Islam, Land & Property Research Series

Glossary

UN-HABITAT

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Glossary of Arabic, Ottoman and Islamic Terms

Background Note to this Glossary:

Though the language of the Qur'an and most traditional/classical literature is Arabic, Muslims speak dozens of languages where Arabic terms are often absorbed into native languages with variations in spellings and pronunciation. In turn, the local languages and customs generate newer expressions approximating to the original Islamic terminology. Arabic terms have also been supplemented by Persian modifications (particularly in Shi’a literature, for example vaqf for waqf) and Turkish words (through the Ottoman period, for example siyaset for siyasa). There are also terms, as in other parts of the Muslim world, which are customary in origin or have no relation to Arabic but are nevertheless now part of local or regional Muslim lingo.

Transliterating Arabic concepts into English poses particular problems as Islamic terms have been freely changed to make them more easily pronounceable for English speakers. For example Qur'an becomes Koran, UthmaniEmpire is called Ottoman, and in British India waqfis written as wakf. Where possible, the English spelling closest to the original Arabic, Turkish or Persian word has been chosen but some well entrenched colonialist terms such as Ottoman have been retained for easy reference.

There are elaborate guidelines for transliteration in the field of Arabic and Islamic studies. For example it is important to distinguish between hamza and ‘ayn (or apostrophe) but the model followed here is simply to make the glossary more accessible for a non-Muslim, non-specialist audience. No effort is made to trace the linguistic origins of a term or its current geographical usage (unless relevant), for this is again a matter of enquiry. The reader must keep in mind that there would be an additional extensive glossary specific to a particular country owing to its Islamic school, linguistic and historical context.

Where there are two equally popular spelling, example mawat and mewat, either both or one of them is used. A superfluous ‘h´ ending, for example in Sunnah or Shariah has been dropped. Similarly ‘al’ (or the) prefixed to Arabic terms has been dropped. Where possible, the Arabic plurals have been used for example awqaf (Islamic endowments) instead of waqfs, unless such authenticity creates complications. Rather, this glossary operates as a ready referencer for the particular vocabulary used in the main eight position papers keeping in mind that these terms are often complex, have varied meanings and are often subject to much debate.
**adl**

justice, one of the fundamental concepts in the Qur'an

**adl wal ihsan**
equilibrium, the endeavour to balance competing interests, for example, striking an appropriate balance between the needs of present and future generations

**Abbasids**

Muslim dynasty which ruled between 750 and 1258

**adab al-qadi**

field of study or rules concerning the model behaviour of the judge and the courtroom

**Ahmadi**

name of a Muslim religious movement, which is not a part of mainstream Sunni Islam and founded by Hazrat Mirza Ghulam Ahmad (d. 1908)

**akhira**

the eternal life after death with God

**amana**

Qur'anic principle of trust, land and resources are owned by God and human beings exercise in trust

**Al-Medina**

the City, commonly referring to Medina, the sister city to Makkah in Saudi Arabia inhabited by the Prophet's generation and an important Muslim holy city

**aql**

intellect, the protection of intellect is one of the five *daruriyyat* (essentials) of Islamic law and is to be protected by *maslaha* (public interest)

**ard-i mahdar**

individual or official petitions filed by members of the public before the Ottoman rulers, for example with regard to abuse of power by officials

**aradi mudawana**

used in Syria to describe villages where land had been registered personally in the name of Sultan Abd’al-Hamid but was "turned over" to the Ottoman Treasury in 1908,
although the occupants regarded themselves as having full ownership, see also jiftlik

**arkan**

essential components

**ar-raqid**

honour killings

**asaba**

deoased's closest surviving male agnate, the deceased's father, brothers, uncles, cousins or more distant male relative

**ayn**

tangible property right

**Ayyubids**

Muslim dynasty which ruled between 1171 and 1250

**bai 'urbun**

credit transaction with a down payment, rejected by the majority of Islamic jurists

**bai' salam**

a sale with advance payment for future delivery

**bai'mua'jjal**

credit sale or deferred payment sale, allows products to be purchased on installment payments or for a lump sum paid at a later date

**bashari**

human, for example human endeavour or interpretation, as well as State preferences that determine how contemporary society actualises the Shari'a

**bay**

sale

**bayt-al-mal**

the State treasury for welfare, also the means for managing zakat funds

**birr**

benevolent

**darura**

necessity and need, supplementary principle in the methodology of Islamic law (usul al fiqh)

**daruriyyat**

esential, one of the three categories of public interest (maslaha) which includes protection of property (mal)

**defter-i khaqani**

central register in the Ottoman sphere, concerned primarily with accountancy and
taxation, also commonly known as the *tahrir defterleri*

**dhimmi**

‘protected’ or ‘covenanted’ people, non-Muslim subjects, specifically Christians and Jews. A *dhimmi* has extensive rights in an Islamic State though his land is subject to higher taxes (see *kharaj* and *jizya*) in lieu of his exemption from military duty and *zakat* tax.

