity.

*Taşawwur*: conceptualization.

*Tashbīh*: the doctrine of resembling God to other creatures.

*Tawhīd*: the doctrine of God's oneness.

*Ta'wīl*: allegorical interpretation

*Tayammum*: dust purity.

*Tadākhul*: interrelation.

*Thubūt*: confirmation.

*Tajribiyyāt*: experimentations.

*Ummah*: the Muslim nation.

*Uslūb*: stylistic peculiarity of language.

*Uṣūl al-Dīn*: the foundations of religion.

*Uṣūl al-Fiqh*: the foundations of Islamic jurisprudence.

*Waḍ' 'iyyāt*: non-rational rules.

*Wāḍih*: clear, referring to a clear legal text.

*Waḥdah*: unity.

*Wahmiyyāt*: illusions.

*Wājib*: obligatory, referring to one of the five legal rules.

*Wakīl*: agent

*Walī'yy*: guardian

*Waqī'*: actual life; reality.

*Wudū'*: ablution.

*Yaqīn* (pl.*Yaqīniyyāt*): certainty.

*Zāhir*: apparent, referring to an apparent legal text.

**Zakāh:** Almsgiving.

**Zann Ghālib:** high preferable speculation.

**Zānnī:** speculative.

**Zihār:** a type of divorce practiced by the early Arabs whereby a husband would divorce his wife by likening her sanctity with that of his mother.

**Zulm:** oppression, repression.