**din**

religion, protection of religion is one of the five *daruriyyat* (essentials) of Islamic law which is to be protected by *maslaha* (public interest)

**dirlik**

fief, for controlling the land productively in a local area, appointed by an Ottoman Sultan

**duniya**

worldly life in the here and now on earth

**Emir land**

Sultanic land, often used synonomously with State land (*miри*)

**fard**

(plural *faraid*) an act considered to be obligatory under Islamic law, also the duty to act

**fatwa**

(plural *fatawa*) formal advice from a competent authority (mufti) on a point of Islamic law or dogma. It is given in response to a question.

**feddan**

a measurement of land, 1.038 acres and 0.42 of a hectare

**fiqh**

Islamic jurisprudence, practical rules of *Shari’a* derived from the detailed evidence in the textual sources. *Fiqh* is thus the end product of *usul al-fiqh*.

**firman/ferman**

orders of the Sultan, for example declarations of taxes, the orders were disseminated or read out to the people directly

**fuqaha**

jurists or those well versed in *fiqh*

**Futawa Alumgeeree**

legal compilation during the reign of
Mughal Indian emperor Aurangzeb by eminent lawyers of the time (about 1670) and was translated by Neil Baillie (1850)

**ghah**

a declaration

**gharar**

uncertainty, risk or speculation

**hadith**

plural *ahadith*, the sacred tradition, studies of the recorded actions and sayings of the Prophet

**hajj**

annual Muslim pilgrimage to Makkah and Medina, one of the five pillars of Islam, incumbent on every Muslim once in a lifetime to those who can make it

**halal**

permitted, lawful

**hammam**

public bath, a common feature of urban space

**Hanafi**

name of a Sunni school of law, associated with the early religious leader (*Imam*) Abu Hanifa (d. 767)

**Hanbali**

name of a Sunni school of law, associated with the early religious leader (*Imam*) Ahmad ibn Hanbal (d. 855)

**haqq**

truth or rights, used in the *Qur'an* 227 times, sometimes referred to as rights of God, thereby creating obligations for human beings

**haram**

forbidden, unlawful under Islamic law or religion

**has**

large fief (*dirlik*) during the Ottoman period

**hadood/hadd**

fixed punishment for designated serious crimes

**hawala**

informal system of banking and debt transfer
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td><strong>Hedaya</strong></td>
<td>literally the guide, it is a compendium of Hanafi law. An orientalist influential translation is that of Charles Hamilton in 1870.</td>
</tr>
<tr>
<td><strong>hiba</strong></td>
<td>lifetime transfer or gift, in Islamic law a contract without consideration</td>
</tr>
<tr>
<td><strong>hijab</strong></td>
<td>Muslim veil won by women</td>
</tr>
<tr>
<td><strong>hikma</strong></td>
<td>wisdom, sound rational judgment based on cause and effect, to be exercised in the spirit of Islamic law</td>
</tr>
<tr>
<td><strong>hikrs</strong></td>
<td>long leases with advance lump sums</td>
</tr>
<tr>
<td><strong>hima</strong></td>
<td>special reserves, for example, those established by the state for use as conservation zones</td>
</tr>
<tr>
<td><strong>hisbah</strong></td>
<td>an Islamic institution or ombudsman for enforcement of public interests or vigilance powers. An independent officer appointed since the days of the Prophet to ensure compliance with Islamic regulations. Often had broad powers, functioning like a chief inspector of weights and measures and chief public health officer rolled into one, as well as environmental protection ‘czar’.</td>
</tr>
<tr>
<td><strong>hujja</strong></td>
<td>document recording the contract of sale and the deed of ownership</td>
</tr>
<tr>
<td><strong>hujjat al-ikhbariya</strong></td>
<td>a Shari’a court document recording the inheritance of land</td>
</tr>
<tr>
<td><strong>hujjat al-tabayu</strong></td>
<td>sale document issued by a Shari’a court</td>
</tr>
<tr>
<td><strong>hokum</strong></td>
<td>assessment or final product through Islamic legal reasoning</td>
</tr>
<tr>
<td><strong>ibadat</strong></td>
<td>matters of worship and practice of religion</td>
</tr>
<tr>
<td><strong>Icmal</strong></td>
<td>summaries of the details from mufassal books kept during the Ottoman period</td>
</tr>
<tr>
<td><strong>ihya’al-Mawat</strong></td>
<td>reclamation or the revival of dead (mewat/mawat) land, creates a right of</td>
</tr>
</tbody>
</table>
ownership with the claimant being given a *tapu* (grant or document)

**ijara**

lease in commercial or financing context, land may also be leased for its usufruct by the State for its reclamation and development

**Ijaza**

authorisation, licence, used in a variety of contexts including commercial transactions

**ijitarayn**

lease with "two rents"

**ijma**

consensus of opinion, one of the four main sources of Islamic law (*Shari’a*) but supplementary to the Qur’an and Sunna

**ijtihad**

personal reasoning or interpretation, a tool of Islamic jurisprudence

**ikhlaf**

‘variant’ in Islamic legal reasoning

**ikhtiy’ar**

free will, individual freedom to interpret Islamic path

**Ilah**

determination of effective cause or rationale in Islamic legal reasoning

**ilmiye**

religious sector in Turkey, corresponds to ulama

**iltizam**

(plural *iltimazat*), tax farm/s, created by Ottomans in favour of a wealthy notable (*multazim*) for collecting land revenues for the State, initially for a year although later it came to be seen as a lifetime enjoyment. There were charges of exploitation of peasants and the system was abolished in 1813.

**Imaan**

faith in God

**Imam**

religious leader

**Imama/imamate**

Islamic ideal theory of the caliphate or leadership, particularly Shi’a, where the Imam has extensive powers and the final word on religion

**imaret**

soup kitchen
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>infaq</td>
<td>spending in the way of God</td>
</tr>
<tr>
<td>iqta/iqta tamlik</td>
<td>grants of land by the State, historically land given to Ottoman soldiers in lieu of regular wage, which by itself did not create juridical or hereditary rights. Could also be a grant for other purposes, for example land reclamation or development</td>
</tr>
<tr>
<td>irsadat</td>
<td>endowments formed out of State land for the benefit of those who are entitled to such benefits from the State treasury for welfare and the needy (bayt al mal)</td>
</tr>
<tr>
<td>islah</td>
<td>reform or atonement, a Qur’anic concept whereby a wrongdoer is able to make amends</td>
</tr>
<tr>
<td>Islam</td>
<td>from Arabic word s-l-m, which refers to peace and submission, the religion of 1.2 billion Muslims worldwide</td>
</tr>
<tr>
<td>istinbat</td>
<td>inferences during the process of Islamic legal reasoning</td>
</tr>
<tr>
<td>istishab</td>
<td>presumption of continuity or permanence, a subsidiary legal tool associated with the Shafii school of law</td>
</tr>
<tr>
<td>istihsan</td>
<td>juristic preference to achieve equity and avoid a harsh result, a legal method particularly associated with the Hanafi school of law</td>
</tr>
<tr>
<td>istislah</td>
<td>public interest or social welfare as a supplementary tool of juristic interpretation, associated with the Maliki school of law</td>
</tr>
<tr>
<td>jiftlik</td>
<td>term used to describe villages in Palestine where land had been registered personally in the name of Sultan Abd’ al-Hamid but was &quot;turned over&quot; to the Ottoman Treasury in 1908, although the occupants regarded themselves as having full ownership, see also aradi mudawana</td>
</tr>
<tr>
<td>jizya</td>
<td>a poll tax paid by non-Muslims in classical times, originates from the Arabic word ‘compensate’ in the context of higher taxes</td>
</tr>
</tbody>
</table>
being paid by non-Muslims in lieu of their exemption from other obligations, used synonymously with kharaj

**kadi/khadi**
Qadi or judge in an Islamic court

**kaffara**
a penitential charitable contribution for the breaking of an oath

**Kanunname-i Kitabet-I Vilayet**
an Ottoman land registration guide, available in the Ottoman archives

**Khalifa**
successor, vicegerent; caliph Stewardship, an Islamic political concept indicating leadership on behalf of the Muslim community (Umma)

**Khalil**
source of Maliki law, based on the writings of Mukhtasar of Sidi Khalil, the widely used translation is that of F. H. Ruxton (1916)

**kharaj**
land under state control upon which a tax is paid by those in possession, it describes both the land itself and the tax

**khoms**
general obligation for a charitable payment on all gains from trade or other economic activities for Shi'a Muslims

**khula**
a judicial divorce, granted through a decree

**Khutbatul Wada’**
Prophet’s Farewell Sermon 632 AD, an important Islamic document

**Kitab al-Kharaj**
(The Book of Land Tax), Abu Yusuf’s wide ranging treatise on the Islamic theory of taxation (Cairo, 1382)

**Kuyud-u Hakani**
Ottoman period land information records (particularly between 1534-1634) containing all land-related information

‘*ma*
water, water rights are widely discussed in the Qur’an and the documented sayings of the Prophet

**mabi’**
the good (property) being sold or purchased

**maddhab**
(plural maddahib), a school of legal thought with distinctive elements to its
methodology, associated with a particular religious leader (Imam) of the classical period

madrassa

a religious school

mafcsada

harm, maslaha (public interest) includes the duty to prevent harm

maisir

gambling

Majalla

the Ottoman Civil Code based on Islamic law (Shari'a), enacted in 1876. Based on the perspective of the Hanafi School of Muslim jurisprudence, but following a Napoleonic form. Its full title is Majallat-I Ahkami Adliye, the Book of Rules of Justice.

Makkah

or Mecca, the holiest Muslim city which houses the Kaaba or the ‘black stone’ and destination for the Muslim pilgrimage (Hajj)

makruh

an act considered repugnant under Islamic law or faith

mal

property, the protection of property is one of the five daruriyaat (essentials) of Islamic law which is to be protected by maslaha (public interest)

Maliki

name of a Sunni school of law, associated with the early religious leader Malik ibn Anas (d. 796)

Mamluks

Muslim dynasty which ruled between 1250-1517

manat

anchor point in Islamic legal reasoning

Mandub

an act recommended under Islamic law or faith

maqasid e sharia

hierarchy of legal aims or objectives of Islamic law, also the title of an influential book by Al-Ghazzali (1058-1111)

maruf

good or acceptable behaviour that is to be encouraged by other Muslims
<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Maslaha/maslaha marsala</td>
<td>Islamic public interest principle, literally means benefit or interest in Islamic jurisprudence and is often perceived as overriding public interest, used synonymously with istislah</td>
</tr>
<tr>
<td>matruk/metruke</td>
<td>public land for general use such as pastures for the use of particular towns and villages, markets, parks and places to pray</td>
</tr>
<tr>
<td>matruk mahmiyya</td>
<td>property for general public use such as roads</td>
</tr>
<tr>
<td>matruk murfaqa</td>
<td>property for use by a specific community such as market places and cemeteries</td>
</tr>
<tr>
<td>mawat</td>
<td>see mewat</td>
</tr>
<tr>
<td>mawquf</td>
<td>specific property settled in an endowment (waqf)</td>
</tr>
<tr>
<td>mawquf’alayh</td>
<td>beneficiaries of an endowment (waqf)</td>
</tr>
<tr>
<td>mehlul/mahlul</td>
<td>land left uncultivated, State land (miri) under the Ottoman Land Code 1858 if left uncultivated for three years could be taken back by the State, depriving the owner of possession</td>
</tr>
<tr>
<td>mehr/mahr</td>
<td>the payment of money from the husband to the wife at the time of marriage, known as dower</td>
</tr>
<tr>
<td>memuru marifetiyle</td>
<td>Ottoman state agents</td>
</tr>
<tr>
<td>mewat</td>
<td>dead or empty land, which can be reclaimed or revived (ihya’al mawat)</td>
</tr>
<tr>
<td>microtakaful</td>
<td>Islamic micro-insurance, based on mutual responsibility and mutual guarantee</td>
</tr>
<tr>
<td>Minhaj</td>
<td>source of Shafi law, written by Mahiudin Abu Zakaria Yahya ibn Sharif en Nawawi, translated by E. C. Howard (1914)</td>
</tr>
<tr>
<td>mirath</td>
<td>the Islamic law of succession</td>
</tr>
<tr>
<td>mu’amilat</td>
<td>sphere of Islamic law governing human or social relationships such as most property</td>
</tr>
</tbody>
</table>
rights, as distinct from ibadat, matters relating to worship

**mubah**

an act considered permissible under Islamic law of faith

**mudaraba**

limited partnership, trust financing

**mudarib**

the client in a trust financing (mudaraba) transaction who provides know-how, labour, or management expertise

**mufti**

the theologian who is competent to issue an advisory Islamic legal opinion (fatwa) in response to a specific question

**muhtasib**

one who is appointed to implement hisbah, must be experienced, honest, knowledgeable in his profession, pious in his dealings, and of good standing in the community

**mujadad**

the first registration of land, also a land registration document created by the Jordanians in the West Bank as part of its land reform, which was abandoned in 1967

**mujtahid, plural mujtahidun**

a person who practises independent reasoning (ijtihad)

**mujtahidat**

woman practising Islamic reasoning (ijtihad)

**mukhabara**

sharecropping where the owner provides only the land

**mulk**

land in full ownership

**multazim**

tax farmer, wealthy notable given charge of collecting land revenues for the State (tax farm or iltizam) during Ottoman period

**munkar**

unacceptable behaviour or wrongful, that which other Muslims have a duty to stop, in contrast to maruf, good conduct to be encouraged

**Muqaddimah**

‘Prolegomena’ – an influential treatise by Muslim writer Ibn Khaldun (1332-1395)
murabaha  purchase and resale agreement, mark-up/cost plus sale

musha’  communal land, also a term deployed by colonial officials during Mandate rule in the Middle East to describe a system by which most of a village’s arable land was held in common and in shares which were periodically redistributed

musharaka  partnership, joint venture

Muslim  follower of Islam, one who makes the declaration of faith (shahada) or submission to Islam

mustahab  desirable practices/acts for a Muslim

mut’a  temporary marriage

mutat  compensation from a husband to a divorced wife

mutawalli  the administrator, manager or superintendent of endowment (waqf) property, equivalent to nazir in South Asia

muzara’a  agricultural contract, a form of sharecropping in which the landowner provides both land and seed for the crop, the worker provides the labour

nafs  life, the protection of life is one of five daruriyyat (essentials) of Islamic law and is to be protected by maslaha (public interest)

naskh  necessity or the repeal of inoperative or contradictory Qur’anic verses in favour of those considered more fundamental

nasl  progeny, the protection of progeny is one of the five daruriyyati (essentials) of Islamic law and is to be protected by maslaha (public interest)

nazir  administrator, manager or superintendent of an endowment (waqf) in South Asia, equivalent to mutawalli in the Arab world
ni‘mah

God's gift or bounty, the Qur’anic view holds that everything on the earth was created for humankind. Human beings can enjoy these gifts, particularly in relation to the environment, land and water, but the rights have to be exercised with care as a trusteeship (amana).

nushuq

disobedience in marriage

Ottoman Empire

Uthmani, most recent and significant Muslim dynasty which ruled between 1281-1918, with its seat of power in Istanbul. It had an extensive land administration system and the Ottoman Land Code 1858 is still influential as a codification of Islamic law, though it also absorbed other legal sources. Ottoman archives are an important source of the application of Islamic law in context.

qadi

religious judge

qanun

decree to supplement Islamic law (Shari’a)

qard hasana

an interest free loan

qat’i

clear and unambiguous, as in the main features of the Islamic inheritance rules, explicit Qur’anic injunctions are not open to reinterpretation

qiwama

the concept of male guardianship, prerogative of the male guardian (wali)

qiyas

reasoning, deduction by analogy, a source of Islamic law (Shari’a)

Qur’an

the Holy Qu’ran, the revelation of God, the sourcebook of Islamic values and the primary source of Islamic law (Shari’a)

qurbah

pious purpose, as in relation to the creation of an endowment (waqf)

rabal-maal

the financier in a trust financing (mudaraba) transaction, for instance a bank
<table>
<thead>
<tr>
<th>Arabic Word</th>
<th>English Translation</th>
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<tbody>
<tr>
<td>Raqaba</td>
<td>full property ownership, often in the context of private individual land (<em>milk/mulk</em>)</td>
</tr>
<tr>
<td>Ramadhan</td>
<td>the Islamic holy month of fasting</td>
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<tr>
<td>Riba</td>
<td>usury, the Islamic prohibition of interest</td>
</tr>
<tr>
<td>Riba al-fadl</td>
<td>prohibited transactions that give one party more than 'fair exchange' value and produce an interest like payment</td>
</tr>
<tr>
<td>Riba al-nasi'a</td>
<td>a prohibited transaction whereby a lender receives an additional excess payment to the principal amount of a loan, whether by fixed or variable interest, set out in advance</td>
</tr>
<tr>
<td>Sadaqa</td>
<td>religiously inspired voluntary alms giving or discretionary charitable donation, not necessarily monetary in nature</td>
</tr>
<tr>
<td>Sadaqa jaaria</td>
<td>continuous charity, as in a endowment (<em>waqf</em>)</td>
</tr>
<tr>
<td>Safavids</td>
<td>Muslim dynasty which ruled between 1501 and 1722</td>
</tr>
<tr>
<td>Sahm-e-Imam</td>
<td>'share of the Imam', a practice by which every Muslim should pay 10 percent of his annual income to the religious elite (<em>ulama</em>) for religious institutions</td>
</tr>
<tr>
<td>Sahms</td>
<td>the term used to describe shares in a village where land is held communally (<em>musha</em>)</td>
</tr>
<tr>
<td>Salat/salah</td>
<td>prayer or worship performed five times a day by Muslims</td>
</tr>
<tr>
<td>Sanjak</td>
<td>provinces or large administrative units under Ottoman territories</td>
</tr>
<tr>
<td>Shafi</td>
<td>name of a <em>Sunni</em> school of law, associated with the early religious leader Muhammed al-Shafii(d. 820)</td>
</tr>
<tr>
<td>Shahada</td>
<td>declaration of faith in Islam, in the oneness of God (Allah or the God, in Arabic) and acceptance of the Prophet s the last messenger of God</td>
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<tr>
<td>Shari'a</td>
<td>Islamic law</td>
</tr>
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<td>Term</td>
<td>Description</td>
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<tr>
<td>Shi'a</td>
<td>minority branch of the Muslim community which claims that the Prophet named Ali, his nephew and son-in law, as his successor</td>
</tr>
<tr>
<td>shura</td>
<td>concept of consultation discussed in the Qur'an, relevant in the context of democracy in Islam</td>
</tr>
<tr>
<td>shuf'a</td>
<td>preemption, a barrier upon the free disposal of land and the means by which a co-inheritor, or in some cases a neighbour, may use a privileged option to purchase land when it is for sale</td>
</tr>
<tr>
<td>silsila</td>
<td>scholarly genealogy stretching back, in some cases, to the Prophet and companions which often creates authority for a scholar</td>
</tr>
<tr>
<td>sipahi</td>
<td>an individual cavalryman</td>
</tr>
<tr>
<td>Sinirname</td>
<td>an approved Ottoman demarcation certificate given to landholders and the boundaries were demarcated on land by stones, based on the written boundary descriptions</td>
</tr>
<tr>
<td>siyar</td>
<td>international law or law of nations, derived from the same sources as Islamic law (Shari'a)</td>
</tr>
<tr>
<td>siyasa</td>
<td>policy, governance, administration</td>
</tr>
<tr>
<td>sulah</td>
<td>conciliation, an Islamic dispute resolution technique which requires compromise between two parties</td>
</tr>
<tr>
<td>sultan</td>
<td>ruler, literally power or authority, sometimes referred to as Emir</td>
</tr>
<tr>
<td>Sunni</td>
<td>the largest group within the Muslim community, who believe that the Prophet died in 632 AD without choosing any successor</td>
</tr>
<tr>
<td>Sunna</td>
<td>tradition, deeds, utterances and tacit approvals of the Prophet, the second source of Islamic law (Shari'a)</td>
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<td>ta'a</td>
<td>obedience in marriage</td>
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<td>Term</td>
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<tr>
<td>tahkim</td>
<td>arbitration, an Islamic dispute resolution technique which involves a mutually acceptable arbitrator</td>
</tr>
<tr>
<td>tahrir defterleri</td>
<td>Ottoman imperial registers or defter-i khan</td>
</tr>
<tr>
<td>Tahsiniyyat</td>
<td>embellishment, the least important of the three categories of rights protected by public interest (maslaha). The other two are daruriyyat (essentials) and hajiiyyat (complements)</td>
</tr>
<tr>
<td>takaful</td>
<td>mutual responsibility, mutual guarantee, Islamic insurance</td>
</tr>
<tr>
<td>takhayyur</td>
<td>Islamic legal method of selection amongst competing legal principles</td>
</tr>
<tr>
<td>talaq</td>
<td>husband's unlimited right to divorce his wife</td>
</tr>
<tr>
<td>talfiq</td>
<td>the legal method of 'patchwork', combining approaches or principles from different Islamic schools of law</td>
</tr>
<tr>
<td>tanazul</td>
<td>a customary practice by which a person, typically a woman, renounces her inheritance rights</td>
</tr>
<tr>
<td>tabu/tapu/tabo</td>
<td>an Ottoman land title registration office or document, still referred to as such for example in Palestinian territories and Israel. Also a title deed granting usufruct rights in State land (miri)</td>
</tr>
<tr>
<td>taqlid</td>
<td>adherence to a tradition, relying upon the opinion of other jurists, not practicing ijtihad</td>
</tr>
<tr>
<td>tassaruf</td>
<td>possession of land vested in an individual cultivator</td>
</tr>
<tr>
<td>tawhid</td>
<td>Islamic doctrine of unity in God</td>
</tr>
<tr>
<td>Temessuk Belgeleri</td>
<td>Title Deed Records, the name for the Kuyud-u Hakani registration books from 1634 to 1847</td>
</tr>
</tbody>
</table>
thimmah: a separate and independent financial personality

timar: small fief (dirlik) during Ottoman rule, a right to revenue in relation to land

ulama/ulema: clerical leadership, religious scholars

umma: universal Muslim community, which defies national boundaries

Ummayads: Muslim dynasty after the ‘rightly guided Caliphs’ which ruled between 661-750

‘urf or ‘urf wa adah: custom and usage, a general or local model of behaviour, social understanding, or mode of expression, that is generally accepted by the population and does not contract a definative rule of Islamic law (Shari’a)

ushr: land on which a tithe is paid, belonging to a Muslim at the time of his conversion or distributed to a Muslim soldier as his share of the spoils of war, describes both the land itself and the tithe. It is an obligatory charge on farm produce ranging from one-tenth to one-twentieth of the produce. A lower rate than kharaj paid by non-Muslims.

usul al-Fiqh: methodology applied to the Qur’an and Sunna to deduce the rules of fiqh, or substantive law

vaqf, Persian, plural auqaf: charitable endowment in Shi’i practice

wajib: a highly recommended act for a Muslim under Islamic law or religion

wali: guardian, also a local governor in Ottoman times

waqf, plural awqaf: general term for charitable endowment

waqf ahli: a family endowment where the usufruct or income is held for the family of the founder/creator (waqif) or other specific individuals, until the extinction of his or her descendants, whereupon it is diverted to a charitable purpose
**waqf al aulad**
a family endowment in South Asia, equivalent of *waqf ahli* in the Arab world

**waqf dhurri**
an alternative name to *waqf ahli* for the family endowment in Arab countries

**waqf fi-sabilillah**
endowment in the way of Allah, to set up a pious endowment

**waqf gayri sahih**
State endowment, created either because it was established from the State treasury (*bait al-mal*) or because the endowment (*waqf*) was taken into state control

**waqf khairi/khayri**
a charitable endowment, which involves the ‘permanent’ dedication of the property for charitable purposes

**waqf mushtarak**
a quasi-public endowment (*waqf*), which primarily provides for particular individuals or a class of individuals including the founder’s family, but also serves certain outside public interests, such as a mosque which is convenient for, but not exclusive to, family members

**waqif**
the founder of an endowment (*waqf*)

**wasata**
mediation, an Islamic dispute resolution technique whereby one or more persons intervene in a dispute either of their own initiative or at the request of one of the parties

**wasaya**
an Islamic will

**wudu**
obligatory ablution which precedes the five times daily prayer (*salat*)

**Yoklama**
land title inspection or record books used by Ottomans after 1847

**zakat**
general charitable payment, levied on property such as gold, silver, merchandise and income producing animals, as well as land, required of all Muslims to purify both themselves and their wealth

**zam zam**
water from the *Makkan* aquifer having a religious significance
zeamat  middle size fief (dirlik) during Ottoman rule